APPENDIX to M Davis evidence

(Auckland/Waikato Fish and Game Council)

Note: Yellow highlighting is for Fish and Game's specific relief, all other underlined relief are changes proposed in the Hearing 18 s42A Report

Proposed Waikato District Plan Provision	Fish and Game submission point number	Relief sought
5.3.5 Policy – Earthworks activities	433.3	(a) ~~Provide for~~ Enable earthworks where they support rural activities including: (i) Ancillary rural earthworks; ~~and f~~ (ii) Farm quarries; (iii) The importation of fill material or cleanfill to a site; and (iv) Conservation activity. ~~(iii) Use of cleanfill where it assists the rehabilitation of quarries~~. (b) Manage ~~the effects of~~ earthworks to ensure that: (i) Erosion and sediment loss is avoided or mitigated; (ii) The ground is geotechnically sound and remains safe and stable for the duration of the intended land use; (iii) Changes to natural water flows and established drainage paths are avoided or mitigated; (iv) Adjoining properties and ~~public services~~ infrastructure are protected; (v) Historic heritage and cultural values are recognised and protected; (vi) Ecosystem protection, restoration, rehabilitation or enhancement works are encouraged.
5.3.7 Policy – Reverse sensitivity effects	433.4	5.3.7 Policy – Separation of incompatible activities (a) Contain adverse effects as far as practicable within the site where the effect is generated, including through the provision of adequate separation distances between the activity and site boundaries. (b) Ensure that the design and location of new sensitive land uses achieves adequate separation

		distances to mitigate potential reverse sensitivity effects on lawfully- established ~~productive~~ rural activities, intensive farming, rural industry, strategic infrastructure, or extractive activities. And the changes to the definition: Reverse sensitivity means the effect on existing lawful activities from the introduction of new sensitive land uses that may lead to restrictions on existing lawful activities as a consequence of complaints.
5.3.8 Policy – Effects on rural character and amenity from rural subdivision	433.5	(a) Protect the productive potential of rural areas; and (b) Maintain an open and spacious rural character; and (c) Minimise adverse effects on the safe and efficient operation of infrastructure; Through: (i) Enabling subdivision that supports farming and rural primary production activities; (ii) Avoiding subdivision that creates lots smaller than 0.8ha to maintain a clear distinction between rural areas and the more urban Country Living Zones; (iii) Avoiding the creation of new lots that are wholly located on high class soils. For sites that are partially covered in high class soils, new lots are to be located primarily on that part of the site that does not include high class soils; (iv) Mitigating potential reverse sensitivity effects on lawfully established ~~productive~~ rural activities, intensive farming, rural industry, infrastructure, or extractive activities, through ensuring new lots are designed to provide adequate setbacks for future sensitive activities. (v) Ensuring that the subdivision design and layout does not adversely affect public access to rivers and water bodies or the quality of these environments.

		(d) Make limited provision for small rural lifestyle lots, where in addition to the matters set out in (a), (b), and (c) the subdivision: (i) Includes the physical and legal protection of a Significant Natural Area; or (ii) Includes the provision of public parks and reserves where these are located in accordance with a Council Parks Strategy; or (iii) Provides a large balance lot greater than 40ha so that an overall spacious rural character is maintained; or (iv) Involves a boundary relocation to create a large balance lot greater than 40ha and a limited number of small rural lifestyle lots that are clustered to form a hamlet; and (v) For (d)(iii) and (iv) avoids ribbon development and the cumulative effects of multiple small rural residential lots locating on the same road frontage.
22.2.1.1 Noise	433.30	P1 Farming noise, and noise generated by hunting, emergency generators and emergency sirens.
22.2.3.1 Earthworks – General	433.31 433.50 433.51	P1 (a) Except as otherwise specified in Rule 22.2.3.2, Rule 22.2.3.3 or Rule 22.2.3.4 ~~Earthworks for:~~ (i) Ancillary rural earthworks; (ii) A ~~F~~farm quarry where the volume of aggregate extracted does not exceed 1000m3 ~~per~~ in any single consecutive 12 month period; ~~(iii) Construction and/or maintenance of tracks, fences or drains;~~ (iv) Earthworks required to form a ~~A~~ building platform that will be subject to a building consent ~~for a residential activity, including accessory buildings,~~ where undertaken in accordance with NZS 4431:1989

		Code of Practice for Earth Fill for Residential Development (b) Earthworks ancillary to a conservation activity must meet the following conditions: (i) Sediment resulting from the earthworks is ~~retained~~ minimized on the site through implementation and maintenance of erosion and sediment controls. P2 With the exception of earthworks for the activities listed in Rule 22.2.3.1 P1 (a) Earthworks within a site must meet all of the following conditions: (i) Do not exceed a volume of more than 1000m3 and an area of more than 2000m2 ~~over~~ in any single consecutive 12 month period; (ii) The total combined depth of any excavation (excluding drilling) or filling does not exceed 3m above or below natural ground level; (iii) Take place on land with a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) Earthworks are setback a minimum of 1.5m from all boundaries; (v) Areas exposed by earthworks are stabilised on completion and re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (vi) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; ~~(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.~~ P3 With the exception of earthworks for the

		activities listed in Rule 22.2.3.1 P1 (a) Earthworks ~~for purposes other than creating a building platform for residential purposes within a site~~, using imported fill material or cleanfill must meet all of the following conditions: (i) Do not exceed a total volume of ~~200~~ 500m3 in any single consecutive 12 month period; (ii) Do not exceed a depth of 1m above natural ground level; (iii) ~~T~~the slope of the resulting filled area in stable ground ~~must~~ does not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) F~~f~~ill material is setback a minimum of 1.5m from all boundaries; (v) A~~a~~reas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the filling ~~earthworks~~; (vi) Ssediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; ~~(vii) does not divert or change the nature of natural water flows, water bodies or established drainage paths~~
22.2.3.3 Earthworks – Significant Natural Areas		P3 (a)Earthworks for the enhancement, restoration or rehabilitation of the natural character of wetlands within an identified Significant Natural Area must meet all of the following conditions: (i)The earthworks must not exceed an area of 500m^3; and (ii) The activity is undertaken in accordance with an approved Wetland Restoration Plan.
22.2.3.4 Earthworks – within Landscape and Natural Character Areas	433.53	P3 (a)Earthworks for the enhancement, restoration or rehabilitation of the natural character of wetlands within an identified Landscape or Natural Character Area must meet all of the following conditions:

		(i)The earthworks must not exceed an area of 500m^3; and (ii) The activity is undertaken in accordance with an approved Wetland Restoration Plan.
22.2.6.1 Signs	433.54 433.55	P1 (a) A public information sign erected by a government agency or an official sign. (b) Signs that are located within a building or that are not visible from a road or adjoining site. (c) Signs permitted by (a) or (b) are not subject to P2.
22.3.3 Buildings and structures in Landscape and Natural Character Areas	433.58	D1 (a) Building or structure that is not a maimai located within any: (i) Outstanding Natural Feature; (ii) Outstanding Natural Landscape; (iii) Outstanding Natural Character Area; (iv) High Natural Character Area.
22.3.7.5 Building setbacks – waterbodies	433.59	P2 A public amenity building, or maimai used for temporary waterfowl hunting purposes, of up to 25m2 in size~~, and a pump shed within any building setback identified in Rule 22.3.7.5 P1~~.
22.3.7.6 Building setback – Environmental Protection Area	433.60	P1 Any building that is not a maimai must be set back a minimum of 3m from an Environmental Protection Area identified on the planning maps.