

Appendix 1: Table of submission points

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
9.2	Elvin Priest	Neutral/Amend	No specific decision is sought, but the submission provides further information about Maaori Site of Significance S14/84, on the property at 524B State Highway 1, Tamahere.	This site was on an early proposed route for the Waikato expressway and was walked by Transit staff and a Maaori Elder associated with the Narrows Marae. The adjacent gully was a trail used for access. It was confirmed that the site was never a habited site and there were not burials in the area. Transit may have further information recorded from their survey. The proposed expressway route was later abandoned with no viable route around Hillcrest or Berkley. There is little physical sign of the defence ditches, just faint depressions for two possible ditches.	Reject
FS1323.154	Heritage New Zealand Pouhere Taonga	Oppose	<i>That the amendments sought are declined.</i>	<i>HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.</i>	Accept
10.1	Chris Yu	Oppose	Amend the planning map to reflect the extent and status of the Paa site on the property at 16 Shelby Lane, Tamahere OR Delete the Paa site from the property at 16 Shelby Lane, Tamahere if further investigation indicates no Paa site exists.	The submitter's communication with New Zealand Archaeological Association suggests there is no evidence that a Paa is located on this property. Previous correspondence with Council on this matter (attached to submission).	Accept
FS1323.155	Heritage New Zealand Pouhere Taonga	Oppose	<i>That the amendments sought are declined.</i>	<i>HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.</i>	Reject
88.1	John Kinghorn	Neutral/Amend	Amend the location of Maaori Site of Significance S14/82 on the property at 214 Bell Road Whatawhata to match the New Zealand Archaeological Association records (attached to the submission).	The original site record from the NZ Archaeological Association (NZAA) shows the correct location of identified site S14/82, and describes the location as 300m northwest from the end of Bell Rd. The site record is attached, which contains an aerial photograph showing the location adjacent the small tributary stream south of the Waipa River. However, the location shown on the PDP maps is roughly 450m	Accept

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				northeast (rather than west) and adjacent the Waipa instead of the tributary stream. An archaeological assessment was carried out in 2016 on the property where the PDP maps show the site. The AEE report prepared by AECOM and submitted to WDC (refer SUB0156/16) concluded that 'there are no archaeological sites (when looking at WDC and NZAA records) affected by the proposed subdivision'. The attached map of sites in the area from the NZAA shows the correct location of site S14/82 as being approximately 300m southwest of where it is currently shown on the PDP maps.	
FS1323.156	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Reject
100.2	Medihah Bardsley on behalf of The Bardsley No. 1 Family Trust	Oppose	Delete the Maaori Site of Significance S14/56 from the property at 31 Birchwood Lane, Tamahere.	Waikato District Council has acquired all of the land (Designation M106) that could be affected by the Maaori Site of Significance and it should no longer be associated with 31 Birchwood Lane, Tamahere.	Accept
FS1323.157	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Reject
148.1	Stephen John & Megan Lesley Ronke	Oppose	Amend the buffer associated with the Maori Site of Significance (Paa) S14/75 to exclude the property at 64C Houghton Road, Whatawhata.	When the purchase of 64C Houghton Road was being considered in 2016, enquiries to Council then confirmed that this paa site would have no effect on this property. The submitter strongly opposes a change in status of the property at 64C Houghton Road.	Reject
FS1323.158	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Accept
152.7	Rolande Paekau for Te Whaanga 2B3B2 & 2B1 Ahu Whenua Trust	Neutral/Amend	Retain the Maaori Site of Significance that contains the Ururpa-Rangipu on the planning maps (located on Riria Kereopa Memorial Drive, Raglan).	No reasons provided.	Accept in part
152.8	Rolande Paekau for Te Whaanga 2B3B2 & 2B1 Ahu Whenua Trust	Not Stated	Add the wahi tapu located at the end of Riria Kereopa Memorial Drive (on Te Kopua 2B3 Inc) to Schedule 30.3 Maaori Sites of Significance.	This wahi tapu site is significant to iwi and hapu.	Accept

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
FS1323.159	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Reject
187.1	Heather Parker on behalf of Warren & Heather Parker	Oppose	Add the property opposite 24 Kernott Road, Horotiu to Schedule 30.4 Maaori Areas of Significance.	The land at the beginning of Kernott Rd have identified as "Kernott Gardens" in Schedule 30.4 Maaori Areas of Significance. The land opposite 24 Kernott Rd has a similar number of borrow pits and these are not protected nor does the property have any housing on it. The submitter considers that the borrow pits on this property should be protected as an area of significance.	Accept
FS1323.146	Heritage New Zealand Pouhere Taonga	Support	That the amendment is accepted subject to review for suitability by Mana Whenua.	HNZPT welcomes addition to Schedule 30.4 of an additional site subject to the review and agreement from Mana Whenua.	Accept
188.4	Sheryl Tukiri	Support	Retain Schedule 30.3 Maaori Sites of Significance.	The submitter likes how council has started to protect Maori heritage for future generations.	Accept in part
261.1	Rita Carey	Oppose	Amend the approach to Maaori Sites of Significance through the following: Purchase the land from landowners; Fence the areas off at Council/Iwi cost; Council/Iwi to maintain those areas; Promote acknowledgement of the areas; Reward landowners for past care; Incentive Programmes; and Council/Iwi fund initial outlay cost such as fences.	Appears the council is determined to penalize, persecute and generally make life and business difficult for land owners for having areas of 'national treasure' on their land. Will have to argue with lawyers at a huge cost in the future if ever it is necessary to do something in and around those areas.	Reject
FS1108.148	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Oppose	Null	Amend the approach to maaori sites of significance - appears the council is determined to penalise, persecute and generally make life hard for landowners for having a national treasure on their land.	Accept
FS1369.7	Ngati Tamaoho Trust	Oppose	Null	Maori sites of significance need a bugger as no sites are in isolation, and refer to a wider landscape.	Awaiting recommendation
261.2	Rita Carey	Oppose	Amend the Maaori Sites of Significance on the submitter's property by: Reducing the size of the buffer area; Locating them in the correct place; and Re-considering the significance of the sites.	Will be much more reasonable and ensures farming practice and development is not necessarily interrupted. 2 areas plotted on the submitters property are in the wrong place (one of them). Not areas the submitter deems of significant interest/value to Maori since one is a suspected Kumara Pit and the other a suspected look out site. Huge buffers have been put in place for small areas that the submitter would be happy to leave alone, and has done so, with a small buffer.	Reject

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
FS1323.160	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Accept
307.1	Julie Caddigan	Neutral/Amend	Amend Rule 22.2.3.2 Earthworks - Maaori Sites and Maaori Areas of Significance to be more in line with Rule 22.2.3.3 and allow for a defined level of earthworks, cut and fill as a permitted activity, for example rotary hoeing, fencing and forestry activities and ensure farming remains viable in these areas.	This earthworks rule is onerous. This rule states no permitted earthworks activities within the overlay which is broadly applied. It would be difficult for the District Council to exercise this rule in relation to the Maaori Site of Significance S14/5 which has been incorrectly located. This rule will obstruct farming activities. Rules need to be clarified to ensure farming remains viable in these areas.	Reject Accept in part
FS1271.1	Riverdale Group Limited	Support	Accept submission.	Riverdale Group supports the proposal to amend Rule 22.2.3.2 for the reasons set out in their submission.	Reject Accept in part
FS1323.24	Heritage New Zealand Pouhere Taonga	Oppose	That the amendment sought is declined.	HNZPT opposes a permitted activity level of earthworks as this has the potential to cause adverse effects to heritage and cultural values.	Accept in part
307.2	Julie Caddigan	Neutral/Amend	Amend the specific location for Maaori Site of Significance S14/5 Te Uhi Paa, Exelby Road, Rotokauri to the correct coordinates.	There is confusion and conflicting co-ordinates over the exact location of the paa site. Various sources have differing coordinates for the paa site. It is questionable as to the reliability of the site co-ordinates used by the Council in their mapping of S14/5. Desktop based methods of research were used and therefore relied on secondary information and no additional evidence was provided beyond the New Zealand Archaeological Association report. A review has been undertaken that reiterates that the site was searched for, but not found and there is poor archaeological evidence.	Reject
FS1323.161	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Accept
307.3	Julie Caddigan	Neutral/Amend	Amend Maaori Site of Significance site S14/5 Te Uhi Paa, Exelby Road Rotokauri to be reduced to reflect the correction location and extent of the Paa site.	There is confusion and conflicting co-ordinates over the exact location of the paa site. Various sources have differing co-ordinates for the paa site. It is questionable as to the reliability of the site co-ordinates used by the Council in their mapping of S14/5. Desktop based methods of research were used and therefore relied on secondary information	Reject

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				and no additional evidence was provided beyond the New Zealand Archaeological Association report. Two sources state that the paa site was the size of a house and 1/6 of an acre. The overlay area for S14/5 is approximately 2ha and larger than the actual paa site.	
FS1323.162	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Accept
307.4	Julie Caddigan	Neutral/Amend	Delete the Maaori Site of Significance site S14/5 at Exelby Road, Rotokauri from Lot 1 DPS 80361 if it is found that the paa site is located in the swamp area by the lake edge.	There is confusion and conflicting co-ordinates over the exact location of the paa site. Various sources have differing coordinates for the paa site.	Reject
FS1323.163	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Accept
307.5	Julie Caddigan	Neutral/Amend	Amend the Proposed District Plan to reflect further investigation of Maaori Site of Significance S14/5 at Exelby Road, Rotokauri, given that the New Zealand Archaeological Association report states there are no visible remains of the paa site and the site has been destroyed.	There is confusion and conflicting co-ordinates over the exact location of the paa site. Various sources have differing coordinates for the paa site.	Reject
340.1	Stuart Jefferis for Ruakiwi Graziers Ltd	Oppose	No specific decision sought, however submission states the Maaori Sites of Significance S13/119 and S13/141 on Jefferis Road are unconfirmed.	Sites on property are not confirmed as Maori Sites. Aerial Photos do not confirm sites S13/119, S13/141.	Reject
340.3	Stuart Jefferis for Ruakiwi Graziers Ltd	Oppose	No specific decision sought, however submission opposes Rule 22.2.3.3 Earthworks - Significant Natural Area and Rule 22.2.3.2 Earthworks - Maori Sites and Areas of Significance.	No reasons provided.	Reject
495.1	Norris Peart	Oppose	Amend the boundary of the Maaori Site of Significance overlay R14/51 at 274 Okete Road, Raglan so that the southern boundary is aligned with the existing fence protecting the site.	The mapped area of the Maaori Site of Significance R14/51 does not align with the area historically and currently protected by the existing landowners, whose family has farmed there since 1910. The currently protected area is considerably larger than required to protect the sites.	Accept
FS1323.164	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to	Reject

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				<i>ensure the retention of cultural values and give effect to s6 and s7 of the RMA.</i>	
504.3	Michael Edmonds	Support	Retain and protect Maaori sites of significance in Schedule 30.3.	Supports the protection and retention of Maaori sites of significance.	Accept in part
504.4	Michael Edmonds	Support	Retain and protect Maaori areas of significance in Schedule 30.4.	Supports the protection and retention of Maaori areas of significance.	Accept in part
505.3	Keren Paekau on behalf of Te Kopua 2B3 Incorporation	Support	Retain and protect the Maaori Sites of Significance in Schedule 30.3.	Supports the protection and retention of Maaori sites of significance.	Accept in part
505.4	Keren Paekau on behalf of Te Kopua 2B3 Incorporation	Support	Retain and protect Maaori Areas of Significance in Schedule 30.4.	Support the protection and retention of Maaori Areas of Significance.	Accept in part
719.1	Rob Waddell on behalf of Riverdale Group Ltd	Oppose	Amend the extent of Maaori Site of Significance S15/25 shown on the Planning Map, to be consistent with the registered covenant as shown on the Scheme Plan of subdivision at Lot 1 DP 324809 (102 Hooker Road) and Lot 2 DP 324809 (124 Hooker Road) Tamahere (see maps attached to submission); AND Amend Schedule 30.3 Maaori Sites of Significance so that S15/25 is located on 102 Hooker Road, Tamahere rather than 124 Hooker Road, Tamahere.	Extent of archaeological site S15/25 is inaccurately shown on the Planning map and must be corrected. Incorrectly displays archaeological site S15/25 extending into Lot 2 DP 324809/124 Hooker Road, whereas its only located on Lot 1 DP 324809/102 Hooker Road. Site is covered by covenant, located as Area B on submitters subdivision plan. Schedule 30.3 incorrectly states the location of site S15/25.	Accept
FS1323.153	Heritage New Zealand Pouhere Taonga	Oppose	<i>That the amendments sought are declined.</i>	<i>HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.</i>	Reject
719.2	Rob Waddell on behalf of Riverdale Group Ltd	Oppose	Delete the Maaori Area of Significance SS65 from 124 Hooker Road, Tamahere; OR Amend Rule 22.2.3.2 Earthworks - Maaori Sites and Maaori Areas of Significance, to allow earthworks associated with the construction of permitted activities within the Rural Zone (e.g. dwellings, sheds etc.).	The Planning Map identifies 124 Hooker Road as a 'Maaori Area of Significance,' notated as SS65. The extent of a property containing an archaeological site is already protected under the Heritage New Zealand Pouhere Taonga Act 2014 and does not need protection under the District Plan. Rule 22.2.3.2 requires a resource consent application for any earthworks regardless of scale and whether there is a recorded archaeological site on the property. Earthworks for otherwise permitted activities within the rural zone will require a consent for no apparent or	Reject Accept in part

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				justifiable reason. Digging a hole for a tree would even require a resource consent.	
FS1323.152	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Accept in part
812.1	Ruruhira Cila Henry	Neutral/Amend	Amend the Proposed Waikato District Plan to include the Karamu Paa and Urupa as waahi tapu on the corner of Gordonton Road and Piako Road.	Supports all paa sites in the district to be protected. Submission notes that the written history may need to be looked at.	Accept
812.2	Ruruhira Cila Henry	Neutral/Amend	Amend the Proposed Waikato District Plan to keep the Komakorau Stream as a historical area.	The stream running under the bridge in Taupiri into the Waikato River comes from Komakorau. It is recorded that this was the original Waikato River. Was used for floating logs to the mill in Orini. According to Maori, it was the Tarawera which could have begun from the Tongariro eruption. Submission notes that the written history may need to be looked at.	Reject
962.1	Kimai & I-Jay Huirama on behalf of Ngati Tamainupo	Oppose	Add protection on some of the significant burrow pits on the properties at 5851 Great South Road and 2831 River Road Ngaruawahia, and any other section the submitter deems to be of high cultural significance (e.g. proximity to Puke I a hua and size).	The principal rohe for Ngaati Tamainupoo is Whaingaroa (Raglan area, near the Waitetuna harbor) and Ngaruawahia. The Marae is located on ancestral land at Whaingaroa, and also maintains a mana whenua link to the Ngaruawahia rohe through whakapapa to the ancestor, Ngaere, and sites of cultural and historical significance, namely Puke-i-ahua marae, Hakarimata, Te Huinga o Nga Wai (The Point), Waikato River and Waipa River. The submitters are mana whenua who are descendants of Ngaere, the chief of Pukeiahua Pa in the 1700s. Their marae is Mai Uenuku kit e Whenua, located in Whaingaroa. Many of the marae members are fourth and fifth generation residents of Ngaruawahia. Their mana whenua link to Ngaruawahia comes from their connection to the land and the sites of significance from the ancestral story of how Ngaruawahia got its name. The aim for the Hapu is to protect and preserve Ngati Tamainupo identity and integrity. In order to do this they need to engage meaningfully with other stakeholders in the community to ensure that their stories are shared	Accept

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				authentically and respectfully.	
FS1323.151	Heritage New Zealand Pouhere Taonga	Support	That the amendment is accepted subject to review for suitability by Mana Whenua.	HNZPT welcomes additions to the planning maps of additional sites subject to the review and agreement from Mana Whenua and relevant consultation. This proposal gives effect to s6 and s7 of the RMA.	Accept
FS1111.2	Nga Uri O Tamainupoo ki Whaingaroa Trust	Support	Please refer to supporting document	Please refer to supporting document	Accept
978.1	Brian Nabbs and Margaret Forsyth	Oppose	No specific decision sought, although submitter expresses concerns in respect to the Maaori Site of Significance (S14/117) on the property at 212D Newell Road, Tamahere.	The purposes and sentiments of s.6 of the Resource Management Act are acknowledged. WDC is statutorily obliged to take into account the provisions of section 14 of the Local Government Act. Submitters are tangata whenua. The principles of the Treaty of Waitangi and Waikato District Council's obligations need to taken into account. Submitter's property at 212D Newell Road, Tamahere is taonga. The proposed site falls within the Country Living Zone, which contemplates and permits residential use and development. In reference to s.10 of the Resource Management Act the use was lawfully established before the rule became operative or the proposed plan was notified. Within the buffer for the proposed site (s.14/117), Waikato District Council has to date permitted residential development. The local iwi would have previously been consulted on the implementation of the Country Living Zone. The community and Waikato District Council are each entitled to rely upon this previous consultation. Waikato District Council's proposal appears inconsistent with evaluation reports prepared to date, especially the New Zealand Archaeological Association reports of 1961 (Edson and Morgan) and 2002 (O Wilkes). O Wilkes in the New Zealand Archaeological Association 2002 stated "In my opinion this is probably not a pa, and if it is a pa, then it is a very old one... Edson also marked it as a possible site on his N65 index sheet and Morgan obviously must have walked past it without seeing anything." The proposal appears prime facie in breach of Waikato District Council's obligations under s.32 of the Act. The previous reports are significant. If Waikato District Council wishes to deviate from these findings then	Reject

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				<p>WDC must undertake further balanced evaluation. This does not appear to have been undertaken. The matters to be considered by Waikato District Council in changing its District Plan are set down in s.74. S.31 sets the boundaries. Prohibition of development on an unconfirmed site (i.e. not significant) does not fall within s.31. Nor does the matter fall under Part 2 of the Act.</p> <p>Submitter suggests that Waikato District Council engages with Ngati Haua. S.78 requires Waikato District Council to give consideration to the views and of persons likely to be affected. The submitter's views are presented pursuant to s.82 especially, but not limited to s.82(1)(b). The two previous reports each concluded that no paa existed on the site or if it did, it was not significant. It is only recently presented whaikorero that is suggesting the existence of a Pa site. Such evidence does not adequately and unequivocally determine the specific location of the site. The community is to respect issues significant to Maori equally. However WDC is obliged to respect and maintain the integrity of the Previous Reports. The recent evaluation, based upon whaikorero is not able to predominate. Waikato District Council is obliged to question, or at least reserve its position on the location of the site (if any) and thereafter determine whether the site crosses the threshold of sufficient significance. For Waikato District Council to adopt any other position would be a breach of inter alia S.28 of the Local Government Act.</p>	
FS1287.46	Blue Wallace Surveyors Ltd	Support	Blue Wallace seek that the submission point is accepted and that the cultural significance notation on the PDP Planning Map is removed and not reapplied until the significance is confirmed.	BWS agree with the submitter that further archaeological assessment needs to take place before cultural significance certainty can be applied to the property.	Reject
FS1323.165	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Accept
978.2	Brian Nabbs and Margaret Forsyth	Not Stated	Reconsider the significance of the Maaori Site of Significance (S14/117) at the property at 212D Newell Road, Tamahere.	The purposes and sentiments of s.6 of the Resource Management Act are acknowledged. WDC is statutorily obliged	Reject

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			<p>AND Amend the extent of the buffer if the site is not unequivocally proven as significant.</p>	<p>to take into account the provisions of section 14 of the Local Government Act. Submitters are tangata whenua. The principles of the Treaty of Waitangi and Waikato District Council's obligations need to taken into account. Submitter's property at 212D Newell Road, Tamahere is taonga. The proposed site falls within the Country Living Zone, which contemplates and permits residential use and development. In reference to s.10 of the Resource Management Act the use was lawfully established before the rule became operative or the proposed plan was notified. Within the buffer for the proposed site (s.14/117), Waikato District Council has to date permitted residential development. The local iwi would have previously been consulted on the implementation of the Country Living Zone. The community and Waikato District Council are each entitled to rely upon this previous consultation. Waikato District Council's proposal appears inconsistent with evaluation reports prepared to date, especially the New Zealand Archaeological Association reports of 1961 (Edson and Morgan) and 2002 (O Wilkes). O Wilkes in the New Zealand Archaeological Association 2002 stated "In my opinion this is probably not a pa, and if it is a pa, then it is a very old one... Edson also marked it as a possible site on his N65 index sheet and Morgan obviously must have walked past it without seeing anything." The proposal appears prime facie in breach of Waikato District Council's obligations under s.32 of the Act. The previous reports are significant. If Waikato District Council wishes to deviate from these findings then WDC must undertake further balanced evaluation. This does not appear to have been undertaken. The matters to be considered by Waikato District Council in changing its District Plan are set down in s.74. S.31 sets the boundaries. Prohibition of development on an unconfirmed site (i.e. not significant) does not fall within s.31. Nor does the matter fall under Part 2 of the Act. Submitter suggests that Waikato District Council engages with</p>	

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				Ngati Haua. S.78 requires Waikato District Council to give consideration to the views and of persons likely to be affected. The submitter's views are presented pursuant to s.82 especially, but not limited to s.82(1)(b). The two previous reports each concluded that no paa existed on the site or if it did, it was not significant. It is only recently presented whaikorero that is suggesting the existence of a Pa site. Such evidence does not adequately and unequivocally determine the specific location of the site. The community is to respect issues significant to Maori equally. However WDC is obliged to respect and maintain the integrity of the Previous Reports. The recent evaluation, based upon whaikorero is not able to predominate. Waikato District Council is obliged to question, or at least reserve its position on the location of the site (if any) and thereafter determine whether the site crosses the threshold of sufficient significance. For Waikato District Council to adopt any other position would be a breach of inter alia S.28 of the Local Government Act.	
FS1323.166	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Accept
978.3	Brian Nabbs and Margaret Forsyth	Not Stated	Reconsider the Maaori Site of Significance (S14/117) at the property at 212D Newell Road, Tamahere; AND If the site is not adequately significant or sufficiently proven, then amend the Proposed District Plan to enable the activities permitted in the Country Living Zone to be permitted activities on this site.	The purposes and sentiments of s.6 of the Resource Management Act are acknowledged. WDC is statutorily obliged to take into account the provisions of section 14 of the Local Government Act. Submitters are tangata whenua. The principles of the Treaty of Waitangi and Waikato District Council's obligations need to taken into account. Submitter's property at 212D Newell Road, Tamahere is taonga. The proposed site falls within the Country Living Zone, which contemplates and permits residential use and development. In reference to s.10 of the Resource Management Act the use was lawfully established before the rule became operative or the proposed plan was notified. Within the buffer for the proposed site (s.14/117), Waikato District Council	Reject

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				<p>has to date permitted residential development. The local iwi would have previously been consulted on the implementation of the Country Living Zone. The community and Waikato District Council are each entitled to rely upon this previous consultation. Waikato District Council's proposal appears inconsistent with evaluation reports prepared to date, especially the New Zealand Archaeological Association reports of 1961 (Edson and Morgan) and 2002 (O Wilkes). O Wilkes in the New Zealand Archaeological Association 2002 stated "In my opinion this is probably not a pa, and if it is a pa, then it is a very old one... Edson also marked it as a possible site on his N65 index sheet and Morgan obviously must have walked past it without seeing anything." The proposal appears prime facie in breach of Waikato District Council's obligations under s.32 of the Act. The previous reports are significant. If Waikato District Council wishes to deviate from these findings then WDC must undertake further balanced evaluation. This does not appear to have been undertaken. The matters to be considered by Waikato District Council in changing its District Plan are set down in s.74. S.31 sets the boundaries. Prohibition of development on an unconfirmed site (i.e. not significant) does not fall within s.31. Nor does the matter fall under Part 2 of the Act. Submitter suggests that Waikato District Council engages with Ngati Haua. S.78 requires Waikato District Council to give consideration to the views and of persons likely to be affected. The submitter's views are presented pursuant to s.82 especially, but not limited to s.82(1)(b). The two previous reports each concluded that no paa existed on the site or if it did, it was not significant. It is only recently presented whaikorero that is suggesting the existence of a Pa site. Such evidence does not adequately and unequivocally determine the specific location of the site. The community is to respect issues significant to Maori equally. However WDC is obliged to respect and maintain the integrity of the</p>	

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				Previous Reports. The recent evaluation, based upon whaikorero is not able to predominate. Waikato District Council is obliged to question, or at least reserve its position on the location of the site (if any) and thereafter determine whether the site crosses the threshold of sufficient significance. For Waikato District Council to adopt any other position would be a breach of inter alia S.28 of the Local Government Act.	
FS1323.167	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT considers that it is appropriate to have additional protection under a District Plan for sites recognised as culturally significant to ensure the retention of cultural values and give effect to s6 and s7 of the RMA.	Accept
981.1	Andrew Wilson	Neutral/Amend	No specific decision sought, but the submitter is supportive of recognising Maaori cultural and spiritual values, however seeks more clarity regarding Maaori Site of Significance R14/52 at Ryan Road, Te Akau South.	The borders of the site of significant were changed after the consultation period. The submitter attended both meeting with questions about the proposed changes. Confusion has arise as the answers the submitter took away do not match the information in the plan.	Accept
286.18	Lorraine Dixon for Waikato-Tainui	Not Stated	Amend the description of 333 Old Taupiri Road to remove the incorrect reference to a Paa site.	The 467 Hakarimata Road site was a pre-1900 paa site, and the Old Taupiri Road site (Hopuhopu) was not. This places overly restrictive controls on this site and no historical Paa site zoning should apply or whatever the new definition or zoning is applied to this site.	Reject
FS1035.24	Pareoranga Te Kata	Support	Support the submission in full.	<ul style="list-style-type: none"> Council needs to partner with Kaitiaki, mana whenua or review strategies with Waikato Tainui to ensure preservation and restoration of the Waikato River. 	Reject
286.28	Lorraine Dixon for Waikato-Tainui	Not Stated	Retain earthworks on Maaori Sites of Significance and Maaori Areas of Significance as a restricted discretionary activity.	Waikato-Tainui supports this as early warning when such activities are being undertaken is desirable.	Accept in part
FS1176.42	Watercare Services Ltd	Support	Null	Watercare supports this submission point in principle and is seeking changes to Chapters 6 and 14 to better enable the provision of infrastructure. Watercare is preparing track changes to these chapters, taking a similar approach to the Auckland Unitary Plan and will supply these in evidence to the hearings.	Accept in part
FS1035.34	Pareoranga Te Kata	Support	Support the submission in full.	<ul style="list-style-type: none"> Council needs to partner with Kaitiaki, mana whenua or review strategies with Waikato Tainui to ensure preservation and restoration of the Waikato River. 	Accept in part
330.82	Andrew and Christine Gore	Not Stated	No specific decision sought, however submission	No reasons provided.	Reject

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
			refers to Rule 22.2.3.2 Earthworks - Maori Sites and Maori Areas of Significance.		
343.26	Michael Briggs for Harrison Grierson Cosultants Limited on behalf of Rangitahi Limited	Oppose	Delete Rule 28.2.4.2 Earthworks Maaori Sites and Maaori Areas of Significance. AND Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.	There are no Maaori sites or areas of significance within the Rangitahi Structure Plan area identified on Proposed Plan maps 23 (Raglan Coast) and 23.3 (Raglan West).	Accept
367.17	Liam McGrath for Mercer Residents and Ratepayers Committee	Support	Retain Chapter 13 Definition of "Maaori Sites of Significance."	No reasons provided.	Accept
367.29	Liam McGrath for Mercer Residents and Ratepayers Committee	Support	Retain Rule 24.2.4.2 Earthworks for Maaori Sites and Maaori Areas of Significance	No reasons provided.	Accept in part
367.52	Liam McGrath for Mercer Residents and Ratepayers Committee	Neutral/Amend	Add Te Paina Pa, Mercer Recreation Reserve, Riverbank Road, Mercer to Schedule 30.4 Maaori Areas of Significance.	Te Paina Pa is mentioned twice in Franklin District Plan, dated 11th February 2000 as follows: Part 8 - Cultural Heritage, Schedule 8A: Historic Buildings, Structures, Trees and Areas, Group D: Areas. D.19 Te Paina Pa Mercer Recreation Reserve, Riverbank Road, Mercer 7.7 03800/807.00 Appendices, Appendix 2 Inventory of Historic Buildings, Structures, Trees and Areas, Group D: Areas. ITEM D.19 Name: Te Paina Paa Type: Historic Area - Te Paina Paa Location: Mercer Recreation Reserve, Riverbank Road, Mercer Valuation Number: 03800 / 807.00 Legal Description: Pt Allot 280 Parish of Koheroa Parcel ID 6691146 Description: Historic Paa site managed by Department of Conservation	Accept in part
<i>FS1323.147</i>	<i>Heritage New Zealand Pouhere Taonga</i>	<i>Support</i>	<i>That the amendment is accepted subject to review for suitability by Mana Whenua.</i>	<i>HNZPT welcomes addition to Schedule 30.4 of an additional area subject to the review and agreement from Mana Whenua.</i>	<i>Awaiting recommendation</i>
380.12	Norman Hill for Waahi Whaanui Trust	Support	Retain the restricted discretionary activity status for earthworks in Maaori Sites of Significance and Maaori Areas of Significance.	Waikato-Tainui support this as early warning when such activities are being undertaken.	Accept in part
<i>FS1388.77</i>	<i>Mercury NZ Limited for Mercury E</i>	<i>Oppose</i>	<i>Null</i>	<i>At the time of lodging this further submission, neither natural hazard flood provisions nor adequate flood maps were available, and it is therefore not clear from a land use management perspective, either how effects from a significant flood event will be managed,</i>	<i>Accept in part</i>

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				or whether the land use zone is appropriate from a risk exposure. Mercury considers it is necessary to analyse the results of the flood hazard assessment prior to designing the district plan policy framework. This is because the policy framework is intended to include management controls to avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure the level of risk exposure for all land use and development in the Waikato River Catchment is appropriate.	
FS1108.137	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support	Null	Restricted discretionary status for earthworks in maaori sites and areas of significance.	Accept in part
493.37	Jackie Colliar	Support	Retain earthworks on Maaori Sites of Significance and Maaori Areas of significance as a restricted discretionary activity.	Earthworks on Maaori Sites of Significance and Maaori Areas of significance are a restricted discretionary activity. Submitter supports this as early warning when such activities are being undertaken.	Accept in part
FS1035.90	Pareoranga Te Kata	Support	Agree and support the whole submission.	<ul style="list-style-type: none"> Engage with Waikato Tainui and mana whenua to ensure that the Tainui Environmental Plan Tai Tunu, Tai Pari, Tai Ao and marae environmental plans have been included in the Waikato District Plan. 	Accept in part
553.14	Malibu Hamilton	Support	Retain Rule 16.2.4.2 Earthworks – Maaori Sites and Maaori Areas of Significance.	The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae. The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions. The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region. RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.	Accept in part
FS1388.788	Mercury NZ Limited for Mercury E	Oppose	Null	At the time of lodging this further submission, neither natural hazard flood provisions nor adequate flood maps were available, and it is therefore not clear from a land use management perspective, either how effects from a significant flood event will be managed, or whether the land use zone is appropriate from a risk exposure. Mercury considers it is necessary to analyse the results of the flood hazard assessment prior to designing the district plan policy framework. This is because the policy framework is intended to include management controls to avoid, remedy and mitigate significant flood risk	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				<i>in an appropriate manner to ensure the level of risk exposure for all land use and development in the Waikato River Catchment is appropriate.</i>	
553.22	Malibu Hamilton	Support	Retain Rule 22.2.3.2 Earthworks – Maaori Sites and Maaori Areas of Significance.	The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae. The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions. The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region. RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.	Accept in part
FS1271.2	Riverdale Group Limited	Oppose	Reject submission.	<i>Riverdale Group opposes the submission seeking that the wording of Rule 22.2.3.2 be retained. The existing wording is too restrictive/onerous. Rule 22.2.3.2 requires amending for the reasons set out in Riverdale Group's submission.</i>	Accept in part
553.31	Malibu Hamilton	Support	Retain Rule 24.2.4.2 Earthworks for Maaori Sites and Maaori areas of Significance.	The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae. The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions. The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region. RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the natural and physical resources of the region to Tangata whenua.	Accept in part
553.33	Malibu Hamilton	Support	Retain Rule 28.2.4.2 Earthworks – Maaori Sites and Maaori Areas of Significance.	The New Zealand Coastal Policy Statement 2010 in Policy (d) recognises Tangata whenua needs for papakāinga, marae. The Waikato Regional Policy Statement, 2016 also has Policy 6.4 Marae and papakāinga provisions. The Future Proof Strategy Planning for Growth November 2017 has Priority 15 that seeks developments of papakāinga housing that meets the needs and aspirations in the sub-region. RMA sections 6(e), 7(a), and 8 set out legal obligations when managing the	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				natural and physical resources of the region to Tangata whenua.	
559.19	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Rule 16.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 16.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks ancillary earthworks and rural ancillary earthworks within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) Nature, design, extent and location of activity in relation to the site; (ii) Effects of the proposal on heritage and cultural values (iii) The purpose and necessity for the works and any alternatives considered.	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.	Accept in part
559.20	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Rule 17.2.5.2 RD1 Earthworks - Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 17.2.5.2 RD1 Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and</u> location of activity in relation to the site; (ii) <u>Effects of the proposal</u> on heritage and cultural values (iii) The purpose and necessity for the works and any alternatives considered. AND Amend Rule 17.2.5.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance to be consistent with the equivalent rule in other zone chapters.	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.	Accept in part
559.22	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Rule 22.2.3.2 RD1 Earthworks - Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 22.2.3.2 RD1 Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
			Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and</u> location of activity in relation to the site; (ii) <u>Effects of the proposal</u> on heritage and cultural values (iii) The purpose and necessity for the works and any alternatives considered.		
FS1342.136	Federated Farmers	Oppose	Disallow submission point 559.22. Disallow the part of the submission seeking to apply a restricted discretionary resource consent status to Ancillary rural earthworks.	FFNZ considers the notified restricted discretionary earthworks rules, incorporating the amendments we have sought, provide the appropriate degree of land use controls. There is concern that the level of accuracy with the mapping and identification of these sites does not support a more stringent planning approach. It is suggested the plan may benefit with the introduction of accidental discovery protocols, which would also help to address the submitters concerns.	Accept in part
FS1271.3	Riverdale Group Limited	Oppose	Reject submission.	Riverdale Group oppose the submission seeking to retain Rule 22.2.3.2 RD1 with amendments. The amendments sought are too restrictive/onerous. The amendments requiring resource consent for 'ancillary earthworks' and 'rural ancillary earthworks' and the additional 'limits of discretion' that are proposed are opposed for the reasons set out in Riverdale Group's submission.	Accept in part
559.23	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Rule 23.2.3.2 RD1 Earthworks - Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 23.2.3.2 RD1 Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and</u> location of activity in relation to the site; (ii) <u>Effects of the proposal</u> on heritage and cultural values (iii) <u>The purpose and necessity for the works and any alternatives considered.</u>	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.	Accept in part
FS1342.137	Federated Farmers	Oppose	Disallow submission point 559.23. Disallow the part of the submission seeking to apply a restricted discretionary resource consent status to Ancillary rural earthworks.	FFNZ considers the notified restricted discretionary earthworks rules, incorporating the amendments we have sought, provide the appropriate degree of land use controls. There is concern that the level of accuracy with the mapping and identification of these sites does not support a more stringent planning approach. It is suggested the plan may benefit	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				<i>with the introduction of accidental discovery protocols, which would also help to address the submitters concerns.</i>	
559.24	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	<p>Retain Rule 24.2.4.2 RD1 Earthworks - Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 24.2.4.2 RD1 Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and</u> location of activity in relation to the site; (ii) <u>Effects of the proposal</u> on heritage and cultural values (iii) <u>The purpose and necessity for the works and any alternatives considered.</u></p> <p>AND</p> <p>Amend Rule 24.2.4.2 RD1 Earthworks - Maaori Sites of Significance to be consistent with the equivalent rule in other zone chapters.</p>	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.	Accept in part
559.26	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	<p>Retain Rule 16.2.4.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 16.2.4.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori Area of Significance as identified in Schedule 30.4 (Maaori Areas of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and</u> location of activity in relation to the site; (ii) <u>Effects of the proposal</u> on heritage and cultural values (iii) <u>The purpose and necessity for the works and any alternatives considered.</u></p>	<p>Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks. The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites. Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.</p>	Accept in part
559.28	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	<p>Retain Rule 18.2.4.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance, except for the amendments sought below.</p> <p>AND</p> <p>Amend Rule 18.2.4.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori Area of Significance as identified in Schedule 30.4 (Maaori Area of</p>	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks. The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
			Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and</u> location of activity in relation to the site; (ii) Effects <u>of the proposal</u> on heritage and cultural values (iii) <u>The purpose and necessity for the works and any alternatives considered.</u>	these sites. Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.	
FS1388.795	Mercury NZ Limited for Mercury E	Oppose	Null	At the time of lodging this further submission, neither natural hazard flood provisions nor adequate flood maps were available, and it is therefore not clear from a land use management perspective, either how effects from a significant flood event will be managed, or whether the land use zone is appropriate from a risk exposure. Mercury considers it is necessary to analyse the results of the flood hazard assessment prior to designing the district plan policy framework. This is because the policy framework is intended to include management controls to avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure the level of risk exposure for all land use and development in the Waikato River Catchment is appropriate.	Accept in part
559.29	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Rule 22.2.3.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 22.2.3.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori Area of Significance as identified in Schedule 30.4 (Maaori Areas of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and</u> location of activity in relation to the site; (ii) Effects <u>of the proposal</u> on heritage and cultural values (iii) <u>The purpose and necessity for the works and any alternatives considered.</u>	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks. The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites. Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.	Accept in part
FS1342.138	Federated Farmers	Support	Disallow submission point 559.29. Disallow the part of the submission seeking to apply a restricted discretionary resource consent status to Ancillary rural earthworks.	FFNZ considers the notified restricted discretionary earthworks rules, incorporating the amendments we have sought, provide the appropriate degree of land use controls. There is concern that the level of accuracy with the mapping and identification of these sites does not support a more stringent planning approach. It is suggested the plan may benefit with the introduction of accidental discovery protocols, which would also help to address the submitters concerns.	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
FS1271.4	Riverdale Group Limited	Oppose	Reject submission.	Riverdale Group oppose the submission seeking to retain Rule 22.2.3.2 RD2 with amendments. The amendments sought are too restrictive/onerous. The amendments requiring resource consent for 'ancillary earthworks' and 'rural ancillary earthworks' and the additional 'limits of discretion' that are proposed are opposed for the reasons set out in Riverdale Group's submission.	Accept in part
559.30	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Rule 23.2.3.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 23.2.3.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori area of Significance as identified in Schedule 30.4 (Maaori area of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and location</u> of activity in relation to the site; (ii) <u>Effects of the proposal</u> on heritage and cultural values (iii) <u>The purpose and necessity for the works and any alternatives considered.</u>	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks. The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites. Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.	Accept in part
FS1342.139	Federated Farmers	Oppose	Disallow submission point 559.30. Disallow the part of the submission seeking to apply a restricted discretionary resource consent status to Ancillary rural earthworks.	FFNZ considers the notified restricted discretionary earthworks rules, incorporating the amendments we have sought, provide the appropriate degree of land use controls. There is concern that the level of accuracy with the mapping and identification of these sites does not support a more stringent planning approach. It is suggested the plan may benefit with the introduction of accidental discovery protocols, which would also help to address the submitters concerns.	Accept in part
559.31	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Rule 24.2.4.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 24.2.4.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori area of Significance as identified in Schedule 30.4 (Maaori area of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and location</u> of activity in relation to the site; (ii) <u>Effects of the proposal</u> on heritage and cultural values (iii) <u>The purpose and necessity for the works and any</u>	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks. The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites. Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
			<p><u>alternatives considered.</u> AND Amend Rule 24.2.4.2 Earthworks - Maaori Sites and Maaori Areas of Significance to be consistent with the equivalent rule in other zone chapters.</p>		
559.32	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	<p>Retain Rule 25.2.4.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 25.2.4.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori area of Significance as identified in Schedule 30.4 (Maaori area of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and</u> location of activity in relation to the site; (ii) <u>Effects of the proposal</u> on heritage and cultural values (iii) <u>The purpose and necessity for the works and any alternatives considered.</u></p>	<p>Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks. The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within these sites. Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.</p>	Accept in part
559.33	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Support	<p>Add a new earthworks rule to each zone chapter as follows: <u>D1 - Earthworks, new ancillary earthworks and new rural ancillary earthworks within a waahi tapu as identified in Schedule 30.6 (Significant Waahi Tapu and Waahi Tapu area) and shown on the planning maps.</u> AND Provide recognition of the full extent of Waahi tapu Te Aukati ki Mangatawhiri, Meremere, Te Teo Teo and Rangiriri (as this relates to the schedules). (Refer to subsequent submission points).</p>	<p>Submitter seeks a revised rule and mapping framework to provide elevated recognition in the Plan of four well known wahi tapu site/areas, being Te Aukati ki Mangatawhiri, Meremere, Te Teo Teo and Rangiriri. This would assist the Plan to give improved effect to strategic objective 2.12(a). These wahi tapu sites/areas are already recognised within the Plan in part through the Maaori sites and areas of significance mapping and rule framework. The submitter considers that it is important within the Plan that there are examples of significant Maaori sites or areas, whose integrity is protected through full recognition in the Plan maps and an associated rule framework. As the wahi tapu sites/areas are of local, regional and national importance, it is appropriate to ensure that the entire site is mapped and protected to retain the footprint of the wahi tapu/wahi tapu area as the physical marker, which enables the continued understanding and identification of each site and its history. The submitter seeks that these four wahi tapu are recognised to the same extent as the</p>	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				Heritage New Zealand wahi tapu listing within the Plan maps, and the rule framework related to earthworks, and destruction-proposed through a HNZPT point of submission, is applied to the same extent. It may be over time that additional wahi tapu are included onto this schedule and recognised in this enhanced manner. The submitter also seeks that new works covered under the definition of ancillary earthworks, and rural ancillary earthworks are assessed within these sites for their suitability to occur within these sites and the effect that they will have on heritage values.	
FS1388.796	Mercury NZ Limited for Mercury E	Oppose	Null	At the time of lodging this further submission, neither natural hazard flood provisions nor adequate flood maps were available, and it is therefore not clear from a land use management perspective, either how effects from a significant flood event will be managed, or whether the land use zone is appropriate from a risk exposure. Mercury considers it is necessary to analyse the results of the flood hazard assessment prior to designing the district plan policy framework. This is because the policy framework is intended to include management controls to avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure the level of risk exposure for all land use and development in the Waikato River Catchment is appropriate.	Accept
FS1342.140	Federated Farmers	Oppose	Disallow submission point 559.33.	FFNZ understands the intent of this submission however, the D activity status is not appropriate when there are concerns with the level of accuracy with the mapping and identification of these sites. The notified planning approach is appropriate in this context. It is suggested the plan may benefit with the introduction of accidental discovery protocols that would also help to address the submitter's concerns.	Accept
559.34	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Support	Add a new non-complying rule NCI within each zone chapter to regarding the destruction of Maaori sites and areas of significance and waahi tapu sites and scheduled areas (as sought through the submission) as follows: <u>NCI - the destruction of a site or area of significance to maaori, or a Waahi Tapu or Waahi Tapu area.</u> AND Amend the plan to provide for any other	The submitter is concerned that there is no rule relating to the destruction of Maaori sites or area of significance. Considers that in the absence of this rule, results in the Plan being unable to give effect to Strategic Objective 2.12(a) and the requirements of Part 2, s6 Matters of National Importance, in particular s6(e) and s6(f). The submitter seeks that the	Reject

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
			consequential amendments as required.	plan is amended to include such a rule and that the proposed rule also covers the new proposed schedule of significant waahi tapu sites and areas.	
FS1271.5	Riverdale Group Limited	Oppose	Reject submission.	Riverdale Group oppose the submission seeking the addition of a new Non-Complying Rule within each zone chapter for the 'destruction of Maaori sites and areas of significance and waahi tapu'. The areas referred to in the proposed Rule are not specifically identified or defined in the District Plan (in either the planning maps of the District Plan Schedules) and therefore subjective. The proposed Rule could apply to any 'site' or 'area' within the District, and is therefore opposed.	Accept
FS1388.797	Mercury NZ Limited for Mercury E	Oppose	Null	At the time of lodging this further submission, neither natural hazard flood provisions nor adequate flood maps were available, and it is therefore not clear from a land use management perspective, either how effects from a significant flood event will be managed, or whether the land use zone is appropriate from a risk exposure. Mercury considers it is necessary to analyse the results of the flood hazard assessment prior to designing the district plan policy framework. This is because the policy framework is intended to include management controls to avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure the level of risk exposure for all land use and development in the Waikato River Catchment is appropriate.	Accept
FS1342.134	Federated Farmers	Oppose	Disallow submission Point 559.34.	FFNZ understands the intent of this submission however, the NC activity status is not appropriate when there are concerns with the level of accuracy with the mapping and identification of these sites. The notified planning approach is appropriate in this context. It is suggested the plan may benefit with the introduction of accidental discovery protocols that would also help to address the submitter's concerns.	Accept
798.23	Ngati Te Ata	Oppose	No specific decision sought, but submission opposes the inclusion of the Pa in Pokeno within proposed future urban or industrial zones.	No reasons provided.	Awaiting recommendation
FS1387.1286	Mercury NZ Limited for Mercury D	Oppose	Null	At the time of lodging this further submission, neither natural hazard flood provisions nor adequate flood maps were available, and it is therefore not clear from a land use management perspective, either how effects from a significant flood event will be managed,	Awaiting recommendation

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				<p>or whether the land use zone is appropriate from a risk exposure.</p> <p>Mercury considers it is necessary to analyse the results of the flood hazard assessment prior to designing the district plan policy framework. This is because the policy framework is intended to include management controls to avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure the level of risk exposure for all land use and development in the Waikato River Catchment is appropriate.</p>	
942.78	Angeline Greensill for Tainui o Tainui	Neutral/Amend	Amend Rule 16.2.4.2 Earthworks - Maaori sites and Areas of significance to limit the extent of earthworks and vegetation clearance to minimise the negative impacts to the environment and to ensure the values of the site are protected.	Lands have been cleared of 100m ² per year for several years eventually ending with enough space to build 5 houses in areas that were once coastal montane forest. Recently 2500m ² of original kanuka and manuka was inadvertently cleared for one house site which was in excess of the earthworks allowed.	Reject
942.89	Angeline Greensill for Tainui o Tainui	Not Stated	No specific decision sought, but submission refers to Rule 17.2.1.1 Earthworks - Maaori Sites and Areas of Significance.	No reasons provided.	Reject
984.12	Glenda Raumati on behalf of Trustee Turangawaewae Trust Board	Not Stated	Retain earthworks on Maaori Sites of Significance and Maaori Areas of Significance as a restricted discretionary activity.	Turangawaewae Trust Board supports this activity status as early warning when such activities are being undertaken is desirable.	Accept in part
FS1387.1623	Mercury NZ Limited for Mercury D	Oppose	Null	<p>At the time of lodging this further submission, neither natural hazard flood provisions nor adequate flood maps were available, and it is therefore not clear from a land use management perspective, either how effects from a significant flood event will be managed, or whether the land use zone is appropriate from a risk exposure.</p> <p>Mercury considers it is necessary to analyse the results of the flood hazard assessment prior to designing the district plan policy framework. This is because the policy framework is intended to include management controls to avoid, remedy and mitigate significant flood risk in an appropriate manner to ensure the level of risk exposure for all land use and development in the Waikato River Catchment is appropriate.</p>	Accept in part
FS1108.182	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support	Null	Supports this activity status as an early warning for earthworks activities.	Accept in part
559.237	Sherry Reynolds on behalf of Heritage New Zealand	Neutral/Amend	Retain Schedule 30.3 - Maaori sites of Significance within the Plan, except for the amendments sought	The submitter typically supports protection for the whole extent of a scheduled site.	Accept

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
	Lower Northern Office		<p>below. AND Amend the introductory notes to Schedule 30.3 to include the following advice note: <u>The Maaori Sites and Areas of Significance are also recorded archaeological sites and may also contain unrecorded archaeological sites. These sites are subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand Pouhere Taonga must be contacted regarding development on or in proximity to these sites and the need to undertake an archaeological assessment to determine the need for an archaeological authority. The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeological sites.</u></p>	<p>The submitter understands that the methodology used by Waikato District Council for the Maaori Sites and Areas of significance is largely a desktop methodology. There are risks to using desktop survey only to identify archaeological sites in that the fullest extent of the site may not be protected or there may be inaccuracies in historical record. As these sites are not being scheduled for their archaeological values along but instead their cultural significance to tangata whenua, the submitter considers it appropriate that the extents of these sites be identified by tangata whenua. As stated by Dr Des Kahotea in his methodology, these sites are being scheduled for more than just their archaeological values and "low archaeological values have no influence on cultural significance and sections 2(1) and 6(e) assigns tangata whenua, hapu and iwi the role and status. While the plan is recognising these sites for their cultural values, the plan needs to acknowledge these sites are also New Zealand Archaeological Association recorded archaeological sites and therefore subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014, which provides for the protection of both recorded and unrecorded archaeological sites. While the plan provides the recording number on the Plan maps and in the schedule, it would be helpful for the reader to be advised of the need to contact Heritage New Zealand in relation to their proposed works and the need or otherwise for an archaeological assessment to determine the need for an archaeological authority.</p>	
FS1276.187	Whaingaroa Environmental Defence Inc. Society	Support	WED seeks that the whole of the submission point be allowed and that the maps be amended.	Heritage sites have been lost due to inadequacy of the plan. An incorrect understanding of the law should not be promoted by the plan. Reason for WED's support are Schedule 30.3 applies the rules of the district plan only to the extent that sites are shown on the planning maps. Although the submission says the plan provides the recording number of the Plan maps and in the schedule, many of the sites listed in Schedule 30.3 are not shown on maps. The maps are very hard to read. Those omitted sites are protected, but the plan fails to give	Accept

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				any indication of the protection.	
FSI035.93	Pareoranga Te Kata	Support	Support in part. Submission point be allowed.	Maori sites and areas of significance are also recorded archeological sites and may also contain unrecorded archeological sites. Heritage NZ must be contacted regarding development on or in proximity to these sites.	Accept
559.238	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Schedule 30.4 - Maaori Areas of Significance within the Plan, except for the amendments sought below. AND Amend the introductory notes to Schedule 30.4 to include the following advice note: <u>The Maaori Sites and Areas of Significance are also recorded archaeological sites and may also contain unrecorded archaeological sites. These sites are subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand Pouhere Taonga must be contacted regarding development on or in proximity to these sites and the need to undertake an archaeological assessment to determine the need for an archaeological authority. The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeological sites.</u>	The submitter typically supports protection for the whole extent of a scheduled site. The submitter understands that the methodology used by Waikato District Council for the Maaori Sites and Areas of significance is largely a desktop methodology. There are risks to using desktop survey only to identify archaeological sites in that the fullest extent of the site may not be protected or there may be inaccuracies in historical record. As these sites are not being scheduled for their archaeological values along but instead their cultural significance to tangata whenua, the submitter considers it appropriate that the extents of these sites be identified by tangata whenua. As stated by Dr Des Kahotea in his methodology, these sites are being scheduled for more than just their archaeological values and "low archaeological values have no influence on cultural significance and sections 2(1) and 6(e) assigns tangata whenua, hapu and iwi the role and status. While the plan is recognising these sites for their cultural values, the plan needs to acknowledge these sites are also New Zealand Archaeological Association recorded archaeological sites and therefore subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014, which provides for the protection of both recorded and unrecorded archaeological sites. While the plan provides the recording number on the Plan maps and in the schedule, it would be helpful for the reader to be advised of the need to contact Heritage New Zealand in relation to their proposed works and the need or otherwise for an archaeological assessment to determine the need for an archaeological authority.	Accept
FSI035.94	Pareoranga Te Kata	Support	Support in part. Submission point be allowed.	• Maori sites and areas of significance are also recorded archeological sites and may also contain unrecorded archeological sites. Heritage	Accept

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				<i>NZ Pouhere Taonga Act 2014 must be contacted regarding development on or in proximity to these sites.</i>	
559.239	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Amend Schedule 30.3 - Maaori sites of Significance by extending SS60 as depicted in Attachment 4 of the submission (refer to the submission).	<p>The submitter supports the inclusion of SS60 Maaori Areas of Significance that includes the Potatau Monument and the immediate reserve surrounds.</p> <p>While this item is not on the Heritage New Zealand list is not on the Heritage New Zealand list, Heritage New Zealand has indicated publically that it is interested to list this site for both its historic and wahi tapu values.</p> <p>While this listing work is in the early stages of development and consultation, it is considered that the extent of the Heritage New Zealand listings would likely extend beyond the SS60 to the edge of the grassed reserve area in recognition of the many aspects, including the ancestral footprint and archaeological values that contribute to the importance of this item.</p> <p>It is considered that there is merit in seeking that ss60 is extended as shown on Attachment 4 of this submission, which would align with the likely footprint of the proposed wahi tapu listing.</p>	Reject Accept in part
559.240	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	<p>Add a new schedule to the Proposed District Plan entitled Schedule 30.6 - Significant Waahi Tapu and Waahi Tapu areas and include the following Heritage New Zealand Pouhere Taonga listed waahi tapu sites: <u>Te Aukati ki Mangatawhiri - Waahi Tapu Heritage New Zealand list number 9632.</u> <u>Meremere - Waahi Tapu Heritage New Zealand list number 9609.</u> <u>Te Teo Teo - Waahi Tapu Heritage New Zealand list number 9607,</u> and <u>Rangiriri- Waahi Tapu Area Heritage New Zealand list number 7720.</u></p> <p>AND</p> <p>Add maps in the District Plan Maps showing the same extent as the Heritage New Zealand Pouhere Taonga listing as included in Attachment 6 (refer to submission).</p>	<p>The submitter requests a new schedule in the plan to be known as Schedule 30.6 - Significant Wahi Tapu and Wahi Tapu areas.</p> <p>The submitter requests that these wahi tapu and wahi tapu areas are to be mapped as per the extent shown in Attachment 6 to this submission.</p>	Reject
680.203	Federated Farmers of New Zealand	Neutral/Amend	Add new matter of discretion (iii) to Rule 22.2.3.2 RD1 (b) Earthworks - Maaori Sites and Maaori Areas of Significance, as follows: <u>(iii) the applicant's functional and operational need to undertake the activity in the area.</u>	The submitter understands the purpose of the rule, however considers that when a site is located within privately-owned land which has been legitimately farmed, some consideration needs to be given to the	Reject

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
			AND Any consequential changes needed to give effect to this relief. AND Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.	functional need for some farming activities to continue.	
FS1271.6	Riverdale Group Limited	Support	Accept submission.	Riverdale Group supports the proposal to amend Rule 22.2.3.2 (RD1) to include a new matter of discretion for the reasons set out in their submission.	Reject
FS1323.25	Heritage New Zealand Pouhere Taonga	Oppose	That the amendment sought is declined.	HNZPT is concerned that the proposed additional assessment criteria is too blunt for works in a sensitive location and prefers the wider range of assessment criteria as suggested in their own submission, to ensure an appropriate consideration of historic and cultural values and suitability of works including the consideration of alternatives. In addition the suggested wording does not clearly align with the defined term "functional", the application of which is confined to Chapter 14 Energy and Infrastructure.	Accept
680.204	Federated Farmers of New Zealand	Neutral/Amend	Add new matter of discretion (iii) to Rule 22.2.3.2 RD2 (b) Earthworks - Maaori Sites and Maaori Areas of Significance, as follows: <u>(iii) the applicant's functional and operational need to undertake the activity in the area</u> AND Any consequential changes needed to give effect to this relief. AND Any consequential amendments to Chapter 23: Country Living Zone to address areas of existing farmland zoned as Country Living Zone.	The submitter understands the purpose of the rule, however considers that when a site is located within privately owned land which has been legitimately farmed, some consideration needs to be given to the functional need for some farming activities to continue.	Reject
FS1271.7	Riverdale Group Limited	Support	Accept submission.	Riverdale Group supports the proposal to amend Rule 22.2.3.2 (RD2) to include a new matter of discretion for the reasons set out in their submission.	Reject
FS1323.26	Heritage New Zealand Pouhere Taonga	Oppose	That the amendment sought is declined.	HNZPT is concerned that the proposed additional assessment criteria is too blunt for works in a sensitive location and prefers the wider range of assessment criteria as suggested in their own submission, to ensure an appropriate consideration of historic and cultural values and suitability of works including the consideration of alternatives. In addition, the suggested wording does not clearly align with the defined term "functional", the application of which is confined to Chapter 14 Energy and Infrastructure.	Accept

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
680.255	Federated Farmers of New Zealand	Support	Retain the definition of "Maaori Areas of Significance" in Chapter 13 Definitions, as notified.	Support is extended to the scheduling approach taken.	Accept
680.256	Federated Farmers of New Zealand	Support	Retain the definition of "Maaori Sites of Significance" in Chapter 13 Definitions, as notified.	Support is extended to the scheduling approach taken.	Accept
695.128	Sharp Planning Solutions Ltd	Neutral/Amend	Amend Rule 24.2.4.2 PI (a) Earthworks - for Maaori Sites and Maaori Areas of Significance, to provide clarity as to whether the 100m setback of a Maori Area of Significance applies to adjoin sites.	It is unclear to the reader if this is the case or not. Applicants require independent pre-certainty and clarity on these matters.	Reject
FS1323.20	Heritage New Zealand Pouhere Taonga	Support	<i>That the amendment sought is accepted subject to the inclusion of the matters in the related HNZPT submission point 559.24.</i>		Reject
695.129	Sharp Planning Solutions Ltd	Neutral/Amend	Amend Rule 24.2.4.2 PI (a) Earthworks - for Maaori Sites and Maaori Areas of Significance, to provide a zone specific trigger; and sites that exceed the suggested area/ratio of 1:1 earthworks could be another trigger.	No earthworks threshold is set out which triggers the requirement. If there are appropriate sediment management controls, earthworks outside of setback distances and within permitted activity levels are unlikely to cause any actual or potential effect to adjoining property. Acknowledging it is important to respect and protect cultural sites. Council uses a standard consent condition cover matters in development and subdivision proposals. Cultural Reports can cost \$3000 to \$15000 at a time, which is hugely significant for small to medium scale proposals. This rule will likely lead to frustration among applicants if a report is required but does not produce reasons why, or in the finished report fails to provide development advice. The result could be a diminishing of and disrespect for the important role of mana whenua.	Reject
FS1323.21	Heritage New Zealand Pouhere Taonga	Oppose	<i>That the amendment sought is declined.</i>	<i>HNZPT supported this rule as it appeared that all earthworks would be assessed. HNZPT cannot accept that some earthworks will be exempt as any earthworks have the potential to cause adverse effects to historic heritage.</i>	Accept
697.107	Waikato District Council	Neutral/Amend	Amend Rule 16.2.4.2 RD1 Earthworks-Maaori Sites and Maaori Areas of significance to read as follows: (a) Earthworks within a Maaori Site of Significance as identified in Schedule 30.3 (Maaori Site of Significance) and as shown on the planning maps.	Wording provides clarity.	Accept in part
FS1108.2	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support	Null	Appropriate wording change.	Accept in part
FS1139.2	Turangawaewae Trust Board	Support	Null	Appropriate wording change.	Accept in part
697.108	Waikato District Council	Neutral/Amend	Amend 16.2.4.2 RD2 Earthworks-Maaori Sites and Maaori Areas of Significance as follows: (b) The	The matter of discretion is not relevant because the whole property boundary is	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
			Council's discretion is limited restricted to the following matters: (i) Location of earthworks in relation to the site (ii) Effects on heritage and cultural values.	included as a scheduled site.	
FS1323.12	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT understands Maaori sites of significance are a portion only of a property, whereas Maaori Areas of Significance are all the land within the property boundary. HNZPT appreciates that the Areas of Significance are related to a whole property boundary. HNZPT understands that the Areas and sites have not been ground truthed, Given that these sites are based on archaeological sites HNZPT would see great benefit in sites and areas being ground truthed to assist to prevent inadvertent damage to cultural and archaeological values. Currently therefore it would be appropriate to consider the matter of the location of the works in relation to the site/sites that make up the Area. The deletion of the consideration of "location of works" is of concern as it allows consideration of works in locations that may be of less impact to the cultural site, therefore the proposed amendments have the potential to cause adverse effects to cultural and heritage values.	Accept in part
697.182	Waikato District Council	Neutral/Amend	Amend Rule 17.2.5.2 Earthworks - Maaori Sites and Maaori Areas of Significance, as follows: (a) Earthworks within a Maaori site of significance as identified in Schedule 30.3 (Maaori site of Significance) as shown on the planning maps.. (b) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori area of Significance) as shown on the planning maps. (c-b) Council's discretion is restricted limited to the following matters: (i) Location of earthworks in relation to the site; (ii) Effects on heritage and cultural values. AND Add new P2 as follows: P2 (a) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori area of Significance) as shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) Effects on heritage and cultural values.	For consistency with other chapters. The rules for earthworks in Maaori Sites of Significance and Maaori Area of Significance are separated into different rules.	Accept in part
FS1323.23	Heritage New Zealand Pouhere Taonga	Support	That the new rule for earthworks in a Maaori area of significance is included into the WaiDC PDP as a Restricted Discretionary activity.	HNZPT agrees that the rule for Earthworks in Maaori sites and Areas should be in separate parts to reflect the sites and areas, and therefore HNZPT assumes that there is a typo (P2) which implies permitted activity, when in fact for consistency with other chapters the new	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				<i>proposed rule for earthworks in a Maaori area of significance would be a restricted discretionary activity-RD2.</i>	
697.264	Waikato District Council	Neutral/Amend	Amend Rule 18.2.4.2 RD2 Earthworks - Maaori Sites and Maaori Areas of Significance, as follows: (b) The Council's discretion is limited restricted to the following matters: (i) Location of earthworks in relation to the site (ii) (i) Effects on heritage and cultural values.	The matter of discretion is not relevant because the whole property boundary is included as a scheduled site.	Accept in part
<i>FS1323.13</i>	<i>Heritage New Zealand Pouhere Taonga</i>	<i>Oppose</i>	<i>That the amendments sought are declined.</i>	<i>HNZPT understands Maaori sites of significance are a portion only of a property, whereas Maaori Areas of Significance are all the land within the property boundary. HNZPT appreciates that the Areas of Significance are related to a whole property boundary. HNZPT understands that the Areas and sites have not been ground truthed, Given that these sites are based on archaeological sites HNZPT would see great benefit in sites and areas being ground truthed to assist to prevent inadvertent damage to cultural and archaeological values. Currently therefore it would be appropriate to consider the matter of the location of the works in relation to the site/sites that make up the Area. The deletion of the consideration of "location of works" is of concern as it allows consideration of works in locations that may be of less impact to the cultural site, therefore the proposed amendments have the potential to cause adverse effects to cultural and heritage values.</i>	Accept in part
697.338	Waikato District Council	Neutral/Amend	Amend alignment of Maaori sites and areas of significance on the planning maps. AND Where appropriate group and number the sites together to avoid overlapping. These sites are in relation to Tainui Sites identified through the River Settlement Act. In particular the sites around the lakes.	Ensure the planning maps accurately reflect the locations of Archaeological Sites of Significance. This will help avoid confusion for the plan user.	Accept
<i>FS1108.4</i>	<i>Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)</i>	<i>Support</i>	<i>Null</i>	<i>Support accuracy and consistency of mapping.</i>	Accept
<i>FS1139.4</i>	<i>Turangawaewae Trust Board</i>	<i>Support</i>	<i>Null</i>	<i>Support accuracy and consistency of mapping.</i>	Accept
<i>FS1323.150</i>	<i>Heritage New Zealand Pouhere Taonga</i>	<i>Support</i>	<i>That the amendments are accepted subject to submitters being advised and accepting of possible implications to the rule framework.</i>	<i>HNZPT supports clarity in the mapping of heritage and cultural sites, however notes that careful consideration must be given to how such a realignment would affect the related planning rules.</i>	Accept
697.771	Waikato District Council	Neutral/Amend	Amend Rule 22.2.3.2 PI (a) Earthworks - Maaori Sites and Maaori Areas of Significance, as follows: (a) Earthworks within a Maaori site of significance as	Wording provides additional clarity to the rule.	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
			identified in Schedule 30.3 (Maaori sites of Significance) and as shown on the planning maps. AND Amend Rule 22.2.3.2 PI (b) Earthworks - Maaori Sites and Maaori Areas of Significance as follows: (b) Council's discretion is restricted to the following matters: (i) location of activity in relation to the site; effects on heritage and cultural values.		
FS1271.8	Riverdale Group Limited	Oppose	Reject submission. [Note that position and reasons in FS1271.8 replicate those in FS1271.9].	Riverdale Group opposes the proposal to amend the matters of discretion in RD1 and RD2 so that 'effects on heritage and cultural values' is the only matter of discretion specified. It is not clear from the above wording how Council will assess the effects on heritage and cultural values. It would not be reasonable to require a resource consent (and consultation with iwi and an archaeological assessment) for any earthworks, irrespective of their scale, nature or location with respect to the Maaori Site or Area of Significance. The RDA activity status requires limits of discretion to be specified. Appropriate matters of discretion must therefore be listed. The location of a Maaori Site of significance or Maaori Area of Significance and the nature and scale of any earthworks should also be a consideration for the reasons outlined in our submission. Schedule 30.4 identified SS65 as 'Hooker Road, Tamahere - Totality'. The planning maps similarly identify SS65 as applying to the entire property at 124 Hooker Road. Any earthworks at the site (irrespective of their scale, nature, and proximity to the actual Maaori Area of Significance) would therefore require resource consent under Rule 22.2.3.2. They are also likely to require consultation with iwi and/or an archaeological assessment. (Note: The reference to Rule PI within this submission point would appear to be a typo. There are no permitted activity rules under Rule 22.2.3.2).	Accept in part
FS1323.17	Heritage New Zealand Pouhere Taonga	Oppose	That the amendment sought is declined.	HNZPT considers that the submission point may be a typo as 22.2.3.2 PI(b)(i) does not exist. If the submission point refers to 22.2.3.2(RD1) HNZPT opposes the deletion of both assessment criteria as set out above.	Accept in part
697.772	Waikato District Council	Oppose	Delete matter of discretion from Rule 22.2.3.2 RD2 (b) Earthworks-Maaori Sites and Maaori Areas of Significance, as follows: (1) location of activity in relation to the site, effects on heritage and cultural values;	The entire site is identified as a Maaori area of significance, therefore the matter of discretion is unnecessary.	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
FS1108.25	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support	Null	Appropriate wording change.	Accept in part
FS1139.24	Turangawaewae Trust Board	Support	Null	Appropriate wording change.	Accept in part
FS1271.9	Riverdale Group Limited	Oppose	Reject submission. [Note that position and reasons in this FS1271.9 replicate those in FS1271.8].	Riverdale Group opposes the proposal to amend the matters of discretion in RD1 and RD2 so that 'effects on heritage and cultural values' is the only matter of discretion specified. It is not clear from the above wording how Council will assess the effects on heritage and cultural values. It would not be reasonable to require a resource consent (and consultation with iwi and an archaeological assessment) for any earthworks, irrespective of their scale, nature or location with respect to the Maaori Site or Area of Significance. The RDA activity status requires limits of discretion to be specified. Appropriate matters of discretion must therefore be listed. The location of a Maaori Site of significance or Maaori Area of Significance and the nature and scale of any earthworks should also be a consideration for the reasons outlined in our submission. Schedule 30.4 identified SS65 as 'Hooker Road, Tamahere - Totality'. The planning maps similarly identify SS65 as applying to the entire property at 124 Hooker Road. Any earthworks at the site (irrespective of their scale, nature, and proximity to the actual Maaori Area of Significance) would therefore require resource consent under Rule 22.2.3.2. They are also likely to require consultation with iwi and/or an archaeological assessment. (Note: The reference to Rule P1 within this submission point would appear to be a typo. There are no permitted activity rules under Rule 22.2.3.2).	Accept in part
FS1323.14	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT understands Maaori sites of significance are a portion only of a property, whereas Maaori Areas of Significance are all the land within the property boundary. HNZPT appreciates that the Areas of Significance are related to a whole property boundary. HNZPT understands that the Areas and sites have not been ground truthed, Given that these sites are based on archaeological sites HNZPT would see great benefit in sites and areas being ground truthed to assist to prevent inadvertent damage to cultural and archaeological values. Currently therefore it would be appropriate to consider the matter of the location of the works in relation to the site/sites that make up the	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				Area. The deletion of the consideration of "location of works" is of concern as it allows consideration of works in locations that may be of less impact to the cultural site, therefore the proposed amendments have the potential to cause adverse effects to cultural and heritage values.	
697.866	Waikato District Council	Oppose	Delete Rule 23.2.3.2 RD2 (b)(i) Earthworks - Maaori Sites and Maaori Areas of Significance.	This matter of discretion does not assist the planner or applicant in any way as Maaori areas of significance relate to the whole site.	Accept in part
FS1323.15	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT understands Maaori sites of significance are a portion only of a property, whereas Maaori Areas of Significance are all the land within the property boundary. HNZPT appreciates that the Areas of Significance are related to a whole property boundary. HNZPT understands that the Areas and sites have not been ground truthed, Given that these sites are based on archaeological sites HNZPT would see great benefit in sites and areas being ground truthed to assist to prevent inadvertent damage to cultural and archaeological values. Currently therefore it would be appropriate to consider the matter of the location of the works in relation to the site/sites that make up the Area. The deletion of the consideration of "location of works" is of concern as it allows consideration of works in locations that may be of less impact to the cultural site, therefore the proposed amendments have the potential to cause adverse effects to cultural and heritage values.	Accept in part
FS1323.18	Heritage New Zealand Pouhere Taonga	Oppose	That the amendment sought is declined.	HNZPT appreciates that the Areas of Significance are related to a whole property boundary. However, as the areas and sites have not been ground truthed it would be appropriate to consider the matter of the location of the works in relation to the site/sites that make up the Area.	Accept in part
697.954	Waikato District Council	Neutral/Amend	Amend Rule 24.2.4.2 PI Earthworks-Maaori Sites and Maaori Areas of Significance, as follows: RD1 P1 (a) Earthworks within 100m of a Maaori site of significance as identified in Schedule 30.23 (Maaori sites of Significance) must submit to Council as shown on the planning maps: (i) A cultural assessment from the appropriate mana whenua representative/s that demonstrates that there will be no adverse effects on cultural values. (b) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori area of	Wording provides clarity to the rule. Also consistent approach across all zone chapters.	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
			Significance) must submit to Council: (ii) A cultural assessment from the appropriate mana whenua representative/s that demonstrates that there will be no adverse effects on cultural values. (b) Council's discretion is restricted to the following matters: (i) location of activity in relation to the site; (ii) effects on heritage and cultural values.		
FS1323.19	Heritage New Zealand Pouhere Taonga	Support	That the amendment sought is accepted subject to the inclusion of the matters in the related HNZPT submission point 559.24.	HNZPT supports the amendments to this rule to align it with other similar rules in the WaiDC PDP, subject to the inclusion of the matters outlined in the related HNZPT submission point 559.24	Accept in part
697.955	Waikato District Council	Neutral/Amend	Amend Rule 24.2.4.2 RD1 Earthworks-Maori Sites and Maori Areas of Significance, as follows: RD+2 (a) Earthworks that do not comply with a condition of Rule 24.2.4.2 P1 Earthworks within a Maori area of significance as identified in Schedule 30.4 (Maori Areas of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) Location of activity in relation to the site; (ii) Effects on heritage and cultural values.	Wording provides clarity to the rule. Also consistent approach across all zone chapters.	Accept in part
FS1323.22	Heritage New Zealand Pouhere Taonga	Oppose	That the amendment sought is declined.	The deletions sought are inconsistent with the matters sought in the related HNZPT submission point 559.31 and may result in adverse effects on heritage and cultural values.	Accept in part
697.1028	Waikato District Council	Neutral/Amend	Amend Rule 25.2.4.2 RD2 Earthworks - Maori Sites and Maori Areas of Significance, as follows: (b) The Council's discretion shall be is limited restricted to the following matters: (i) Location of earthworks in relation to the site; (ii) Effects on heritage and cultural values.	The matter of discretion is not relevant because the whole property boundary is included as a scheduled area.	Accept in part
FS1323.16	Heritage New Zealand Pouhere Taonga	Oppose	That the amendments sought are declined.	HNZPT understands Maori sites of significance are a portion only of a property, whereas Maori Areas of Significance are all the land within the property boundary. HNZPT appreciates that the Areas of Significance are related to a whole property boundary. HNZPT understands that the Areas and sites have not been ground truthed, Given that these sites are based on archaeological sites HNZPT would see great benefit in sites and areas being ground truthed to assist to prevent inadvertent damage to cultural and archaeological values. Currently therefore it would be appropriate to consider the matter of the location of the works in relation to the site/sites that make up the Area. The deletion of the consideration of "location of works" is of concern as it allows consideration of works in locations that may be of less impact to the cultural site, therefore the	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
				<i>proposed amendments have the potential to cause adverse effects to cultural and heritage values.</i>	
FSI 139.28	Turangawaewae Trust Board	Support	Null	<i>Appropriate wording change.</i>	Accept in part
FSI 108.29	Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)	Support	Null	<i>Appropriate wording change.</i>	Accept in part
559.21	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Rule 18.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 18.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and</u> location of activity in relation to the site; (ii) <u>Effects of the proposal</u> on heritage and cultural values (iii) <u>The purpose and necessity for the works and any alternatives considered.</u>	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.	Accept in part
559.25	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Rule 25.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 25.2.4.2 RD1 Earthworks – Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori site of Significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and</u> location of activity in relation to the site; (ii) <u>Effects of the proposal</u> on heritage and cultural values (iii) <u>The purpose and necessity for the works and any alternatives considered.</u>	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks.	Accept in part
559.27	Sherry Reynolds on behalf of Heritage New Zealand Lower Northern Office	Neutral/Amend	Retain Rule 17.2.5.2 Earthworks – Maaori Sites and Maaori Areas of Significance, except for the amendments sought below. AND Amend Rule 17.2.5.2 Earthworks – Maaori Sites and Maaori Areas of Significance as follows: (a) Earthworks <u>ancillary earthworks and rural ancillary earthworks</u> within a Maaori site of Significance as identified in Schedule 30.4 (Maaori Areas of	Submitter considers that the matters of discretion are not of sufficient breadth to understand the nature of the impacts on the Maaori Areas of significance of any proposed earthworks. The submitter is also concerned that works covered under the definition of ancillary earthworks and rural ancillary earthworks could occur as a permitted activity within	Accept in part

Submission point	Submitter	Support Oppose	Decision requested	Reasons	Recommendation
			Significance) and shown on the planning maps. (b) Council's discretion is restricted to the following matters: (i) <u>Nature, design, extent and location of activity in relation to the site;</u> (ii) <u>Effects of the proposal on heritage and cultural values</u> (iii) <u>The purpose and necessity for the works and any alternatives considered.</u> AND Amend Rule 17.2.5.2 RDI Earthworks - Maaori Sites and Maaori Areas of Significance to be consistent with the equivalent rule in other zone chapters.	these sites. Considers that these other types of earthworks should also be assessed for their suitability to occur within these sites and the effect that they will have on heritage values.	
695.2	Sharp Planning Solutions Ltd	Not Stated	Add Iwi areas of interest on Planning Maps, and list site-specific properties known for existing mana whenua interests as occurs within the Auckland Unitary Plan, and the reasons for this (except where such information is not appropriate to publicly disclose).	This provides certainty for applicants and avoids requests for cultural reports. Cultural reports costs thousands of dollars and are frequently based on a high level of uncertainty. Not all reports provide substantive advice. This approach would assist to make matters certain - to respect mana whenua interests and to ensure applicants can be pre-informed those matters are directly relevant. This channel of pre-report information access is currently missing. If applicants were independently pre-informed why a cultural report may be needed, this would build goodwill. This approach would comply with the language of parts 5, 6 and 8 of the RMA.	Reject
55.7	Shelley Munro	Neutral?Amend	Amend heritage areas or designations to include the natural wetlands where Maori tribes once fished for eels and harvested flax etc.	Recognition of the importance of wetlands in early NZ history.	Reject