

Submitter: CYK Limited

Submission number: 362

Submission number	Further submitter name	Further submitter oppose/support	Summary of decision requested	Decision	Decision report where this subject matter is addressed
362.1			Retain Policy 3.2.8 Incentivise subdivision, except for the amendments sought below AND Add to Policy 3.2.8 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>	Reject	Decision Report 9: Significant Natural Areas
FS1062.29	Andrew and Christine Gore	Support		Reject	
362.2			Retain Objective 5.1.1 The Rural Environment, as notified.	Accept in part	Decision Report 22: Rural Zone
FS1062.30	Andrew and Christine Gore	Oppose		Accept in part	
FS1386.523	Mercury NZ Limited for Mercury C	Oppose		accept in part	
362.3			Retain Objective 5.2.1 (a)(i) Rural Resources, except for the amendments sought below AND Amend Objective 5.2.1 (a)(i) Rural Resources, as follows: (a) <i>Maintain or enhance the: (i) Inherent life-supporting capacity, accessibility and versatility of soils, in particular...</i>	Reject	Decision Report 22: Rural Zone
FS1386.524	Mercury NZ Limited for Mercury C	Oppose		Accept	
362.4			Retain Policy 5.2.2 High Class Soils.	Accept in Part	Decision Report 22: Rural Zone

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362.5			Retain Policy 5.2.3 (b) Effects of subdivision and development on soils, except for the amendments sought below AND Amend Policy 5.2.3 (b) Effects of subdivision and development on soils, as follows: (b) <i>Subdivision which provides a range of lifestyle options is directed away from high class soils and/or where indigenous biodiversity is being protected, enhanced, and/or restored (with plantings).</i>	Accept in Part	Decision Report 22: Rural Zone
FS1386.525	Mercury NZ Limited for Mercury C	Oppose		Accept in Part	
362.6			Retain Objective 5.3.1 (a) Rural character and amenity, except for the amendments sought below AND Amend Objective 5.3.1 (a) Rural character and amenity, as follows: (a) <i>Rural character and amenity are maintained while recognising the localised character of different parts of the District.</i>	Accept in Part	Decision Report 22: Rural Zone
362.7			Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below AND Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision as follows: (a) Protect productive rural areas by directing urban forms of subdivision, use, and development to within the boundaries of towns and villages. (b) Ensure development does not compromise the predominant open space, character and amenity of rural areas. (c) Ensure subdivision, use and development minimise the effects or ribbon development. (d) Rural hamlet subdivision and boundary relocations ensure the following: (i) Protection of rural land for productive purposes; (ii) Maintenance of the <u>localised</u> rural character and amenity of the surrounding rural environment; (iii) Minimisation of cumulative effects. (e) Subdivision, use and development	Accept in Part	Decision Report 22: Rural Zone

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			<i>opportunities ensure that <u>localised</u> rural character and amenity values are maintained.</i>		
362.8		Neutral/Amend	Retain the definition for "Significant Natural Area" in Chapter 13: Definitions, except for the amendments sought below AND Amend the wording of the definition for "Significant Natural Area" in Chapter 13: Definitions, as follows: <i>Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area of the planning maps <u>or has been assessed as meeting one or more of the Criteria for Determining Significance of Indigenous Biodiversity (Appendix 2) by a suitably qualified Ecologist.</u></i>	Reject	Decision Report 9: Significant Natural Areas
FS1377.64	Havelock Village Limited	Support		Reject	
362.9			Amend the activity status for Rule 22.4.1.1 PR1, PR2, PR3 and PR4 Prohibited Subdivision, from Prohibited to Non Complying activities.	Accept in Part	Decision Report 22: Rural Zone
FS1062.31	Andrew and Christine Gore	Support		Accept in Part	
FS1131.11	The Village Church Trust	Support		Accept in Part	
FS1386.526	Mercury NZ Limited for Mercury C	Oppose		Accept in Part	
362.10			Retain Appendix 2 Criteria for Determining significance of Indigenous Biodiversity.	Accept	Decision Report 9: Significant Natural Areas
362.11			Add a new discretionary activity to Rule 22.4.1.6 Conservation lot subdivision, as follows: <u>DI (a) Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule</u>	Reject	Decision Report 22: Rural Zone

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			<u>22.4.1.6(vi-vii) RDI. (b) Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6(vi-vii) RDI.</u>		
362.12			Retain Rule 22.4.1.2 (a)(iv) General Subdivision.	Accept in Part	Decision Report 22: Rural Zone
FS1386.527	Mercury NZ Limited for Mercury C	Oppose		Accept in Part	
362.13			Amend Rule 22.4.1.1 Prohibited subdivision, to replace references to “lot” with “Record of Title”.	Accept in Part	Decision Report 22: Rural Zone
FS1386.528	Mercury NZ Limited for Mercury C	Oppose		Accept in Part	
362.14			Retain Rule 22.4.1.2 (a)(i) – (iii) General Subdivision, as notified.	Accept in Part	Decision Report 22: Rural Zone
FS1386.529	Mercury NZ Limited for Mercury C	Oppose		Accept in Part	
362.15			Retain Rule 22.4.2.2 General subdivision, except for the amendments sought below AND Amend Rule 22.4.2.2 General subdivision to add new discretionary activities as follows: <u>DI (a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2 (iv) RDI. (b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2 (iv) RDI.</u>	Accept in Part	Decision Report 22: Rural Zone
FS1386.530	Mercury NZ Limited for Mercury C	Oppose		Accept in Part	
362.16			Delete Rule 22.4.1.2(a)(v) General Subdivision AND Add a new matter of discretion to Rule 22.4.1.2, as	Accept in Part	Decision Report 22: Rural Zone

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			follows: <i>(b)(vi) Effects on rural productivity and fragmentation of high class soils.</i>		
FS1386.531	Mercury NZ Limited for Mercury C	Oppose		Accept in Part	
362.17			Amend clauses (a) and (b) in Rule 22.4.1.6 (a) Conservation Lot subdivision, as follows: (a) <i>The subdivision must comply with all of the following conditions: (i) The lot must contain a contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist, or a contiguous area, to be enhanced and/or restored in accordance with the table below: ... (ii) The area of Significant Natural Area, or area to be enhanced and/or restored, is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity); (iii) The Significance Natural Area, or area to be restored is not already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977 legal protection; (iv) The subdivision proposes to legally protect all areas of Significant Natural Area, or area to be restored; by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977; (v) An ecological management plan is prepared to address ongoing management of the covenant protected area to ensure that the Significant Natural Area area to be protected is self-sustaining and that plan: A. Addresses fencing requirements for the covenant protected area; B. Addresses ongoing pest plant and animal control; C. Identifies any enhancement and/or restoration or edge planting required within the</i>	reject	Decision Report 22: Rural Zone

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			<p>covenant <u>area to be protected</u>; (vi) All proposed lots are a minimum size of 8,000m²; (vii) All proposed lots excluding the balance lot, must each have a maximum area of 1.6ha; (viii) This rule or its equivalent in a previous district plan has not previously been used to gain an additional subdivision entitlement; (b) Council's discretion is restricted to the following matters: (i) Subdivision layout and proximity of building platforms to Significant Natural Area <u>the area to be protected</u>; (ii) Matters contain in an ecological management plan for the covenant <u>protected</u> area; (iii) Effects of the subdivision on <u>localised</u> rural character and amenity values; (iv) Extent of earthworks including earthworks for the location of building platforms and access ways. (v) <u>Mechanism of legal protection for the area to be protected.</u></p>		