

**ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I MUA I TE KOOTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU**

ENV – 2022 – AKL –

UNDER THE Resource Management Act 1991 (RMA)
IN THE MATTER OF: an appeal under clause 14(1) of schedule 1 of the RMA
BETWEEN **HAVELOCK VILLAGE LIMITED**
Appellant
AND **WAIKATO DISTRICT COUNCIL**
Respondent

**NOTICE OF APPEAL AGAINST THE DECISION OF THE WAIKATO DISTRICT
COUNCIL ON THE PROPOSED WAIKATO DISTRICT PLAN**

Dated: 1 March 2022

BUDDLE FINDLAY

Barristers and Solicitors
Auckland

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To: The Registrar
Environment Court
AUCKLAND

1. Havelock Village Limited (**HVL**) appeals against parts of the decisions of the Waikato District Council (the **Council**) on the Proposed Waikato District Plan (**PWDP**).

Background and decision appealed

2. HVL made numerous submissions¹ and further submissions² on the PWDP. Its primary submission sought to rezone approximately 150ha of rural land immediately south west of Pokeno's existing urban area (**Havelock**) from rural to residential subject to site specific controls contained within the Havelock Precinct.
3. It presented legal submissions and extensive expert evidence to the Council's Independent Hearings Panel (**Panel**) on a range of matters from August 2019 through to June 2021, including:
 - (a) Topic 2: All of Plan Matters and Plan Structure;
 - (b) Topic 3: Strategic Objectives;
 - (c) Topic 7: Industrial Zone and Heavy Industrial Zone; and
 - (d) Topic 25: Zone Extents, including the proposed Havelock rezoning and the use of buffer land to avoid reverse sensitivity effects on industrial sites.
4. HVL is not a trade competitor for the purposes of section 308D of the RMA.
5. HVL received notice of the Council's decisions on the PWDP on 17 January 2022 (**Decision**).
6. HVL supports the identification of Havelock as a suitable location for the urban expansion of Pokeno and the rezoning of the majority of Havelock from rural to residential zone.

Parts of the Decision subject to appeal

7. HVL appeals parts of the following Decision topics:

¹ Submission #862.

² Further Submission #1377.

- (a) Significant Natural Areas - Decision Report 9, including the appropriate boundaries of the Significant Natural Area at Havelock;
- (b) Residential Zone – Decision Report 14, including deletion of Multi-Unit Housing rule in the General Residential Zone; and
- (c) Zoning – Pokeno – Decision Report 28I, including:
 - (i) Retention of rural zoning for land above RL100 at Havelock;
 - (ii) Identification of land in Area 1 at Havelock as an Environmental Protection Area (**EPA**) instead of a residential zone; and
 - (iii) Rezoning of part of 62 Bluff Road as Heavy Industry Zone.

Grounds of appeal and provisions appealed

8. HVL opposes those parts of the Decision because:

- (a) It removes residential and business land capacity above RL100 at Havelock, despite collective expert evidence that: residential capacity enabled by the rezoning is required to meet medium-term growth projections for Pokeno; the economic benefits of rezoning will be significant; and that the proposal provided a comprehensive and integrated response across the whole Havelock precinct. In doing so, the Decision fails to give effect to higher order policy directives of the National Policy Statement on Urban Development 2020 (**NPS:UD**) and the Waikato Regional Policy Statement (**RPS**) urban growth principles. Furthermore, no section 32AA evaluation was undertaken to justify the effectiveness or efficiency of the fragmented rural landholding now proposed between two urban residential zones on Havelock.
- (b) Contrary to expert evidence, the Decision removes a substantial portion of the developable land potential in order to retain a local amenity feature and to address potential cultural issues when the expert evidence demonstrated that most of the land above RL100 at Havelock does not in fact form part of the amenity "backdrop" to Pokeno and the Panel acknowledged that these potential issues could be addressed in more nuanced way through alternative provisions. Expert evidence produced by HVL demonstrated that residential development above RL100 could be appropriately achieved whilst

retaining the potential cultural importance of this vicinity, including the visual relationship between sites that are significant to iwi through the protection of the EPA buffer, prominent hilltop parks, and other measures such as proximate building height and setback controls to reinforce these landscape features. In other words, Havelock did propose a package of more nuanced solutions to landscape protection and treatment, which the Panel failed to consider.

- (c) Failure to rezone the area over RL100 will result in inefficient delivery of infrastructure, potential severance between different parts of Havelock and Pokeno's urban areas more generally, as well as a lack of local convenience retail. Conversely, rezoning the area above RL100 to General Residential and Local Centre will achieve a better functioning urban environment than the Decision and is the most appropriate outcome for Pokeno's future growth and communities.
- (d) The Decision identifies part of the site known as "Area 1" as an EPA despite expert evidence that residential development in this area would not have any credible reverse sensitivity effects nor constraints on existing industrial uses due to the Havelock industrial buffer proposed through the Havelock Precinct provisions. No section 32AA evaluation was undertaken to justify the effectiveness or efficiency of additional EPA areas in this location given competing housing demands in Pokeno.
- (e) It failed to amend the boundaries of the Significant Natural Area on an area of Havelock in accordance with the uncontested expert evidence of Dr Ussher that the area of Havelock in question had little or no ecological value following site investigations.
- (f) The Decision deletes restricted discretionary consenting provisions in the General Residential Zone providing for Multi-Unit Housing, which means the provisions are less flexible, remove opportunities for housing choice, variation in housing typologies, affordable housing options and site specific responses all of which is contrary to the national directives of the NPS:UD and forthcoming mandatory medium density legislative requirements. In any event, there was no scope for the Decision to adopt a more restrictive consenting approach for Multi-Unit Housing;

- (g) It rezoned part of 62 Bluff Road as Heavy Industry Zone without adequate consideration of potential adverse effects on surrounding residential activity and onsite freshwater wetlands.
9. As a result, the Decision does not represent the most appropriate way of assisting the Council to carry out its functions to achieve the purpose of the RMA, including the Council's obligations to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of Pokeno and to achieve well-functioning urban areas that provide for a variety of housing choices.
10. Furthermore, the Decision does not achieve integrated management of the effects of use and development of land and natural and physical resources, give effect to the NPS:UD or the RPS, adequately or appropriately consider the efficiency and effectiveness of the proposed Havelock precinct provisions, and in particular whether those provisions are the most appropriate way to achieve the residential rezoning objectives having regard to other reasonably practicable options.
11. Neither does the Decision adequately or appropriately assess the environmental, economic and social benefits from the full extent of the proposed Havelock rezoning, including opportunities for housing supply, economic growth and employment that are anticipated to be provided.
12. The Havelock residential proposal offers a comprehensively master planned residential site in south west Pokeno that the Decision acknowledges is ideally located for growth. The Havelock masterplan and associated Precinct provisions were developed to ensure a high-quality designed neighbourhood, contiguous with the existing settlement and planned growth areas. The areas excluded from the Havelock proposal by the rezoning Decision have substantially compromised the ability to effectively achieve those outcomes and deliver the necessary housing supply for Pokeno. The Decision therefore fails to give effect to the objectives of the PWDP, RPS, NPS:UD and achieve the sustainable management purpose of the RMA.
13. Without limiting the general grounds outlined above, further specific grounds of appeal, and details of the provisions appealed, are described in **Appendix 1**.

Relief sought

14. HVL seeks the following relief:
 - (a) Amendments to the zoning provisions and associated precinct plans for the Havelock Site as described in **Appendix 1**, including rezoning the land above RL100 within Havelock to a combination of General Residential and Local Centre zoning and removal of the EPA on Area 1 to provide for General Residential development;
 - (b) Amendments to the boundaries of the Significant Natural Area on an area of Havelock in accordance with the uncontested expert evidence;
 - (c) Retain the existing rural zoning of the land at 62 Bluff Road as opposed to rezoning part of that site to Heavy Industrial Zone;
 - (d) Other amendments to the PWDP provisions as set out in **Appendix 1**, or amendments of similar effect;
 - (e) Such other relief, whether it be alternative, additional or consequential, as may be required to address the issues identified in this appeal and/or appendices; and
 - (f) Costs.

Attachments

15. The following documents are attached to this notice:
 - (a) **Appendix 1:** Table of detailed reasons for appeal and relief sought;
 - (b) **Appendix 2:** A copy of HVL's original (without appendices) and further submissions. Copies of the appendices to the original submission are available on request;
 - (c) **Appendix 3:** HVL's revised proposal for Havelock, including proposed precinct provisions and plan, as presented to the Independent Hearing Panel at the close of the Pokeno rezoning hearing on 1 July 2021;
 - (d) **Appendix 4:** A list of names and addresses of persons to be served with a copy of this notice; and

(e) **Appendix 5:** A copy of the decision reports relevant to this appeal.

HAVELOCK VILLAGE LIMITED by its solicitors and
authorised agents Buddle Findlay:



Signature:

Vanessa Evitt

Date:

1 March 2022

**Address for Service of
Appellant:**

Buddle Findlay
Level 18
188 Quay Street
Auckland 1140

c/- Vanessa Evitt / Mathew Gribben

Service may also be effected by:

- (a) posting it to the solicitor at PO Box 1433, Auckland; or
- (b) leaving it for the solicitor at a document exchange for direction to DX CP24024, Auckland; or
- (c) emailing it to the solicitor at vanessa.evitt@buddlefindlay.com / mathew.gribben@buddlefindlay.com.

Telephone:

+64 9 363 0635

TO:

The Registrar of the Environment Court at Auckland

AND TO:

Waikato District Council

AND TO:

The relevant submitters on the provisions appealed

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the appellant's submission and (or or) the decision (or part of the decision) appealed. These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

APPENDIX 1: REASONS AND RELIEF SOUGHT

Provision appealed	Relief sought	Specific grounds of appeal/reasons
<p>District Plan Maps</p> <p>Zoning of 88 Bluff Road above RL100</p>	<p>(i) Rezone the Rural Zone within 88 Bluff Road above RL100 to General Residential Zone and Local Centre Zone in accordance with the zoning pattern and precinct plan presented by HVL at the Pokeno rezoning hearing as attached to this appeal at Appendix 3.</p>	<p>(i) The decision does not adequately give effect to the NPS-UD in that:</p> <ol style="list-style-type: none"> (1) It failed to rezone an area of land that could otherwise provide for increased land supply, housing choice and affordability. This imperative is particularly critical given the expert evidence that demonstrates Pokeno's high growth rate; (2) The Decision therefore does not adequately give effect to Policy 2 of the NPS-UD which requires Waikato District Council, as a Tier 1 authority, to, at all times, provide at least sufficient development capacity to meet expected demand for housing over the short term, medium term, and long term; (3) The Decision does not acknowledge Council's s42A report for the Pokeno rezoning hearing (at paragraph 58) which noted that further live zoned land is needed to meet at least the medium-term demands. In this regard, the Decision does not give effect to Objective 6(b) and (c) of the NPS-UD in that it is neither strategic over the medium term (or long term) nor responsive to a zone proposal that would supply significant development capacity, as well as failing to give effect to Policy 2 and Policy 5 of the NPS-UD; (4) The Decision fails to achieve a well-functioning urban environment as required by Objective 1 of the NPS-UD, in addition to Objective 6(a) which requires local authorities to make decisions on urban developments that are integrated with infrastructure planning and funding decisions. The Decision results in severance in this community, inefficient provision of infrastructure and compromises local servicing opportunities for the community; <p>(ii) The Decision does not give effect to the Waikato Regional Policy Statement (RPS), including Objective 3.12 which refers to the need to anticipate and respond to changing land use pressures outside the Waikato region). This is particularly relevant to Pokeno given the spill-over growth from the Auckland region;</p> <p>(iii) The land above RL100 is not identified as an outstanding natural feature, outstanding natural landscape or site of significance in the RPS, District Plan or any other statutory document. In the Operative District Plan it is identified as Aggregate Extraction and Processing Zone (for a quarry) where significant land use change was anticipated. The area previously identified as a landscape / cultural feature set aside for protection was the EPA, which was to be retained as part of the Havelock provisions;</p>

Provision appealed	Relief sought	Specific grounds of appeal/reasons
		<ul style="list-style-type: none"> <li data-bbox="842 268 2085 327">(iv) The Decision compromises the Council's ability to implement Objective SD-03 (Growth targets) in the PWDP decision version; <li data-bbox="842 347 2085 624">(v) Expert evidence produced by HVL at the hearing demonstrated that residential development above RL100 can be achieved: <ul style="list-style-type: none"> <li data-bbox="936 427 1989 486">(1) without resulting in visual obtrusion, or the loss or interruption of significant views, including the need to retain the rural backdrop of Pokeno; and <li data-bbox="936 507 2085 624">(2) whilst retaining the cultural importance of this vicinity, including the visual relationship between sites that are significant to iwi. This is achieved by the EPA and two Hilltop Parks which set aside land from development and rules imposing building height limits and setbacks around those areas and parks. <li data-bbox="842 644 2085 735">(vi) The Decision failed to acknowledge or adequately assess these aspects of the Havelock proposal and that there are alternative means to address the cultural importance and any amenity values this ridgeline that do not negatively affect the development of Havelock. <li data-bbox="842 756 2085 970">(vii) The Decision also: <ul style="list-style-type: none"> <li data-bbox="936 799 2085 858">(1) is inconsistent with the Decision to allow residential development above RL100 in respect to the CSL Block which is also located within Pokeno's visual catchment; and <li data-bbox="936 879 2085 970">(2) gives undue weight to the restrictions on development above RL100 in the historic non-statutory, structure plan document. This is contrary to Policy 6 of the NPS that contemplates there will be material changes to an area to accommodate growth. <li data-bbox="842 991 2085 1102">(viii) The Decision to exclude residential development above RL100 will result in the retention of an unproductive pocket of rural land that effectively severs the Havelock community into two separate and poorly connected and integrated areas which are no longer served by local convenience retail (Local Centre Zone) as envisaged by HVL's comprehensive and integrated Precinct Plan. <li data-bbox="842 1123 2085 1337">(ix) This pocket of rural land compromises connections between each part of Havelock. In order to service the residential zoned land, it will be necessary to install infrastructure (such as roading, reticulated networks and stormwater) through the rural land. HVL's proposal identified that an integrated approach to bulk earthworks was required over the site as a whole which necessitates earthworks above and below RL100. The imposition of the RL100 contour as an arbitrary contour or barrier for urban development therefore compromises an integrated and holistic outcome for the site contravening accepted urban design outcomes. <li data-bbox="842 1358 2085 1412">(x) The removal of the Local Centre Zone does not support the day to day convenience needs of local residents, and in its own right can contribute to the generation of increased vehicle trips (and

Provision appealed	Relief sought	Specific grounds of appeal/reasons
		<p>therefore greenhouse gas emissions) to meet convenience needs when these could be provided in a centrally located centre in this community.</p> <p>(xi) The Decision did not provide a s32AA evaluation of the lack of integration, the negative impacts on infrastructure delivery or the removal of the Local Centre Zone, or the viability of the rural segment of land left in the Havelock precinct.</p> <p>(xii) The Decision removes a significant portion of the development potential from Havelock and substantially compromises the outcomes sought via the Havelock masterplan and precinct provisions as well as provision of necessary housing supply for Pokeno.</p>
Boundaries of SNA within 88 and 242 Bluff Road	Correct the boundaries of the Significant Natural Area ("SNA") within 88 and 242 Bluff Road to align with the field survey provided at the hearing by Dr Graham Ussher.	The Decision has not acknowledged the detailed on-site ecological assessment carried out by Dr Graham Ussher which identified the appropriate boundaries of the SNA. This evidence was uncontested. The areas of SNA in the decisions version include areas of gorse and pasture, along with the existing farm track.
Environmental Protection Area applying to Area 1 within 88 Bluff Road.	Delete the Environmental Protection Area applying to Area 1 within 88 Bluff Road and rezone to General Residential in accordance with the Havelock provisions and Precinct Plan attached at Appendix 3.	<p>(i) Expert evidence produced by HVL at the hearing demonstrated that the development of Area 1 for residential purposes will not generate potential reverse sensitivity effects on nearby industrial activities in respect to the dominant views, noise, lighting and air discharges from Pokeno's industrial zones. Notwithstanding this position, any such potential adverse effects can be satisfactorily mitigated through subdivision design and the orientation of dwellings as demonstrated by the reverse sensitivity standards applied to the Havelock Precinct. The Panel agreed with the Havelock evidence with respect to noise and views but appears to have remained concerned with potential lighting and dust emissions.</p> <p>(ii) Despite expert evidence to the contrary, the Decision justified the removal of Area 1 from general residential use due to a risk of the "perception" of dust and lighting effects from the heavy industrial area giving rise to reverse sensitivity effects, which was unsubstantiated by expert evidence from lighting or air quality experts.</p> <p>(iii) No section 32AA evaluation was undertaken to justify the effectiveness or efficiency of additional EPA areas in this location given competing housing demands in Pokeno.</p>
Deletion of Multi-Unit Housing rule in General Residential Zone	Reinstate provision for Multi-Unit Housing as a restricted discretionary activity in the General Residential Zone with all necessary amendments (including consequential amendments to objectives, policies, rules and	(iv) The deletion of the consenting path for multi-unit housing (as a restricted discretionary activity) in the General Residential Zone does not achieve Objective GRZ-04 or Policy GRZ-P11 of the PWDP which seek to provide a range of housing types to meet the needs of the community in suburban settings. Restricting each residential site to a single residential unit is inconsistent with providing for a range of housing types, choice and affordable housing options.

Provision appealed	Relief sought	Specific grounds of appeal/reasons
	standards) to align the provisions for Multi-Unit Housing with the medium density residential standards contained within the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.	<p>(v) The default of a discretionary activity pathway is overly onerous and neither the most efficient nor effective method of achieving Objective GRZ-04 and Policy GRZ-P11.</p> <p>(vi) Similarly, the fails to give effect to Policy 2 in the NPS-UD, the Waikato Regional Policy Statement (including Objective 3.12) and compromises Council's ability to achieve Objective SD-03 (Housing targets) in the PWDP decision version.</p> <p>(vii) The Decision to confine multi-unit development to the Medium Density Residential Zone on the basis that the alternative approach of provision via the General Residential Zone will result in infrastructure inefficiencies is not justified in light of national direction to provide for housing choice and affordability and recent mandatory medium density legislative requirements.</p> <p>(viii) Consequently, not providing for multi-unit housing in the General Residential Zone as a permitted activity for up to 3 dwellings, or a restricted discretionary activity for four or more dwellings, represents a failure to give effect to Policy 2 in the NPS-UD, the Waikato Regional Policy Statement (including Objective 3.12) and compromises Council's ability to achieve Objective SD-03 (Housing targets) in the PWDP decision version.</p> <p>(ix) In any event, there was no scope for the Decision to adopt a more restrictive consenting approach for Multi-Unit Housing. No submission requested the deletion of a multi-unit housing provision in the Residential Zone or a more onerous activity status than the notified approach of a restricted discretionary activity.</p>
Partial rezoning of land at 62 Bluff Road	Retain the Rural zoning within 62 Bluff Road.	<p>(i) The rezoning of part of 62 Bluff Road (4.27 ha) to Heavy Industrial Zone has the potential to result in direct effects on nearby sensitive activities, including existing sensitive receivers on Bluff Road and within the existing town centre. Evidence presented by Hynds experts at the hearing suggested that noise, lighting and dust emissions from the Hynds site is such that it would create a nuisance for nearby residential sites. In the circumstances any further expansion would be inappropriate and inconsistent with Policy HIZ-P1(1)(a) which provides for the operation and growth of heavy industry in locations where adverse effects generated by them beyond the zone boundaries are avoided, remedied or mitigated. Without adequate controls industrial development on 62 Bluff Road is incompatible with the surrounding land uses.</p> <p>(ii) The site also contains a number of freshwater features and wetlands but no wetland delineation has been undertaken to identify the location or extent of such wetlands and therefore the appropriateness of an HI rezoning from an ecological perspective.</p> <p>(iii) If the land is to be rezoned it must be subject to stringent controls on the scale and nature of any industrial activity, with appropriate separation distances and buffers.</p>

**APPENDIX 2: HVL'S ORIGINAL SUBMISSION (WITHOUT APPENDICES) AND
FURTHER SUBMISSIONS**

(Electronic copies of appendices available upon request)

Tuesday, 9 October 2018

SUBMISSION ON PROPOSED WAIKATO DISTRICT PLAN (STAGE 1)

To: *Planning Department
Waikato District Council
Private Bag 544
Ngaruawahia, 3742*

This is a **submission** on the following proposed plan:
Proposed Waikato District Plan (Stage 1)

This is a submission from:

Submitter: Havelock Village Limited

Havelock Village Limited could not gain an advantage in trade competition through this submission.

ADDRESS FOR SERVICE:

Name of Agent: Sir William Birch – Birch Surveyors Limited

Address: PO Box 475, Pukekohe 2340

Phone: 09 237 0787

Email: sirwilliam@bslnz.com

APPENDICES:

APPENDIX A: SCHEDULE OF ALLOTMENTS

APPENDIX B: PRELIMINARY CONSULTATION (BIRCH SURVEYORS LIMITED)

APPENDIX C: SECTION 32 ANALYSIS (BIRCH SURVEYORS LIMITED)

APPENDIX D: STATUTORY ASSESSMENT (BIRCH SURVEYORS LIMITED)

APPENDIX E: URBAN DESIGN REPORT & MASTERPLAN (CONSTRUKT ARCHITECTS)

APPENDIX F: ARCHAEOLOGICAL ASSESSMENT (CLOUGH & ASSOCIATES LIMITED)

APPENDIX G: PRELIMINARY GEOTECHNICAL REPORT (LANDER GEOTECHNICAL)

APPENDIX H: PRELIMINARY ECOLOGICAL ASSESSMENT (WILDLAND CONSULTANTS LIMITED)

APPENDIX I: PRELIMINARY SITE INVESTIGATION (GEOSCIENCES LIMITED)

APPENDIX J: VISUAL IMPACTS ASSESSMENT (LA4 LANDSCAPE ARCHITECTS)

APPENDIX K: INFRASTRUCTURE REPORT (CIVILPLAN CONSULTANTS LIMITED)

APPENDIX L: PROPOSED EXTENT OF SNA PLAN (CONSTRUKT ARCHITECTS)

APPENDIX M: INTEGRATED TRANSPORT ASSESSMENT (COMMUTE)

APPENDIX N: PRECINCT PLAN (CONSTRUKT ARCHITECTS)

APPENDIX O: SAL ASSESSMENT (LA4 LANDSCAPE ARCHITECTS)

1 PREFACE

- 1.1. Birch Surveyors Limited ('BSL') has been engaged by, and is acting on behalf of Havelock Village Limited ('HVL') to make a submission on the Proposed Waikato District Plan (Stage 1) ('PDP'), as prepared by the Waikato District Council ('WDC').
- 1.2. The submission is made pursuant to Schedule 1 (Part 1, Clause 6) of the Resource Management Act 1991 ('RMA') which allows for any person to submit on a publicly notified plan with the submission required to be in the prescribed form as per Form 5 (Schedule 1) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

2 EXECUTIVE SUMMARY

- 2.1. HVL is the proprietor of sizeable landholdings in southern Pokeno at 88, 242 (in part) and 278 Bluff Road (the 'submission site', 'the site'). A schedule of the individual allotments that comprise the three (3) properties owned by HVL is enclosed in **Appendix A**.
- 2.2. Currently the site is used for pastoral farming activities, however, HVL is seeking to enable a comprehensive and integrated residential development ('Havelock Village', 'the proposal') of the site. Through this submission it is proposed that the existing Residential Zone of Pokeno be extended in a southerly direction to encompass the submission site subject to site specific provisions that give effect to a masterplan for residential development of the site.
- 2.3. Pokeno is identified in the applicable strategic planning documents as an area of substantial residential growth but the Proposed District Plan has failed to zone enough residential land to accommodate that growth and achieve the necessary increase in dwellings. Presently, Pokeno has a centralised residential area primarily comprised of a suburban built form and character. It is acknowledged that additional land has been zoned for future residential development (e.g., Pokeno West and Graham Block) however it is not enough. The submission site will assist to meet the current shortfall in residentially zoned land and presents unique opportunities for Pokeno that cannot be replicated by currently residential-zoned land.
- 2.4. Extending residential development into southern Pokeno would unlock direct access to the banks of the Waikato River. No established access currently exists for Pokeno leaving the River as an underutilised asset. HVL consider that providing this access would greatly benefit the local community further enhancing the attractiveness of Pokeno as a place of residence. This development will unlock enhanced recreation and leisure opportunities of the River for the Pokeno community and is consistent with the proposals advocated in the Hamilton and Waikato Region Tourism Opportunities Plan (July, 2016).
- 2.5. The variable topography of the submission site also allows for residential development that can be viewed as complementing the existing (and proposed) development of Pokeno. The bulk of the Pokeno built environment is on relatively level terrain – rolling hills. Whilst the submission site also features these landforms, there is the opportunity to enable residential development in a different type of landform with views and vistas that are not currently accessible in Pokeno.

- 2.6. As a part of the development process, preliminary consultation with key stakeholders has taken place. These consultation sessions are summarised in the preliminary consultation report enclosed in **Appendix B**. It is noted that this consultation process is ongoing with additional engagement to occur throughout the District Plan review programme.
- 2.7. A Planning Assessment and Section 32 analysis report is also enclosed within **Appendix C** to assess the approach of the proposal in relation to alternative options.

OVERVIEW OF PROPOSED DEVELOPMENT

- 2.8. The proposed development of the submission site is indicated to have a yield of approximately 1025 lots. A variety of minimum lot sizes are proposed that range from 450m², 800m² to 1000m²+. The exact number will depend on engineering and planning factors that arise during detailed design. The expert assessments of the proposal have used a maximum of 1025 lots (or 1070 in the case of the Integrated Transport Assessment). These represent the maximum likely yield.
- 2.9. The allocation of these minimum specific lot sizes has been primarily driven by the identification of on-site geotechnical constraints and an acknowledgment of landscape features that require safeguarding.
- 2.10. The location of a Neighbourhood Centre has been strategically identified to provide for the day-to-day needs of the local community.
- 2.11. Generous open space is proposed in the form of a green network made up of ecological corridors and recreation space. There are several types of reserve area proposed based on the location of indigenous vegetation, indigenous wetland and existing waterways.
- 2.12. A summary of the key development outcomes is provided in Table 1.

TABLE 1: KEY DEVELOPMENT OUTCOMES (INDICATIVE)

Yield	1025 Lots	Lot Size Breakdown 450m ² (670 Lots) / 800m ² (250 Lots) / 1000m ² (105 Lots)
Population	c. 2,800 people (assuming 2.7 people per household)	

HAVELOCK VILLAGE MASTERPLAN & PRECINCT PLAN

- 2.13. HVL seeks to rezone the site as Residential but has developed the Havelock Village Masterplan to guide the development process, ensure potential effects are well managed and create a unique character for this part of Pokeno. A number of precincts have also been identified within the site, each with differing characteristics.
- 2.14. To realise the development from a planning perspective, the use of a Masterplan (**Appendix E**) and Precinct Plan (**Appendix N**) has been adopted as the proposal lends itself to this approach. Masterplans and precincts are appropriate planning tools given they allow for the control over certain area-specific outcomes and can be applied across multiple zones.

- 2.15. This hybrid framework is based on a combination of provisions adopted from the PDP including precinct and masterplan provisions. New provisions have also been proposed to recognise the unique context of the Havelock Village.
- 2.16. 'Area-Specific' Zones such as the 'Rangitahi Peninsula' and the 'Te Kowhai Airpark' have guided the development of the masterplan and precinct framework for the Havelock Village.
- 2.17. The proposed precincts are summarised in Table 2. A summary of the character of each precinct is provided as well as indicative development controls. It is noted that these controls are examples of the types of additional provisions that may be developed to better implement the masterplan.

TABLE 2: PROPOSED PRECINCTS + CHARACTER STATEMENTS

PROPOSED PRECINCT	SUMMARY	INDICATIVE DEVELOPMENT CONTROLS
Village Precinct	The Village Precinct is located at 88 Bluff Road and is the largest of the four precincts. This precinct will comprise a traditional residential development pattern. It includes a generous area of open space on the north-east boundary which acts as a buffer to the adjacent industrial-zoned land.	Hedging: Hedging in place of fencing where possible. Fencing: Any fencing built to be post and batten rural fencing.
Settlement Precinct	The Settlement Precinct is located in the historic Havelock Village site and will comprise of dispersed residential lots throughout.	Building Platforms: To be determined prior to subdivision.
Valley Floor Precinct	The Valley Floor Precinct is located at 242 Bluff Road and will comprise of clustered residential development nestled into the terrain with surrounding indigenous vegetation throughout.	Service Court: Must be hidden from the street.
Hamlet Precinct	The Hamlet Precinct is located at 278 Bluff Road and will comprise of clustered sites that interface with the surrounding green open space.	
Hidden Village Precinct	The Hidden Village Precinct is also located at 278 Bluff Road and will comprise tightly clustered of medium/large sites visually concealed by the topography.	

PURPOSE OF SUBMISSION

- 2.18. Given the inability to undertake the proposed development under the currently operative or proposed District Plan rules, a submission on the PDP is necessary to ensure the Havelock Village development can be realised in the future.
- 2.19. Furthermore, submitting on the PDP during this review period is a more efficient and cost-effective means (for both HVL and WDC) of seeking changes to the District Plan as opposed to requesting a Private Plan Change (PPC).

SUBMISSION POINTS

- 2.20. To provide greater clarity on the purpose of this submission, five (5) general overarching submission points have been identified. The general submission points specifically focus on the various aspects of the proposal that cannot be achieved without amendments to the PDP. These general points are summarised as follows below:
- 2.21. In addition, a number of specific submission points are set out in Part 4 of this submission.

A – REZONE SITE AS RESIDENTIAL TO MEET POKENO'S FUTURE GROWTH

- 2.22. The foreseeable growth of Pokeno is a common theme amongst all strategic planning documents and policies either adopted or currently under consideration by the WDC. Despite the relatively wide-spread projections that Pokeno is set to grow significantly in the future, this growth has not been adequately accounted for within the PDP.
- 2.23. An analysis of the primary Waikato District strategic growth documents is provided within the Section 32 Report (**Appendix C**) to highlight the future growth projections for Pokeno. The results confirm the significant growth that Pokeno is projected to experience reinforcing the need for Council to provide additional residential-zoned land in its District Plan. The results of these projections also suggest growth will exceed the anticipated housing supply required to accommodate this growth. Havelock Village offers the opportunity to accommodate a sizeable portion of this growth with an indicative yield of 1025 lots.
- 2.24. The statutory requirement for Council to 'have regard to' or 'give effect to' these specific documents is also stressed to reiterate the level of consideration that should be given by Council in its District Plan review. Of note is the National Policy Statement on Urban Development Capacity which places obligations on Council to accommodate future growth above and beyond what is projected.
- 2.25. In addition, the lifespan of a District Plan is 10 years, so it is essential that the PDP sufficiently provides for the next decade of growth. At the same time, providing the opportunity for growth to occur in the decades following is also important.
- 2.26. For these reasons, the submitter considers there is a need for greater provision for residentially zoned land in Pokeno. This submission seeks to enable greater residential development through the rezoning of the submission site as a Residential Zone, and inclusion of a masterplan/precinct plan for the site which will allow the creation of approximately 1025 lots. A small site for a Neighbourhood Centre is also sought.

B – INCONSISTENT POLICY FRAMEWORK GUIDING RESIDENTIAL DEVELOPMENT

- 2.27. HVL supports the majority of the residential policy within the PDP. But some aspects are overly directive and do not provide adequate flexibility for site specific development responses such as the unique context of Havelock Village. If left unchanged they could prevent or hinder the successful establishment of the Havelock Village Masterplan.
- 2.28. An analysis of the PDP with respect to the policy framework that guides residential development highlights a conflict between provisions that specify a minimum density of households to be achieved with provisions that promote a varied housing typology.
- 2.29. As the proposal will navigate and be subject to this policy framework in the future, addressing these inconsistencies during this review period is imperative. It is important that the framework is appropriate for the Havelock Village and to ensure other residential development, in appropriate locations, in the Waikato District is not unduly constrained.
- 2.30. With regards to this submission, the specific objectives/policies that are inconsistent are submitted on with desired amendments provided. The objectives/policies that apply to residential development more generally are also submitted on as they will be relevant for the future development of the submission site.
- 2.31. As alternative relief, if the changes to the general residential objectives and policies are not accepted then site specific objectives and policies are sought to enable the development of Havelock Village.

C – SIGNIFICANT NATURAL AREAS

- 2.32. The PDP identifies a 'Significant Natural Area' (SNA) on the boundary between 88 and 242 Bluff Road. An expert assessment of ecological values undertaken by Wildlands Consultants has identified a number of other areas with potentially significant biodiversity values that could be SNA (**Appendix H**). The impact of the development of Havelock Village on these biodiversity values will need to be carefully managed.
- 2.33. HVL seeks the following approach be incorporated into the Plan:
- (a) Reduction of the extent of the identified SNA boundaries relating to the Hitchen Road paper road. This is to enable the construction of this access road.
 - (b) Include a bespoke approach to the management of indigenous biodiversity and SNAs on the Havelock Village site. That approach recognises that some areas of indigenous biodiversity will be removed to allow for residential development but overall biodiversity across the site will be maintained through a combination of ecological mitigation, enhancement, offset, compensation and protection. Areas of SNA to be removed and areas to be enhanced are identified on the Havelock Village Masterplan.
 - (c) As an alternative, amendments to the district-wide Objectives and Policies relating to SNAs and biodiversity to provide greater flexibility to enable development subject to appropriate mitigation or offsetting.
- 2.34. The basis for HVL's primary relief in relation to the Hitchen paper road is that:
- 2.35. There is a legal paper road that has been previously formed to allow for four-wheel drive vehicles to link the higher contours on 88 Bluff Road to the lower contours on 242 and 278

Bluff Road. The establishment of this paper road passes through what has now been identified as a SNA on the PDP planning maps.

- 2.36. As a result of this initial vegetation clearance, the edges of the identified SNA actually comprise areas of gorse and second growth vegetation that do not possess the higher ecological values of the canopy bush as noted in the Wildlands Ecological Assessment (**Appendix H**).
- 2.37. The boundaries of the identified SNA need to be modified to allow the development of this paper road into a road corridor to provide access between 88 and 242 Bluff Road.
- 2.38. In support of this request, a plan showing the extent of the SNA that has been assessed as having lower ecological value is provided (**Appendix L**). The plan shows the SNA that can be removed in the context of the proposed road alignment and the necessary earthworks to construct the road. An area for restoration and enhancement planting as a mitigation measure has also been identified.
- 2.39. In assessing the design characteristics for the road, Construkt Architects has avoided damage to the canopy bush and minimised the adverse effects on other areas.

D – POTENTIAL ON-SITE EXTRACTIVE INDUSTRIES

- 2.40. HVL considers that the most efficient use of the submission site going forward is a comprehensive residential development. However, under the Operative District Plan, part of the site at 88 Bluff Road is zoned as an 'Aggregate Extraction Zone'. This zone will remain live across 88 Bluff Road until the current plan becomes operative. The property at 88 Bluff Road has a storied history regarding the establishment of a Winstone Aggregates quarry that never eventuated. To date, no extractive industry activities have taken place but the raw materials are still present both on the surface and below ground.
- 2.41. Given the extent of the roading infrastructure required to support future residential and other development in South Pokeno, the potential to establish on-site extractive industries to supply road aggregates is being explored. These activities would take place on-site, internalising any adverse effects and reducing the volume of heavy truck movements in other areas.
- 2.42. Whilst additional investigation is required, the benefit of potential on-site extractive industries and the ability to contain the bulk of actual and potential effects within the submission site deserves consideration by Council.
- 2.43. Given this, HVL seeks provision for aggregate extraction activities, for the purpose of road construction for the Havelock Village development or development on adjacent sites, to be included as a Restricted Discretionary activity in the Residential zone provisions for Havelock Village.
- 2.44. In the event that HVL's proposal for residential development of 88 Bluff Road is not accepted, HVL opposes the proposed rural zoning and seeks in the alternative that the 'Aggregate Extraction Zone' remain in place as per the Operative District Plan. There is no specific reference in any of the Council's section 32 report to support the removal of this zone. This submission is made as an alternative relief option should the primary residential relief sought not be approved.

E – REMOVAL OF THE SIGNIFICANT AMENITY LANDSCAPE

2.45. The Proposed Plan identifies a Significant Amenity Landscape (SAL) on the site. An expert assessment (**Appendix O**) prepared on behalf of HVL have shown that the site does not contain any significant amenity landscape values and so HVL seeks that the SAL should be deleted.

APPENDICES – TECHNICAL REPORTS

2.46. Enclosed within the submission are a number of technical reports produced by suitably qualified and experienced experts.

2.47. Many of the reports have been produced by consulting firms whom have undertaken previous work within Pokeno (e.g., in support of the PPC 21/Pokeno West Plan Change). As such, these firms are familiar with the existing context of Pokeno.

2.48. The reports have underpinned the iterative design process of the Masterplan creating a comprehensive roadmap for the development of the submission site.

2.49. The conclusions and recommendations from the reports have driven the identification of developable areas, helped formulate responses to the site context, informed the proposed Havelock Village plan provisions and will assist in addressing future potential issues if the relief sought is approved.

2.50. Summaries of the reports and the key conclusions/recommendations are contained in Table 3 and 4:

TABLE 3: TECHNICAL REPORTS (E – H)

APPX.	TECHNICAL REPORT	SUMMARY + CONCLUSIONS/RECOMMENDATIONS
E	<p>Urban Design Report and Masterplan Drawings</p> <p><i>Construkt Architects</i></p>	<p>Summary:</p> <p>The reports provide high-level urban design analysis of the site and surrounds. Masterplan drawings are provided which give an illustrative view of how the Havelock Village can be realised.</p> <p>Conclusions:</p> <p>The site can be successfully developed in-line with sound urban design principles.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Further geotechnical testing will be required to determine the viability of residential on areas that have been assessed as having challenging topography. • Architectural design guidelines are recommended, particularly for the ‘Hamlet Precinct.’ • The implementation of crime prevention through environmental design (CPTED) principles will need to be applied to all public open spaces and pedestrian pathways.
F	<p>Archaeological Assessment</p> <p><i>Clough & Associates Ltd</i></p>	<p>Summary:</p> <p>The report provides and assessment of the on-site archaeological features and any potential effects that could occur from the proposal.</p> <p>Conclusions:</p> <p>The submission site contains two recorded archaeological sites (R12/119 & R12/954) and the potential for two other archaeological sites (Te Wheoro’s Pa and signal station and Maori burial sites). If avoidance of R12/954 is not possible, the effects of future development on the site are considered to be minor. Avoidance of R12/119 has been included in preliminary plans and the site will be located in a planned reserved.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • The protection of identified archaeological sites within reserve areas. • Further assessment of effects as the proposal

		develops as part of the resource consent and detailed design.
G	Preliminary Geotechnical Report <i>Lander Geotechnical</i>	<p>Summary:</p> <p>The report provides an assessment of geotechnical suitability and stability in relation to the proposal.</p> <p>Conclusions:</p> <p>Geotechnical conditions resemble those of nearby areas e.g., the Graham Block. Some geotechnical issues have been identified e.g., steep slopes with instability features.</p> <p>The submission site is considered suitable for future urban use generally in accordance with the Masterplan but detailed site investigations will need to occur during resource consent phase.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Further physical geotechnical site investigations. • Laboratory soil testing.
H	Preliminary Ecological Assessment <i>Wildland Consultants Ltd</i>	<p>Summary:</p> <p>The report provides an assessment of the on-site ecological features and any potential effects that could occur from the proposal.</p> <p>Conclusions:</p> <p>The site contains significant indigenous biodiversity in the form of indigenous vegetation and indigenous wetlands. Without mitigation, any clearance of these features may have a significant adverse effect. However, there is a wide range of opportunities for ecological restoration. With careful consideration of the ecological constraints, a development plan for the submission site can be designed that is appropriate from an ecological perspective.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Livestock exclusion from natural features. • Pest animal and plant control. • Indigenous vegetation planting. • Wetland restoration.

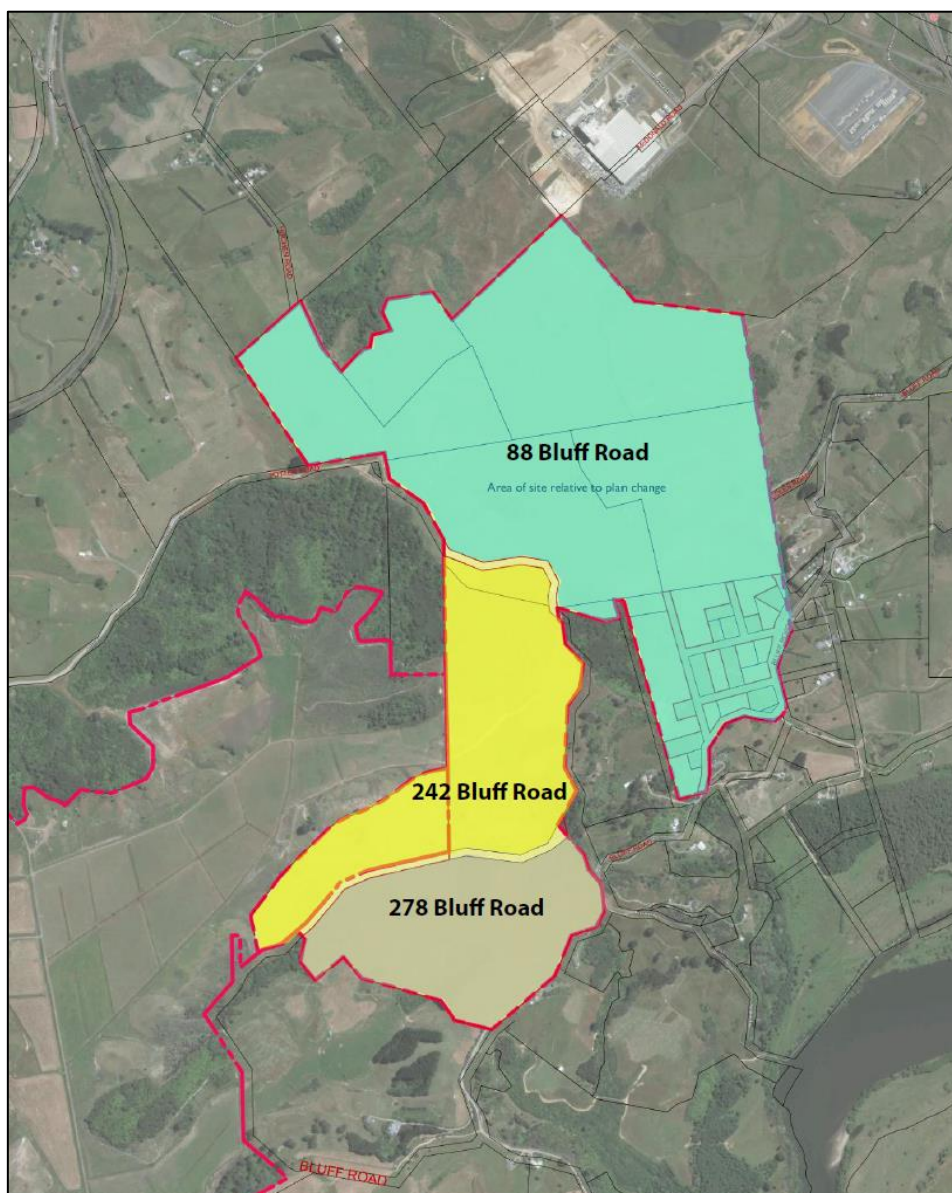
TABLE 4: TECHNICAL REPORTS (I – M)

APPX.	TECHNICAL REPORT	SUMMARY + CONCLUSIONS/RECOMMENDATIONS
I	<p>Preliminary Site Investigation</p> <p><i>Geosciences Ltd</i></p>	<p>Summary:</p> <p>The report provides analysis of current and historical on-site activities in relation to the Hazardous Activities and Industries List (HAIL).</p> <p>Conclusions:</p> <p>No evidence was found to suggest that the submission site has ever been the location of activities on the HAIL. Therefore, the transition from rural activities to residential development is highly unlikely to generate any risk to human health.</p> <p>Recommendations:</p> <p>Existing buildings on-site that will not be retained as part of the proposal will require building surveys in accordance with the Health and Safety at Work (Asbestos) Regulations 2016.</p>
J	<p>Visual Impacts Assessment</p> <p><i>LA4 Landscape Architects</i></p>	<p>Summary:</p> <p>The report provides analysis of the key landscape/visual features and the identification of any potential effects from the proposal.</p> <p>Conclusions:</p> <p>The proposed residential development can be visually accommodated within the landscape without adversely affecting the character, aesthetic value and integrity of the surrounding rural and urban environment. Any potential adverse landscape and visual effects on the environment will be acceptable within the surrounding landscape environment. Residential development of the site will potentially have moderate to significant visual effects due to the change from rural to residential.</p> <p>Recommendations:</p> <p>N/A</p>

K	<p>Infrastructure Report <i>CivilPlan Consultants Ltd</i></p>	<p>Summary:</p> <p>The report provides an assessment of three waters infrastructural requirements and the provision of an indicative infrastructure network and the associated calculations. The infrastructure network was devised after detailed consultations with Waikato District Council engineers and Regional Council engineers.</p> <p>Conclusions:</p> <p>The residential development can be appropriately serviced with three waters infrastructure.</p> <p>Recommendations:</p> <p>N/A</p>
L	<p>Proposed Extent of SNA Plan <i>Construkt Architects</i></p>	<p>Summary:</p> <p>This document is not a technical report but is a plan supporting the submission point regarding the extent of the SNA between 88 and 242 Bluff Road.</p>
M	<p>Integrated Transport Assessment <i>Commute</i></p>	<p>Summary:</p> <p>The report provides analysis of the ability of the surrounding road network to support additional traffic generated by the proposed residential development.</p> <p>Conclusions:</p> <p>With the implementation of the identified mitigation measures, acceptable accessibility via walking, cycling, bus and private motor vehicle can be provided. Subject to the upgrading the identified intersections, the effects from the increased traffic volume are expected be minimal. Sufficient parking can be provided on-site with on-street parking recommended. The proposal is consistent with and encourages key regional and district transport policies. Based on this, it is considered that there are no traffic or transportation reasons to preclude the proposed development.</p> <p>Recommendations:</p> <p>The report recommends various upgrades to identified roads and intersections. Please refer to the actual report enclosed within Appendix M for the specific technical recommendations.</p>

3 BACKGROUND ON SUBMISSION SITE AND SUMMARY OF KEY FEATURES THAT HAVE INFORMED THE MASTERPLAN

- 3.1. The submission site (see Figure 1) is a large block of rural land approximately 148ha in size situated in southern Pokeno and to the east of Whangarata. To the north, the area is bounded by the Graham Block Development and Gateway Industrial Business Park. To the south is the Waikato River and the adjoining riverside allotments.
- 3.2. The submission site is uniquely shaped with a large section of land (88 Bluff Road) adjoining the southern edge of established Pokeno. Connected to this is 242 Bluff Road which is a slender column of land providing access to 278 Bluff Road.



**Figure 1. The three (3) properties that comprise the submission site.
(Source: HVL)**

History

- 3.3. The submission site has a rich history spanning from initial settlement by Mana Whenua to later European settlement and then to the New Zealand Wars that arose. Of particular interest to this submission is the township of Havelock. Clough and Associates Ltd describe the township as being 'originally envisaged as a trading station and depot as well as a military base' (p. 7), with the southernmost part of the submission area at 88 Bluff Road including part of the Havelock Township. The township was surveyed yet development never occurred, this was likely due to the route for Great South Road being changed.
- 3.4. The only remnants from the undeveloped Havelock Township are the unique allotment patterns (Figure 2).

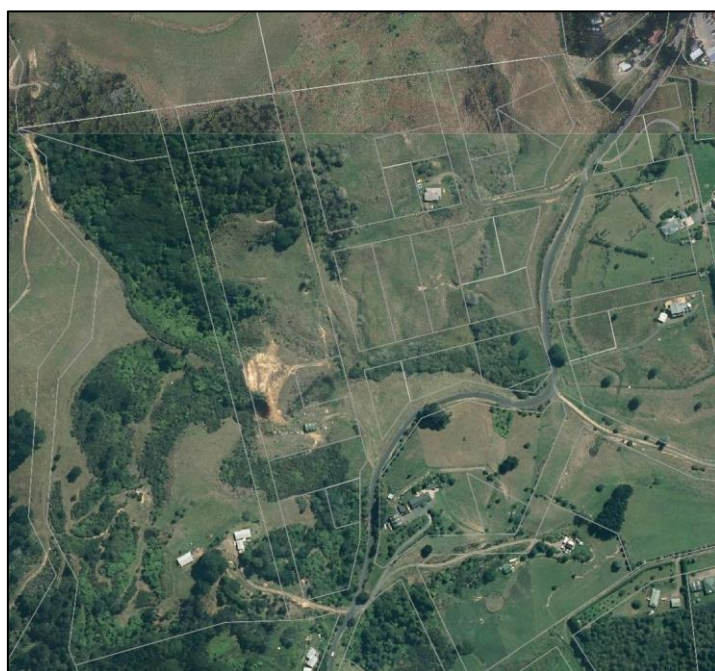


Figure 2. Aerial view of the undeveloped Havelock Township
(Source: Waikato District IntraMaps – Proposed Plan)

- 3.5. The proposed residential development for the submission site has drawn inspiration from the undeveloped historic Havelock Township. With only the unique allotment patterns remaining from Havelock, the proposed development seeks to advance the progress of southern Pokeno albeit at a larger scale and for a primarily residential purpose. Essentially, there was a vision for the Havelock Township that was never realised. This has been recognised by HVL who have a vision of their own that pays homage to the unrealised development of the Havelock Township.
- 3.6. A point of interest is the location of the original Great South Road that followed Razorback Road at Bombay then Helenslee Road, Munro Road and Hitchen Road to link with Potter Road. From here the route moved south down to the current formed track through the bush to link with Reynolds Road and then to the Waikato River. There are opportunities to record and celebrate this historical link through development of the site.

Natural Features

- 3.7. The natural features on the submission site consist of 'remnant indigenous forest, scrub and pasture on the surrounding hillslopes, and degraded watercourses and wetlands' (Wildlands, 2018, p. 29).
- 3.8. A number of ecological constraints are present on the submission site. The bulk of these features have been incorporated into the Masterplan design as proposed reserve areas. As such they will be safeguarded from the adverse effects of development. Part of one SNA is required to be removed to allow construction of the key access road, Hitchen Road. The approach to the management of that area is discussed elsewhere in the submission.
- 3.9. Of particular relevance is the vegetation identified in the SNA. This is summarised in Table 5:

TABLE 5: PRESENCE OF VEGETATION IDENTIFIED AS SNA

VEGETATION	PRESENCE
Taraire-tawa forest on hillslope	Taraire-tawa forest occurs on the upper hillslopes at two locations near the centre of the property, forming a canopy c.12-16m metres tall. Taraire is abundant, with commonly occurring tawa and occasional rewarewa.
Totara-kahikatea-tanakaha-rimu forest on hillslope	'A hillslope in the northeast corner of the property is covered in indigenous forest. Totara, kahikatea, tanekaha, and rimu are common, with frequent rewarewa, and occasional Kanuka, tarata , and mature emergent radiata pine. The shrub tier is dominated by ponga and mapou.'
Mamaku treefernland on hillslope	'Occurs on the margins of indigenous forest in the central part of the property. Mamaku is abundant with locally common ponga, frequent Kanuka, and occasional rimu and Manuka.'

Source: Preliminary Ecological Assessment (Wildland Consultants)

Topography

- 3.10. The topography of the submission site is variable with three (3) dominant landforms present. These are categorised into zones Table 6:

TABLE 6: DOMINANT TOPOGRAPHICAL LANDFORMS ON SUBMISSION SITE

ZONE A	'Land on gently rolling hills, underlain by volcanic geology and wide plateaus of the ridges. Some moderately steep slopes of ridges and valleys'.
ZONE B	'Land underlain by young alluvial soils and steeper slopes with some minor slope instability'.
ZONE C	'Very steep slopes and/or land upon (or near) large scale slope instability features'.

Source: Preliminary Geotechnical Report (Lander Geotechnical)

-
- 3.11. The topographical constraints of residential development in the Pokeno area are well-recognised and have been carefully considered regarding the Havelock Village residential development.
- 3.12. The findings from the preliminary geotechnical report (**Appendix G**) have guided the identification of developable areas and the scale of development that is appropriate for these areas.

Archaeological/Cultural/Heritage Features

- 3.13. The archaeological assessment (by Clough & Associates Ltd) (**Appendix F**) has identified two (2) archaeological sites on the submission site.
- 3.14. The first site (reference R12/1119) is situated on the boundary between 242 and 278 Bluff Road. This site was recently recorded by Clough and Associates Ltd during a site visit. The archaeological site consists of three (3) Maori storage pits that has been assessed as having 'moderate archaeological value'.
- 3.15. The pits are also described as being in good condition with the potential to provide some insight into settlement and horticultural practices.
- 3.16. As indicated in the Masterplan (**Appendix E**), the site has been incorporated into a proposed reserve area ensuring it is not adversely affected by development. It is acknowledged that there is still potential for the site to be affected from landscaping and construction activities and that an Archaeological Authority from Heritage New Zealand will be required if the site is to be modified or destroyed.
- 3.17. The second site (reference R12/954) is the last remaining section of the original Great South Road. The location and condition of this site cannot be accurately determined prior to topsoil stripping. Nonetheless, the archaeological value of this site has been assessed as 'limited'.
- 3.18. The report also identified other subsurface archaeological considerations to be mindful of. These include two potential locations of Wiremu Te Wheoro's Pah and signal station (88 Bluff Road) and potential Maori burial sites (242 Bluff Road). The possibility for these features to be present on the submission site will be monitored during any future works.
- 3.19. In summary, the archaeological assessment has shown both confirmed and potential areas of archaeological value. The location of these areas has been incorporated in the masterplan design with these features strategically located in proposed reserve areas to be protected.
- 3.20. All of these identified features have guided the masterplan for the site and informed the general and specific submission points outlined in this submission.

4 SPECIFIC SUBMISSION

- 4.1. In addition to the general submission points outlined in Section 2 above, HVL makes the following submission points on specific provisions of the PDP that are relevant to the proposed Havelock Village development.
- 4.2. A stance of *support* or *opposition* has also been stated in relation to the PDP provisions with rationale and reasoning provided for the identified stance. Where new provisions are proposed in the plan they are identified as such.
- 4.3. Proposed additions to provisions are underlined.
- 4.4. Proposed deletions to provisions are ~~struck out~~.

TABLE 7: SPECIFIC SUBMISSION POINTS

SP	PDP PROVISION	STANCE	BASIS OF SUBMISSION	RELIEF SOUGHT
1	<p>Planning Maps</p> <p>(Specifically, the identification of the submission site in the 'Rural Zone'.)</p>	<i>Oppose</i>	<p>HVL is seeking to undertake comprehensive residential development of the submission site that cannot be realised under the provisions for 'Rural Zone' that is proposed for the site.</p> <p>The intended proposed residential development is to accommodate the significant future growth that is set to occur within Pokeno.</p> <p>Evidence of the growth that Pokeno is forecast to experience is present in analysis of the strategic growth documents that contain projections for the future growth of Pokeno (Appendix C). These documents suggest growth in Pokeno that will exceed housing supply, making it imperative that greater provision for residential development is provided in identified growth areas.</p>	<p>Rezone the submission site which comprises 88, 242 (in part) and 278 Bluff Road, Pokeno (see Figure 1) as Residential Zone in general accordance with the enclosed Masterplan (Appendix E).</p>

SP	PDP PROVISION	STANCE	BASIS OF SUBMISSION	RELIEF SOUGHT
2	N/A	<i>New</i>	Successful development of the Havelock Village will require the implementation of a site specific design approach and the management of specific effects. The most appropriate way to achieve those outcomes is through the inclusion of a site specific masterplan, precincts and provisions to guide future development (alongside other changes to the provisions sought in this submission).	In addition to underlying residential zoning, include in the District Plan the Havelock Village masterplan, precincts and provisions which provide appropriate controls to give effect to the proposed lot sizes and configuration identified on the master plan.
3	Objective 4.1.1 Strategic and Objective 4.1.2 Urban Growth and Development	<i>Support</i>	The submitter supports providing for additional dwellings across the District, and especially in Pokeno. It also supports consolidating additional growth around existing centres. Havelock Village helps achieve both these Objectives.	Retain.
4	Policy 4.1.3 Location of Development	<i>Support</i>	The submitter supports this policy as it focuses development on urban growth areas identified in the Future Proof Strategy.	Retain.
5	Policy 4.1.5 Density	<i>Support in Part</i>	The submitter supports encouraging higher density housing around the identified amenity features (commercial centres, community facilities, public transport and open space). It also generally supports the approach of achieving the minimum density across the urban environment. However, this minimum density should not be applied like a rule and there needs to be recognition in the Plan that it is not always feasible to achieve that level of density in all developments. Certain locations, such as Havelock Village, can contribute to achieving the required number of dwellings (as set in Objective 4.1.1) but at slightly lower densities in order to achieve better landscape and amenity outcomes.	Amend Policy 4.1.5(a)(b) to recognise that different housing densities may be appropriate in certain locations, particularly where such density has been included as part of an approved masterplan.

SP	PDP PROVISION	STANCE	BASIS OF SUBMISSION	RELIEF SOUGHT
6	Policy 4.1.9 Maintaining Landscape Characteristics	<i>Support in Part</i>	<p>The submitter supports this policy in part acknowledging the importance of these natural landscape characteristics. However, we consider the policy unduly constrains subdivision and development.</p> <p>Some landscapes have the capacity to visually absorb any landscape or visual effects.</p> <p>Natural landscape elements e.g., vegetation and natural landforms can help integrate and screen the presence of subdivision and development in the environment.</p> <p>Some landscapes are not of a high quality which is predominantly due to previous degradation</p> <p>Subdivision or development can take place that affects the shape, contour and landscape characteristics but preserves the integrity of the landform whilst providing views and vistas from the landscape.</p>	<p>Amend Policy 4.1.19 as follows:</p> <p><u>Where practicable, ensure that the fundamental shape, contour and landscape characteristics are maintained during subdivision and development or alternatively any adverse effects on these characteristics are mitigated.</u></p>
7	Policy 4.1.11 Pokeno	<i>Support</i>	<p>The submitter supports this policy regarding the development of Pokeno as the identified controls are reasonable and will ensure better development outcomes for the community.</p>	Retain.
8	Objective 4.2.16 Housing Options	<i>Support</i>	<p>The submitter supports encouraging a wide range of housing options for the identified towns in the Waikato District.</p> <p>A range of housing types and sizes will better help to cater for future potential residents. Different housing options are sought at different stages of life and by different consumers in general. Thus, being able to provide a wide range of housing options is important and supports the amendments sought by the submitter to Policy 4.1.5 (Density).</p>	Retain.

SP	PDP PROVISION	STANCE	BASIS OF SUBMISSION	RELIEF SOUGHT
9	Policy 4.2.17 Housing Types	<i>Support</i>	<p>The submitter supports enabling a variety of housing types for reticulated lots in the Residential Zone.</p> <p>Despite the upward flexibility in minimum lot size to technically be self-serviced, it is anticipated that the majority of lots identified within the 'Residential Zone' proposed by the submitter will be connected to public reticulation. Therefore, enabling a variety of housing types for reticulated lots in the 'Residential Zone' is important.</p>	Retain.
10	Policy 4.2.20	<i>New</i>	<p>In addition to the amendments to the other objectives and policies it is appropriate to include a policy which specifically provides for the Havelock Village Masterplan and Precinct Plan.</p>	<p>Include new Policy after 4.2.19 as follows (with any consequential renumbering):</p> <p>4.2.20 Policy – Havelock Village</p> <p>Development of Havelock Village shall occur generally in accordance with the Havelock Village Masterplan and Precinct Plans (Appendix E and Appendix N). This includes a mixture of lot sizes and areas to be protected and set aside to protect significant landscape and ecological values.</p>
11	Objective 4.2.20 and Policy 4.2.21 Maintain Residential Purpose	<i>Support</i>	<p>The submitter supports safeguarding the residential purpose of residential areas.</p> <p>Non-residential activities have the potential to adversely affect the residential character and amenity values of a residential area. Therefore, the presence of these activities should be limited.</p>	Retain.

SP	PDP PROVISION	STANCE	BASIS OF SUBMISSION	RELIEF SOUGHT
12	Policy 4.2.26 Neighbourhood Centres in Structure Plan Areas	<i>Support</i>	<p>The submitter seeks to enable Neighbourhood Centres to provide for residential activities above the ground floor.</p> <p>With a focus on Neighbourhood Centres being within a walkable catchment and convenient for the community they serve, it is logical that residential activities are provided for.</p> <p>It is also noted that the 'Business Zone' and 'Business Town Centre Zone' in the PDP, and the 'Neighbourhood Centre Zone' in the Auckland Unitary Plan (Operative in Part) all currently provide for residential activities above the ground floor.</p>	<p>Amend Policy 4.2.26 as follows:</p> <p>Provide for new neighbourhood centres within structure plan areas or masterplan areas, that:</p> <ul style="list-style-type: none"> (i) Are for the daily retail and service needs of the community; and (ii) Are located within a walkable catchment; and (iii) <u>Provide for residential activities above the ground floor.</u>
13	Policy 4.5.6 Commercial Purpose: Neighbourhood Centres	<i>Support</i>	<p>The submitter supports the identified commercial purpose for Neighbourhood Centres.</p> <p>The purpose is considered commensurate with the generally accepted purpose of Neighbourhood Centres and the scale of retail and commercial service activities these centres typically provide for.</p>	Retain.
14	Policy 4.5.7 Commercial Purpose: Neighbourhood Centres in Structure Plans	<i>Support</i>	<p>The submitter supports the ability to identify Neighbourhood Centres in structure/masterplans.</p> <p>New residential areas typically expand on currently established residential areas. The identification of Neighbourhood Centres allows for a strong network of centres at a variety of scales to be developed.</p>	Retain.

SP	PDP PROVISION	STANCE	BASIS OF SUBMISSION	RELIEF SOUGHT
15	Policy 4.5.11 Residential Upper Floors	<i>Support in Part</i>	The submitter seeks to enable Neighbourhood Centres to provide for residential activities above the ground floor. With a focus on Neighbourhood Centres being within a walkable catchment and convenient for the community they serve, it is logical that residential activities are provided for. It is also noted that the 'Business Zone' and 'Business Town Centre Zone' in the PDP, and the 'Neighbourhood Centre Zone' in the Auckland Unitary Plan (Operative in Part) all currently provide for residential activities above the ground floor.	Amend Policy 4.5.11 as follows: Maintain the commercial viability of the Business Town Centre Zone, and Business Zone <u>and Neighbourhood Centre</u> while: Providing for mixed use developments, ensuring residential activities are located above ground floor; and Avoiding residential activity located at ground level.
16	Objective 4.7.1 Subdivision and Land Use Integration	<i>Support</i>	The submitter supports promoting the connection between subdivision layout design and the land use outcomes sought for the identified zones.	Retain.
17	Policy 4.7.2 Subdivision Location and Design	<i>Support</i>	The submitter supports this policy and the desired characteristics for subdivision design	Retain.
18	Policy 4.7.3 (xiii) Residential Subdivision	<i>Support</i>	The submitter supports creating lots that can accommodate a variety of density with a mix of usable lot types. Again, policies such as this support the amendments the submitter has sought to Policy 4.1.5 (Density).	Retain.
19	Policy 4.7.4 Lot Sizes	<i>Support</i>	The submitter supports the use of minimum lot sizes and dimensions to enable the achievement of the character and density outcomes sought for each zone.	Retain.

SP	PDP PROVISION	STANCE	BASIS OF SUBMISSION	RELIEF SOUGHT
20	Policy 4.7.5 Servicing Requirements	<i>Support</i>	The submitter supports this policy and the requirement for development to be serviced to a level that provides for the anticipated activities approved in a structure plan. Structure plans are typically developed based on robust analysis of a site. Whilst the application of zoning intends to be consistent across a district, structure plans are based on more nuanced information. Therefore, it is logical that the provision of services is tailored to the anticipated activities in a structure plan that has been approved.	Retain.
21	Policy 4.7.6 Co-ordination between Servicing and Development and Subdivision	<i>Support</i>	The submitter supports this policy and the importance of having certainty regarding the provision of infrastructure capacity prior to development occurring.	Retain.
22	Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services	<i>Support</i>	The submitter supports maximising the potential yield for a zone to support the provision of infrastructure.	Retain.
23	Policy 4.7.8 Staging of Subdivision	<i>Support</i>	The submitter supports the staging of subdivision that is efficient and integrates infrastructure and community facilities.	Retain.

SP	PDP PROVISION	STANCE	BASIS OF SUBMISSION	RELIEF SOUGHT
24	Policy 4.7.9 Connected Neighbourhoods	<i>Support</i>	The submitter supports the development of liveable, walkable and connected neighbourhoods in subdivisions.	Retain.
25	Policy 4.7.10 Recreation and Access	<i>Support</i>	The submitter supports the accessible open spaces that have provided in proportion to projected neighbourhood densities.	Retain.
26	Policy 4.7.11 Reverse Sensitivity	<i>Oppose</i>	The proposed policy requires potential reverse sensitivity effects to be “avoided”. This wording is too restrictive and does not recognise the potential for reverse sensitivity effects to be managed through appropriate design measures (e.g., buffer areas).	Amend Policy 4.7.11 as follows: Avoid <u>Manage</u> potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity.
27	Policy 4.7.14 Structure and Masterplanning	<i>Support</i>	The submitter supports approved development and subdivision in approved structure or masterplan areas adhering to the approved development pattern and infrastructure requirements.	Retain.
28	Residential Objectives and Policies	<i>New</i>	In the event that HVL’s proposed changes to the district wide suite of objectives and policies related to residential development are not accepted, a site specific policy approach is sought as alternative relief.	Site specific objectives and policies for the Havelock Village are included in the plan, in order to enable the development of Havelock Village in a manner consistent with the Havelock Village Masterplan. This would include the proposed new 4.4.20 outlined above.

29	Residential and Subdivision Rules, Development Standards and Assessment Criteria in Chapter 16	<i>Oppose in part/New</i>	There may need to be amendments to the rules, development standards and matters of discretion to ensure that the site specific outcomes envisaged by the Masterplan and other technical reports are achieved.	Amend rules as required to ensure the masterplan and precinct plan are appropriately considered and implemented at the time of subdivision and resource consents.
30	All provisions relevant to the Havelock Village Precinct / Master Plan site	<i>Support to the extent consistent with this submission.</i>	As noted above, to enable the Havelock Village residential development, it is proposed to rezone the land with bespoke master plan / precinct provisions. It is proposed to contain all relevant provisions of the Plan within the Residential Zone chapter; however, there are still provisions that would continue to apply in other chapters if the residential zoning is adopted, i.e. Chapter 4 (Urban Environment). As per submission point 2, some amendments are sought to these provisions too. Should there be a relevant chapter that the submitter has not identified changes to, to reflect this new zone, the submitter seeks the opportunity to update such a Chapter accordingly.	Update PDP provisions where required to reflect the new zoning/Masterplan precincts for the Havelock Village development.
31	Chapter 13: Definitions (Neighbourhood Centre)	<i>Support in Part</i>	<p>The submitter seeks to amend the definition of Neighbourhood Centres to enable residential activities above the ground floor.</p> <p>With a focus on Neighbourhood Centres being within a walkable catchment and convenient for the community they serve, it is logical that residential activities are provided for.</p> <p>It is also noted that the 'Business Zone' and 'Business Town Centre Zone' in the PDP, and the 'Neighbourhood Centre Zone' in the Auckland Unitary Plan (Operative in Part) all currently provide for residential activities above the ground floor.</p>	<p>Amend definition for 'Neighbourhood Centre' as follows:</p> <p>Means a single or small grouping of commercial activities that service the day-to-day needs of the local community. <u>Residential use above ground floor is provided.</u> Neighbourhood centres are identified in <u>masterplans</u>, structure plans or on the planning maps.</p>

32	<p>Planning Maps</p> <p>Specifically, the extent of the SNA identified on the boundary of 88 and 242 Bluff Road (see Appendix L).</p>	<i>Oppose</i>	<p>As indicated previously, the SNA identified by Council flanks either side of what is proposed to be a key future road corridor connecting 88 and 242/278 Bluff Road.</p> <p>However, the SNA has already been compromised due to previous vegetation clearance to establish the paper road. As this area is required for the construction of the access road it should not be identified as SNA.</p>	<p>Revised mapping of SNA located between 88 and 242 Bluff Road in accordance with the proposed extent of SNA plan (Appendix L).</p>
33	<p>Chapter 13: Definitions (Significant Natural Area)</p>	<i>Oppose</i>	<p>HVL seeks to amend the definition for Significant Natural Area as it is written currently. Significant Natural Areas can be comprised of significant indigenous vegetation, exotic vegetation and significant habitats of indigenous fauna. As such, the current definition provided for Significant Natural Areas (which merely directs the user back to the planning maps) is deemed to be inadequate by the submitter.</p>	<p>Delete definition for Significant Natural Area and replace with a more descriptive definition of what a Significant Natural Area is.</p>
34	<p>Chapter 3.2 Significant Natural Areas and related rules</p>	<i>Oppose in Part</i>	<p>HVL opposes in part the objectives and policies in chapter 3.2 relating to Significant Natural Areas (SNA) as HVL considers that they are overly restrictive.</p>	<p>The submitter seeks the amendment to the policy framework for SNAs and biodiversity to provide greater flexibility and to enable development subject to appropriate mitigation or offsetting.</p>
35	<p>Chapter 3.2 Significant Natural Areas</p>	<i>Oppose in Part</i>	<p>HVL opposes the approach (including rules) to the management of SNAs on their land and seeks the application of a bespoke approach to the management of indigenous biodiversity and SNAs on the Havelock Village site. That approach recognises that some areas of indigenous biodiversity will be removed to allow for development of the Havelock Village development but overall biodiversity across the site will be maintained</p>	<p>As an alternative to removal the submitter seeks the application of a bespoke approach to the management of indigenous biodiversity on the HVL site that will efficiently implement the recommendations of the Wildlands Report and the Havelock Village Masterplan.</p>

			<p>through a combination of ecological mitigation, enhancement, offset, compensation and protection. Areas of SNA to be removed and areas to be enhanced are identified on the Havelock Village Precinct Plan as Reserve with Significant Natural Area; Significant Natural Area A and Significant Natural Area B.</p> <p>HVL's proposed approach to the management of SNAs and indigenous biodiversity at the Havelock Village development is informed by the assessment and reporting undertaken by Wildlands Consultants Ltd (Ecologists) to support the ongoing resource consent process being undertaken to enable the development of the Havelock Village. Their reports have been prepared in consideration of the policy direction of the Waikato Regional Policy Statement in relation to indigenous biodiversity.</p>	
36	<p>Chapter 16 Rules related to earthworks and indigenous vegetation clearance inside a Significant Natural Area</p>	<p><i>Oppose in Part</i></p>	<p>As described above HVL seeks a bespoke approach to the management of biodiversity including SNAs.</p>	<p>Any necessary changes to the relevant rules that apply to Havelock Village in order to implement the Masterplan and the bespoke approach requested.</p>
37	<p>Residential Zone provisions</p>	<p><i>New</i></p>	<p>HVL considers that the best use of the site is for residential development. However, given the extent of roading infrastructure to support this proposal, the potential to establish on-site extractive industries for the purpose of road supply is being explored. These activities should be</p>	<p>Amend the Residential Zone provisions to provide for aggregate extraction activities, for the purpose of road supply for the Havelock Village development or development on adjacent sites, as a Restricted Discretionary</p>

			provided for in the District Plan as a Restricted Discretionary activity.	activity, including suitable matters of discretion and assessment.
38	Planning Maps Specifically, the removal of the 'Aggregate Extraction Zone' from 88 Bluff Road.	<i>Oppose</i>	88 Bluff Road is zoned as an Aggregate Extraction zone in the Operative District Plan. In the event the proposal to rezone this site to residential is not accepted by the Council, it is appropriate for the land use and zoning currently provided for at the site be maintained in the Proposed District Plan to enable efficient use of the land and its resources.	In the event that the rezoning to residential is not granted, then the retention of the 'Aggregate Extraction Zone' within the Operative Plan across the entirety of 88 Bluff Road is requested as alternative relief to protect this resource.
39	3.4 Significant Amenity Landscapes	<i>Oppose</i>	<p>There is an SAL on the submission site. The following objective and policies reference 'attributes' and 'features' of SALs:</p> <p>Objective 3.4.1(a) state <i>the attributes of areas and features valued for their contribution to landscape values and visual amenity are maintained or enhanced</i>. Policy 3.4.2(a) states <i>recognise the attributes which contribute to identified Significant Amenity Landscapes</i>. Policy 3.4.3(a)(v) states <i>promoting and encouraging maintenance and enhancement of their attributes</i>.</p> <p>It is understood that the Waikato District Landscape Study was prepared to support the mapping of the SALs and it sets out the areas of SAL and their attributes. It is considered that these attributes should be included in the District Plan as a schedule. Without this detail it is difficult to efficiently assess a resource consent application against the objective and policies.</p>	<p>Provide a schedule that reflects the outcomes of the Waikato District Landscape Study, which notes the attributes and features that lend itself to the SAL status.</p> <p>If a schedule is not provided, then the relief sought is that all SAL's be removed from the Plan</p>

40	<p>Planning Maps</p> <p>Specifically, the 'Significant Amenity Landscape' identified at the bottom of 278 Bluff Road.</p>	<i>Oppose</i>	<p>There is a Significant Amenity Landscape (SAL) on the submitter's land. According to the Waikato District Landscape Study this SAL is defined as Waikato River - Margins.</p> <p>The area of this SAL on the submitter's land appears to be a rollover of the previous District Plan notation with no ground truthing undertaken to confirm if the attributes listed in the study are still applicable in this location.</p> <p>An expert assessment has been prepared by Rob Pryor, Landscape Architect (LA4 Landscape Architects) (Appendix O). The conclusion is that attributes onsite are not aligned to those described in the study and the SAL should be removed from the site.</p>	Delete the Significant Amenity Landscape from the site at 242 Bluff Road
41	<p>In addition to general and specific submission points above, HVL seeks:</p> <ol style="list-style-type: none"> 1) any consequential relief required to give effect to this submission, including any consequential relief required in any other sections of the Proposed Plan that are not specifically subject of this submission but are required to ensure a consistent approach is taken throughout the plan; and 2) any other relief required to give effect to the purpose of the Havelock Village Master Plan and/or Precinct Plan or any other issues raised in this submission. 			
42	<p>In the event that the proposed Havelock Village Masterplan and Precinct are not accepted, HVL seeks any necessary alternative amendments to the provisions to enable the efficient development of the Havelock Village site.</p>			

5 KEY DEVELOPMENT CONSIDERATIONS

- 5.1. HVL is confident that all necessary servicing of the proposed residential development can be appropriately provided and that the proposed methodologies do not contravene good practice.
- 5.2. The following assessment demonstrates that the Havelock Village development can satisfy all relevant Regional Policy Statement growth requirements.

Three Waters Infrastructure

- 5.3. Preliminary design for three waters infrastructure has been provided (**Appendix K**) and is based on the following standards: Waikato Regional Council TR201801 – Waikato Stormwater Management Guideline, Waikato Regional Council TR201802 – Waikato Stormwater Runoff Modelling Guideline and the Hamilton City Council Regional Infrastructure Technical Specifications (RITS) – Stormwater, Water Supply and Wastewater. Further details regarding the proposed infrastructure required to support the proposed residential development is contained within the Infrastructure Report contained in Appendix K and is summarised below:

Potable Water

- 5.4. Potable water will be supplied to the Havelock Village from the existing reservoir site at the northwest corner of the submission site.
- 5.5. Upgrades to existing infrastructure are required which WDC officers have confirmed is achievable. These upgrades will need to be staged to support incremental development with development contributions paid on connection to support the upgrades.
- 5.6. The extent of the necessary upgrades is yet to be determined with the results from the Pokeno Water Supply hydraulic modelling exercise being undertaken by the WDC currently unknown. Nevertheless, the existing reservoir is widely recognised as undersized to accommodate the future growth of Pokeno. As such, a second reservoir could be established on the same site as the existing reservoir to service future growth.

Stormwater

- 5.7. Roof runoff for individual lots will be managed by a dual-purpose rain tank that will be sized to provide both detention and retention for non-potable use.
- 5.8. Runoff from paved areas on individual lots will be managed by an appropriately sized raingarden for quality treatment and extended detention.
- 5.9. Runoff from road reserves will be managed by raingardens in the road berm for quality treatment and extended detention.

Wastewater

- 5.10. Two (2) options for wastewater management have been considered in the Infrastructure Report (**Appendix K**) as viable options to support the proposed residential development:

-
- 5.11. The first option is to have the ultimate discharge location as the Hitchen Road wastewater pump station (WWPS). This can be achieved by upgrading the existing pipe network leading to the WWPS or through a dedicated rising main from the Havelock Village that discharges directly to the WWPS.
- 5.12. The second option is to have the ultimate discharge location at the gravity manhole at the top of Bollard Road in Tuakau. This can be achieved by directing wastewater flows to the proposed WWPS and new rising main in the Tata Valley tourism development. This proposed rising main would connect to the existing 160PE rising main at the Whangarata Road/Ewing Road intersection which then discharges at Bollard Road.
- 5.13. There is technically a third option which is a combination of the first two options whereby wastewater flows would be directed to both the Hitchen Road WWPS and Tata Valley WWPS. This hybrid option may be warranted if alignment between the timing of development and the planned infrastructure upgrades cannot be achieved.
- 5.14. Regarding upgrades, WDC officers have advised to HVL that the upgraded infrastructure necessary to accommodate all wastewater flows from the Havelock Village can be developed. These upgrades include increasing the capacity of wastewater pump station (WWPS) at Hitchen Road whilst providing a new rising main, increasing the capacity of the Market Street WWPS and providing a new gravity main between Pokeno and Tuakau.
- 5.15. It is also reiterated that wastewater flows from the industrial operations in Pokeno far exceed those from the residential development (existing and proposed). This is the case currently and will continue as such in the future.

Other Services (Power & Telecommunications)

- 5.16. Preliminary discussions have been held with power (Counties Power) and internet service providers regarding the provision of these services to the residential development. These discussions are ongoing but to date, have not identified any technical reasons why these services cannot be provided.

Access & Transport

- 5.17. Access and transport will be provided for through the establishment of an internal roading network comprising of 'Local' and 'Collector' roads. This network will provide access to individual properties and to the Neighbourhood Centre for households not located within a standard walking catchment.
- 5.18. Projected traffic generation has been provided (see Table 8) which shows the proposed residential development generating 871 trips during the peak hour and 9225 trips daily. This projection is based on the Roads and Traffic Authority of New South Wales – Guide to Traffic Generating Developments.

TABLE 8: ADDITIONAL TRAFFIC GENERATION

ACTIVITY	RATE	NUMBER/GFA	PEAK HOUR VEHICLE TRIPS	DAILY VEHICLE TRIPS
Dwelling House	0.85 trips / dwelling for peak hour 9.0 trips / dwelling for daily trips	1070 x Lots	871	9225

- 5.19. The internal network will be connected to the external roading network of Bluff, Cole, Pioneer, Ewing, Hitchen, McDonald Road and in the longer term, Potter Road.
- 5.20. From the traffic impact assessment (**Appendix M**), a range of indicative upgrades are proposed for identified roads/intersections in the external network. Given the increase in traffic volume from the proposed residential development, several existing roads have been identified as inadequate to accommodate this volume. Some of those upgrades are expected to occur as part of development of other parts of Pokeno and some will be required for Havelock Village. Further detail on the staging and responsibility will be provided as part of the submission process.
- 5.21. Some of these upgrades include the provision of dedicated cycling facilities, carriageway width increases to enable two-way vehicle movement and other miscellaneous upgrades to bring the roads up to New Zealand design standards.

ASSOCIATED SUBMISSION – TATA VALLEY LIMITED

- 5.22. It should be noted that this submission is one of two submissions made by two separate companies with the same ownership structure on considerable landholdings in southern Pokeno. The other submission concerns the landholding at 42B Potter Road (Lot 2 DP 401106) which adjoins the submission site.
- 5.23. Whilst both submissions have been prepared independently and on behalf of different corporate entities, the residential development proposed for this site will positively interface with the tourism venture proposed for 42B Potter Road and there are potential synergies and benefits if both proposals are granted.

Planning and Section 32 Assessment

- 5.24. A planning and Section 32 assessment is contained with **Appendix C** of the submission. In summary, the proposed rezoning of the site and the development of Havelock Village:
- 5.25. Gives effect to the National Policy Statement on Urban Development Capacity and the Vision and Strategy for the Waikato River;
- 5.26. Gives effect to the Waikato Regional Policy Statement;
- 5.27. Will have substantial benefits through the provision of housing while potential adverse effects can be managed;
- 5.28. Are a more appropriate way of achieving the purpose of the RMA and the objectives of the District Plan than retaining the site as rural land.

6 SUMMARY

- 6.1. This submission and the supporting appendices have demonstrated that the proposed residential development of the submission site can be supported on-site in a manner that sympathetic to the existing environmental context and provide a compact urban form by logically extending the existing Residential Zone southwards.
- 6.2. The approval of the submission will also assist the WDC to achieve their legislative requirements under the NPS-UDC by ensuring sufficient residential land is provided to support the projected growth of Pokeno and will be consistent with the Council's own growth strategies. This will also provide long-term planning certainty for potential residents and developers.
- 6.3. The extension of Pokeno in a southerly direction will provide significant benefit to Pokeno citizens by way of access to large areas of canopy bush and other areas of high ecological value along the banks of the Waikato River as promoted by the Hamilton and Waikato Regional Tourism Opportunities Plan (July, 2016).
- 6.4. The linkage to the historic Havelock Village and the now proposed Tata Valley tourism development will add an exciting dimension to the amenity of Pokeno.
- 6.5. Any opportunity to discuss this submission further with Council is welcomed. It is hoped that the engagement to date can transition into a collaborative working relationship. It is noted that that any additional technical documents (not already enclosed) can be provided as required.
- 6.6. Havelock Village Limited wish to be heard in support of this submission.

Yours sincerely,



James Oakley
Graduate Resource Planner
BA, MUrbPlan (Prof.) (UrbDes) Grad. NZPI, RMLA, UDF



Sir William Birch
Registered Professional Surveyor
RPS, FNZIS, MNZInstD

15 July 2019

To
Planning Department
Waikato District Council
Private Bag 544
Ngaruawahia 3742

From
Vanessa Evitt

By Email
districtplan@waidc.govt.nz

To whom it may concern

Further submission on the Proposed Waikato District Plan

We act for Havelock Village Limited (**HVL**) (submission #862) in relation to the Proposed Waikato District Plan (**Proposed Plan**). Please find **attached** HVL's further submission on the Proposed Plan, which is set out in the attached table.

HVL has land interests in southern Pokeno and previously lodged an original submission on the Proposed Plan seeking to enable a comprehensive residential development. HVL therefore has an interest in the Proposed Plan greater than the general public pursuant to Clause 8 of Schedule 1 of the Resource Management Act 1991.

All submitters listed in the attached further submission will be served with a copy in accordance with Clause 8A of Schedule 1 of the Resource Management Act 1991.

As stated in its original submission dated 9 October 2018, HVL wish to be heard in support of its submission and now further submission. If other submitters make a similar submission, HVL will consider presenting with them at a hearing.

Yours faithfully
Buddle Findlay



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Sub Number	Name	Theme / Submission	Support / Oppose	Reason
81.14	Waikato Regional Council	Amend Chapter 1 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.	Support	The Proposed Plan must give effect to the National Policy Statement on Urban Capacity (NPS-UDC) but it is not necessary for a planning document to expressly state the NPS-UDC has been considered as this is a statutory requirement.
81.16	Waikato Regional Council	Amend Chapter 4, Chapter 16, the Planning Maps and any other provisions that are proposed for unserviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision. The amendments should establish a stronger objective, policy and rule framework than is proposed, in order to ensure that activities of an urban nature, including subdivision, is not provided for prior to structure planning processes being undertaken and without certainty about the funding, timing and staging of infrastructure provision.	Oppose	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone/deferred zone. Structure plans are not an essential precursor to development.
81.17	Waikato Regional Council	Amend the Proposed District Plan provisions so that any subdivision, use and development in areas that are proposed for unserviced residential where there is uncertainty about funding, staging and timing of infrastructure provision does not compromise them for future development.	Oppose	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone. Landowners of future urban zone require some flexibility to economically use their land for the time prior to development occurring.
81.39	Waikato Regional Council	Amend to clarify the application of the earthworks rule (Rule 16.2.4.3) in terms of whether it includes indigenous biodiversity vegetation clearance.	Support	HVL supports greater clarity within the plan provisions.
81.46	Waikato Regional Council	Amend Rule 16.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
81.47	Waikato Regional Council	Amend Rule 16.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
81.61	Waikato Regional Council	Amend Rule 16.2.8 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
81.67	Waikato Regional Council	Amend Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity. AND/OR Amend Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance of indigenous vegetation outside of SNA for the same activity. AND/OR Amend Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity. AND/OR Amend to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
81.83	Waikato Regional Council	Retain Section 1.4.4 The urban environment, subject to the amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered	Support	The Issues for the Urban Environment are generally appropriate, and the Proposed Plan must give effect to the National Policy Statement on Urban Capacity (NPS-UDC).
81.84	Waikato Regional Council	Retain 1.5.1 Compact urban development, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.	Support	The implications of the issues on the compact urban development are generally appropriate, and the Proposed Plan must give effect to the National Policy Statement on Urban Capacity (NPS-UDC).
81.85	Waikato Regional Council	Retain 1.5.2 Planning for urban growth and development, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered	Support	The implications of the issues on planning for urban growth and development are generally appropriate, and the Proposed Plan must give effect to the National Policy Statement on Urban Capacity (NPS-UDC). HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone.
81.87	Waikato Regional Council	Retain Section 1.5.4 Urban growth, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.	Support in part	The implications of the issues on urban growth are generally appropriate, and the Proposed Plan must give effect to the National Policy Statement on Urban Capacity (NPS-UDC). HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
81.92	Waikato Regional Council	Amend Chapter 3.1 Indigenous Vegetation and Habitats to provide for the opportunity to offset non-significant biodiversity	Oppose	It is not appropriate or necessary to require offsetting for non-significant biodiversity
81.93	Waikato Regional Council	Amend Objective 3.1.1 Biodiversity and ecosystems to clearly state that the outcome that is being worked towards is to achieve no net loss.	Oppose	No net loss is appropriate for significant indigenous biodiversity but not for all biodiversity. HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation
81.94	Waikato Regional Council	Amend Chapter 3.1 Indigenous Vegetation and Habitats to provide a mitigation hierarchy for indigenous biodiversity outside of an Significant Natural Area.	Support	In principle a mitigation hierarchy is logical to ensure that there adverse effects are avoided, remedied or mitigated. Offsetting or compensation are not appropriate steps for non-significant biodiversity. In general, HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
81.95	Waikato Regional Council	Amend Section 3.2 Significant Natural Areas to ensure that policies related to indigenous biodiversity outside of Significant Natural Area are not under section 3.2 Significant Natural Areas	Support	For clarity, any policies related to areas outside of a SNA should not be within 3.2.
81.96	Waikato Regional Council	Amend Section 3.1 Indigenous Vegetation and Habitats to ensure that policies related to indigenous biodiversity outside of Significant Natural Area are not under section 3.2 Significant Natural Areas.	Support	For better clarity there should be clear separation of the objectives and policies related to indigenous biodiversity inside and outside of SNAs.
81.102	Waikato Regional Council	Amend Policy 3.2.3 Management hierarchy as follows: (a) Recognise and protect indigenous biodiversity within Significant Natural Areas by: (i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled ; (ii) remedying any effects that cannot be avoided; then (iii) mitigating any effects that cannot be remedied; and (iv) after remediation or mitigation has been undertaken, offset any significant residual <u>more than minor</u> adverse effects in accordance with Policy 3.2.4.	Oppose	The submitter opposes the changes sought by submission 81.102. Overall, the submitter seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
81.110	Waikato Regional Council	Amend Objective 4.1.1 Strategic to ensure that these provisions provide a focused, integrated strategic direction in respect of the district's urban environments. OR Add to Objective 4.1.1 Strategic additional Objectives to ensure that these provisions provide a focused, integrated strategic direction in respect of the district's urban environments.	Support	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone/deferred zone.
81.111	Waikato Regional Council	Amend Objective 4.1.2 Urban growth and development to ensure that these provisions provide a focused, integrated strategic direction in respect of the district's urban environments. OR Add to Objective 4.1.1 Urban growth and development additional Objectives to ensure that these provisions provide a focused, integrated strategic direction in respect of the district's urban environments.	Support	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different triggers mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone/deferred zone.
81.112	Waikato Regional Council	Amend Objective 4.1.1 Strategic as follows to: - Clarify whether it applies to both urban and rural communities - More explicitly refer to planned growth and development that is integrated with infrastructure provision; - Specify what proportion of the additional dwellings to be created between 2018-2045 are to be provided within the 10 year timeframe for this district plan and whether they will be serviced; and - Identify what portion of the additional dwellings to be provided are anticipated to be located within the district's urban environments.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone/deferred zone.
81.113	Waikato Regional Council	Amend Objective 4.1.2 Urban Growth and Development to : - Clarify that urban growth and development is only to occur within and around towns and villages identified in the settlement pattern set out in the Future Proof Strategy and WRPS; and - Direct that urban growth and development will only occur where there is existing or planned supporting infrastructure.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone. HVL supports the additional references to the Future Proof Strategy 2017 which identifies Pokeno as a growth area.
81.114	Waikato Regional Council	Amend Policy 4.1.3 Location of development OR Amend Policy 4.1.3 Location of development to include additional policy for urban residential activities that is similar to Policy 4.1.6. The additional policy should specify:	Support in part	HVL supports amendments identifying that residential growth should occur in and around Pokeno primarily in accordance with the Future Proof Strategy 2017. It would be inappropriate to have a policy requirement regarding a draft spatial plan which has yet to be completed.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		<ul style="list-style-type: none"> - Which of the plan's residential zones are to apply in the district's urban towns and villages; - That rural-residential subdivision and development is not to occur in urban areas; - Exactly what is meant by the term 'infrastructure' as used in the policy, for example if it includes on-site waste water treatment, such as might be used in rural towns and villages; and - That urban residential development is to occur primarily in accordance with the Future Proof Strategy (and any additional locations identified through the Future Proof update and Auckland to Hamilton Spatial Plan currently underway) where infrastructure to support development of an urban nature is or will be available over the term of the district plan; and whether and which of these locations are identified as priority growth areas for the district. 		
81.115	Waikato Regional Council	Amend Policy 4.1.3 Location of development to take into account high class soils, significant natural areas, outstanding natural features and landscapes, natural character and hazards.	Support in part	Location of development should take into account such features but the ability to mitigate and remedy potential effects on these features should also be considered.
81.116	Waikato Regional Council	Amend Policy 4.1.4 – Staging of development to include details on how subdivision, use and development of new urban areas within urban towns and villages is to be integrated and staged in areas where a 'live' zoning is proposed, but where infrastructure does not currently exist or is not planned to be provided over the timeframe of the district plan.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone/deferred zone.
81.117	Waikato Regional Council	Amend Policy 4.1.5 Density to indicate that in the Residential zone closest to Business Town Centre zones, it is anticipated that a higher density per hectare is to be achieved.	Support	HVL supports a range of housing densities.
81.120	Waikato Regional Council	Amend Objective 4.1.7 Character of towns to ensure that these provisions provide a focused/integrated and strategic direction in respect of the district's urban environments. OR Amend Objective 4.1.7 Character of towns to add additional objectives to better support and align with the matters covered by the associated policies, including that the existing residential and commercial character of the district's urban environments is to be maintained and enhanced by new growth and development.	Oppose	HVL supports a policy framework that recognises the potential for growth and a change to existing town character.
81.121	Waikato Regional Council	Amend provisions to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the timing and staging of new development, and its integration with the existing towns.	Support in part	HVL supports amendments to the plan provisions to provide for the rezoning of land it controls flexibility for a greater range of housing densities and the implementation of the Havelock Village Masterplan. Plan provisions should not however be overly prescriptive.
81.122	Waikato Regional Council	Amend to include additional provisions, including Objectives, Policies, zone descriptions and references to the design guidelines in Appendix 3, character statements for specific towns and villages in Appendix 10 and structure plans included in other appendices to the plan, to assist with an understanding of the particular character, development focus and desired, strategic outcome(s) for each of the identified towns and villages; and how these outcomes are to be achieved.	Support in part	HVL supports amendments to the plan provisions to provide for the rezoning of land it controls, flexibility for a greater range of housing densities and the implementation of the Havelock Village Masterplan. Plan provisions should not however be overly prescriptive.
81.124	Waikato Regional Council	Amend rules in Chapter 16: Residential Zone to capture the intended location specific character and density sought.	Support in part	HVL supports amendments to the plan provisions to provide for the rezoning of land it controls, a greater range of housing densities and the implementation of the Havelock Village Masterplan. Plan provisions should not however be overly prescriptive.
81.137	Waikato Regional Council	Amend maps to show identified Neighbourhood Centres within the planning maps and not only on master and structure plans.	Support	HVL seeks to include a new Neighbourhood Centre within the Havelock Village and so supports showing this on the planning maps.
81.144	Waikato Regional Council	Amend Rule 14.11.1.1 P1 Permitted Activities to add advice notes regarding the Waikato Stormwater Management Guideline and Waikato Stormwater Runoff Modelling Guideline.	Oppose	The submitter opposes submission point 81.144 because it is not considered appropriate to reference external guidelines (which may be subject to change and amendment), within the Proposed District Plan.
81.199	Waikato Regional Council	Retain 4.7.3 Policy – Residential Subdivision	Support	HVL support provisions that will enable the development of Havelock Village, including the existing Policy 4.7.3.
81.200	Waikato Regional Council	Amend Policy 4.7.4 (b) Lot sizes to support appropriate urban outcomes for the Village Zone, and provide for more intense development in locations immediately adjacent to Business Town Centre Zones.	Support	Providing for more intensified development closer to the identified Business Town Centre zoning is appropriate.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
89.1	CSL Trust and Top End Properties	Amend zoning of the properties at 179 and 205 Helenslee Road, Pokeno from Rural Zone to a mixture of Country Living and Residential Zone with an identified neighbourhood centre and an additional residential zone to enable higher density development (minimum lot size 300m ² as identified in the Appendix A of the submission). OR Alternative amendments to resemble the relief sought.	Support	HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
97.1	Annie Chen Shiu – Pokeno West	Retain the proposed Residential Zoning for Pokeno West.	Support	HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
104.3	Tim Newton	Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area by deleting "5m ³ " and replacing it with "1 per cent" AND Delete the words "outside the coastal environment" from Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
198.1	Property Council of New Zealand	Place on hold the District Plan review process to align with the Ministry for the Environment's National Planning Standards, incorporate structure plans as a result of current blueprinting work and incorporate a Natural Hazards chapter.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed. National Planning Standards can be incorporated as required via substantive hearings. Structure plans are not an essential precursor to development.
198.2	Property Council of New Zealand	Retain the Proposed District Plan's approach to focus urban development and growth primarily into existing towns and villages near necessary infrastructure such as transport nodes.	Support	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome.
198.5	Property Council of New Zealand	Amend the Proposed District Plan to strongly support urban growth in a way that does not rely solely on the Future Proof 2010 data, and to use more ambitious growth estimates in the region to support urban growth.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones and supports the development of Havelock Village. HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
198.7	Property Council of New Zealand	Amend Objective 4.1.1 Strategic to be more ambitious and flexible to incorporate Future Proof Phase 2 and the upcoming Statistics NZ data.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones and supports the development of Havelock Village. HVL support growth to achieve targets for Pokeno provided for within Future Proof Strategy 2017.
198.16	Property Council of New Zealand	Retain the promotion of the outcomes in the urban design guidelines.	Support	The urban design guidelines are an effective tool for ensuring good design outcomes with subdivision and development.
198.22	Property Council of New Zealand	Retain Policy 4.7.3 Layout and Design – Residential subdivision.	Support	The policy provides for a planned, co-ordinated approach to subdivision, use, development and the provision of infrastructure.
205.1	Rainbow Water Limited	Amend the zoning of the property at 5 Hitchen Road (Lot 2 DP 199997), Pokeno from Rural Zone to Residential Zone.	Support in part	HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure. Provided that an appropriate buffer area can be incorporated into the this submitter's proposal to manage interface issues with the adjacent industrial zoning.
243.2	Shaun McGuire	Amend Policies 4.2.2 to 4.2.10 to enable more intensive development.	Support	HVL supports amendments to the Plan that provide for greater development potential and a wider variety of densities and zones.
243.4	Shaun McGuire	Amend Rule 16.3.3.1 Height - Building general to increase the maximum height of any building from 7.5m to 8.0m.	Supports	HVL supports amendments to the Plan that provide for greater development potential and a wider variety of densities and zones.
243.5	Shaun McGuire	Amend Rule 16.3.5 Daylight admission, to change the rising angle of the height control plane from 37 degrees to 45 degrees	Support in part	45 degrees is a more commonly used figure for managing daylight admission. Should be a minimum of 45°.
281.1	John Manning	Defer the hearing of submissions until after the adoption of the National Planning Standards, and/or after Stage 2 of the review of Future Proof/updated Waikato Regional Policy Statement.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed.
286.25	Waikato-Tainui	Place the district plan review process on hold so that the outcomes of the blueprinting exercise can be accommodated in the District Plan, including the development of structure plans	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed. Structure plans are not an essential precursor to development.
286.27	Waikato-Tainui	Amend the Proposed District Plan to provide setbacks from the waterways that are consistent with Proposed Plan Change 1 to the Waikato Regional Council and gives effect to the Vision and Strategy for the Waikato River and the Waikato-Tainui Environmental Plan.	Oppose	Generally HVL supports consistency between the PWDP and the Waikato Regional Plan. However, the setbacks in PC1 are to manage regional issues and so should be dealt with in PC1. The district related issues in the PWDP may be different. In addition, the outcomes of PC1 are uncertain.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
286.36	Waikato-Tainui	Withdraw or place on hold the Proposed Waikato District Plan review process to allow for the Hazards Chapter to be developed, integrated and considered as part of a thorough district plan review process.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. HVL has undertaken its own flooding assessment. There are pressing environmental issues that need to be managed.
326.3	Raglan Chamber of Commerce	Add new policy to 4.2 Residential Zone and regarding affordable housing	Support	HVL supports the intent of recognising housing affordability but that can be achieved through a number of means. District Plans can do so by providing for more housing and greater development potential. It is not a matter that is typically addressed in the contents of district plans.
332.8	Gwyneth & Barrie Smith	Amend the definition of Significant Natural Area in Chapter 13: Definitions by inserting reference to Appendix 2: Criteria for Determining Significance of Indigenous Biodiversity	Support in part	HVL supports greater clarity in the Plan about what areas should be mapped as a Significant Natural Area.
343.1	Rangitahi Limited	Amend Policy 4.1.3 (b) Location of development, to clarify the indicative nature of the Future Proof Strategy urban limits. AND Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.	Support	HVL's proposed rezoning of its site is consistent with the Future Proof Strategy 2017 but in the event future versions of this Strategy impose limits on Pokeno, HVL considers that they should be indicative until included in the District Plan.
344.2	Burton Trust	Add new Policy 4.1.3(c) as follows: (c) Identify and investigate potential future growth area options to meet long term demand.	Support	HVL supports the identification of future growth areas provided it is supported by adequate technical assessment and infrastructure servicing.
349.14	Lochiel Farmlands Limited	Amend Rule 22.2.7D1 Indigenous vegetation clearance inside a Significant Natural Area, to be a restricted discretionary activity rather than a discretionary activity and read: D4RD1.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
349.15	Lochiel Farmlands Limited	Amend Rule 22.2.7P3(a) Indigenous vegetation clearance inside a Significant Natural Area, to increase the area for indigenous vegetation clearance in relation to buildings and access/parking	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
349.34	Lochiel Farmlands Limited	Amend Rule 22.2.7P2 Indigenous vegetation clearance inside a Significant Natural Area, to remove the limitation on manuka/kanuka removal.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
349.35	Lochiel Farmlands Limited	Oppose in Rule 22.2.7P3(a) Indigenous vegetation clearance inside a Significant Natural Area, the requirement that indigenous vegetation removal is only permitted if no alternative development area is identified outside the Significant Natural Area.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
358.2	Caroline Swann	Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area, by deleting 5m ³ and the words "outside the coastal environment".	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
359.3	Phillip Swann	Amend Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area, by deleting "5m ³ " and replacing it with "1 per cent"	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
360.1	Kwanghoon Yang	Amend zoning of the properties on the western side of Helenslee Road and north of Munro Road and Huia Road, Pokeno (see maps included in the submission) Residential to Rural Zone.	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
360.2	Kwanghoon Yang	Amend the zoning of the property at 7 Munro Road, Pokeno, from Rural Zone to Residential Zone.	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
362.8	CYK Limited	Amend the definition of Significant Natural Area in Chapter 13: Definitions by inserting reference to Appendix 2: Criteria for Determining Significance of Indigenous Biodiversity	Support in part	HVL supports greater clarity in the Plan about what areas should be mapped as a Significant Natural Area.
367.32	Liam McGrath	Retain Section 1.4 Issues for Waikato District.	Support	The identified issues for the Waikato District are generally appropriate subject to drafting.
367.44	Liam McGrath	Retain 3.1 Indigenous Vegetation and Habitats	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
368.2	Ian McAlley	Amend the Proposed District Plan to maintain the commitment to the Future Proof Outcomes, in particular the desire to achieve a more compact and concentrated urban form over time.	Support	HVL supports the additional references to the Future Proof Strategy 2017 which identifies Pokeno as a growth area.
368.6	Ian McAlley	Amend Policy 4.1.9(a) maintaining Landscape Characteristics, to recognise that subdivision and development processes on land zoned for a particular purpose will change the shape, contour and landscape characteristics of this land.	Support in part	HVL supports amendments that recognise that it may not always be practicable to maintain such landscape characteristic during urban development and there may be other ways to mitigate that effect.
368.9	Ian McAlley	Delete Policy 4.2.15(d) – Earthworks	Support in part	HVL supports amendments that recognise that it may not always be practicable to maintain such landscape characteristic during urban development and there may be other ways to mitigate that effect.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
368.12	Ian McAlley	Amend Objective 4.7.1 – Subdivision and Land Use Integration to include: “ensuring development occurs in the most efficient means possible to achieve the defined purpose of the zone.”	Oppose	The proposed amendment regarding the efficiency of development is not necessary.
368.40	Ian McAlley	Delete Policy 4.7.2 (a)(vii) Subdivision location and design.	Support in part	Achieving a consistent grid layout is dependent on external factors e.g., topography. Therefore, this reference should be amended to allow for more flexibility. HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones.
372.1	Auckland Unitary Council	No specific decision sought , but submission seeks clarification over the exclusion of Chapter 11 from the Proposed Waikato District Plan. The submission queries the value and process for a ‘stage 2’ plan change and how/when it will be included into the plan. The submission questions what impact a stage 2 plan change will have on provisions included in the proposed plan, particularly those relating to the implications of climate change such as developable areas, floor levels and restrictions on coastal development.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed.
372.3	Auckland Unitary Council	Amend Section 1.5 to provide for outcomes identified in the Hamilton-Auckland Corridor Plan, Interim Rail Business Case and Future Proof Strategy Phase 2 review AND Amend maps to provide for outcomes identified in the Hamilton - Auckland Corridor Plan, Interim Rail Business Case and Future Proof Strategy Phase 2 review.	Oppose	It is inappropriate to amend the PWDP to reflect non statutory documents that have not yet been completed.
372.16	Auckland Unitary Council	Amend Rule 16.1.3 Restricted Discretionary activities, as it relates to Pokeno and Tuakau as follows: A Multi-Unit development that meets all of the following conditions: (a) The Land Use – Effects rules in Rule 16.2; (b) The Land Use – Building rules in Rule 16.3, except the following rules do not apply: (i) Rule 16.3.1, Dwelling; (ii) Rule 16.3.8 Building coverage; (iii) Rule 16.3.9 Living court; (iv) Rule 16.3.10 Service court; (c) The minimum net site area per residential unit is 300m²; (d) The Multi-Unit development is connected to public wastewater and water reticulation..... OR Add an alternative residential zone for Pokeno and Tuakau which provides for terraced housing.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones.
372.23	Auckland Unitary Council	Amend Chapter 4 Urban Environment, Chapter 16 residential Zone, the Planning Maps and any other provisions that are proposed for ‘live’ Residential zoning in unserviced urban residential areas in and around Pokeno and Tuakau where there is uncertainty about the funding, staging and timing for infrastructure provision.	Oppose in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban/deferred zone.
376.4	Jolene Francis	Place the Proposed District Plan on hold pending the outcome of the other Strategic Planning currently underway, including Future Proof Phase 2 and the Hamilton to Auckland Corridor network plan.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed.
386.1	Pokeno Village Holdings Limited	Amend the Proposed Waikato District Plan to better reflect good plan drafting practice.	Support	HVL supports improvements to the workability and clarity of the Plan.
386.2	Pokeno Village Holdings Limited	Amend the Proposed District Plan to remove ambiguities and avoid disputes over interpretation.	Support	HVL supports improvements to the workability and clarity of the Plan.
386.3	Pokeno Village Holdings Limited	Amend the Proposed District Plan to better give effect to the Regional Policy Statement.	Support	HVL supports improvements to the better give effect to the Regional Policy Statement where necessary and appropriate.
386.7	Pokeno Village Holdings	Delete the density targets for Pokeno (as contained in Policy 4.1.5(b) Density). OR Amend Policy 4.1.5 Density to be “greater than 10 dwellings per hectare” in	Support in part	As outlined in HVL’s original submission this policy should be amended to reflect that different housing densities may be appropriate in certain locations.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
	Limited	accordance with the Regional Policy Statement		
386.8	Pokeno Village Holdings Limited	Amend the Proposed District Plan's approach to achieving housing variety by: <ul style="list-style-type: none"> • Providing for the full range of housing choice; • Recognising the role of personal choice in housing provision; • Recognising other constraints to achieving higher densities such as physical constraints and the provision of infrastructure; and • Recognising that housing variety is unlikely to be achieved through a single residential zone and density targets. 	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones.
386.16	Pokeno Village Holdings Limited	Amend Rule 16.3.3.1 P1 Height - Building general, as follows: P1 The maximum height of any building must not exceed 7.5m <u>8m</u> .	Support	HVL supports amendments to the Plan that provide for a greater development potential.
395.1	New Zealand Petroleum and Minerals	Amend Policy 3.3.3 (a) (iv) Protection from inappropriate subdivision, use and development as follows (or similar wording): (iv) Avoiding, <u>remediating, mitigating, offsetting or compensating</u> the adverse effects of extractive industries and earthworks.	Support	HVL supports amendments to provide greater flexibility in addressing the potential effects arising from earthworks. In addition, as an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries.
419.5	Horticulture New Zealand	Add a new clause (v) to Rule 16.3.9.1 P1 (a) Building setbacks - All boundaries , as follows: (a) A building must be set back a minimum of: ... (v) 5m from every boundary adjoining the Rural Zone	Oppose	HVL opposes amendments to the Plan that reduce development potential and impose greater restrictions.
419.7	Horticulture New Zealand	Add a new clause (vi) to Rule 16.4.1RD1 (a) Subdivision - General, as follows: (a) Subdivision must comply with all of the following conditions: ... (vi) Where the subdivision adjoins a Rural Zone, a buffer strip no less than 10m wide is to be provided along the boundary adjoining the Rural Zone.	Oppose in part	HVL opposes amendments to the Plan that reduce development potential and impose greater restrictions.
419.23	Horticulture New Zealand	Add a new clause (vi) to Rule 22.2.7 P1 (a) Indigenous vegetation clearance inside a Significant Natural Area, as follows: (a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes: ... (vi) <u>removal of vegetation for pest management and biosecurity works</u>	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
419.88	Horticulture New Zealand	Add a new clause (c) to Policy 4.7.4 Lot sizes, as follows: (c) <u>encourage a density of development that supports intensification of existing urban areas rather than urban sprawl on to rural production land.</u>	Oppose	Rezoning of rural land to residential can be appropriate in certain locations where needed for growth.
423.1	Watercare Services Limited	Provide confirmation that existing and planned infrastructure capacity is available to service anticipated growth in the Proposed District Plan in a manner that gives effect to the National Policy Standard: Urban Development Capacity.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone/deferred zone.
423.6	Watercare Services Limited	Amend the Proposed District Plan (among other matters) to adequately give effect to Policy 4.7.5 Servicing requirements, Policy 4.7.6 Coordination between servicing and development and Subdivision and Policy 4.7.8 Staging of Subdivision.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone/deferred zone.
423.11	Watercare Services Limited	Amend the Proposed District Plan to include appropriate objectives, policies and rules to ensure the timing and sequencing of proposed growth is sufficiently integrated with the planned development of necessary infrastructure.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone/deferred zone.
433.20	Auckland Waikato Fish and Game Council	Add a definition for "biodiversity offsets" to Chapter 13: Definitions as follows: <u>Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after appropriate prevention and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity on the ground.</u>	Support in part	Support amendments to provisions that enable development subject to appropriate mitigation, offsetting and compensation, subject to drafting.
433.21	Auckland Waikato Fish	Add a definition for "environmental compensation" to Chapter 13: Definitions as follows:	Support in part	Support amendments to provisions that enable development subject to appropriate mitigation, offsetting and compensation, subject to drafting.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
	and Game Council	<u>Environmental compensation comprises actions offered as a means to address residual adverse effects on the environment arising from project development that are not intended to result in no net loss or a net gain of biodiversity on the ground.</u>		
433.34	Auckland Waikato Fish and Game Council	Amend Section 1.4.4 (a) The Urban Environment as follows; (a) A key issue for the district is to maintain the <u>ecological integrity, natural hydrological characteristics and processes, soil stability, landscape, recreational and amenity values and productive capacity of the rural resource ...</u>	Oppose	HVL supports the notified provisions which adequately identify the purpose of the Urban Environment.
433.37	Auckland Waikato Fish and Game Council	Amend Policy 3.2.4 Biodiversity Offsetting as follows: (b) Within a Significant Natural Area, a biodiversity offset will only be considered appropriate where adverse effects have been <u>pre ferentially</u> avoided, <u>then</u> remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and ... (c) <u>Where biodiversity cannot be reasonably achieved as to address environmental effects that cannot be avoided, remedied or mitigated, consideration of environmental compensation must be made.</u>	Support in part	HVL supports the concept of environmental compensation to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation, subject to appropriate drafting.
433.43	Auckland Waikato Fish and Game Council	Add a new clause to Policy 4.1.11 (a) Pokeno, as follows: (iv) <u>The effects, including reverse sensitivity effects of development on existing recreational activities including hunting, ecological processes, biological diversity including avian biodiversity, are had regard to and avoided, remedied or mitigated</u>	Oppose	Effects on biodiversity are addressed elsewhere in the Plan and it is not necessary to include these additional provisions.
433.63	Auckland Waikato Fish and Game Council	Amend Appendix 6: Biodiversity Offsetting, as follows: <u>The following sets out a framework for the use of biodiversity offsets. It should be read in conjunction with the New Zealand government Guidance on Good Practice Biodiversity Offsetting in New Zealand, New Zealand Government et al; August 2014 (or any successor document).</u> ... 2. A proposed biodiversity offset will contain a <u>quantitative</u> assessment of losses and gains commensurate with the scale of effects of the activity, and should demonstrate the manner in which no net loss can be achieved.	Oppose	HVL's submission to seek amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation. In addition, incorporating non statutory documents by reference is inappropriate.
433.64	Auckland Waikato Fish and Game Council	Amend the Proposed District Plan to provide for earthworks as permitted for ecosystem protection, restoration and enhancement.	Support	HVL's proposed development will require elements of ecosystem protection, restoration and enhancement and more flexible provisions will assist with this. Such amendments are consistent with HVL's amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
433.76	Auckland Waikato Fish and Game Council	Amend the Proposed District Plan to ensure that development occurs away from areas valued for their amenity characteristics which are important for culture and recreation.	Oppose	Based on existing information HVL's proposed rezoning does not affect any areas valued for amenity characteristics. But as those areas are not identified in the Proposed Plan or in the submission, HVL opposes any potential unjustified restrictions on development of land it controls.
433.78	Auckland Waikato Fish and Game Council	Amend the Proposed District Plan to ensure development is directed away from known hazard areas (i.e. flooding hazards).	Oppose	HVL supports amendments to ensure that development does not increase the risk from flood hazard but there are different ways to reduce that risk including through floor levels and other engineering solutions rather than just location of development.
433.81	Auckland Waikato Fish and Game Council	Amend the Proposed District Plan to acknowledge the effects of settlement expansion on avifauna and sustainably manage such effects.	Oppose	The Proposed District Plan already adequately considers the effects of rezoning on avifauna.
445.1	Heather Perring	Amend or add provisions to encourage structure planned growth cells and comprehensively developed areas where they are in accordance with urban design guidelines and settlement patterns, and where it can be demonstrated that the adverse effects of land use and development can be adequately avoided, remedied or mitigated.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone. Structure plans are not an essential precursor to development.
445.3	Heather Perring	Amend Objective 4.1.1 (b) Strategic, to provide flexibility for Future Proof updates, as follows: (b) An additional 13,300-17,500 <u>or greater</u> dwellings are created during the period 2018-2045.	Support	HVL supports amendments to the Plan that provide for a greater development potential and assist to achieve the growth targets for Pokeno.
445.4	Heather Perring	Amend Policy 4.1.3 (b) Location of development to create flexibility for Future Proof updates, as follows: (b) <u>Locate urban growth areas only where they are consistent with the Future Proof</u>	Support in part	HVL supports amendments to the Plan that provide for a greater development potential and assist to achieve the growth targets for Pokeno. However, it opposes reference to subsequent updates to documents which occur outside RMA processes.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		Strategy Planning for Growth 2017 and any subsequent updates. Incorporation by reference issue.		
445.11	Heather Perring	Add a new policy after Policy 4.1.3 Location of development, as follows: Structure Planning <u>Provide for and encourage planned, integrated and flexible development through both developer and council led structure planning for areas consistent with the Future Proof settlement pattern, and in accordance with relevant urban design guidelines.</u> <u>Encourage residential development within those approved structure planned areas through permitted activity status where effects can be managed.</u> <u>Multi-unit developments</u> <u>Encourage comprehensive residential developments outside of structure planned areas, by way of multi-unit developments.</u>	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone. Structure plans not always an essential precursor to development.
451.1	Steven & Teresa Hopkins	Amend the zoning at 67 Pioneer Road, Pokeno from Rural Zone to Village Zone.	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
451.4	Steven & Teresa Hopkins	Amend Policy 4.7.11(b) Reverse sensitivity, as follows: Avoid <u>Manage</u> potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity.	Support	The approach to reverse sensitivity effects of “avoiding” them is too restrictive and it is appropriate to manage reverse sensitivity effects.
458.1	Madsen Lawrie Consultants	Amend the zoning of the property at 114 Dean Road, Pokeno to Residential Zone.	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
458.2	Madsen Lawrie Consultants	Amend the zoning of the property at 126 Baird Road, Pokeno Rural Zone to Residential Zone.	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
464.1	Perry Group Limited	Amend Policy 4.1.3 Location of development, as follows: (a) Subdivision and development of a residential, commercial and industrial nature is to occur within or near towns and villages where infrastructure and services can be efficiently and economically provided. (b) Locate <u>Give preference to</u> urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017, any amended Future Proof documents, the Corridor Plan, and any central government directives on land use.	Support in part	HVL supports amendments to the plan to achieve targets for Pokeno and to implement any amended Future Proof targets but it opposes references to subsequent amendments to documents that occur outside RMA process.
464.7	Perry Group Limited	Amend Policy 4.7.11 Reverse sensitivity, as follows: <u>Reverse sensitivity effects can be mitigated in many circumstances (for example, through consent conditions or land covenants).</u> (a) Development and subdivision design minimises reverse sensitivity effects arising from current uses on adjacent sites, adjacent activities, or the wider environment; and (b) Avoid, minimise or appropriately mitigate potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity. AND Any consequential amendments or further relief to address the concerns raised in the submission.	Support in part	The approach to reverse sensitivity effects of “avoiding” them is too restrictive and it is appropriate to manage reverse sensitivity effects.
466.8	Balle Bros Group Limited	Amend Rule 16.2.8 P1 Indigenous vegetation clearance inside a Significant Natural Area P1 to allow for ground truthing of all Significant Natural Areas prior to inclusion as a property record and on planning maps.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation. HVL also supports accurate mapping of SNAs.
466.18	Balle Bros Group Limited	Amend Rule 22.2.7 P1 Indigenous vegetation clearance inside a Significant Natural Area to allow for ground truthing of all Significant Natural Areas prior to inclusion as a property record and on planning maps.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation. HVL also supports accurate mapping of SNAs.
466.67	Balle Bros Group Limited	Add a new clause (vi) to Rule 16.2.8 P1 Indigenous vegetation clearance inside a Significant Natural Area as follows: (vi) <u>removal of vegetation for pest management and biosecurity works.</u>	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
466.69	Balle Bros Group Limited	Add a new clause (vi) to Rule 22.2.7 P1 Indigenous vegetation clearance inside a Significant Natural Area as follows: (vi) <u>removal of vegetation for pest management and biosecurity works.</u>	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
471.31	CKL	Amend Rule 16.3.1 D1 - Dwelling to be a restricted discretionary activity as follows: D1 RD1 A dwelling that does not comply with Rule 16.3.1 P1.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones. A dwelling not complying with any of the Permitted Activity requirements should not be

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
				assessed as a Discretionary Activity. Instead it should be a Restricted Discretionary Activity.
481.7	Culverden Farm	Amend the limit of 250m ² for indigenous vegetation clearance for building and access in Rule 22.2.7 P3 Indigenous vegetation clearance inside a Significant Natural Area as it is not enough allowance for both a platform for building and driveway.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
482.2	Hill Country Farmers Group	Amend the limit of 250m ² for indigenous vegetation clearance for building and access in Rule 22.2.7 P3 Indigenous vegetation clearance inside a Significant Natural Area as it is not enough allowance for both a platform for building and driveway.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
482.4	Hill Country Farmers Group	Amend Rule 22.3.4.1 P2 Height - Building General, to increase the maximum height limit to 10 metres for buildings within a Significant Amenity Landscape for permitted farming activities and buildings. OR Delete the Significant Amenity Landscape overlay from the Proposed District Plan if the amendments sought to Rule 22.3.4.1 P2 Height Building General as sought above are not accepted.	Support	HVL supports amendments to the Plan that provide for a greater development potential.
493.35	Jackie Colliar	Put the District Plan review process on hold so that outcomes of the blueprinting exercise can be accommodated in the District Plan, including the development of structure plans	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed. Structure plans are not an essential precursor to development.
502.1	Se Gi Noh	Amend zoning of the properties on the western side of Helenslee Road and north of Munro and Huia Roads, Pokeno (see maps included in the submission) from the proposed Residential Zone to Rural Zone. The addresses are: (a) 53, 53A and 55 Munro Road (b) 87, 109, 119, 133, 145A, 145B and 145C Helenslee Road	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
502.2	Se Gi Noh	Amend the zoning of the property at 166 Pokeno Road, Pokeno from Rural Zone to Residential Zone.	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
524.6	Anna Noakes	Defer hearing of submission until after the National Planning Standards have been adopted and/or stage 2 of the review of Future Proof/updated Waikato Regional Policy Statement.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed. National Planning Standards can be incorporated via substantive hearing process.
524.13	Anna Noakes	Amend Policy 4.1.3 (b) Location of development, as follows: Locate urban growth areas only where they are consistent with <u>legislative requirements and strategic documents such as Future Proof the Future Proof Strategy Planning for Growth 2017.</u>	Oppose	The inclusion of the term "Legislative requirements" is vague and can change over time so is inappropriate to include within a policy. It is inappropriate for reference subsequent updates to documents which occur outside RMA processes.
524.34	Anna Noakes	Amend Map 07 Tuakau/Pokeno and Environs, to examine all zoning options for growth within land in Pokeno and surrounds to provide for the required level of Residential for the next 30 year period as detailed within the Future Proof Strategy; And Delay zoning the land until new legislative planning requirements, and revised regional growth strategies have been determined.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed. HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
524.35	Anna Noakes	Amend the zoning of the property at Lot 2 DP 176205, Pokeno from Rural Zone on to Residential Zone (see submission for map).	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
529.1	Wilcox Properties Limited	Add to Policy 3.2.8(b) Incentivise subdivision, as follows: <u>(b) Incentivise subdivision in the Rural Zone when there is the enhancement and/or restoration of biodiversity, legal and physical protection of areas that are of a suitable size and meet the Criteria for Determining Significance of Indigenous Biodiversity</u>	Support	HVL supports amendments that allow for greater development potential in rule areas while also maintaining and protecting significant indigenous biodiversity.
535.5	Hamilton City Council	Amend Section 1.12.1 Strategic direction, to provide an understanding of the location and forms of development that are sought and how the district will accommodate the growth projected in the National Policy Statement - Urban Development Capacity.	Support	HVL supports additional clarity on the location and forms of development and where these will be accommodated in the district is sought and the Proposed Plan must give effect to the National Policy Statement on Urban Capacity (NPS-UDC).
535.11	Hamilton City Council	Amend Objective 4.1.1(b) - Strategic Direction, so that it aligns with the medium and long term housing targets in the National Policy Statement - Urban Development Capacity plus a buffer for the 2018-2046 period.	Support	The Proposed Plan must give effect to the National Policy Statement on Urban Capacity (NPS-UDC).
535.21	Hamilton City Council	Amend Policy 4.2.17 Housing types, by introducing a suite of policies including those on other housing types and high design quality. AND Amend the wider zone provisions as a consequential amendment	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones.
535.33	Hamilton City	Amend the Proposed District Plan to reflect and relate to sub-regional growth data	Support	HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
	Council	including the National Policy Statement on Urban Development Capacity.	in part	technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure subject to appropriate drafting.
535.71	Hamilton City Council	Delete Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area; AND Delete Rule 22.2.7 P6 Indigenous vegetation clearance inside a Significant Natural Area.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
539.10	Garyowen Properties (2008) Limited	Amend the activity status for Rules 22.4.1.1 PR1, PR2, PR3, PR4 Prohibited subdivision, from prohibited to non-complying activities.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones.
540.8	Glen Alvon Farms Limited	Amend the definition of Significant Natural Area in Chapter 13: Definitions by inserting reference to Appendix 2: Criteria for Determining Significance of Indigenous Biodiversity.	Support	HVL supports greater clarity in the Plan about what areas should be mapped as a Significant Natural Area.
548.1	Grander Investments Limited	Amend the zoning of the property at 62 Bluff Road, Pokeno, from Rural Zone to Heavy Industrial Zone.	Oppose	The expansion of the existing industrial area would have adverse impacts on adjacent properties.
559.285	Heritage New Zealand Lower Northern Office	Retain Chapter 12.1 How to use and interpret the rules, except for the amendments sought.	Support in part	HVL supports the existing provisions subject to amendments to improve clarity and workability.
567.3	Ngati Tamaoho Trust	Add clause (c) to Objective 4.1.1 - Strategic, as follows: <u>(c) natural waterbodies are maintained or enhanced within integrated development for all towns and promote park edge development for all open spaces, especially adjacent to waterbodies.</u>	Oppose in part	Management of natural waterbodies is important for the District but it may not be possible to maintain and enhance all water bodies during urban growth and development. Park Edge development for all open spaces adjacent to water bodies may not be appropriate.
574.3	TaTa Valley	Amend the zoning for parts of the land at 242 Bluff Road, Pokeno, from Rural Zone to Resort Zone (refer to the submission for maps showing the proposed areas - TaTa Valley Precinct Plan - Appendix A of the submission).	Support	HVL supports the rezoning of TaTa Valley to provide for additional economic opportunities and amenities within Pokeno. There are also potential efficiencies in the delivery of infrastructure if both TaTa Valley and Havelock Village are rezoned and developed.
574.4	TaTa Valley	Amend the zoning for parts of the land at 35 Trig Road, Pokeno, from Rural Zone to Resort Zone AND Identify the property as part of Precinct 2.	Support	HVL supports the rezoning of TaTa Valley to provide for additional economic opportunities and amenities within Pokeno. There are also potential efficiencies in the delivery of infrastructure if both TaTa Valley and Havelock Village are rezoned and developed.
574.5	TaTa Valley	Add new provisions to the Proposed District Plan for the Resort Zone (as a new Chapter 29).	Support	HVL supports the rezoning of TaTa Valley to provide for additional economic opportunities and amenities within Pokeno. There are also potential efficiencies in the delivery of infrastructure if both TaTa Valley and Havelock Village are rezoned and developed.
574.6	TaTa Valley	Delete the Significant Amenity Landscape from the property at 242 Bluff Road, Pokeno.	Support	As outlined in its original submission HVL seeks the deletion of this SAL from the planning maps.
575.1	Fulton Hogan Limited	Delete the definitions for 'Aggregate extraction activities', 'Extractive industry' and 'Mineral extraction and processing' in Chapter 13: Definitions; AND Add a new definition for 'Mineral and aggregate extraction activities' to Chapter 13 Definitions as follows (or words to similar effect): <u>Mineral and aggregate extraction activities mean those activities associated with mineral and aggregate extraction, including:</u> <u>a) excavation, blasting, processing (crushing, screening, washing and blending);</u> <u>b) the storage, distribution and sale of minerals or aggregates by wholesale to industry or by retail;</u> <u>c) ancillary earthworks;</u> <u>d) the removal and deposition of overburden;</u> <u>e) treatment of stormwater and wastewater;</u> <u>f) landscaping and rehabilitation work, including cleanfilling;</u> <u>g) ancillary buildings and structures; and</u> <u>h) residential accommodation necessary for security purposes.</u>	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater clarity and flexibility for extractive industries.
575.5	Fulton Hogan Limited	Amend Objective 5.4.1 - Minerals and extractive industries, as follows (or words to similar effect):	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater support and flexibility for extractive industries.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		Mineral resource use and mineral and aggregate extraction activities provides economic, social and environmental benefits to the district and these activities are protected.		
575.6	Fulton Hogan Limited	Amend Policy 3.2.2 (b) Identify and Recognise, as follows (or words to similar effect): (b) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected by activities <u>other than mineral and aggregate extraction.</u>	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater clarity and flexibility for extractive industries.
575.14	Fulton Hogan Limited	Amend Policy 5.4.2 (a) and (b) Access to minerals and extractive industries, as follows (or words to similar effect): a. Enable extractive industries provided that adverse effects are avoided, remedied or mitigated <u>insofar as it is reasonable and practicable while still ensuring that the industry remains viable.</u>	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater clarity and flexibility for extractive industries.
575.16	Fulton Hogan Limited	Add a new rule to Section 22.2.1 - Noise, (22.2.1.4), as follows (or words to similar effect): NOISE – MINERAL AND AGGREGATE EXTRACTION ACTIVITIES <u>Any noise created by a mineral or aggregate extraction activities is permitted provided that if measured at the notional boundary of any dwelling which existed at [insert date of plan becoming operative], does not exceed:</u> a. 55dBA (L10) 7am to 7pm Monday to Friday; b. 55dBA (L10) 7am to 6pm Saturday; c. 50dBA (L10) 7pm to 10pm Monday to Friday; d. 50dBA (L10) 7am to 6pm Sundays and Public Holidays) e. 45dBA (L10) and 70dBA (Lmax) at all other times including Public Holidays	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater clarity and flexibility for extractive industries.
575.19	Fulton Hogan Limited	Amend Rule 22.2.3 (a)(i) Earthworks as follows (or words to similar effect): (i) Ancillary rural and mineral and aggregate extraction earthworks;	Support	HVL supports amendments to provide greater flexibility in addressing the potential effects arising from earthworks. In addition, as an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries.
575.28	Fulton Hogan Limited	Add a new clause to Policy 5.3.3 -Industrial and Commercial Activities, by adding on an additional point as follows: (a) Rural industries and services are managed to ensure they are in keeping with the character of the Rural Zone. (b) Avoid locating industrial and commercial activities in rural areas that do not have a genuine functional connection with the rural land or soil resource. (c) <u>Allowing for mineral and aggregate extraction activities insofar as they are lawfully established in the Rural Zone</u>	Support	HVL supports amendments to provide greater flexibility in addressing the potential effects arising from earthworks. In addition, as an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries.
575.29	Fulton Hogan Limited	Amend Policy 5.3.7 (h) Reverse sensitivity effects, as follows (or words to similar effect): (h) Provide for intensive farming activities and mineral and aggregate extraction activities, recognising the potential adverse effects that need to be managed, including noise, visual amenity, rural character or landscape effects, and odour.	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for or protection of extractive industries.
580.12	Meridian Energy Limited	Amend 3.2.1 Objective – Significant Natural Areas to remove references to enhancement of SNAs.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
580.21	Meridian Energy Limited	Amend 3.2.4 Policy – Biodiversity Offsetting to include reference to environmental compensation.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation. Environmental compensation is a valid mechanism for managing effects in certain scenarios and should be included in Policy 3.2.4.
581.8	Synlait Milk Ltd	Amend Policy 4.6.7 Management of adverse effects within industrial zones to address management of adverse effects through the location of zones (relative to more sensitive environments) and the use of the General Industrial Zone as a buffer.	Oppose	The location of Heavy Industry zone should take into account surrounding sensitive environments but the use of the General Industrial Zone as a buffer is not always necessary or appropriate.
581.10	Synlait Milk Ltd	Amend Policy 4.7.14 Structure and master planning to refer to approved structure or master plans that are either included within or incorporated by reference into the Proposed District Plan.	Oppose	HVL supports amendments to the Plan that assist to implement the Havelock Village Masterplan but structure planning is not an essential prerequisite of live zoning.
581.11	Synlait Milk Ltd	Add the Pokeno Structure Plan within the Proposed District Plan or incorporated by reference in the Proposed District Plan.	Oppose	It is not necessary to include the Pokeno Structure Plan in the Proposed Plan, as it was a precursor to the rezoning of the parts of Pokeno, including the submitter's site.
581.12	Synlait Milk Ltd	Add policies to Chapter 5 Rural Environment which specifically address the potential for increased housing density in the rural environment to encroach on lawfully established heavy industry activities in adjoining zones.	Oppose	HVL supports amendments to the Plan that provide for a greater flexibility for development within the rural zone, in the event that its requested rezoning is not granted.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
581.32	Synlait Milk Ltd	Amend Rule 22.3.7.2 Building setback - sensitive land use to include a requirement for sensitive land uses to be setback from a Heavy Industrial Zone boundary.	Oppose	HVL supports amendments to the Plan that provide for a greater flexibility for development within the rural zone, in the event that its requested rezoning is not granted.
581.33	Synlait Milk Ltd	Amend Rule 22.3.7.4 Building setback - Noise sensitive areas to include a requirement for noise sensitive activities to be setback from a Heavy Industrial Zone boundary.	Oppose	HVL supports amendments to the Plan that provide for a greater flexibility for development within the rural zone, in the event that its requested rezoning is not granted.
585.2	Department of Conservation	Delete Policy 3.2.6(b) Providing for vegetation clearance.	Oppose	
585.9	Department of Conservation	Add a new definition of "Biodiversity offset" to Chapter 13 Definitions, as follows: <u>Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after appropriate prevention and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferable a net gain of biodiversity on the ground.</u>	Support in part	Support amendments to provisions that enable development subject to appropriate mitigation, offsetting and compensation, subject to drafting.
585.10.	Department of Conservation	Add a new definition of "Environmental Compensation" Definitions as follows: <u>Environmental compensation comprises actions offered as a means to address residual adverse effects on the environment arising from project development that are not intended to result in no net loss or a net gain of biodiversity on the ground.</u>	Support in part	Support amendments to provisions that enable development subject to appropriate mitigation, offsetting and compensation, subject to drafting.
585.14	Department of Conservation	Amend Appendix 6 Biodiversity offsetting as follows: Introduction <u>The following sets out a framework for the use of biodiversity offsets. It should be read in conjunction with the New Zealand government Guidance on Good Practice Biodiversity Offsetting in New Zealand, New Zealand Government et al., August 2014 (or any successor document).</u> 2 Biodiversity offsetting framework ... 2. A proposed biodiversity offset will contain an <u>qualitative</u> assessment of losses and gains commensurate with the scale of effects of the activity, and should demonstrate the manner in which no net loss can be achieved. AND Amend bullet 8 of Appendix 6 Biodiversity Offsetting to ensure that any offset not replacing biodiversity on a like for like basis should not 'trade up' from already threatened or at risk biodiversity.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation. Also it is inappropriate to incorporate non-statutory documents by reference.
585.15	Department of Conservation	Amend Rule 16.2.8 Indigenous vegetation clearance inside a Significant Natural Area as follows: - Include a maximum vegetation clearance permitted activity rule for all purposes; and - Include a minimum setback distance from water bodies for all purposes; and - Change P2 to a maximum area of clearance rather than a maximum volume; and - Any other relevant amendments.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
585.24	Department of Conservation	Add rules for Indigenous vegetation clearance inside a Significant Natural Area in all Zones as follows: - Include a maximum vegetation clearance permitted activity rule for all purposes; and - Include a minimum setback distance from water bodies for all purposes; and - Include a maximum area of clearance rather than a maximum volume; and - Any other relevant amendments.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
585.25	Department of Conservation	Retain Rule 16.2.8 D1 Indigenous vegetation clearance inside a Significant Natural Area, in particular, retain the cascade to discretionary activity upon non-compliance with the permitted activity standards.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
585.36	Department of Conservation	Add a schedule identifying the Outstanding Natural Features and Outstanding Natural Landscapes.	Oppose in part	Providing for a schedule of Outstanding Natural Features and Outstanding Natural Landscapes would provide greater clarity and certainty for plan users. However, any provisions associated with Outstanding Natural Features and Outstanding Natural Landscapes need to provide for an appropriate level of development and recognise existing uses taking into account the recognised values for which it is protected.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
585.38	Department of Conservation	Add new maps, objectives, policies and rules recognising and providing for bat zones and tree protection (see submission for an example of a rule from the Draft Timaru District Plan).	Oppose	Existing provisions relating biodiversity adequately provide for the issues any zone would seek to address.
585.46	Department of Conservation	Amend Policy 3.2.3 Management hierarchy as follows: (a) Recognise and protect indigenous biodiversity within Significant Natural Areas by: (i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled as a preference;	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
585.47	Department of Conservation	Amend Policy 3.2.4(b) Biodiversity as follows: (b) Within a Significant Natural Area, a biodiversity offset will only be considered appropriate where adverse effects have been <u>preferentially</u> avoided, <u>then</u> remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and...	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
585.48	Department of Conservation	Add a new clause (c) to Policy 3.2.4 Biodiversity offsetting that provides for consideration of environmental compensation in cases where biodiversity offsetting cannot be reasonably achieved as to address environmental effects that cannot be avoided, remedied or mitigated.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
588.32	Woolworths NZ Ltd	Consider that Pokeno be removed from the Proposed District Plan and not subject to the Proposed District Plan review process.	Oppose	There are no valid reasons for Pokeno to be excluded from the district plan review process. Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed
591	Stevenson Waikato Ltd	Submission relating to minerals and extractive activities including proposed modification of the definition for Extractive Industry & Add a new Permitted Activity for Extractive Activities in Aggregate Extraction Areas	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries.
591.1	Stevenson Waikato Ltd	Add a new permitted activity within Rule 22.2.3.1 Earthworks - General, as follows: <u>P5 Earthworks for extractive industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps provided that sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls.</u> <u>NB earthworks for extractive industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown are not subject to the conditions of P2 above.</u>	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries.
591.2	Stevenson Waikato Ltd	Add a new permitted activity rule within Rule 22.2.3.3 Earthworks - Significant Natural Areas, as follows: <u>P3 Earthworks for extractive industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps provided that sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls.</u>	Support	HVL supports amendments to provide greater flexibility in addressing the potential effects arising from earthworks. In addition, as an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries applied.
591.3	Stevenson Waikato Ltd	Add a new permitted activity rule within Rule 22.2.7 Indigenous vegetation clearance within Significant Natural Areas, as follows: <u>P7 Indigenous Vegetation clearance for extractive industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps.</u>	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries.
591.4	Stevenson Waikato Ltd	Add a new permitted activity rule within Rule 22.2.8 Indigenous vegetation clearance outside a Significant Natural Area, as follows: <u>P4 Indigenous Vegetation clearance for extractive industry within the Aggregate Extraction Areas and Aggregate Resource Areas shown on the planning maps</u>	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
592.1	Christine Montagna On behalf of David James Evans	Amend the zoning of the properties located on the southern side of Whangarata Road, Tuakau to Country Living Zone.	Support	HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
598.6	Terry Withers	Retain Objective 4.1.2 - Urban growth and development.	Support	The consolidation of future settlement patterns in and around existing towns and villages represents good planning practice.
598.7	Terry Withers	Amend Policy 4.1.3(b) Location of development as follows: (b) Locate urban growth areas only where they are consistent <u>with legislative requirements and strategic documents such as Future Proof, the Future Proof Strategy Planning for Growth 2017.</u>	Support	HVL supports amendments that identifying residential growth should occur in and around Pokeno in accordance with the Future Proof Strategy.
598.3	Terry Withers	Amend Section 1.5.2(a) Planning for urban growth and development as follows: (a) Defined growth areas have been zoned and their development will be guided	Support in part	HVL supports amendments that recognise that structure planning is not an essential prerequisite of development. However, it opposes amendments that refer to subsequent updates to documents that are amended outside the

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		through the application of objections and policies and through processes such as the development of master plans, comprehensive structure plans within the district plan and any future changes to the district plan The agreed Future Proof settlement pattern for urban growth and development is to will assist to avoid unplanned encroachment into rural land and is to be contained within defined urban areas to avoid rural residential fragmentation.		RMA.
598.24	Terry Withers	Amend the extent of Residential zoning at Pokeno (after examining all zoning options) to provide for growth within a 30 year time period as signalled in the Future Proof Strategy and potentially postpone zoning (including for the 160 ha block known as 'Pokeno West') until new legislative requirements and revised regional growth strategies are determined.	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure. A future urban zone is an appropriate planning tool for sites that are generally suitable for residential zoning but may not have adequate certainty of infrastructure provision. HVL supports such a zone as an alternative to its primary relief to re-zone the land it controls as residential, as outlined in its original submission.
598.25	Terry Withers	Amend the zoning of the 27ha property located at 135 Potter Road, Pokeno (Lot 3 DP 176205) from Rural Zone to Residential Zone.	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
598.26	Terry Withers	Amend the Proposed District Plan to encourage new Residential areas to be developed where topographical or physical constraints provide a natural separation between conflicting land uses, for example, roads, railway lines, significant planted areas could be used as a buffer.	Support	HVL supports identifying residential land having regard to physical or topographical constraints. However, there may be alternative ways to provide for the desired outcomes and separation between land uses.
598.28	Terry Withers	Add policies and support for additional residential zoning opportunities to cater for anticipated demand for the next 27 years.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones.
606.11	Future Proof Implementation Committee	Amend the Proposed District Plan, to allow for higher density and mixed use developments close to transport hubs, especially train stations that have been signalled for potential re-opening, town centres and community hubs, through amendments to the following parts of the Proposed District Plan: - Policy 4.1.5 Density - Chapter 16 Residential Zone - Chapter 17 Business Zone - Chapter 18 Business Centre Zone - Planning Maps; and - Any other relevant chapters.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones.
662.1	Blue Wallace Surveyors Ltd	Amend Policy 4.7.14 Structure and master planning as follows (or words to similar effect): (a) Ensure that development and subdivision within approved structure or master plan areas is integrated <u>where physically reasonable</u> , with the general development pattern and infrastructure requirements <u>specified conceptually provided for</u> in an approved structure or master plan.	Support in Part	HVL supports amendments to provisions which allow for the implementation of the Havelock Village masterplan. The amendments highlight the conceptual nature of master plans and structure plans which allows for some degree of flexibility once detailed design and implementation occurs. However, approved structure plans and/or master plan are not an essential precursor to new development.
662.36	Blue Wallace Surveyors Ltd	Amend Objective 4.1.7(a) Character of towns as follows: (a) Development in the Residential, Village, Industrial and Business zones is attractive, connected and reflects the <u>existing</u> character of towns.	Support	The character of towns, or parts of towns, can change over time.
668.1	Clem & Alison Reeve	Amend the zoning of the property at 243 Pokeno Road, Pokeno, from Rural Zone to Business Zone or similar.	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
679.12	Greenways Orchards Limited	Delete Rule 16.4.13(a) Subdivision creating reserves and make it a matter of discretion.	Support	The 50% threshold is better addressed as a matter of discretion rather than a standard.
680.1	Federated Farmers of New Zealand	Withdraw the Proposed District Plan as provided for in Schedule 1 (8D(1) of the Resource Management Act 1991 to allow and assessment of the drafted plan against the National Planning Standards when it is released. This would allow analysis of the submissions and robust identification and scheduling of the Significant Natural Areas, Outstanding Landscapes and Significant Amenity Landscapes.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed. The National Planning Standards can be incorporated as required via substantive hearing process.
680.31	Federated Farmers of New Zealand	Amend Policy 3.2.2 (a) Identify and Recognise, as follows: (a) Identify significant indigenous vegetation and habitats of indigenous fauna in accordance with the Waikato Regional Policy Statement and identify as Significant Natural Areas on a Schedule in the plan and planning maps.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		<p>(i) <u>The sites currently identified on the planning maps are for information purposes only and have no legal effect until a robust identification process, including ground-truthing, has been undertaken.</u></p> <p>(b) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected.</p> <p>(i) <u>Ensure landowners are informed of the characteristics relating to their specific site and the activities which may adversely affect them.</u></p> <p>(c) <u>Where a proposed activity requires a resource consent solely as a result of an area being identified as a significant natural area (SNA) and the site has not been ground-truthed, Council will meet the costs of the ground-truthing assessment to confirm the status and boundaries of the significant natural area.</u></p> <p><u>The assessment will be carried out by a Council approved suitably qualified and experienced ecologist prior to an application for resource consent being lodged.</u></p>		
680.211	Federated Farms of New Zealand	<p>Amend Rule 22.2.7 P1 Indigenous vegetation clearance inside a Significant Natural Area, as follows:</p> <p>(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</p> <p>(i) <u>Removing vegetation that endangers human life or existing buildings or structures or to manage fire risk;</u></p> <p>(ii) <u>Construction of conservation fencing to exclude stock and tracks for pest management;</u></p> <p>(iii) Maintaining existing farm drains;</p> <p>(iv) Maintaining existing tracks and fences; or</p> <p>(v) Gathering plants in accordance with Maaori customs and values.</p> <p>(vi) <u>The removal of broken branches, deadwood or diseased vegetation;</u></p> <p>(vii) <u>To give effect to a Sustainable Forest Management Plan or Permit as approved under the Forests Act 1949 prior to 16 September 2010;</u></p> <p>(viii) <u>Activities are carried out subject to and in accordance with any specific covenants or other legal agreements entered into with the District Council, or Waikato Regional Council, or Department of Conservation, or QEII Trust;</u></p>	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
680.213	Federated Farmers of New Zealand	<p>Amend Rule 22.2.7 P3 (a) (ii) Indigenous vegetation clearance inside a Significant Natural Area, as follows:</p> <p>(ii) <u>The total indigenous vegetation clearance does not exceed 250m 2500m² per building, including areas associated with access, parking and manoeuvring</u></p>	Support in part	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation. In particular HVL support clearance to provide an appropriate level of developable area.
680.215	Federated Farmers of New Zealand	<p>Amend Rule 22.2.7 D1 Indigenous vegetation clearance inside a Significant Natural Area, as follows:</p> <p>D4 RD1</p> <p>(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rule 22.2.7 P1, P2, P3, P4, P5 or P6.</p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(i) <u>The measures to avoid, remedy or mitigate any adverse effects to the significant indigenous vegetation and significant habitats of indigenous fauna, including species relocation, offset and restorative planting;</u></p> <p>(ii) <u>Any cumulative effects arising from the proposed activity;</u></p>	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
680.249	Federated Farmers of New Zealand	<p>Delete all notified overlays on the Proposed District Plan planning maps which are identified over private land. The relief sought specifically relates to the overlays listed on the Waikato Proposed Plan Legend as:</p> <ul style="list-style-type: none"> - Natural character - Environmental Protection Area - Significant Amenity Landscapes - Significant Natural Area - Outstanding Natural Landscapes - Outstanding Natural Feature - Walkway Cycleway Bridleway - Maaori Site of Significance 	Support in part	All high value areas identified in the plan should accurately reflect the relevant values and meet the relevant criteria. Area that do not meet the relevant criteria should be excluded from the relevant overlay. The provisions relating to overlays also need to anticipate an appropriate level of development and acknowledge existing uses.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason						
		<table border="1"> <tr> <td>Studio unit or 1 bedroom unit</td> <td>60m²</td> </tr> <tr> <td>2 bedroom unit</td> <td>80m²</td> </tr> <tr> <td>3 or more bedroom unit</td> <td>100m²</td> </tr> </table>	Studio unit or 1 bedroom unit	60m ²	2 bedroom unit	80m ²	3 or more bedroom unit	100m ²		
Studio unit or 1 bedroom unit	60m ²									
2 bedroom unit	80m ²									
3 or more bedroom unit	100m ²									
697.109	Waikato District Council	<p>Amend Rule 16.2.4.3 P1(a) Earthworks-Significant Natural Areas to read as follows:</p> <p>(a) Earthworks are for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions:</p> <p>(i) Maximum <u>Do not exceed</u> a volume of 50m³ in a single consecutive 12 month period;</p> <p>(ii) Maximum <u>Do not exceed</u> an area of 250m² in a single consecutive 12 month period ; and</p> <p>(iii) Do Not <u>include the importation of</u> any fill material.</p> <p>(iv) <u>The total depth of any excavation or filling does not exceed 1.5m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal);</u></p> <p>(v) <u>Earthworks are setback at least 1.5m from all boundaries;</u></p> <p>(vi) <u>Areas exposed by earthworks are revegetated to achieve 80 % ground cover within 6 months of the commencement of the earthworks;</u></p> <p>(vii) <u>Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</u></p> <p>(viii) <u>Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</u></p>	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.						
697.110	Waikato District Council	<p>Amend Rule 16.2.4.3 RD1 Earthworks-Significant Natural Areas to read as follows:</p> <p>(a) Earthworks that do not comply with Rule 16.2.4.3 P1.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p>(i) The location of earthworks in relation <u>taking into account</u> to waterways, significant indigenous vegetation or habitat;</p> <p>(ii) The protection of adverse <u>effects on the Significant Natural Area values.</u></p>	Support in part	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation. Council should also take into account mitigation offsetting and compensation as part of its discretion.						
697.111	Waikato District Council	Delete Rule 16.2.4.3 D1 Earthworks- Significant Natural Areas.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation. It agrees that earthworks in SNAs should have an activity status no worse than restricted discretionary.						
697.124	Waikato District Council	<p>Add Rule 16.2.8 P1(a) (vi) Indigenous vegetation clearance inside a Significant Natural Area as follows:</p> <p><u>Removing vegetation for conservation activities</u></p>	Support	HVL supports increased flexibility for conservation based activities.						
697.146	Waikato District Council	<p>Delete Rule 16.4 Subdivision (1)-(5)</p> <p>AND</p> <p>Add to replace as follows:</p> <p>(1) <u>Rule 16.4.1 Subdivision – General provides for subdivision density and apply across within the Residential Zone subject to compliance with the following:</u></p> <p>(a) <u>Rule 16.4.7 Subdivision – Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas;</u></p> <p>(b) <u>Rule 16.4.8 Title boundaries – Significant Natural Areas;</u></p> <p>(c) <u>Rule 16.4.9 Title boundaries – Maaori sites and Maaori areas of Significance;</u></p> <p>(d) <u>Rule 16.4.10 Subdivision of land containing heritage items;</u></p> <p>(e) <u>Rule 16.4.11 Subdivision – Road Frontage;</u></p> <p>(f) <u>Rule 16.4.12 Subdivision – Building Platform ;</u></p> <p>(g) <u>Rule 16.4.13 Subdivision creating reserves;</u></p> <p>(h) <u>Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips;</u></p> <p>(i) <u>Rule 16.4.15 Subdivision of land containing mapped off-road walkways; and</u></p> <p>(j) <u>Rule 16.4.16 Subdivision of land containing an Environmental Protection Area.</u></p> <p>(2) <u>Rule 16.4.1 Subdivision - General does not apply where the following specific areas and/or activities rules apply:</u></p> <p>(a) <u>Rule 16.4.2 Subdivision – Te Kauwhata Ecological Residential Area;</u></p> <p>(b) <u>Rule 16.4.3 Subdivision – Te Kauwhata West Residential Area;</u></p> <p>(c) <u>Rule 16.4.4 Subdivision – Multi-unit development;</u></p> <p>(d) <u>Rule 16.4.5 Subdivision – Boundary adjustments; and</u></p>	Support	HVL supports amendments that provide greater clarity for plan users but opposes any amendments that reduce development potential and flexibility in residential zones.						

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		<p>(e) Rule 16.4.6 Subdivision – Amendments and updates to cross lease flats plans and conversion to freehold.</p> <p>(3) The following rules apply to specific areas and/or activities:</p> <p>(a) Rule 16.4.2 - Subdivision - Te Kauwhata Ecological Residential Area (refer to Rule (4));</p> <p>(b) Rule 16.4.3 - Subdivision - Te Kauwhata West Residential Area) (refer to Rule (4)); and</p> <p>(c) Rule 16.4.4 - (Subdivision – Multi-Unit development).</p> <p>(d) Rule 16.4.5 – subdivision boundary adjustments;</p> <p>(e) Rule 16.4.6 – subdivision amendments and updates to cross lease flats plan and conversion to freehold;</p> <p>(f) Rule 16.4.7 – subdivision title boundaries natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming and aggregate extraction areas;</p> <p>(g) Rule 16.4.8 – subdivision title boundaries Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maori;</p> <p>(h) Rule 16.4.9 – Title boundaries – Maori site and Maori areas of significance</p> <p>(i) Rule 16.4.10 - subdivision of land containing heritage items;</p> <p>(j) Rule 16.4.13 – subdivision reserves; and</p> <p>(k) Rule 16.4.14 - subdivision esplanade reserves and esplanade strips.</p> <p>(l) Rule 16.4.15 – subdivision of land containing mapped off-road walkways; and</p> <p>(m) Rule 16.4.16 – subdivision of land containing Environmental Protection Area.</p> <p>(4) Rule 16.4.4 Subdivision – Multi-unit development does not apply in the following areas:</p> <p>(a) Rule 16.4.2 - Subdivision - Te Kauwhata Ecological Residential Area; and</p> <p>(b) Rule 16.4.3 - Subdivision - Te Kauwhata West Residential Area.</p>		
697.151	Waikato District Council	<p>Amend Rule 16.4.4. RD1 (a)(iii) Subdivision - Multi-unit development, as follows: The minimum existing exclusive area for each residential unit lot-size where a new freehold (fee simple) lot is being created must be 300m² net site area.</p>	Oppose	HVL supports amendments to the Plan that provide for greater development potential and a wider variety of densities and housing types.
697.156	Waikato District Council	<p>Amend Rule 16.4.7 RD1 Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas (the same as set out in the Village Zone in Rule 24.4.5 RD1) retaining only the rules relating to existing buildings and make consequential changes, as follows:</p> <p>(a) Subdivision of land containing contaminated land, notable trees, intensive farming and Aggregate Extraction Areas must comply with all of the following conditions:</p> <p>(i) The boundaries of every proposed lot containing existing buildings must demonstrate compliance with the following building rules (other than where any non-compliance existed lawfully prior to the subdivision) relating to:</p> <p>A. daylight admission (Rule 16.3.5);</p> <p>B. building coverage (Rule 16.3.6);</p> <p>C. building setbacks (Rule 16.3.9).</p> <p>(ii) The boundaries of every proposed lot must not divide the following:</p> <p>A. a natural hazard area;</p> <p>B. contaminated land;</p> <p>C. Significant Amenity Landscape; or</p> <p>D. notable tree.</p> <p>(iii) The boundaries of every proposed lot must provide the following setbacks:</p> <p>A. 300m from any intensive farming activity;</p> <p>B. 500m from the boundary of an Aggregate Extraction Area for rock extraction; and</p> <p>C. 200m from the boundary of an Aggregate Extraction Area for sand excavation.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p>(i) Landscape values;</p> <p>(ii) Amenity values and character;</p> <p>(iii) Reverse sensitivity effects;</p> <p>(iv) Effects on existing buildings;</p> <p>(v) Effects on natural hazard areas;</p> <p>(vi) Effects on contaminated land;</p>	Support in part	HVL supports amendments that provide greater clarity for plan users but opposes any amendments that reduce development potential and flexibility in residential zones.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason								
		(vii) Effects on any notable trees; and Effects on an intensive farming activity.										
697.169	Waikato District Council	Add to Rule 17.1.3 Restricted Discretionary Activities RD1 a new condition (viii) as follows: <u>(viii) Each residential unit must meet the following minimum unit size:</u> <table border="1"> <tr> <td>Unit of Apartment</td> <td>Minimum Unit Area</td> </tr> <tr> <td>Studio unit or 1 bedroom unit</td> <td>60m²</td> </tr> <tr> <td>2 bedroom unit</td> <td>80m²</td> </tr> <tr> <td>3 bedroom unit</td> <td>100m²</td> </tr> </table>	Unit of Apartment	Minimum Unit Area	Studio unit or 1 bedroom unit	60m ²	2 bedroom unit	80m ²	3 bedroom unit	100m ²	Oppose	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and housing types.
Unit of Apartment	Minimum Unit Area											
Studio unit or 1 bedroom unit	60m ²											
2 bedroom unit	80m ²											
3 bedroom unit	100m ²											
697.177	Waikato District Council	Amend Rule 17.2.2 P1 Servicing and hours of operation, as follows: The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining the Residential and Village Zones may must only occur between 6.30am and 7.30 8.00pm.	Support	Havelock Village will contain a small Neighbourhood Centre and commercial activity in the Centre will be supported by increased flexibility regarding hours of operation.								
697.180	Waikato District Council	Amend Rule 17.2.4 P1 Servicing and hours of operation, as follows: The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity on a site adjoining the Residential and Village Zones may must only occur between 6.30am and 7.30 8.00pm.	Support	Havelock Village will contain a small Neighbourhood Centre and commercial activity in the Centre will be supported by increased flexibility regarding hours of operation.								
697.324	Waikato District Council	Amend the Proposed District Plan to clarify that a building associated with an activity is permitted if it complies with all the relevant land use building conditions for that zone.	Support	HVL supports amendments to the Plan that provide greater clarity for plan users.								
697.347	Waikato District Council	Amend the purpose and status of the objectives in Chapter 1 Introduction. AND Add a stand-alone chapter containing all of the strategic objectives	Oppose	HVL supports amendments to improve the readability and clarity of the Plan. But the amendments sought by the submitter are unclear. The PWDP already contains objectives in each chapter so it appears inappropriate and unnecessary to introduce a separate chapter just for objectives.								
697.348	Waikato District Council	Delete unnecessary text from Chapter 1 Introduction. AND Amend Chapter 1 Introduction so that it is more focused on performing an introductory role to the District Plan.	Support	HVL supports amendments to the plan to improve clarity and usability.								
697.381	Waikato District Council	Amend the definition of "Dwelling" as follows: Means the same as a self-contained residential unit for living accommodation	Support in part	HVL supports amendments to the Plan definitions to provide clarity for plan users.								
697.384	Waikato District Council	Amend the definition of "Extractive industries" as follows: Means taking, winning or extracting by whatever means, the naturally-occurring minerals (including but not limited to coal, rock, sand, and gravel) and peat from under or on the land surface. This may include one or more of the following: <u>(a) blasting, processing (crushing, screening, washing, chemical separation and blending);</u> <u>(b) the storage, distribution and sale of aggregates by wholesale to industry or by retail;</u> <u>(c) the removal, stockpiling and deposition of overburden;</u> <u>(d) treatment of stormwater and wastewater;</u> <u>(e) landscaping and rehabilitation works including cleanfilling;</u> <u>(f) ancillary buildings and structures;</u> <u>(g) a single residential unit for security purposes; and</u> <u>(h) internal roads and access tracks</u> The term includes the processing by such means as screening, crushing, or chemical separation of minerals at or near the site, where the minerals have been taken, won or excavated. The term also includes the removal, stockpiling and filling of overburden sourced from the same site. It includes all activities and structures associated with underground coal gasification, including pilot and commercial plants and the distribution of gas. It excludes prospecting and exploration activities. <u>It does not include a farm quarry or ancillary rural earthworks.</u> AND Replace "aggregate extraction activities" and "mineral extraction and processing" with the term "Extractive industries" throughout the rules of the Proposed District	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater clarity and flexibility for extractive industries.								

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		Plan.		
697.390	Waikato District Council	Amend the definition to "Gross floor area" as follows: Means the sum of the gross area of all floors of a building, measured either from the exterior faces of the exterior walls, or from the centre line of walls separating two tenancies, as circumstances may require. <u>Means the sum of the total area of all floors of all buildings on the site (including any void area in those floors, such as service shafts or lift or stairwells), measured from the exterior faces of exterior walls or from the centre lines of walls separating 2 buildings and, in the absence of a wall on any side, it shall be measured to the exterior edge of the floor.</u>	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, zones and housing types. HVL as an interest in any amendments to definitions that may affect these matters.
697.400	Waikato District Council	Delete from Chapter 13: Definitions the definition for "Mineral extraction and processing" AND Replace the term "Mineral extraction and processing" in all chapters with "Extractive industry" where appropriate.	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater clarity and flexibility for extractive industries.
697.401	Waikato District Council	Amend the definition of "Minor dwelling" as follows: Means a second dwelling independent of the principal dwelling(s) on the same site. <u>Means a self-contained residential unit that is ancillary to the principal residential unit and is held in common ownership with the principal residential unit on the same site.</u> <u>A minor dwelling can be attached to the principal residential unit, or a detached stand-alone building.</u>	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones. HVL as an interest in any amendments to definitions that may affect these matters.
697.485	Waikato District Council	Delete from Chapter 13: Definitions the definition for "Aggregate extraction activities".	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater clarity and flexibility for extractive industries.
697.490	Waikato District Council	Amend the definition of "Neighbourhood centre" as follows: ...local community. Neighbourhood centres are identified in structure plans or on the planning maps.	Oppose	Neighbourhood centres should be identified on the planning maps with the appropriate zoning (ie commercial and the definition should reflect that).
697.498	Waikato District Council	Amend the definition of "Residential unit" as follows: Means a building or group of buildings, or part of a building or group of buildings that is: (a) used, or intended to be used, only or mainly for residential activities; and (b) occupied, or intended to be occupied, exclusively as the home or residence of not more than one household; and (c) is self-contained for living accommodation.	Oppose	This definition is too broad. Adopt the standard RMA definition.
697.510	Waikato District Council	Add to Chapter 13: Definitions a new definition for "Structure" as follows: <u>Structure</u> <u>Means a man-made object.</u>	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones. HVL as an interest in any amendments to definitions that may affect these matters.
697.556	Waikato District Council	Add to Policy 5.3.4 Density of dwellings and building with the rural environment two new policies as follows: <u>(c) Additional dwellings and buildings do not compromise the rural character and amenity of the surrounding locality.</u> <u>(d) Provide for a minor dwelling, where it:</u> <u>(i) is located within proximity to the principal dwelling on a site; and</u> <u>(ii) maintains rural character and amenity.</u>	Oppose	Buildings and minor dwellings should be permitted in rural areas. Locating a minor dwelling in proximity to the principal dwelling does not always promote the best landscape outcome.
697.688	Waikato District Council	Amend Rule 21.2.3.1 P2 Noise - General, as follows: (a) Noise measured within any other site:... (viii) In an Industrial Zone must not exceed: A. 75dB (LAeq) 7am to 10pm; and B. 55dB (LAeq) and 85dB (LAmx) 10pm to 7am the following day... <u>(b) Noise measured within any site in any other zone, other than the Industrial Zone and the Heavy Industrial Zone, must meet the permitted noise levels for that zone.</u> <u>(c) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound".</u> <u>(d) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental noise".</u>	Support	HVL support the proposed zone interface noise limits to ensure a reasonable level of noise between industrial and other activities.
697.758	Waikato	Amend Rule 22.1.5 NC2 Non-Complying Activities, as follows:	Oppose	As an alternative to residential zoning, HVL support the proposed zone interface noise limits to ensure a

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
	District Council	(a) An extractive industry located within all or part of any of the following <u>landscape and natural character areas</u> : (i) Outstanding Natural Feature; (ii) Outstanding Natural Landscape; (iii) High natural character area; (iv) Outstanding Natural Character area.		reasonable level of noise between industrial and other activities.
697.788	Waikato District Council	Add a new condition (vii) to Rule 22.2.7(a) Indigenous vegetation clearance inside a Significant Natural Area, as follows: <u>(vii) Removing vegetation for conservation activities.</u>	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
697.813	Waikato District Council	Amend Rule 22.3.7.5 Building setback - waterbodies, as follows: P1 (a) Any building must be set back a minimum of: (i) 32m from the margin of any; A. Lake; and B. Wetland; (ii) 23 <u>32m</u> from the bank of any river (other than the Waikato River and Waipa River); (iii) 28 <u>37m</u> from the banks of the Waikato River and Waipa River; and (iv) 23 <u>32-m</u> from mean high water springs.	Oppose	HVL supports amendments to the Plan that provide for a greater flexibility for development within the rural zone, in the event that its requested rezoning is not granted.
723.7	Winstone Aggregates	Amend the definition of "Extractive Industry" in Chapter 13 Definitions, as follows: Means taking, winning or extracting by whatever means, the naturally-occurring minerals (including but not limited to coal, rock, sand, and gravel) and peat from under or on the land surface. The term includes the processing by such means as minerals at or near the site, where the minerals have been taken, won or excavated. The term also includes the removal, stockpiling and filling of overburden sourced from the same site and the following activities: - <u>Blasting;</u> - <u>Storing, distributing and selling mineral products;</u> - <u>Accessory earthworks;</u> - <u>Treating stormwater and waste water;</u> - <u>Landscaping and rehabilitation of quarries;</u> - <u>Clean fills and managed fills;</u> - <u>Recycling or reusing aggregate from demolition waste such as concrete, masonry, or asphalt;</u> - <u>Accessory activities and accessory buildings and structures such as weighbridges, laboratories and site offices.</u> It includes all activities and structures associated with underground coal gasification, including pilot and commercial plants and distribution of gas. It excludes prospecting and exploration activities.	Support	HVL supports amendments to provide greater flexibility in addressing the potential effects arising from earthworks. In addition, as an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries.
723.10	Winstone Aggregates	Amend Chapter 22: Rural Zone for the Extractive Industry by adopting the Operative Waikato District Plan: Franklin Section rules for Aggregate Extraction.	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries.
730.1	Mercury NZ Limited	Withdraw all Stage 1 of the Proposed Waikato District Plan and re-notify Stage 1 together with Stage 2 once a thorough flood analysis has been undertaken and consulted on. OR Review all of the Stage 1 provisions for urban growth and land use intensification (objectives, policies, methods and rules) in order to manage flood hazard risk at Stage 2 and hear submissions for both stages together.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed. HVL has undertaken flood risk analysis for its proposed development. The proposed rezoning of Havelock Village from Rural to Residential will not increase flood hazard risk and will give effect to the relevant RPS provisions once the mitigation measures outlined in the submission documentation are implemented.
730.2	Mercury NZ Limited	Withdraw all Stage 1 provisions of the Proposed Waikato District Plan and re-notify Stage 1 together with Stage 2 once a thorough flood analysis has been undertaken and consulted on. OR Review all Spatial maps of the Proposed Waikato District Plan, including zonings which provide for sensitive activities at Stage 2 in order to manage flood hazard risk and hear submissions for both stages together. Until a thorough flood hazard assessment has been undertaken and included within	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed. HVL has undertaken flood risk analysis for its proposed development. The proposed rezoning of Havelock Village from Rural to Residential will not increase flood hazard risk and will give effect to the relevant RPS provisions once the mitigation measures outlined in the submission documentation are implemented.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		<p>the First Schedule process, Mercury opposes the entire Proposed Waikato District Plan Stage 1. Mercury reserves its right to comment on any part of the RMA framework, including section 32 analysis, and issues, objectives, policies and methods within any part of the Proposed Waikato District Plan during further or later stages.</p> <p>Mercury considers that it is necessary to analyse the results of a flood assessment, which shows areas affected by a 1:100 event prior to designing a policy framework, which includes management controls that avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure there is a tolerable level of risk exposure for all land use and development.</p> <p>Mercury also requires time to peer review any flood assessment information including the assessment of assumptions which relate to the operation of the Waikato Hydro Scheme.</p>		
730.3	Mercury NZ Limited	<p>In the events the Waikato District Council does not stop its current process, the submitter seeks that:</p> <ul style="list-style-type: none"> - Prior to notification of the Stage 2 Hazard assessment, the submitter is consulted about the assumptions used in the catchment wide flood hazard model, which may need to be rationalised, including the assumptions that relate to the operation of the Waikato Hydro Scheme. - Needs to be adequate time for assessment, feedback and adjustments to be made where necessary. Changes to assumptions, even subtle ones could have a significant bearing on how a flood event is represented spatially across the catchment. The submitter is interested in how the flood overlay output might conflict with land use zones, which provide for sensitive activities, land use intensification and any urban growth areas. - Until a thorough flood hazard assessment has been undertaken and included within the First Schedule process, Mercury opposes the entire Proposed District Plan Stage 1. Mercury reserves its right to comment on any part of the RMA framework, including section 32 analysis, and issues, objectives, policies and methods within any part of the Proposed District Plan during further or later stages. - Mercury considers that it is necessary to analyse the results of a flood assessment, which shows areas affected by a 1:100 event prior to designing a policy framework, which includes management controls that avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure there is a tolerable level of risk exposure for all land use and development. 	Oppose	<p>Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed. HVL has undertaken flood risk analysis for its proposed development. The proposed rezoning of Havelock Village from Rural to Residential will not increase flood hazard risk and will give effect to the relevant RPS provisions once the mitigation measures outlined in the submission documentation are implemented.</p>
731.4	Jean Tregidga	<p>Amend Rule 22.2.7 P3(a)(ii) Indigenous vegetation clearance inside a Significant Natural Area, by increasing the allowable limit of indigenous vegetation clearance to 8000m² to provide for building, access, parking and manoeuvring as follows:</p> <p>(ii) The total indigenous vegetation clearance does not exceed 250m² 8000m².</p>	Support in part	<p>HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.</p>
731.9	Jean Tregidga	<p>Amend Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, to permit active management of indigenous vegetation including thinning and pruning in order to maintain and enhance indigenous biodiversity.</p>	Support	<p>HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.</p>
735.1	Cindy and Tony Young	<p>Amend the zoning of the properties in the area east of Pokeno, bounded by State Highway 2 to the north, Baird Road to the east, Avon Road to the south and State Highway 1 to the west from Rural Zone to Country Living Zone (refer to map provided in submission).</p>	Support	<p>HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.</p>
742.6	NZTA	<p>Amend Policy 3.2.4 Biodiversity Offsetting as follows:</p> <p>(a) Allow for a biodiversity offset to be offered by a resource consent applicant where an activity ...</p> <p>(b)(ii) the biodiversity is enhanced or maintained working towards achieving biodiversity offset can strive to achieve no net loss of indigenous biodiversity at a regional scale ...</p>	Support	<p>HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.</p>
742.10	NZTA	<p>Retain Policy 4.1.4 Staging of Development, except for the amendments sought below</p>	Support	<p>HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome</p>

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		<p>AND Amend Policy 4.1.4 Staging of Development as follows: (a) ensure that subdivision, use and development new urban areas is: (i) located, designed, and staged to adequately support <u>ensure that it is adequately serviced by existing or planned infrastructure, community facilities, open space networks and local services; and</u> (ii) efficiently and effectively integrated and staged to support infrastructure, stormwater management networks, park, and openspace networks. AND Request any consequential changes necessary to give effect to the relief sought in the submission.</p>		including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone.
742.15	NZTA	<p>Defer or withdraw the live zoning of new residential industrial or commercial land in Pokeno from the planning maps until an appropriate structure plan is developed with coordinated sequencing and staging of infrastructure. AND Amend Policy 4.1.11(a) Pokeno as follows: (i) Subdivision, land use and development of new growth areas does not compromise the potential future growth and development of the town <u>and is supported by existing or planned infrastructure.</u> (ii) Safe walking and cycling networks are integrated with the existing urban area; and (iii) Reverse sensitivity effects from on the strategic transport infrastructure networks <u>National Routes and Regional Arterials in accordance with Table 14.12.5.6</u> are avoided or minimised. AND Request any consequential changes necessary to give effect to the relief sought in the submission.</p>	Support	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone. Structure plans are not an essential precursor to development.
742.32	NZTA	<p>Retain Policy 4.7.6 Co-ordination between servicing and development and subdivision, except for the amendments sought below AND Amend Policy 4.7.6(a)(i) Co-ordination between servicing and development as follows: Is located in areas where infrastructural <u>infrastructure capacity appropriate to the proposal is available, or is otherwise has been planned and funded.</u> AND Request any consequential changes necessary to give effect to the relief sought in the submission.</p>	Support	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone.
742.33	NZTA	<p>Amend 4.7.7 Policy in order to Achieving sufficient development density to support the provision of infrastructure services</p>	Support	HVL support growth to achieve targets for Pokeno and amendments to the plan to achieve this. The proposed amendments enhance the clarity of the policy and its ability to be applied in practice.
746.4	The Surveying Company	<p>Amend Policy 5.3.13 (a)- Waste management activities as follows: (a) Provide for the rehabilitation of existing quarry sites, including landfill and cleanfill activities, <u>where siting is appropriate, environmental effects are managed and there is environmental gain.</u> AND Amend Policy 5.3.13- Waste management activities to provide for landfills - Classes 1-5 in the Rural Zone, subject to appropriate siting</p>	Support	An outdoor living area of 80m ² is excessive for the Residential Zone and the minimum lot size of 450m ² .
746.35	The Surveying Company	<p>Add a new permitted activity (P2) to Rule 16.3.1- Dwelling for a multi-unit development of up to three dwellings as follows: P2 Multi-unit development of up to three dwellings added as a Permitted Activity AND Add permitted activity conditions to the new Rule 16.3.1 P2 similar to Rule 16.1.3 RD1 (including proposed amendments) AND Amend Rule 16.3.1- Dwelling to state that Rule 16.3.1 does not apply to multi-unit development.</p>	Oppose in Part	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones.
746.41	The	<p>Amend Rule 16.3.8 Service Court to reduce the size of service courts</p>	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
	Surveying Company			densities and zones. Reducing the spatial requirement for service courts will allow for the more efficient development of urban land.
746.42	The Surveying Company	Amend 16.3.9 Building Setbacks to reduce set backs	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones. The proposed amendments strike a middle ground between the operative rules of the Franklin and Waikato sections.
746.46	The Surveying Company	Amend Rule 16.4.1 RD1 (a)(ii) Subdivision - General, as follows: (ii) Where roads are to be vested in Council, they must <u>should</u> follow a grid layout;	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities and zones. Grid layouts are recognised as a desired design but it should be recognised that achieving this layout is not always feasible given environmental constraints.
746.91	The Surveying Company	Retain 4.2.17 Policy – Housing Types	Support	HVL supports provisions in the Plan that provide for a development potential and a wider variety of densities and zones.
746.96	The Surveying Company	Delete Policy 4.7.2 (a) (vii)- Subdivision location and design	Support	Grid layouts are recognised as a desired design but it should be recognised that achieving this layout is not always feasible given environmental constraints.
746.97	The Surveying Company	Amend Policy 4.7.4- Lot sizes as follows: (a)Minimum lot size and dimension of lots enables the achievement of the character and density outcomes of each zone; and (b) <u>Smaller lots size and multi-unit development promoted within walking distance to existing Town Centres, public amenities and public transport.</u> (c) <u>Smaller lots size and multi-unit development promoted within new greenfield sites where the land is within walking distance to amenities and reserves.</u> (d)Avoid undersized lots in the Village Zone.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones. Providing for more intensified development closer to the existing Town Centres and to amenities and reserves in new greenfield developments is logical.
746.103	The Surveying Company	Add a new residential zone to the Proposed District Plan, separating the residential zone into two zones to support intensification and compact growth within existing town centres and future public transport stations. A zone similar to the mixed housing zone used in the Auckland Unitary Plan or the medium density zone as defined in the Draft National Planning Standards would be suitable.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones.
746.107	The Surveying Company	Delete Policy 4.2.15 (a) (iv)- Earthworks OR Amend Policy 4.2.15 (a) (iv)- Earthworks to enable land to be developed for residential activities as follows: The importation of cleanfill is avoided in the Residential Zone <u>except where it is required to enable land to be developed for residential purposes.</u>	Support in part	Residential development may require the importation of clean fill as part of efficient and effective land development. The amendment should extend to all permitted activities in the residential zone.
746.108	The Surveying Company	Add to Objective 4.2.16- Housing options as follows: <u>Multi-unit development including low rise apartments is promoted within walking distance to existing Town Centres, public amenities and public transport.</u> <u>Smaller lots size and multi-unit development promoted within new greenfield sites where the land is within walking distance to amenities and reserves.</u>	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones.
747.2	Ryburn Lagoon Trust Limited	Amend Objective 3.2.1 Significant Natural Areas to acknowledge that enhancement may not always be practicable or achievable and restoration is a desirable management outcome with the following amendments:	Support in Part	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation. It is not always practicable or achievable to enhance the indigenous biodiversity in SNAs.
747.3	Ryburn Lagoon Trust Limited	Amend Policy 3.2.2 - Identify and recognise as follows (or similar such amendments to give effect to the relief sought in this submission): (b) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected <u>to the extent that the significance of the vegetation or habitat is reduced.</u>	Oppose	Policy 3.2.2 should have some flexibility to accept that there is potential for SNAs to be affected without altering the significance of the area. In addition, there should be policy recognition that effects on SNA values can also be mitigated, off set or compensated for.
747.8	Ryburn Lagoon Trust Limited	Amend Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, to provide for the following additional permitted activity: <u>Indigenous vegetation clearance in a Significant Natural Area for the purposes of ecosystem protection, rehabilitation or restoration works.</u>	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
749.87	Housing New Zealand Corporation	Amend Rule 16.3.1 P1 Dwelling as follows: P1. One dwelling within a site. <u>Up to three dwellings per site.</u> AND Amend Rule 16.3.1 D1 Dwelling to change the activity status to a Restricted Discretionary Activity and add matters of discretion as follows:	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		D4 RD1 A dwelling that does not comply with Rule 15.3.1 P1 (a) Four or more dwellings per site; (b) Council's discretion shall be restricted to any of the following matters: (i) Intensity of the development; (ii) Height of the building; (iii) Design and location of buildings; (iv) Extent of shading on adjacent sites; (v) Provision of infrastructure to individual units, and (vi) Privacy on adjoining sites.		
749.89	Housing New Zealand Corporation	Amend 16.3.3.1 Height – Building General to increase to 8m	Support	HVL supports amendments to the Plan that provide for a greater development potential. The operative plan provides for a permitted building height of 8m.
749.93	Housing New Zealand Corporation	Amend the Proposed District Plan to clarify what is meant by 'high' and 'very high' natural character areas such as through additional or amended definitions of the terms	Support	HVL supports amendments that improve clarity and usability in the Plan.
749.94	Housing New Zealand Corporation	Amend Objectives and Policies in Section 4.1 Strategic Direction to emphasise: <ul style="list-style-type: none"> The compact urban development model for concentrating growth in and around existing towns and villages, and Avoid unplanned encroachment into rural land through being contained within defined urban areas to avoid rural residential fragmentation and rural land subdivision. 	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, not all growth can be accommodated in existing urban areas. Conversion of rural to residential land may be appropriate in certain circumstances.
749.96	Housing New Zealand Corporation	Amend Policy 4.1.3 Location of development as follows (or similar wording): (b) Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017 <u>and within existing urban limits.</u> (c) <u>Where possible, urban subdivision, use and development in the rural environment is avoided.</u>	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, not all growth can be accommodated in existing urban areas. Conversion of rural to residential land may be appropriate in certain circumstances.
749.107	Housing New Zealand Corporation	Add a new chapter with Objectives and Policies for a "Medium Density Residential Zone" into the Proposed District Plan, as outlined in Attachment 2 to the submission.	Support in Part	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones
749.108	Housing New Zealand Corporation	Amend the Objectives and Policies in Section 4.2 - Residential Zone to clearly state the outcome sought	Support	HVL supports amendments to improve workability and clarity.
749.125	Housing New Zealand Corporation	Amend Chapter 16 Residential Zone to align with the activities and rules in the new "Medium Density Residential Zone" chapter sought.	Support in part	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones
749.151	Housing New Zealand Corporation	Delete Appendix 3 Design Guidelines	Oppose	Design guidelines should not be used in all circumstances or treated as rules but may have some value for certain sites such as Havelock Village and should be retained.
749.154	Housing New Zealand Corporation	Add a new "Medium Density Residential Zone" to the Proposed District Plan zone maps as contained in Attachment 4 of the submission for the following urban settlements: Huntly Ngaruawahia Pokeno Raglan Taupiri Te Kauwhata Tuakau	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones.
751.14	Chanel Hargrave and Travis Miller	Amend Rule 16.3.7 Living Court to reduce the required size of Living Courts	Support	HVL supports amendments to the Plan that provide for a greater development potential. An outdoor living area of 80m ² is excessive for the Residential Zone and the minimum lot size of 450m ² .
751.15	Chanel Hargrave and Travis Miller	Amend Rule 16.3.8 Service Court to reduce the size of service courts	Support	HVL supports amendments to the Plan that provide for a greater development potential. Reducing the spatial requirement for service courts will allow for the more efficient development of urban land.
751.44	Chanel	Add to Objective 4.2.16 Housing Objectives the following:	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
	Hargrave and Travis Miller	<u>Multi-unit development including low rise apartments is promoted within walking distance to existing Town Centres, public amenities and public transport.</u> <u>Smaller lots size and multi-unit development promoted within new greenfield sites where the land is within walking distance to amenities and reserves.</u>		densities, housing types and zones.
754.1	Pieter Van Leeuwen	Amend the zoning of area east of Pokeno bounded by State Highway 2 to the north, Baird Road to the east, Avon Road to the south and State highway 1 to the west from the Rural Zone to Country Living Zone (see map attached to submission).	Support	HVL supports growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including of the development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure.
779.1	Zeala Ltd t/a Aztech Buildings	Defer the hearing of submissions for Stage 1 of the Proposed District Plan until after adoption of the National Planning Standards and/or post Stage 2 of the reviewed Future Proof Strategy and updated Waikato Regional Policy Statement.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed.
780.16	Whaingaroa Environmental Defence Incorporated Society	Amend Policy 4.1.5 Density to identify density ranges for each street.	Oppose	Density ranges for each street is not a feasible option reduces flexibility in housing choices.
780.21	Whaingaroa Environmental Defence Incorporated Society	Add policies and rules to protect ridgelines from development. AND Amend Policy 3.3.2 (a0(i) to not just recognise but to protect.	Oppose	There is no statutory basis for the protection of ridgelines that are not within a high value overlay and no need or justification for any additional provisions in the Plan on this matter.
794.1	Middlemiss Farm Holdings Limited	Amend Section 1.4.2.3 Challenges as follows: (a) Economic development challenges facing the district are as follows: (i) Growth across the district is uneven. Population and associated economic growth is occurring predominantly in the north (Tuakau, Pokeno, Te Kauwhata) and in the south around the Hamilton periphery. <u>This challenge, which can be managed, is also an opportunity as new residents and businesses diversify and strengthen the economic base of the District.</u>	Support	HVL supports amendments to the Plan that recognise and provide for greater development potential opportunities.
822.5	Bob MacLeod	Add a new objective and policies to Section 4.2 Residential Zone, as follows: <u>Objective: To provide for a range of opportunities for affordable housing that enables low and moderate income people to live in the district in accommodation that suits their needs.</u> Policies: 1) <u>Enable affordable housing by allowing residential densities that make economical and best use of available land in existing residential areas.</u> 2) <u>New housing developments will include affordable housing as part of the development plan.</u> 3) <u>Allow access for developers of affordable housing to lower cost structure of consent and regulation requirements.</u> 4) <u>Encourage multi-unit residential developments subject to appropriate safeguards to amenities and the environment.</u> 5) <u>Take into account the positive effects for the community of affordable housing when assessing resource consent applications.</u>	Support in part	HVL supports the intent of recognising housing affordability but that can be achieved through a number of means. District Plans can do so by providing for more housing types and choices and greater development potential. Affordable housing should not however be a compulsory requirement for all developments and is not a matter that is typically addressed in the contents of district plans.
831.56	Raglan Naturally	Delete Policy 3.2.6 Providing for vegetation clearance AND Add policies that will increase natural habitats.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation
831.57	Raglan Naturally	Delete Rule 16.2.8 Indigenous vegetation clearance inside a Significant Natural Area AND Add provisions that will increase natural habitats.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
831.60	Raglan Naturally	Delete Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area AND Add provisions that will increase natural habitats.	Oppose	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
860.2	Aggregate and Quarry Association (AQA) and Straterra	Amend Section 1.4.3.1 Rural activities to include quarries.	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
860.2	Aggregate and Quarry Association (AQA) and Straterra	Amend Policy 4.7.11 (b) Reverse sensitivity to include areas set aside where new mines and quarries may be located.	Support	As an alternative to residential zoning, HVL seeks that land it controls be rezoned as Aggregate Extraction Zone. HVL supports amendments that provide greater flexibility for extractive industries.
923.26	Waikato District Health Board	Amend Objective 4.1.1- Strategic to more explicitly refer to planned growth and development that is integrated with infrastructure (core and community infrastructure).	Support	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone.
923.28	Waikato District Health Board	Amend Objective 4.1.2- Urban growth and development to state more clearly that urban growth and development is only to occur within and around towns and villages identified in the Future Proof Strategy settlement pattern and Waikato Regional Policy Statement.	Support in part	HVL supports amendments that identifying residential growth should generally occur in and around Pokeno in accordance with the Future Proof Strategy.
923.31	Waikato District Health Board	Amend Policy 4.1.5 (b)- Density to indicate that in the Residential Zone closest to a Business Town Centre, it is anticipated that a higher minimum density per hectare is to be achieved.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones.
923.36	Waikato District Health Board	Amend Policy 4.1.9- Maintaining Landscape Characteristics to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.	Support	HVL supports greater direction in relation to the policy. However, any amendments to the Plan should assist to provide for urban growth and development in appropriate locations and recognise that some characteristics may change as a result of urban development and change.
923.38	Waikato District Health Board	Amend Policy 4.1.11- Pokeno to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.	Support in part	HVL supports greater direction in relation to the policy.
923.34	Waikato District Health Board	Amend Objective 4.1.7-Character of Towns to provide better alignment with the associated policies OR Add to Section 4.1- Strategic Direction additional objectives that better support and align with matters covered by the associated policies, including that the existing residential and commercial character of the district's urban environments is to be maintained and enhanced by new growth and development.	Oppose	HVL supports a policy framework that recognises the potential for growth and a change to existing town character.
923.73	Waikato District Health Board	Review the extent of the live zoning and its ability to be serviced with infrastructure. OR Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone. HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure. Structure plans are not an essential precursor to development.
923.74	Waikato District Health Board	Review the extent of the live zoning and its ability to be serviced with infrastructure. OR Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plan	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone. HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure. Structure plans are not an essential precursor to development.
923.75	Waikato District Health Board	Review the extent of the live zoning and its ability to be serviced with infrastructure. OR Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone. HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure. Structure plans are not an essential precursor to development.
923.80	Waikato District Health Board	Review the extent of the live zoning and its ability to be serviced with infrastructure. OR Consider including much stronger development staging rules which are linked to the	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
		provision of infrastructure and development of structure plans.		creation of a future urban zone deferred zone. HVL support growth to achieve targets for Pokeno provided that any live zoning is supported by adequate technical analysis (including development principles in the RPS) and/or is capable of being serviced by the necessary infrastructure. Structure plans are not an essential precursor to development.
923.91	Waikato District Health Board	Amend Chapter 1 to more clearly state the strategic objectives and policies in each chapter, and identify how they relate to each other and the issues.	Support in part	HVL supports amendments that will increase the functionality and clarity of Chapter 1 but opposes any substantial changes that are inconsistent with its primary submission.
923.93	Waikato District Health Board	Amend Chapter One: Introduction by establishing a stronger objective, policy and rule framework than is proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone.
923.94	Waikato District Health Board	Amend Chapter Four: Urban Environment by establishing a stronger objective, policy and rule framework than is proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone.
923.95	Waikato District Health Board	Amend Chapter 16: Residential Zone by establishing a stronger objective, policy and rule framework than is proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision.	Support in part	HVL supports integrated development and amendments to the proposed plan that better achieve that outcome. However, there are a number of different mechanisms that can be included in the PWDP to achieve that outcome including development standards and triggers for release of live zoned residential land or the creation of a future urban zone deferred zone.
923.146	Waikato District Health Board	Amend Rule 16.4.1 RD1- Subdivision- General to allow for more intensive subdivision in residential areas directly adjacent to the Business Town Centre zones at Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau. OR Amend the Proposed District Plan to apply a new alternative residential or mixed use zone or an overlay to the residential zone, or any other method, that includes objective(s) and policy(ies) that provide for a more intensive residential pattern around the Business Town Centre zones at Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau.	Support	HVL supports amendments to the Plan that provide for a greater development potential and a wider variety of densities, housing types and zones.
923.154	Waikato District Health Board	Amend Rule 21.2.3.1 P2, P3, P4 and RD1- Noise- General as follows: P2 <u>Sound measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 must not exceed:</u> (a) <u>Noise measured the following noise limits at any point within any other site in the Heavy Industrial Zone must not exceed:</u> (i) A-75 dB LAeq(15min) dB (LAeq) at any time; (b) <u>The permitted activity noise limits for the zone of any other site where sound is received.</u> (ii) <u>In the Industrial Zone must not exceed:</u> A. 75 dB (LAeq), 7am to 10pm; B. 55 dB (LAeq), and 85 dB (LAmx), 10pm to 7pm the following day. -P3 <u>Noise measured within any site in the Residential Zone must meet the permitted noise levels for that zone.</u> -P4 (a) <u>Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound."</u> <u>Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustic Environmental Noise."</u> RD1 (a) <u>Sound that is outside the scope of NZS 6802:2008 or a permitted activity standard; and</u> (b) <u>Sound Noise that does not comply with Rule 21.2.3.1 P1, or P2, P3 and P4.</u> b.) c.) Council's discretion...	Support	HVL support the proposed zone interface noise limits to ensure a reasonable level of noise between industrial and other activities.
924.8	Genesis Energy Limited	Amend Policy 3.2.3 (a) (iv)- Management Hierarchy as follows: iv.) After remediation or mitigation has been undertaken, offset or <u>compensate</u> any significant residual adverse effects in accordance with Policy 3.2.4.	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.

Sub Number	Name	Theme / Submission	Support / Oppose	Reason
924.9	Genesis Energy Limited	Amend 3.2.4 Policy – Biodiversity Offsetting to include reference to compensation	Support	HVL seeks amendments to the provisions about SNAs to provide greater flexibility and to enable development subject to appropriate mitigation, offsetting and compensation.
942.12	Tainui	Amend Policy 3.3.2(a)(i) Recognising values and qualities to recognise and "protect" the attributes of ridgelines.	Oppose	Some development should be able to occur on ridgelines, if they are not considered as prominent ridgelines and there are other methods to mitigate effects.
942.34	Tainui	Halt the Proposed District Plan process and extend the submission date to enable the completion of the Stage 2 chapters in the Proposed District Plan so the proposed District Plan document is complete.	Oppose	Delaying hearing submissions on the Proposed Plan is inefficient and will lead to poor economic, environmental and social outcomes for the District. There are pressing environmental issues that need to be managed.
971.1	Stonehill Trustee Limited	Retain the proposed Rural zoning at the land located to the south and west of McDonald Road, Pokeno, that is zoned Aggregate Extraction and Processing in the Operative District Plan (this land is identified in the submission at Annexure A). AND Amend the Proposed District Plan to make additional or consequential relief to address the matters raised in the submission.	Oppose	HVL seeks rezoning of the land it controls to a suitable residential zoning and any other amendments to the plan to implement the Havelock Village masterplan. The residential zoning better utilizes the land, provides for residential growth in Pokeno and increased amenities to the future community and overall is a more sustainable management of this site. As an alternative to residential zoning HVL seeks an aggregate land extraction.
983.1	Hynds Pipes	Amend the zoning of the land surrounding the Industrial Zone Heavy in Pokeno from Rural Zone to an appropriate or new zoning which restricts residential activity (see Attachment A of the submission for the extent of the rezoning request). OR Amend the Rural Zone provisions to include appropriate activity rules and land use rules for residential development adjacent to land zoned Industrial Zone Heavy (including the property 9 McDonald Road, Pokeno) AND Amend the Proposed District Plan so that residential development or subdivision on Rural Zoned land adjacent to the Industrial Zone Heavy be prohibited or restricted.	Oppose	HVL seeks rezoning of the land it controls to a suitable residential zoning and any other amendments to the plan to implement the Havelock Village masterplan. The residential zoning better utilizes the land, provides for residential growth in Pokeno and increased amenities to the future community and overall is more sustainable management of this site. Any potential reverse sensitivity effects on adjacent Heavy Industry land can be addressed via appropriate setbacks and/or alternative mitigation measures.

**APPENDIX 3: HVL'S REVISED PROVISIONS AND PRECINCT PLAN FOR
HAVELOCK, AS PRESENTED TO THE INDEPENDENT HEARING PANEL AT
THE CLOSE OF THE REZONING HEARING FOR POKENO JULY 2021**

Havelock Village Ltd amendments to Chapter 16 Residential Zone, Chapter 23 Rural Lifestyle Zone and Consequential Amendments

30 June 2021

Amendments to Chapter 16 Residential Zone

16.3.9.2 Building setback – Sensitive land use

P1	<p>(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of:</p> <ul style="list-style-type: none">(i) 5m from the designated boundary of the railway corridor;(ii) 15m from the boundary of a national route or regional arterial;(iii) 25m from the designated boundary of the Waikato Expressway;(iv) 300m from the edge of oxidation ponds that are part of a municipal wastewater treatment facility on another site;(v) 30m from a municipal wastewater treatment facility where the treatment process is fully enclosed.(vi) 300m from the boundary of the Alstra Poultry intensive farming activities located on River Road and Great South Road, Ngaruawahia.
P2	<p>(a) Any new building or alteration to an existing building for a Sensitive land use must be located outside the Pokeno Industry Buffer illustrated on the planning maps.</p>
D1	<p>Any building for a sensitive land use that does not comply with Rule 16.3.9.2. P1.</p>
NC1	<p>Any building for a Sensitive land use that does not comply with Rule 16.3.9.2. P2.</p>

16.3.9.3 Building Design – Sensitive land use – Havelock Precinct Plan Area

<p>P1</p>	<p>(a) Any new building or alteration to an existing building for a sensitive land use located outside the Pokeno Industrial Buffer but within the 40 dB LAeq noise contour illustrated on the planning maps must:</p> <ul style="list-style-type: none"> (i) be designed and constructed so that internal noise levels do not exceed 25 dB LAeq in all habitable rooms; (ii) where compliance with clause (a)(i) above requires all external doors of the building and all windows of these rooms to be closed, the design and construction as a minimum must: <ul style="list-style-type: none"> • Be mechanically ventilated and/or cooled to achieve an internal temperature no greater than 25°C based on external design conditions of dry bulb 25.1 °C and wet bulb 20.1 °C. Mechanical cooling must be available for all habitable rooms provided that at least one mechanical cooling system shall service every level of a dwelling that contains a habitable room; or • Provide a high volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than: <ul style="list-style-type: none"> - 6 air changes per hour for rooms less than 30% of the façade area glazed; - 15 air changes per hour for rooms with greater than 30% of the façade area glazed; - 3 air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight. • Shall be provided with relief for equivalent volumes of spill air. • Where mechanical ventilation and / or cooling systems are installed, they must be individually controllable across the range of airflows and temperatures by the building occupants in the case of each system. (iii) be certified by a suitably qualified and experienced person as meeting that standard prior to its construction; and <p>(b) Compliance with (a) shall be confirmed as part of any building consent application.</p>
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D1	Any building or alteration to an existing building for a sensitive land use that does not comply with Rule 16.3.9.3. P1
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16.3.3.5 Height – Buildings or structures adjoining Hilltop parks – Havelock Precinct Plan Area

P1	The maximum height of a building or structure must not exceed 5m above ground level where it is located within 50m (horizontal distance) of the boundary of the Hilltop parks identified on the Havelock Precinct Plan.
D1	A building or structure that does not comply with Rule 16.3.3.5 P1.

16.3.9.5 Setback and Buildings – Hilltop parks – Havelock Precinct Plan Area

P1	A building must be set back a minimum of 9m from the boundary of the Hilltop parks identified on the Havelock Precinct Plan.
D1	A building that does not comply with Rule 16.3.9.5 P1.
NC	A residential activity within the Hilltop parks identified on the Havelock Precinct Plan.

16.4 Subdivision

- (1) Rule 16.4.1 provides for subdivision within the Residential Zone, subject to compliance with the following:
- (a) Rule 16.4.7 Subdivision – Title boundaries – contaminated land, notable trees, intensive farming and aggregate extraction areas;
 - (b) Rule 16.4.8 Title boundaries – Significant Natural Areas;
 - (c) Rule 16.4.9 Title boundaries – Maaori sites and Maaori areas of Significance;
 - (d) Rule 16.4.10 Subdivision of land containing heritage items;
 - (e) Rule 16.4.11 Subdivision – Road Frontage;
 - (f) Rule 16.4.12 Subdivision – Building Platform;
 - (g) Rule 16.4.3 Subdivision creating reserves;
 - (h) Rule 16.4.14 Subdivision of esplanade reserves and esplanade strips;
 - (i) Rule 16.4.15 Subdivision of land containing mapped off-road walkways; and

- (j) Rule 16.4.16 Subdivision of land containing an Environmental Protection Area.
- (2) Rule 16.4.1 Subdivision – General does not apply where the following specific areas and/or activities rules apply:
- (a) Rule 16.4.2 - Subdivision - Te Kauwhata Ecological Residential Area;
 - (b) Rule 16.4.3 - Subdivision - Te Kauwhata West Residential Area); and
 - (c) Rule 16.4.4 (Subdivision – Multi-Unit development);
 - (d) Rule 16.4.5 Subdivision – Boundary adjustments; and
 - (e) Rule 16.4.6 Subdivision – Amendments and updates to cross lease flats plans and conversion to freehold.
 - (f) Rule 16.4.17 – Subdivision – Havelock Slope Residential Area
- (3) The following rules apply to specific areas and/or activities:
- (a) Rule 16.4.2 Subdivision – Te Kauwhata Ecological Residential Area (refer to Rule 16.4(4));
 - (b) Rule 16.4.3 Subdivision – Te Kauwhata West Residential Area (refer to Rule 16.4(4));
 - (c) Rule 16.4.4 Subdivision – Multi-unit development;
 - (d) Rule 16.4.5 Subdivision – Boundary adjustments;
 - (e) Rule 16.4.6 Subdivision – Amendments and updates to cross lease flats plans and conversion to freehold;
 - (f) Rule 16.4.7 Subdivision – Title boundaries natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming and aggregate extraction areas;
 - (g) Rule 16.4.8 Title boundaries - Significant Natura Areas, heritage items, archaeological sites, sites of significance to Maaori;
 - (h) Rule 16.4.9 Title boundaries – Maaori sites and Maaori areas of significance;
 - (i) Rule 16.4.10 Subdivision of land containing heritage items;
 - (j) Rule 16.4.13 – Subdivision reserves;
 - (k) Rule 16.4.14 – Subdivision esplanade reserves and esplanade strips;
 - (l) Rule 16.4.15 – Subdivision of land containing mapped off-road walkways; and
 - (m) Rule 16.4.16 – Subdivision of land containing Environmental Protection Area

- (n) Rule 16.4.17– Subdivision – Havelock Slope Residential Area
- (o) Rule 16.4.18 – Subdivision Havelock Precinct Plan area
- (4) Rule 16.4.4 Subdivision – Multi-unit development does not apply in the following areas:
 - (a) Rule 16.4.2 – Subdivision – Te Kauwhata Ecological Area; and
 - (b) Rule 16.4.3 – Subdivision – Te Kauwhata West Residential Area.
 - (c) Rule 16.4.17 – Subdivision – Havelock Slope Residential Area

16.4.12 Subdivision - Building platform

RD1	<p>(a) Every proposed lot, other than one designed specifically for access, or is a utility allotment must be capable of containing a building platform upon which a dwelling and living court could be sited as a permitted activity, with the building platform being contained within either of the following dimensions:</p> <ul style="list-style-type: none"> (i) a circle with a diameter of at least 18m exclusive of yards; or (ii) a rectangle of at least 200m² with a minimum dimension of 12m exclusive of yards. <p>(b) Council’s discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Subdivision layout; (ii) Shape of allotments; (iii) Ability of allotments to accommodate a practical building platform; (iv) Likely location of future buildings and their potential effects on the environment; (v) Avoidance or mitigation of natural hazards; (vi) Geotechnical suitability for building; and (vii) Ponding areas and primary overland flow paths.
RD2	<p>(a) Every proposed lot, other than one designed specifically for access, or is a utility allotment must be capable of containing a building platform complying with Rule 16.4.12 RD1 located outside the Pokeno Industry Buffer illustrated on the planning maps.</p> <p>(b) The Council discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) The discretions of Rule 16.4.12 RD1

D1	Subdivision that does not comply with Rule 16.4.12 RD1.
NC1	Subdivision that does not comply with Rule 16.4.12 RD2.

16.4.17 Subdivision of land in the Havelock Slope Residential Area

RD1	<p>(a) Proposed lots, except where the proposed lot is an access allotment, utility allotment or reserve to vest, within the Havelock Slope Residential Area must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) Be a minimum net site area of 2500m²; (ii) Be connected to public-reticulated water supply and wastewater; <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Ability of lots to accommodate a practical building platform, including geotechnical stability for building; (ii) Likely location of future buildings and their potential effects on the environment; (iii) Avoidance or mitigation of natural hazards; (iv) Amenity values and streetscape landscaping; (v) Landscaping of steeper slopes to manage erosion and stability; (vi) Consistency with the matters contained within Appendix 3.1 (Residential Subdivision Design Guidelines); (vii) Vehicle and pedestrian networks; (viii) Consistency with the Havelock Precinct Plan; and (ix) Provision of infrastructure, including water supply for firefighting purposes.
D1	Subdivision that does not comply with 16.4.17 RD1

16.4.18 Subdivision: Havelock Precinct Plan Area

RD1	<p>(a) All subdivision within the Havelock Precinct Plan area (Appendix XX), must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) The first subdivision to create residential lots must include the indicative road connections as a road to vest, from Hitchen Road and Yashili Drive.
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- (ii) The proposal must include the indicative roads as roads to vest, provided that this can be constructed and vested in stages.
- (iii) The proposal must include the provision of the Hilltop Parks and the creation of the Pokeno Industry Buffer / Environmental Protection area (as identified on the planning maps).
- (iv) Either prior to or concurrent with subdivision in Lot 2 DP199997, an acoustic barrier (being a bund, building (including its roof) or structure, or any combination thereof) must be constructed within the Havelock Precinct Plan's General Industry Zone to mitigate potential noise from the adjoining Light Industry Zone (Lots 3 and 4 DP 492007) to achieve noise levels no greater than 45 dB L_{Aeq} between 10pm and 7am in the Havelock Precinct Residential Zone. The specification of the acoustic barrier must be at a height of no less than that illustrated on figure 16.4.18A below and a length along the entire common boundary between Lot 2 DP199997 and Lots 3 and 4 DP 492007 (excluding the Collector Road on the Precinct Plan and 5m front yard setback – Rule 20.3.4.1). The application shall be accompanied by an acoustic design report to ensure that the acoustic barrier will meet the requirements listed in this rule and that it will perform as an effective acoustic barrier. The design and effectiveness of the acoustic barrier shall be based on the requirement to reduce the extent of the unmitigated 45 dB L_{Aeq} noise contour illustrated on figure 16.4.18B below. The Pokeno Industry Buffer illustrated on Lot 2 DP199997 is based on compliance with and implementation of this rule.

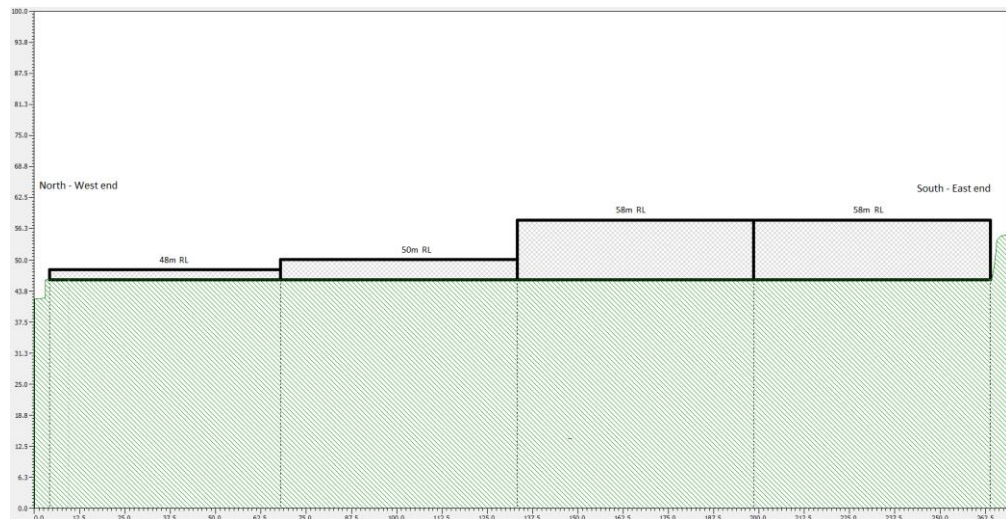


Figure 16.4.18A

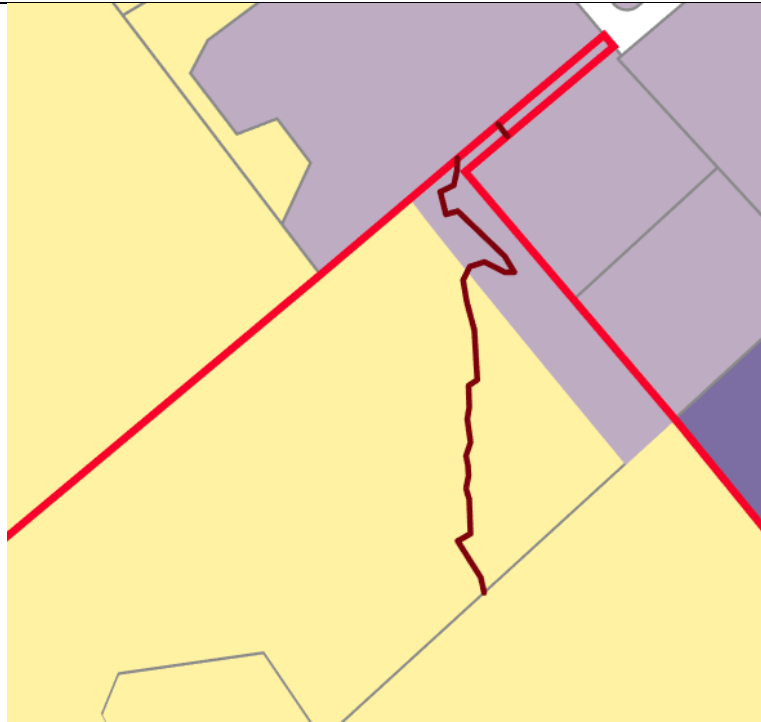


Figure 16.4.18B

- (b) Council's discretion is restricted to the following matters:
- (i) Consistency with the Havelock Precinct Plan;
 - (ii) Consistency with the matters contained within Appendix 3.1 (Residential Subdivision Design Guidelines);
 - (iii) Design and construction of the indicative roads and pedestrian networks;
 - (iv) Design, location and timing of construction of the acoustic barrier within the Havelock Precinct Plan's General Industry Zone.
 - (v) The design of, and potential effects on the safe and efficient operation of the intersection of the Havelock Precinct Plan's Collector Road and Yashili Drive, including the design to accommodate safe vehicle access and egress for activities in the adjacent General Industrial Zone.
 - (vi) Design of the Hilltop Parks and adjoining park edge roads. Road design and alignments should avoid where possible and otherwise minimise visual and physical disturbance or mitigate through plantings within the Environmental Protection Area, of the upper flanks of Transmission and Potters Hills identified within the hilltop parks and the Environmental Protection Area.

	<p>(vii) Potential effects on the safe and efficient operation of Bluff and Pioneer Roads (including where these intersect with State Highway 1) from roading connections to Cole Road.</p> <p>(viii) The design of, and potential effects on, the safe and efficient operation of the intersections of:</p> <ol style="list-style-type: none"> a. Yashili Drive and Gateway Park Drive; b. Gateway Park Drive and Hitchen Road; and c. Gateway Park Drive and McDonald Road. <p>(ix) Potential effects on the safe and efficient operation of the McDonald Road railway crossing.</p> <p>(x) Accessible, safe and secure pedestrian and cycling connections within the Precinct and to the existing transport network and public facilities.</p> <p>(xi) Provision within the Precinct design for future public transport.</p> <p>(xii) Provision of planting, management plans for weed and pest control and their implementation, ownership and ongoing management of the Environmental Protection Area. Legal mechanisms to retain in perpetuity Environmental Protection Areas and prevent further subdivision of them (such as appropriate covenants, consent notice or vesting in Council).</p> <p>(xiii) Design of earthworks (contours and aspect), lot orientation and landscape treatment between the 40 dba noise contour and the Pokeno Industry Buffer on the planning maps to minimise possible reverse sensitivity effects on nearby Heavy Industrial Zoned activities. Landscape design, plant selection and implementation of plantings (including planting with initial stages of subdivision) within the Pokeno Industry Buffer / Environmental Protection Area to screen or otherwise minimise views from future dwellings between the 40 dba noise contour and the Pokeno Industry Buffer to the Heavy Industry Zone.</p> <p>(xiv) The provision of cultural impact or cultural values assessments and the manner which subdivision respond to those assessments in respect to the design of subdivisions, the hilltop parks and enhancements achieved within the Environmental Protection Area and Significant Natural Areas.</p>
D1	Subdivision that does not comply with Rule 16.4.18(a)(i) – (iii) RD1.
NC1	Subdivision that does not comply with Rule 16.4.18(a)(iv) RD1.

Consequential amendment to Rules 20.2.2.1A.P2.(b) and Rule 21.2.2.1A P2.(b) from the Council Section 42A Report Reply Version from Hearing 7:

- (b) Noise measured within any site in any zone, other than the General Industrial and Heavy Industrial Zone, that does not exceed the permitted noise limits for that zone. For sites adjoining the Havelock Precinct (Appendix XX), the noise rating level from any activity must not exceed:
- i. 55dB L_{Aeq} from 7am to 10pm every day, 45 dB L_{Aeq} from 10pm to 7am the following day and 75 dB L_{AFmax} from 10pm to 7am the following day measured from any site outside of the Pokeno Industry Buffer illustrated on the planning maps (compliance with the noise standard must not be measured from the Residential Zone boundary for this Precinct).
 - ii. Until the acoustic barrier has been constructed and made acoustically effective in accordance with Rule 16.4.18 RD1 (a)(iv), the noise rating level from activities on Lots 3 and 4 DP 492007 must not exceed 55dB L_{Aeq} from 7am to 10pm every day, 45 dB L_{Aeq} from 10pm to 7am the following day and 75 dB L_{AFmax} from 10pm to 7am the following day measured from the unmitigated 45 dB L_{Aeq} noise contour illustrated on figure 16.4.18B. When Rule 16.4.18 RD1 (a)(iv) has been satisfied, clause (b)(i) above applies.

Insert new Policy in Chapter 4 as follows:

Policy 4.1.11 Policy - Pokeno

- (iv) Subdivision and development shall minimise the potential for reverse sensitivity effects to arise on the Havelock Precinct's eastern boundary with Heavy and Industrial zoned land through a combination of physical separation, orientation, landscape treatment and building design.

Amendments to Chapter 23 Rural Lifestyle Zone

23.4 Subdivision rules

- (I) Rule 23.4.2 provides for General Subdivision in the **Rural Lifestyle** Zone and is subject to the following specific rules:
- (i) Rule 23.4.3 - Subdivision within identified areas
 - (ii) Rule 23.4.4 - Title Boundaries – contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities and aggregate extraction areas
 - (iii) Rule 23.4.5 - Site boundaries – Significant Natural Areas, heritage items, archaeological sites, sites of significance to Maaori
 - (iv) Rule 23.4.6 - Subdivision of land containing heritage items
 - (v) Rule 23.4.6B- Subdivision of land within the National Grid Corridor
 - (vi) ¹Rule 23.4.7 - Subdivision - Road frontage
 - (vii) Rule 23.4.8 - Subdivision Building platform
 - (viii) Rule 23.4.9 – Subdivision for a Reserve
 - (ix) Rule 23.4.10 - Subdivision of land containing mapped off-road walkways
 - (x) Rule 23.4.11 - Subdivision of land containing all or part of an Environmental Protection Area
 - (xi) Rule 23.4.12 - Esplanade reserves and esplanade strips

In the Havelock Rural Lifestyle Precinct Plan area, subdivision is subject to Rule 23.4.2A (as a replacement to the General Subdivision standards in 23.4.12) and is subject to the specific rules in 23.4.3 to 23.4.12 (as identified above), with the exception that Rule 23.4.8 – Building Platform has a specific standard for the Havelock Rural Lifestyle Precinct Plan (RD2).

23.4.2A Subdivision: Havelock Rural Lifestyle Precinct Plan

RD1	<p>(a) Subdivision within the Havelock Rural Lifestyle Precinct Plan area (Appendix XX) must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) The number of lots, whether in a single or several applications, must not exceed a total of 55 and must not exceed the maximum number identified in each cluster (Appendix XX).
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	<ul style="list-style-type: none"> (ii) All proposed lots must have a net site area of at least 2500m² (which may include land within the Environmental Protection Area) and the building platform located entirely within the cluster (Appendix XX). (iii) The proposal must include the indicative road as a road to vest, provided that this can be constructed and vested in stages to provide the connection to Bluff Road. (iv) The proposal must offer the provision of the walkway (complying with Rule 23.4.10), provided that this can be constructed in stages. (v) The proposal must include a 5m planted landscape yard adjoining any road or indicative road. <p>(b) Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (xv) Consistency with the Precinct Plan (xvi) Adverse effects on amenity values; (xvii) The provision of infrastructure, including water supply for firefighting where practicable; (xviii) Standard of design and construction of the walkway; (xix) Standard of design and construction of the indicative road; (xx) Provision of planting, management plans for weed and pest control and their implementation, ownership and ongoing management of the Environmental Protection Area. (xxi) Provision of planting and management plans to mitigate and offset the landscape and ecological effects of earthworks and vegetation removal associated with road construction. (xxii) Legal mechanisms to retain in perpetuity Environmental Protection Areas and prevent further subdivision of them (such as appropriate covenants, consent notice or vesting in Council)
D1	Subdivision that does not comply with Rule 23.4.2A(a)(iv) and (v) RD1.
NC1	Subdivision that does not comply with Rule 23.4.2A(a)(i) to (iii) RD1.

23.4.8 Subdivision - Building platform

<p>RD1</p>	<p>(a) Subdivision, other than an access allotment or utility allotment, must provide a building platform on every proposed lot: The building platform must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) has an area of 1000m² exclusive of boundary setbacks; (ii) has an average gradient no steeper than 1:8; (iii) has vehicular access in accordance with Rule 14.12.1 P1; (iv) is certified by a geotechnical engineer as geotechnically stable and suitable for a building platform; (v) is not subject to inundation in a 2% AEP storm or flood event; (vi) a dwelling could be built on as a permitted activity in accordance with Rule 23.3. <p>(b) Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Earthworks and fill material required for building platform and access; (ii) Geotechnical suitability for a building; (iii) Avoidance or mitigation of natural hazards; (iv) Effects on landscape and amenity; (v) Measures to avoid storm or flood events.
<p>RD2</p>	<p>(a) Subdivision in the Havelock Rural Lifestyle Precinct Plan area, other than an access allotment or utility allotment, must provide a building platform on every proposed lot. The building platform must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) has an area of 500m² exclusive of boundary setbacks; (ii) has an average gradient no steeper than 1:8; (iii) has vehicular access in accordance with Rule 14.12.1 P1; (iv) is certified by a geotechnical engineer as geotechnically stable and suitable for a building platform; (v) is not subject to inundation in a 2% AEP storm or flood event; (vi) a dwelling could be built on as a permitted activity in accordance with Rule 23.3. <p>(b) Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Earthworks and fill material required for building platform and access;

	<ul style="list-style-type: none">(ii) Geotechnical suitability for a building;(iii) Avoidance or mitigation of natural hazards;(iv) Effects on landscape and amenity;(v) Measures to avoid storm or flood events.
D1	Subdivision that does not comply with Rule 23.4.8 RD1 and RD2.

