

SECTION 42A REPORT

Report on submissions and further submissions

Hearing 3: Strategic Objectives

Report prepared by: Alan Matheson (Consultant Planner)

Date: 30 September 2019



TABLE OF CONTENTS

1	Introduction	14
1.1	Qualifications and experience.....	14
1.2	Code of Conduct.....	14
1.3	Conflict of Interest	14
1.4	Preparation of this report	15
2	Scope of Report.....	15
2.1	Matters addressed by this report	15
2.2	Overview of the topic.....	15
2.3	Statutory requirements	15
2.4	Procedural matters	16
3	Consideration of submissions received	16
3.1	Overview of submissions	16
3.2	Structure of this report	17
4	Strategic Direction Chapter – Directions and Objectives.....	17
4.1.1	Submissions.....	17
4.1.2	Analysis	20
4.1.3	Recommendations	20
4.1.4	Recommended amendments.....	21
4.1.5	Section 32AA evaluation	21
5	Strategic Direction Chapter – Urban Growth.....	21
5.1.1	Submissions.....	21
5.1.2	Analysis	23
5.1.3	Recommendations	24
5.1.4	Section 32AA evaluation	24
6	Strategic Direction Chapter – Master Plans.....	25
6.1.1	Submissions.....	25
6.1.2	Analysis	25
6.1.3	Recommendations	26
6.1.4	Recommended amendments.....	26
6.1.5	Section 32AA evaluation	27
7	Strategic Direction Chapter – Corridor Plan.....	27

7.1.1 Submissions.....	27
7.1.2 Analysis	27
7.1.3 Recommendations	28
7.1.4 Section 32AA evaluation	28
8 Strategic Direction Chapter – Natural Environment	28
8.1.1 Submissions.....	28
8.1.2 Analysis	28
8.1.3 Recommendations	29
8.1.4 Section 32AA evaluation	29
9 Strategic Direction Chapter – Community Wellbeing	29
9.1.1 Submissions.....	29
9.1.2 Analysis	29
9.1.3 Recommendations	30
9.1.4 Section 32AA evaluation	30
10 Strategic Direction Chapter – Managing change	30
10.1.1 Submissions.....	30
10.1.2 Analysis	30
10.1.3 Recommendation.....	30
11 Strategic Direction Chapter – Strategic Objectives.....	31
11.1.1 Submissions.....	31
11.1.2 Analysis	32
11.1.3 Recommendation.....	32
11.1.4 Recommended Amendments	33
11.1.5 Section 32AA evaluation	33
12 Section B Objectives and Policies - General.....	33
12.1.1 Submissions.....	33
12.1.2 Analysis	33
12.1.3 Recommendation.....	34
12.1.4 Section 32AA evaluation	34
13 Chapter 4: Urban Environment – 4.1.1 Objective - Strategic	34
13.1.1 Submissions.....	34
13.1.2 Analysis	39
13.1.3 Recommendation.....	40
13.1.4 Section 32AA evaluation	41
14 Chapter 4: Urban Environment – 4.1.2 Objective – Urban Growth and Development.....	41
14.1.1 Submissions.....	41

14.1.2	Analysis	43
14.1.3	Recommended amendments.....	43
14.1.4	Section 32AA Evaluation	43
15	Chapter 4: Urban Environment – 4.1.3 Policy – Location of Development.....	44
15.1.1	Submissions.....	44
15.1.2	Analysis	48
15.1.3	Recommendation.....	49
15.1.4	Section 32AA Evaluation	50
16	Chapter 4: Urban Environment – 4.1.4 Policy – Staging of Development.....	50
16.1.1	Submissions.....	50
16.1.2	Analysis	51
16.1.2	Recommendation.....	51
16.1.4	Section 32AA Evaluation	51
17	Chapter 4: Urban Environment – 4.1.5 Policy – Density.....	52
17.1.1	Submissions.....	52
17.1.2	Analysis	55
17.1.3	Recommendation.....	55
17.1.4	Section 32AA Evaluation	56
18	Chapter 4: Urban Environment – 4.1.6 Policy – Commercial and industrial activities	56
18.1.1	Submissions.....	56
18.1.2	Analysis	59
18.1.3	Recommendation.....	59
18.1.4	Recommended amendments.....	59
18.1.5	Section 32AA Evaluation	60
19	Chapter 4: Urban Environment – 4.1.7 Objective – Character of towns	60
19.1.1	Submissions.....	60
19.1.2	Analysis	61
19.1.3	Recommendation.....	62
19.1.4	Recommended amendments.....	62
19.1.5	Section 32AA Evaluation	62
20	Chapter 4: Urban Environment – 4.1.8 Policy – Integration and connectivity	62
20.1.1	Submissions.....	62
20.1.2	Analysis	63
20.1.3	Recommendation.....	64
20.1.4	Section 32AA Evaluation	64
21	Chapter 4: Urban Environment – 4.1.9 Policy – Maintaining Landscape Characteristics.....	64

21.1.1	Submissions.....	64
21.1.2	Analysis	65
21.1.3	Recommendation.....	65
21.1.4	Section 32AA Evaluation	65
22	Chapter 4: Urban Environment – 4.1.10 Policy – Tuakau	65
22.1.1	Submissions.....	65
22.1.2	Analysis	67
22.1.3	Recommendation.....	67
22.1.4	Recommended Amendments	68
22.1.5	Section 32AA Evaluation	68
23	Chapter 4: Urban Environment – 4.1.11 Policy – Pokeno.....	68
23.1.1	Submissions.....	68
23.1.2	Analysis	69
23.1.3	Recommendation.....	70
23.1.4	Recommended Amendments	70
23.1.5	Section 32AA Evaluation	70
24	Chapter 4: Urban Environment – 4.1.12 Policy – Te Kauwhata.....	70
24.1.1	Submissions.....	70
24.1.2	Analysis	72
24.1.3	Recommendation.....	73
24.1.4	Recommended Amendments	73
24.1.5	Section 32AA Evaluation	74
25	Chapter 4: Urban Environment – 4.1.13 Policy – Huntly	74
25.1.1	Submissions.....	74
25.1.2	Analysis	76
25.1.3	Recommendation.....	76
25.1.4	Recommended amendments.....	76
25.1.5	Section 32AA Evaluation	77
26	Chapter 4: Urban Environment – 4.1.14 Policy – Taupiri	77
26.1.1	Submissions.....	77
26.1.2	Analysis	78
26.1.3	Recommendation.....	78
26.1.4	Recommended amendments.....	78
26.1.5	Section 32AA Evaluation	78
27	Chapter 4: Urban Environment – 4.1.15 Policy – Ngaruawahia	79
27.1.1	Submissions.....	79

27.1.2	Analysis	80
27.1.3	Recommendation.....	81
27.1.4	Recommended amendments.....	81
27.1.5	Section 32AA Evaluation	81
28	Chapter 4: Urban Environment – 4.1.16 Policy – Horotiu	82
28.1.1	Submissions.....	82
28.1.2	Analysis	84
28.1.3	Recommendation.....	84
28.1.4	Recommended amendments.....	85
28.1.5	Section 32AA Evaluation	85
29	Chapter 4: Urban Environment – 4.1.17 Policy – Te Kowhai.....	85
29.1.1	Submissions.....	85
29.1.2	Analysis	86
29.1.3	Recommendation.....	87
29.1.4	Recommended amendments.....	87
29.1.5	Section 32AA Evaluation	87
30	Chapter 4: Urban Environment – 4.1.18 Policy – Raglan.....	87
30.1.1	Submissions.....	87
30.1.2	Analysis	91
30.1.3	Recommendation.....	92
30.1.4	Recommended amendments.....	92
30.1.5	S32AA Evaluation	93
31	Chapter 4: Urban Environment – 4.7 – Urban Subdivision and Development.....	93
31.1.1	Submissions.....	93
31.1.2	Analysis	94
31.1.3	Recommendation.....	94
31.1.4	Section 32AA Evaluation	94
32	Chapter 4: Urban Environment – 4.7.1 Objective - Subdivision and Land Use Integration.....	94
32.1.1	Submissions.....	94
32.1.1	Analysis	95
32.1.2	Recommendation.....	95
32.1.3	Section 32AA Evaluation	95
33	Chapter 4: Urban Environment – 4.7.2 Policy – Subdivision location and design.....	96
33.1.1	Submissions.....	96
33.1.2	Analysis	99
33.1.3	Recommendation.....	100

33.1.4	Recommended Amendments	100
33.1.5	Section 32AA Evaluation	101
34	Chapter 4: Urban Environment – 4.7.3 Policy – Residential subdivision	101
34.1.1	Submissions.....	101
34.1.2	Analysis	103
34.1.3	Recommendation.....	104
34.1.4	Recommended Amendments	104
34.1.5	Section 32AA Evaluation	104
35	Chapter 4: Urban Environment – 4.7.4 Policy – Lot sizes	105
35.1.1	Submissions.....	105
35.1.2	Analysis	106
35.1.3	Recommendation.....	107
35.1.4	Recommended Amendments	107
35.1.5	Section 32AA Evaluation	107
36	Chapter 4: Urban Environment – 4.7.5 Policy – Servicing requirements	107
36.1.1	Submissions.....	107
36.1.2	Analysis	109
36.1.3	Recommendation.....	109
36.1.4	Recommended Amendment.....	109
37	Chapter 4: Urban Environment – 4.7.6 Policy – Co-ordination between servicing and development and subdivision	110
37.1.1	Submissions.....	110
37.1.2	Analysis	111
37.1.3	Recommendation.....	111
37.1.4	Recommended Amendments	112
37.1.5	Section 32AA Evaluation	112
38	Chapter 4: Urban Environment – 4.7.7 Policy – Achieving sufficient development density to support the provision of infrastructure services	112
38.1.1	Submissions.....	112
38.1.2	Analysis	114
38.1.3	Recommendation.....	114
38.1.4	Recommended Amendments	115
38.1.5	Section 32AA Evaluation	115
39	Chapter 4: Urban Environment – 4.7.8 Policy –Staging of subdivision.....	116
39.1.1	Analysis	116
39.1.2	Recommendation.....	116

39.1.3	Recommended Amendments	117
40	Chapter 4: Urban Environment – 4.7.9 Policy – Connected neighbourhoods.....	117
40.1.1	Submissions.....	117
40.1.2	Analysis	118
40.1.3	Recommendation.....	118
40.1.4	Section 32AA Evaluation	118
41	Chapter 4: Urban Environment – 4.7.10 Policy – Recreation and access.....	118
41.1.1	Submissions.....	118
41.1.2	Analysis	119
41.1.3	Recommendation.....	119
41.1.4	Recommended Amendments	119
41.1.5	Section 32AA Evaluation	120
42	Chapter 4: Urban Environment – 4.7.11 Policy – Reverse Sensitivity	120
42.1.1	Submissions.....	120
42.1.2	Analysis	124
42.1.3	Recommendation.....	124
42.1.4	Recommended Amendments	125
42.1.5	Section 32AA Evaluation	125
43	Chapter 4: Urban Environment – 4.7.12 Policy – Boundary adjustments and relocations	125
43.1.1	Submission	125
43.1.2	Analysis	125
43.1.3	Recommendation.....	126
43.1.4	Recommended Amendment.....	126
43.1.5	Section 32AA Evaluation	126
44	Chapter 4: Urban Environment – 4.7.13 Policy – Residential Zone – Te Kauwhata Ecological and West Residential Areas	126
44.1.1	Submission	126
44.1.2	Analysis	126
44.1.3	Recommendation.....	126
44.1.4	Recommended Amendment.....	127
44.1.5	Section 32AA Evaluation	127
45	Chapter 4: Urban Environment – 4.7.14 Policy – Structure and master planning	127
45.1.1	Submissions.....	127
45.1.2	Analysis	128
45.1.3	Recommendation.....	129
45.1.4	Recommended Amendments	129

45.1.5	Section 32AA Evaluation	129
46	Chapter 5: Rural Environment – 5.1 – Strategic Objective – The rural environment & 5.1.1 Objective – The rural environment.....	130
46.1.1	Submissions.....	130
46.1.2	Analysis	134
46.1.3	Recommendation.....	135
46.1.4	Section 32AA Evaluation	136
47	Chapter 5: Rural Environment – 5.5.1 – Objective – Hamilton’s Urban Expansion Area and 5.5.2 – Policy – Activities within Hamilton’s Urban Expansion Area	136
47.1.1	Submissions.....	136
47.1.2	Analysis	136
47.1.3	Recommendation.....	137
47.1.4	Recommended Amendments	137
47.1.5	Section 32AA Evaluation	137
48	Conclusion.....	137
418.	I consider that the recommended amended provisions will be efficient and effective in achieving the purpose of the Resource Management Act, the relevant objectives of the PWDP and the relevant statutory documents, for the reasons set out in the analysis of the submissions and where necessary the Section 32AA evaluations undertaken and included throughout this report. .	138

List of submitters and further submitters addressed in this report

Submitters	
Submitter	Submission number
2SEN Limited and Tuakau Estates Limited	299
Adrian Morton	499
Aggregate and Quarry Association (AQA) and Straterra	860
A Irwin & Son Limited	521
Alstra (2012) Limited	693
Andrew and Christine Gore	330
Anna Noakes	524
Anthony and Maureen Vazey	516
Auckland City Council	372
Auckland Waikato Fish and Game Council	433
B and N Balle Limited	519
Balle Bros Group Limited	466
Bathurst Resources Ltd and BT Mining Ltd	771
Blue Wallace Surveyors Ltd	662
Bob MacLeod	822
BTW Company	445
Burton Trust	344
Carl Ammon	12
Chanel Hargrave and Travis Miller	751
Chris Rayner	414
Colin & Rae Hedley	533
Counties Manukau Police	297
CYK Limited	362
Enton Farms Limited	512
EnviroWaste New Zealand Limited	302
Finlayson Farms Limited	520
Fonterra Limited	797
Federated Farmers New	680

Further Submitters	
Submitter	Submission number
2SEN and Tuakau Estates Ltd	FS1117
AH & DB Finlay	FS1252
Allen Fabrics Ltd.	FS1349
Alstra (2012) Limited	FS1316
Ambury Properties Ltd	FS1224
Andrew and Christine Gore	FS1062
Andrew Mowbray	FS1305
Annie Chen	FS1261
Auckland Transport	FS1273
Auckland/Waikato Fish and Game Council	FS1045
Bathurst Resources Limited and BT Mining Limited	FS1198
Blue Wallace Surveyors Ltd	FS1287
Bryan Morris	FS1309
Campbell Tyson	FS1061
Christian & Natasha McDean	FS1204
CKL	FS1335
CSL Trust & Top End Properties Limited	FS1297
Dennis and Jan Tickelpenny	FS1280
Department of Conservation	FS1293
Federated Farmers New Zealand	FS1342
Fire and Emergency New Zealand	FS1114
Fonterra Limited	FS1333
Fulton Hogan Limited	FS1334
Gavin Lovegrove and Michelle Peddie	FS1149
Garth & Sandra Ellmers	FS1093
GD Jones	FS1091
Genesis Energy Limited	FS1345
Gordon Downey	FS1157

Zealand	
Fire and Emergency New Zealand	378
Future Proof Implementation Committee	606
Gabrielle Parson (Raglan Naturally)	831
Garyowen Properties (2018) Limited	539
Genesis Energy Limited	924
Glen Alvon Farms Limited	540
Grander Investments Limited	548
Greig Metcalfe	602
Gwyneth & Barrie Smith	332
Hamilton City Council	535
Harpal Singh-Sandhu	311
Heritage New Zealand Lower Northern Office	559
Hiini Kapa	164
Holcim (New Zealand) Limited	766
Horotiu Properties Limited	397
Horticulture New Zealand	419
Housing New Zealand Corporation	749
Ian McAlley	368
Jackie Collier	493
Jade Hyslop	435
Joanne & Kevin Sands	532
John Lawson	825
John van Lieshout	530
Joy & Wayne Chapman	522
Karen White	757
Kirriemuir Trustee Limited	182
KiwiRail Holdings Limited (KiwiRail)	986
Koning Family Trust and Martin Koning	658

Greig Metcalfe	FSI142
Hamilton City Council	FSI379
Havelock Village Limited	FSI377
Heritage New Zealand Pouhere Taonga	FSI323
Horotiu Properties Limited	FSI286
Horticulture New Zealand	FSI168
Housing New Zealand Corporation	FSI269
Hynds Foundation	FSI306
Hynds Pipe Systems Limited	FSI341
Jarod Kowhai Huaki	FSI166
K Badger and WR Badger Estate	FSI260
Kiwi Green NZ Limited	FSI050
KiwiRail Holdings Limited (KiwiRail)	FSI272
Koning Family Trust and Martin Koning	FSI329
Lakeside Development Limited	FSI371
McPherson Resources Limited	FSI292
Malcolm MacDonald	FSI270
Mercury Energy Limited	FSI386 FSI387 FSI388 FSI223
Middlemiss Farm Holdings Limited	FSI330
Moeraki Farm Ltd	FSI256
Newstead Country Preschool	FSI182
Newstead Residents Association	FSI216
New Zealand Steel Holdings Limited	FSI319
New Zealand Transport Agency	FSI202
Ngati Tamaoha Trust	FSI369
NZTE Operations Limited	FSI339
Noel Gordon Smith	FSI183
Ohinewai Land Limited	FSI206

KR & BC Summerville	544
Lakeside Developments 2017 Limited	579
Linda Silvester	830
LJ & TM McWatt Limited	536
Malibu Hamilton	553
Mark Scobie	527
Mercer Residents and Ratepayers	367
Michael Innes	364
Ministry of Education	781
Ngati Tamaoha Trust	567
Ngati Te Ata	798
New Zealand Steel Holdings Ltd	827
New Zealand Transport Agency	742
NZ Pork	197
Perry Group Limited	464
Pokeno Village Holdings Limited	386
Property Council New Zealand	198
R & B Litchfield	523
Raglan Chamber of Commerce	326
Raglan Community Board	824
Raglan Naturally	831
Rangitahi Limited	343
Reid Crawford Farms Limited	686
Roy & Lesley Wright	526
Rushala Farm Ltd	406
Rushala Farm Ltd	450
Scott & Tina Ferguson	355
Shand Properties Limited	778
Sharp Planning Solutions Ltd	695
Shaun McGuire	243
Shelley Munro	55
Steven & Teresa Hopkins	451

<i>Pareoranga Te Kata</i>	<i>FS1035</i>
<i>Pekerangi Kee-Huaki</i>	<i>FS1165</i>
<i>Pokeno Village Holdings Limited</i>	<i>FS1281</i>
<i>Ports of Auckland Limited</i>	<i>FS1087</i>
<i>Robyn Ballard</i>	<i>FS1324</i>
<i>Radio New Zealand</i>	<i>FS1375</i>
<i>Rangitahi Limited</i>	<i>FS1208</i>
<i>Rosita Barnes</i>	<i>FS1368</i>
<i>Ryburn Lagoon Trust Limited</i>	<i>FS1083</i>
<i>Shand Properties Limited</i>	<i>FS1141</i>
<i>Shand Properties</i>	<i>FS1191</i>
<i>Simon Upton</i>	<i>FS1107</i>
<i>Steven & Teresa Hopkins</i>	<i>FS1075</i>
<i>Synlait Milk Ltd</i>	<i>FS1110</i>
<i>Synlait Milk Ltd</i>	<i>FS1322</i>
<i>T & G Global Limited</i>	<i>FS1171</i>
<i>Tamahere Eventide Home Trust - Tamahere Eventide Retirement Village</i>	<i>FS1004</i>
<i>Tamahere Eventide Home Trust - Atawhai Assisi Retirement Village</i>	<i>FS1005</i>
<i>Tamara Huaki</i>	<i>FS1164</i>
<i>TaTa Valley Limited</i>	<i>FS1340</i>
<i>Terra Firma Mining Limited</i>	<i>FS1285</i>
<i>Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)</i>	<i>FS1108</i>
<i>The Surveying Company</i>	<i>FS1308</i>
<i>The Village Church Trust</i>	<i>FS1131</i>
<i>Transpower New Zealand Limited</i>	<i>FS1350</i>
<i>Tuakau Proteins Limited</i>	<i>FS1353</i>
<i>Turangawaewae Trust Board</i>	<i>FS1139</i>
<i>Watercare Services Limited</i>	<i>FS1176</i>
<i>Wattle Downs Ltd</i>	<i>FS1254</i>
<i>Whaingaroa Environmental Defence Inc. Society</i>	<i>FS1276</i>
<i>Zeala Ltd</i>	<i>FS1275</i>

Susan Hall	788
Synlait Milk Ltd	581
T & G Global Limited	676
Tainui	942
Terra Firma Mining Ltd	732
The Surveying Company	746
Transpower New Zealand Ltd	576
Tuakau Proteins Limited	402
Van den Brink Group	633
Waikato District Council	697
Waikato District Health Board	923
Waikato Regional Council	81
Waikato Tainui	286
Waipa District Council	939
Watercare Services Limited	423
Whaingaroa Environmental Defence Incorporated Society	780
Whaingaroa Raglan Affordable Housing Project	310
Whitford Farms Limited	507
Wilcox Properties Limited	529
Withers Family Trust	598
Zeala Ltd	281

Please refer to Appendix I to see where each submission point is addressed within this report.

I Introduction

I.1 Qualifications and experience

1. My full name is Alan Ross Matheson. I am self-employed in my own company AM Planning Limited, a company I established in July 2019.
2. I hold a Diploma in Regional and Resource Planning from Otago University (1983) and am a full member of the New Zealand Planning Institute.
3. I have been a practising planner for the past 35 years. Prior to setting up my own business, I was a Senior Planner with Enspire Consulting Limited and prior to that I held the position of Team Leader District Plan (Strategy and Planning) at Christchurch City Council for four years. Immediately prior to moving to Christchurch, I managed the resource consent and compliance unit at Tauranga City Council for one year and was a director of a planning consultancy C & M Planning Limited in Hamilton for six years prior to that. I was previously employed as Planning Manager with Maunsell Limited in Hamilton for 12 years, from February 1993. Prior to this I held planning positions with Whakatane District Council, former Waikato County Council, Waikato District Council and Hamilton City Council.
4. I have either been involved in or the lead planner with respect to the preparation of the following plans:
 - a. Hauraki District Plan (first operative plan and 2nd generation plan)
 - b. Waipa District Plan (in conjunction with Beca)
 - c. Christchurch District Plan
 - d. Waimakariri District Plan (draft plan currently under preparation), and
 - e. Nelson Unitary Plan (draft plan currently under preparation).
5. I became involved with the Proposed Waikato District Plan ('PWDP') in early 2018, when along with Janice Carter (Senior Planner, GHD), we were engaged by Waikato District Council ('Council') to review the then draft of the PWDP and advise as to its suitability to be adopted by Council for public notification. Following that review, both myself and Ms Cater were engaged by Council to lead and direct the rework of existing material within the draft PWDP, along with the preparation of additional work that needed to be undertaken, in order that Council could adopt and publicly notify the PWDP. I have not been involved in the PWDP since then, but Ms Cater has continued to assist Council with the preparation of Stage 2: Natural Hazards.

I.2 Code of Conduct

6. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
7. I am authorised to give this evidence on the Council's behalf to the Proposed District Plan hearings commissioners.

I.3 Conflict of Interest

8. To the best of my knowledge, I confirm that I have no real or perceived conflict of interest. I obtained the resource consents for the redevelopment of the Opoturu Causeway and provided planning advice to the Peacocke Family with respect to the initial concept

development of the Rangitahi Peninsula. My involvement in both projects ceased in 2012 when Harrison Grierson took over providing planning advice.

1.4 Preparation of this report

9. I am the author of this report.
10. The scope of my evidence relates to evaluation of submissions and further submissions received in relation to the provisions related to Strategic Directions, Strategic Objectives and other objectives directly related to the identified Strategic Objectives.
11. The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.
12. In preparing this report I have set out the various strategic reports and projects that are relevant to and inform the content of the Strategic Objectives of the PWDP included as **Appendix 4** to this report.

2 Scope of Report

2.1 Matters addressed by this report

13. The provisions that are covered by this report include some of the provisions, objectives and policies of the following:
 - Section 1.12 Strategic directions and objectives for the district
 - Chapter 4 Urban Environment
 - Chapter 5 Rural Environment, and
 - Chapter 6 Infrastructure.
14. The scope of this Section 42A report relates to the wording, location and linkages between strategic directions, objectives and policies.
15. This report is prepared in accordance with section 42A of the RMA. This report considers submissions that were received by the Council in relation to the provisions concerning strategic directions, objectives and policies within the PWDP.

2.2 Overview of the topic

16. The purpose of strategic directions in Section 1.12 in combination with the strategic objectives within the relevant topic chapters, is to ensure that they provide a coherent overarching strategic direction and state the outcomes intended for the Waikato District. With these strategic directions and objectives in place, it then enables the articulation of location-specific and activity-specific objectives and policies for other chapters of the PWDP that are consistent with the Strategic Objectives.

2.3 Statutory requirements

17. Sections 1.1 and 1.2 of *Chapter 1 - Introduction* of the PWDP, sets out the relationship between s5, s31 and s72 of the Resource Management Act 1991 ('RMA') (amongst other matters), which are respectively:
 - the purpose of the RMA
 - the functions of a territorial authority, and
 - the purpose of a district plan.
18. As set out in the various sections within *Chapter 1 – Introduction* of the PWDP, there are a number of guiding RMA plans (such as the Waikato Regional Policy Statement), documents

(such as the Future Proof Growth Strategy and Implementation Plan) and agreements (such as the Waikato River Joint Management Agreement 2010) that provide guidance for the preparation and content of the PWDP.

19. Of particular relevance is s31 of the RMA, which in summary requires the establishment, implementation and review of objectives, policies and methods to achieve integrated management of natural and physical resources of the district, with respect to a number of general and specific matters. Although there is no directive in s31 of the RMA that “strategic objectives” are mandatory to be included in a district plan, it is noted that the other district plans include these (such as operative Christchurch District Plan and proposed Queenstown Lakes District Plan, proposed Porirua District Plan and proposed New Plymouth District Plan). In addition, the National Planning Standards provides for a ‘Strategic Direction’ chapter and at Section 7 of that document, sets out that if key strategic or significant resource matters for the district are to be included, then objectives that address those matters must be included to guide decision-making at a strategic level.

2.4 Procedural matters

20. At the time of writing this s42A report there has only been one prehearing conference with respect to Ambury Properties Limited submission relating to the proposed rezoning at Ohinewai. I have read the minute and further directions issued by the Hearing Commissioners dated 20 August 2019. In my opinion, there no matters arising that are relevant to Hearing H3. Due to the clarity of submissions, no correspondence or meetings with submitters needed to be undertaken and there are no procedural matters to consider for Hearing H3.

3 Consideration of submissions received

3.1 Overview of submissions

21. With respect to Hearing Report H3, there were 109 submitters who raised 425 separate decisions sought. There were 87 further submitters. The amendments sought to the PWDP can generally be summarised as follows:

- (a) Clarity with regard to the strategic directions and strategic objectives
- (b) Recognition of reverse sensitivity effects with respect to infrastructure, rural and industrial activities
- (c) Recognition of CPTED and access for emergency services, and
- (d) Clarity with regard to the role of structure plans.

22. Hearing Report H1- Introduction states that “All submissions relating to Chapter 1.12 will be addressed within Hearing 3 – Strategic Objectives and Directions, and have not been addressed within this s42A report.” Hearing Report H1 can be located on the council website link below, or found under Proposed DP, Stage 1, Hearings, Hearing 1, Council s42a report. I confirm that all submissions relating to Chapter 1.12 have been addressed in Hearings Report H3.

https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/hearings/section-42a-reports/final-030919---section-42a-report-chapter-1-introduction.pdf?sfvrsn=8b07e91_2

23. “All of Plan” submissions have been addressed in Hearing Report H2 which can be located on the council website link below, or found under Proposed DP, Stage 1, Hearings, Hearing 2, Council s42a report.

https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/hearings/hearing-2/section-42a-reports/hearing-2---s42a-report---plan-structure-and-all-of-plan.pdf?sfvrsn=bc40185a_8

3.2 Structure of this report

24. The submissions relate to provisions in both *Section 1.12 – Strategic directions and objectives for the district* (Section A of the PWDP) and the strategic objectives in the chapters within Section B of the PWDP. There is some overlap among the submissions to Sections A and B. The general approach to the structure and location of the strategic directions and objectives is addressed first, with the specific detail of the wording of the objectives addressed later.
25. Given the number, nature and extent of the submissions and further submissions received, I have structured the Section 42A report based largely on topics as follows:
- (a) Strategic Directions and Objectives (Sections 4 – 12 of this report)
 - (b) Chapter 4: Urban Environment (Sections 13 – 45), and
 - (c) Chapter 5: Rural Environment (Sections 46 - 47).

4 Strategic Direction Chapter – Directions and Objectives

4.1.1 Submissions

Submission number	Submitter	Summary of submission
81.1	Waikato Regional Council	Amend the Proposed District Plan to clarify the strategic objectives and policies in each policy chapter, and how they relate to the issues identified in Chapter 1.
FS1223.1	Mercury Energy Ltd	Oppose
FS1062.4	Andrew & Chirstine Gore	Support
FS1191.9	Shand Properties	Oppose
FS1330.1	Middlemiss Farm Holdings	Oppose
FS1340.3	TaTa Valley	Support
FS1379.8	Hamilton City Council	Support
606.2	Future Proof Implementation Committee	Retain the strategic directions and objectives in Section 1.12, but move these so that they are contained in a single chapter with other strategic directions and how they relate to the issues identified in Chapter 1.
742.3	New Zealand Transport Agency	Amend Section 1.12 Strategic directions and objectives for the district to include clarification in 1.12 as to the purpose of the strategic directions and objectives and how they function within the wider framework of the Plan. AND Request any consequential changes
FS1387.835	Mercury Energy Ltd	Oppose
FS1273.1	Auckland Transport	Support
742.4	New Zealand Transport Agency	Retain Section 1.12.8 Strategic objectives, except for the amendments sought AND Amend 1.12.8 Strategic objectives to delete reference to "paragraphs 4.1.1- 4.1.7" and replace with "paragraphs 1.12.1- 1.12.7". AND Request any consequential changes necessary to give effect to the relief sought in the submission.

Submission number	Submitter	Summary of submission
FS1387.836	Mercury Energy Ltd	Oppose
FS1273.6	Auckland Transport	Support330.45
923.23	Waikato District Health Board	Amend Sections 1.12.1-1.12.8- Strategic directions and objectives for the District by redrafting them as a set of specific objectives and policies.
FS1387.1481	Mercury Energy Ltd	Oppose
697.314	Waikato District Council	Amend to locate the strategic objectives into a standalone chapter.
330.45	Andrew and Christine Gore	No specific decision sought, however submission refers to Section 1.12 Strategic directions and objectives for the district.
FS1386.429	Mercury Energy Ltd	Oppose
749.92	Housing New Zealand Corporation	Retain Section 1.12 Strategic directions and objectives for the district as notified.
FS1387.1026	Mercury Energy Ltd	Oppose
FS1087.24	Ports of Auckland Ltd	Support
FS1273.3	Auckland Transport	Support
FS13798.295	Hamilton City Council	Support
939.2	Waipa District Council	Retain the strategic directions and objectives as set out in Section 1.12- Strategic directions and objectives for the district.
FS1387.1558	Mercury Energy Ltd	Oppose
FS1273.2	Auckland Transport	Support
81.76	Waikato Regional Council	Amend Section 1.12.2 Natural environment to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.
FS1340.10	TaTa Valley	Support
81.77	Waikato Regional Council	Amend Section 1.12.3 Built environment to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.
FS1340.11	TaTa Valley	Support
81.78	Waikato Regional	Amend Sections 1.12.4 Ease of movement to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be

Submission number	Submitter	Summary of submission
	Council	objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.
FS1340.12	TaTa Valley	Support
330.49	Andrew and Christine Gore	No specific decision sought, however submission refers to Section 1.12.4 Ease of movement. Strategic directions and objectives for the district.
FS1386.432	Mercury Energy Ltd	Oppose
81.79	Waikato Regional Council	Amend Sections 1.12.1.12.5 Community wellbeing to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.
FS1340.13	TaTa Valley	Support
330.50	Andrew and Christine Gore	No specific decision sought, however submission refers to Section 1.12.5 Community wellbeing.
81.80	Waikato Regional Council	Amend Sections 1.12.6 Employment and economic growth to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.
FS1223.11	Mercury Energy Ltd	Oppose
FS1340.14	TaTa Valley	Support
330.51	Andrew and Christine Gore	No specific decision sought, however submission refers to Section 1.12.6 Employment and economic growth.
FS1386.433	Mercury Energy Ltd	Oppose
81.81	Waikato Regional Council	Amend Sections 1.12.7 Managing change to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.
FS1223.12	Mercury Energy Ltd	Oppose
FS1340.15	TaTa Valley	Support
81.82	Waikato Regional Council	Amend Section 1.12.8 Strategic objectives to clarify whether these are to be considered as strategic objectives or desired outcomes. If they are to be objectives, rewrite in the style of objectives, indicate the connections to relevant policies, and consider other relief sought for a separate chapter on the Strategic Direction of the Proposed Plan, and whether these sections would sit better there.
FS1223.13	Mercury Energy Ltd	Oppose
FS1340.16	TaTa Valley	Support
FS1273.8	Auckland Transport	Support
330.53	Andrew and	No specific decision sought, however submission refers to Section 1.12.8

Submission number	Submitter	Summary of submission
	Christine Gore	Strategic objectives for the district.
FS/386.435	Mercury Energy Ltd	Oppose

26. In summary, while submissions seek that the strategic directions and objectives be retained, a number of the submissions have raised that there is a lack of clarity as to whether the provisions set out in Section 1.12 of Section A are strategic directions or objectives, and how these link to the issues set out in Section 1.4 - *Issues for Waikato District*, Section 1.5 - *What does this mean for Waikato district strategic objectives and directions?*, and the strategic objectives found within Chapters 4 – 10 of Section B.

4.1.2 Analysis

27. It is noted that paragraph 1.12.8(a) of the PWDP includes incorrect paragraph references which may have contributed to the confusion between the 'directions' and the 'objectives', in that it states that:
*"The matters set out in paragraphs 4.1.1 – 4.1.7 provide the overarching **directions**..."*
(emphasis added)
28. The correct paragraph references should be "...paragraphs 1.12.2 – 1.12.7..." (refer to Submission 742.4 (New Zealand Transport Agency). This would have clarified that the strategic 'directions' are set out in Section 1.12, with the strategic objectives and other objectives being set out in Chapters 4 – 10 of Section B.
29. Section 7 of the National Planning Standards sets out under the "Mandatory Directions" for the 'Strategic direction', that this section in a district plan is to outline the key strategic or significant resource management matters for the district. The section may contain issues (if any) and objectives and policies to assist with decision making at the strategic level. Strategic directions may be included in a district plan as non-statutory provisions, whereas objectives (whether at the strategic or zone level) are mandatory.
30. In order to provide a clearer relationship between the strategic directions and objectives, one option would be to create a new chapter to be included at the start of Section B and titled "Strategic Direction", which would be in accordance with the National Planning Standards. However, the National Planning Standards also requires that an *Urban form and development* chapter must be included under the Strategic Direction heading, along with each strategic direction matter in its own chapter. It is understood that reformatting the PWDP to be in accordance with the National Planning Standards will be undertaken once the plan becomes operative. Accordingly, as an interim measure it is recommended that the relationship between the strategic directions and objectives be clarified and the strategic objectives identified. This is the first step to restructure the PWDP to be in accordance with the "District Plan Structure Standard" set out in Section 4 and.

4.1.3 Recommendations

31. For the reasons outlined above, it is recommended that Section 1.12 be retained, but clarified to identify that these are 'directions' only and that the strategic objectives are contained in a new Section 1.13 titled "Strategic Objectives".
32. New Section 1.13 to include:

- a. an introduction to explain the relationship between the directions and objectives; and
 - b. transfer the strategic objectives from the relevant chapters in Part B to Section 1.13 and cross reference the strategic objectives within Part B.
33. It is recommended that the submissions from Waikato Regional Council [81.1, 81.76, 81.77, 81.78, 81.79, 81.80, 81.81 and 81.82], Future Proof Implementation Committee [606.2], New Zealand Transport Agency [742.3 and 742.4] Waikato District Health Board [923.23], Waikato District Council [697.314], Housing New Zealand Corporation [749.92], Waipa District Council [939.2] be **accepted**.
34. It is recommended that the submissions from Andrew and Christine Gore [330.45, 330.49, 330.50, 330.51 and 330.53] be **rejected**.

4.1.4 Recommended amendments

35. As there are a number of changes across five chapters, rather than showing those changes here (as is done for the remainder of this report), the amendments recommended are shown in:
- a) Appendix 2: Recommended Amendments – *Chapter 1: Introduction*;
 - b) Appendix 3: Recommended Amendments – *Chapter 2: Tangata Whenua*;
 - c) Appendix 4: Recommended Amendments – *Chapter 4: Urban Environment*;
 - d) Appendix 5: Recommended Amendments – *Chapter 5: Rural Environment*; and
 - e) Appendix 6: Recommended Amendments – *Chapter 6: Infrastructure and Energy*.

4.1.5 Section 32AA evaluation

36. The recommended amendments are structural in nature to assist with the overall understanding of the strategic directions and objectives. Accordingly, no s32AA evaluation has been required to be undertaken.

5 Strategic Direction Chapter – Urban Growth

5.1.1 Submissions

Submission number	Submitter	Summary of submission
81.121	Waikato Regional Council	Amend provisions to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the timing and staging of new development, and its integration with the existing towns.
695.161	Sharp Planning Solutions Ltd	Amend the Proposed District Plan to include a more structured approach to growth in periphery areas beyond the Country Living Zone of 5,000m ² lots.
FS1305.34	A Mowbray	Support
FS1379.261	Hamilton City Council	Oppose
423.7	Watercare Services Limited	Amend the Proposed District Plan to include appropriate objectives, policies and rules to refuse resource consent for development that is unable to be serviced by infrastructure in an efficient and cost effective manner. AND Any consequential amendments or further relief to address the matters raised in the submission.
FS1110.1	Synlait	Oppose
FS1202.13	New Zealand	Support

	Transport Agency	
FSI269.121	Housing NZ	Oppose
FSI281.13	Pokeno Village Holdings Ltd	Support
FSI322.40	Synlait	Oppose
198.5	Property Council New Zealand	Amend the Proposed District Plan to strongly support urban growth in a way that does not rely solely on the Future Proof 2010 data, and to use more ambitious growth estimates in the region to support urban growth. AND No specific decision sought, but the submitter considers that Policy 4.1.3(b) Location of development is counterproductive, given that the predictions and data used by Future Proof date back to 2010.
FSI202.7	New Zealand Transport Agency	Oppose
FSI269.95	Housing NZ	Support
FSI377.40	Havelock Village Ltd	Support
198.23	Property Council New Zealand	Retain the strategic approach to growth ensuring infrastructure and services are provided for and aligning infrastructure and urban development to provide for growth and connectivity.
923.93	Waikato District Health Board	Amend Chapter One: Introduction by establishing a stronger objective, policy and rule framework than is proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision.
FSI387.1523	Mercury Energy Ltd	Oppose
FSI202.32	New Zealand Transport Agency	Support
FSI308.169	The Surveying Company	Oppose
FSI377.294	Havelock Village Ltd	Support
12.3	Carl Ammon	Retain Section 1.12 Strategic directions and objectives for the district, in particular the focus on limiting urban spread and loss of productive and valuable land, except for the amendments sought below AND Amend Section 1.12 Strategic directions and objectives for the district to provide a stronger priority on environmental issues in respect to water and soil and the restoration of the natural environment. AND Amend Section 1.12 Strategic directions and objectives for the district to provide greater flexibility for alternative approaches in the urban development model, like housing.
FSI386.6	Mercury Energy Ltd	Oppose
535.5	Hamilton City Council	Amend Section 1.12.1 Strategic direction, to provide an understanding of the location and forms of development that are sought and how the district will accommodate the growth projected in the National Policy Statement - Urban Development Capacity. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FSI388.682	Mercury Energy Ltd	Oppose
FSI168.29	Horticulture NZ	Support
FSI206.4	Ohinewai Land Ltd	Support
FSI208.2	Rangitahi Ltd	Support

FSI269.138	Housing NZ	Support
FSI273.5	Auckland Transport	Support
FSI377.127	Havelock Village Ltd	Support
FSI062.79	Andrew and Christine Gore	Oppose
FSI131.4	Village Church Trust	Oppose
FSI202.61	New Zealand Transport Agency	Support
535.6	Hamilton City Council	Amend Section 1.12.3 Built environment, by identifying the growth areas and articulate the variety and location of housing types. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FSI388.683	Mercury Energy Ltd	Oppose
FSI269.139	Housing NZ	Support
330.48	Andrew and Christine Gore	No specific decision sought, however submission refers to Section 1.12.3 Built environment.
FSI386.431	Mercury Energy Ltd	Oppose
198.10	Property Council New Zealand	Retain the objective of ensuring that subdivisions are located, designed and staged to support infrastructure such as stormwater, parks and open space networks. AND Provide the important linkages from future planned urban development settlements in both residential and commercial areas to the expressway, and to invest in areas that are along the transport corridor.
FSI386.212	Mercury Energy Ltd	Oppose
FSI110.11	Synlait	Support
FSI176.37	Watercare Services Limited	Support
FSI322.24	Synlait	Support

37. In summary, the submissions seek that the strategic approach to managing growth (particularly in relation to limiting urban spread and integration with infrastructure and services) be retained with some additional strengthening or clarification as to where and how additional growth will be accommodated.

38. Submitter 198.5 (Property Council New Zealand) has raised the issue that the predictions and data contained in Future Proof date back to 2010.

5.1.2 Analysis

39. The PWDP provisions for accommodating growth have not relied solely on the Future Proof analysis. Additional growth analysis was undertaken to assist in the preparation of the PWDP and is set out in the accompanying s32 Report 2 - *Strategic Direction and Management of Growth*. As part of that assessment, a range of update reports were undertaken (such as Appendix 2.2 – *Housing Capacity Assessment 2017* and Appendix 2.3 – *Business Development Capacity Assessment 2017*). In addition, it is noted that on 10 December 2018 new minimum targets for sufficient and feasible development capacity for housing were introduced under the National Policy

Statement – Urban Development Capacity, and the PWDP was updated with the new data as directed (there was no Schedule 1 RMA process required).

40. Both Future Proof and the NPS – Urban Development Capacity require Councils to continually monitor and assess growth trends and measures to accommodate growth. Waikato District Council along with its partners is involved in such studies, including *Waikato District Development Strategy* (2015), *Waikato District Growth Strategy* (2019), *Future Proof Strategy: Planning for Growth* (2017).
41. Should these reviews indicate that additional growth areas are required, it will be necessary for Waikato District Council to prepare and promote either variations or plan changes.
42. The strategic objectives along with the objectives and policies that implement them (particularly those in Chapter 4: Urban Growth), clearly set out the location and type of growth anticipated in the immediate to medium term. With the proposed clarification of the Strategic Objectives and the strength of the supporting objectives and policies, in my opinion I do not consider that any further changes to Chapter 1 are required.

5.1.3 Recommendations

43. For the reasons outlined above, it is recommended that no change to Chapter 1: Introduction be made.
44. It is recommended that the submissions from Property Council New Zealand [198.23 and 198.10] and Carl Ammon [12.3] be **accepted**.
45. It is recommended that the submissions from Waikato Regional Council [81.121], Sharp Planning Solution Ltd [695.161], Watercare Services Limited Services Limited [423.7], Property Council New Zealand [198.5], Waikato District Health Board [923.93], Hamilton City Council [535.5 and 535.6] and Andrew and Christine Gore [330.48] be **rejected**.

5.1.4 Section 32AA evaluation

46. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

6 Strategic Direction Chapter – Master Plans

6.1.1 Submissions

Submission number	Submitter	Summary of submission
598.4	Withers Family Trust	Delete Section 1.12.1 (b) and (c) Strategic direction.
FS/388.1005	Mercury Energy Ltd	Oppose
FS/379.202	Hamilton City Council	Oppose
330.46	Andrew and Christine Gore	No specific decision sought, however submission refers to Section 1.12.1 Strategic direction.
FS/386.430	Mercury Energy Ltd	Oppose
524.10	Anna Noakes	Retain Section 1.12.1 Strategic direction, except for the amendments sought below AND Delete Section 1.12.1.(b) and (c) Strategic direction.
FS/379.194	Hamilton City Council	Oppose
445.1	BTW Company	Retain the urban growth and strategic development directions in Section 1.12.1 Strategic direction AND Amend or add provisions to encourage structure planned growth cells and comprehensively developed areas where they are in accordance with urban design guidelines and settlement patterns, and where it can be demonstrated that the adverse effects of land use and development can be adequately avoided, remedied or mitigated.
FS/388.289	Mercury Energy Ltd	Oppose
FS/377.101	Havelock Village Ltd	Support
FS/379.150	Hamilton City Council	Oppose
598.27	Withers Family Trust	Clarify what is meant by “master plans”, as referenced in various provisions such as Section 1.12.1(f) and Policy 4.7.14, and where they are reference in the rules.

43 In summary, the submissions in opposition discuss the role and legality of the use of master plans or structure plans to determine activity status. On that basis, those submissions seek that paragraphs 1.12.1(b) and (c) be deleted.

44 Submission 445.1 (BTW Company) supports the structured approach to growth.

45 Submission point 598.27 (Withers Family Trust) also seeks clarity as to what is meant by ‘master plans’.

6.1.2 Analysis

46 I concur with the concerns raised in the submissions, but note that the intent of the discussion in paragraphs 1.12.1(b) and (c) is to set out the purpose of the master or structure plan process. Paragraph (c) concludes by stating that “A master planning [plan] is an appropriate foundation for the plan change process required to rezone land.” In general, the PWDP has not used compliance with a master or structure plan to determine activity status. Rather, it has used the master or structure plan as one of the matters of discretion with respect to subdivision (such as Rule 16.4.1, RDI, matter of discretion (b)(ix)).

47 Chapter 28: Rangitahi Peninsula Zone, uses compliance with the Rangitahi Peninsula Structure Plan to determine activity status, particularly the location of activities within specific 'Development Precincts'. The provisions of this zone were subject to a comprehensive plan change and hearing process scrutiny. The level of specific detail contained within the Rangitahi Peninsula Structure Plan is very specific and detailed. Accordingly, in my opinion, the manner in which compliance with the provisions of the Rangitahi Peninsula Structure Plan have been undertaken do not raise the legal certainty issues of concern to the submitters. This approach is in contrast to and not the same approach as for example in the Queenstown Lakes District Council caselaw where due to the conceptual nature of the provisions within the structure or master plan, it was not possible to determine activity status.

48 For these reasons, I do not consider that any change is required to Section 1.12.1 of Chapter 1.

49 With respect to clarifying what is meant by 'master plans', I note that this term has been used along with the term 'structure plan' (refer to the rule reference above). It would be of assistance if the term 'structure plan' were added and the example of the Rangitahi Peninsula Structure Plan identified to clarify what they are and how they work. I consider this approach preferable to including a definition.

6.1.3 Recommendations

50 For the reasons outlined above, it is recommended that Section 1.12(b) and (c) be amended to clarify what and how master or structure plans are used in the PWDP.

51 It is recommended that the submissions from BTW Company [445.1] and Withers Family Trust [598.27] be **accepted**.

52 It is recommended that the submissions from Withers Family Trust [598.4], Andrew and Christine Gore [330.46] and Anna Noakes [524.10] be **rejected**.

6.1.4 Recommended amendments

53 The following amendment is recommended as shown in **Appendix 2: Recommended Amendments – Chapter 1: Introduction:**

1.12.1 Strategic directions

- (a) Waikato District Council as a Future Proof Partner has made a commitment to the Future Proof Strategy which will manage growth for the next 30 years. Settlement patterns are a key tool used within the Future Proof Strategy. They provide the blueprint for growth and development and aim to achieve a more compact and concentrated urban form over time.
- (b) Master plans **or structure plans** are an important method for establishing settlement patterns of land use and the transport and services network within a defined area. They can provide a detailed examination of the opportunities and constraints relating to the land including its suitability for various activities, infrastructure provision, geotechnical issues and natural hazards. They should identify, investigate and address the potential effects of urbanisation and development on natural and physical resources.
- (c) Master plans **or structure plans** should explain how future development will give effect to the regional policy statement and how any adverse effects of land use and development are to be avoided, remedied or mitigated by proposed plan provisions. This will ensure that all the effects of development are addressed in advance of development occurring. A master planning is an appropriate foundation for the plan

change process required to rezone land. The “Rangitahi Peninsula Structure Plan” is the only structure plan used within this Plan.

6.1.5 Section 32AA evaluation

54 The recommended amendments are explanatory in nature to assist with the understanding of master and structure plans. Accordingly, no s32AA evaluation has been required to be undertaken.

7 Strategic Direction Chapter – Corridor Plan

7.1.1 Submissions

Submission number	Submitter	Summary of submission
742.2	New Zealand Transport Agency	Retain Section 1.12.1 Strategic direction, except for the amendments sought below AND Amend Section 1.12.1 Strategic direction to include a new clause (g) as follows : <u>Work is currently being undertaken on the Hamilton-Auckland Corridor Plan. This work will generate a vision for managing urban growth and development in significant parts of the Waikato District. It is anticipated that plan changes will be required to reflect the contents of the Corridor Plan once finalised.</u> AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FS1387.835	Mercury Energy Ltd	Oppose
Fs1062.92	Andrew and Christine Gore	Oppose
FS1108.131	Waikato Tainui	Support
FS1224.8	Ambury Properties	Support
FS1273.4	Auckland Transport	Oppose
FS1309.5	Bryan Morris	Support
FS1313.20	Perry Group Ltd	Support
FS1379.283	Hamilton City Council	Support

55 In summary, the submission seeks that reference to the *Hei Awarua ki te Oranga Corridor for Wellbeing* or Hamilton-Auckland Corridor (‘H2A’) be included. The H2A plan is a Cabinet endorsed initiative to define the land use management approach to the services needed by people while protecting and enhancing the natural character and cultural assets of the corridor.

7.1.2 Analysis

56 The H2A project commenced in May 2018, with the project partnership endorsed a year later.

57 Due to the project only being in its initial stages, there is little that can be included in the PWDP to assist with informing strategic directions and objectives. In my opinion, the inclusion of any reference to the H2A project in the district plan should be undertaken following the completion of the project.

58 I understand that Ms Parham (legal counsel for Waikato District Council) will have addressed the Hearings Panel with respect to the relevance and legal weight that can be attributed to the

various growth studies. Mr Eccles has also addressed this matter in the s42A Hearings Report for Hearing 2 (such as at Sections 2 and 4.3 of that report). I concur with Ms Parham and Mr Eccles that the Waikato Regional Policy Statement and the National Policy Statement – Urban Development Capacity are the relevant documents to consider for the PWDP, as a district plan must ‘give effect to’ both of these documents (refer to s75(3)(a) and (c) of the Resource Management Act).

7.1.3 Recommendations

59 For the reasons outlined above, I do not consider any change is required to Section 1.12.1 of Chapter 1.

60 It is recommended that the submission from New Zealand Transport Agency [742.2] be **rejected**.

7.1.4 Section 32AA evaluation

61 There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

8 Strategic Direction Chapter – Natural Environment

8.1.1 Submissions

Submission number	Submitter	Summary of submission
680.20	Federated Farmers of New Zealand	Amend Section 1.12.2 Natural Environment as follows: (a) A district that values <u>protects</u> its natural habitat and ecology at values and retains its significant landscape features. (b) <u>A district that acknowledges the tension between the private cost and public benefit of maintaining or enhancing the District’s natural environment.</u> (c) <u>A district that where retains the natural character of its rural areas and has access to the public open space is available for public enjoyment and use and well used by the community.</u> AND Any consequential changes needed to give effect to this relief.
FSI223.183	Mercury Energy Ltd	Oppose
FSI045.3	BenWilson	Oppose
FSI108.43	Waikato Tainui	Oppose
FSI139.34	Turangawaewae Trust Board	Oppose
FSI168.30	Horticulture NZ	Support
330.47	Andrew and Christine Gore	No specific decision sought, however submission refers to Section 1.12.1 Strategic direction.

58 Submission 680.20 (Federated Farmers of New Zealand) seeks to include an additional subclause to Section 1.12.2 to recognise the tension between private costs and public benefits of maintaining the natural environment.

8.1.2 Analysis

59 The s32A reports *Landscape & Natural Character* and *Biodiversity* are relevant to consideration of this submission. Both s32A reports evaluated the directions in the higher order documents (including the Resource Management Act and the Waikato Regional Policy Statement),

considered what is or is not appropriate subdivision, use and development and evaluated the costs and benefits. Both s32A reports were supported by assessments undertaken by Market Economics.

- 60 The balance between private and public costs and benefits is an integral consideration of most provisions of district plans. Accordingly, I do not see that there is anything particularly different with respect to the natural environment that requires the proposed clause to be included.

8.1.3 Recommendations

- 61 For the reasons outlined above, I do not consider that any change is required to Section 1.12.1 of Chapter 1.

- 62 It is recommended that the submission from Federated Farmers of New Zealand [680.20] and Andrew and Christine Gore [330.47] be **rejected**.

8.1.4 Section 32AA evaluation

- 63 There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

9 Strategic Direction Chapter – Community Wellbeing

9.1.1 Submissions

Submission number	Submitter	Summary of submission
367.41	Mercer Residents and Ratepayers	Add noise restrictions and guidelines to Section 1.12.5 Community well-being.
FS1168.30	Horticulture NZ	Support
297.3	Counties Manukau Police	Amend Section 1.12.5 Community well-being to include conforming to the four principles of CPTED and the seven qualities of safer places contained within the National Guidelines for Crime Prevention through Environmental Design in New Zealand.
FS1269.21	Housing NZ	Support
198.16	Property Council New Zealand	Retain the promotion of the outcomes in the urban design guidelines
FS1386.212	Mercury Energy Ltd	Oppose
FS1377.42	Havelock Village Ltd	Support

64. The submissions 367.41 (Mercer Residents and Ratepayers) and 297.3 (Counties Manukau Police) respectively seek that noise restrictions and guidelines as well as the CPTED principles be included in Section 1.12.5 Community Wellbeing. Submission 198.16 (Property Council of New Zealand) seeks that the urban design guidelines be retained.

9.1.2 Analysis

65. With respect to submission 367.41 (Mercer Residents and Ratepayers) it is noted that noise is just one of a range of amenity values sought to be addressed in the PWDC (such as access to

daylight/sunlight). The approach to amenity values is contained within the specific chapters including that to noise (such as Policy 4.4.2 – Noise in the Urban Environment chapter). In my opinion there is no need at a strategic directions level to elevate noise above other amenity values.

66. With respect to submission 297.3 (Counties Manukau Police) it is noted that the principles of CPTED are incorporated throughout the PWDP (such as Policy 4.7.3(a)(viii)). As noted in that policy, the principles of CPTED are incorporated within Councils *Urban Design Guidelines Residential Subdivision* among other documents. In my opinion there is no need at a strategic directions level to elevate CPTED above other considerations.

9.1.3 Recommendations

67. For the reasons outlined above, I do not consider any change is required to Section 1.12.1 of Chapter 1.

68. It is recommended that the submission from Property Council of New Zealand [198.16] be **accepted**.

69. It is recommended that the submissions from Mercer Residents and Ratepayers [367.41] and Counties Manukau Police [297.3] be **rejected**.

9.1.4 Section 32AA evaluation

70. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken

10 Strategic Direction Chapter – Managing change

10.1.1 Submissions

Submission number	Submitter	Summary of submission
680.21	Federated Farmers of New Zealand	Retain Section 1.12.7 Managing change as notified.
FS1387.159	Mercury Energy Ltd	Oppose
330.52	Andrew and Christine Gore	No specific decision sought, however submission refers to Section 1.12.7 Managing change.
FS1386.434	Mercury Energy Ltd	Oppose

71. The submissions seek the retention of the provision.

10.1.2 Analysis

72. No analysis required.

10.1.3 Recommendation

73. For the reasons outlined above, I do not consider any change is required to Section 1.12.7 of Chapter 1.

74. It is recommended that the submission from Federated Farmers of New Zealand [680.21] be **accepted**.

75. It is recommended that the submission from Andrew and Christine Gore [330.52] be **rejected**.

10.1.4 Section 32AA evaluation

76. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken

II Strategic Direction Chapter – Strategic Objectives

II.1.1 Submissions

Submission number	Submitter	Summary of submission
419.100	Horticulture New Zealand	Add two new clauses (vii) and (viii) to Section 1.12.8 (b) Strategic objectives as follows: (b) <i>In summary, the overarching directions include the following:</i> ... <u>(vii) promote the on-going operation and development of rural production activities, including rural industry and services</u> <u>(viii) plan for future development and growth that supports the district's rural communities and rural economy.</u> AND Any consequential or additional amendments as a result of changes sought in the submission.
FS1333.2	Fonterra	Support
680.22	Federated Farmers of New Zealand	Amend Section 1.12.8 (b) (vi) Strategic objectives as follows : (vi) Protect and enhance public green open space, outstanding landscapes and areas of cultural, ecological, historic, and environmental significance from inappropriate use and development. AND Add to Section 1.12.8 (b) Strategic objectives the following: <u>(vii) Reconciling the tension between the private cost and public benefit of maintaining or enhancing the District's natural environment and historic heritage.</u> <u>(viii) Acknowledge the continued use of rural areas for productive rural activities and other land and soil resource-dependent rural-based activities, as well as access to and the extraction of mineral resources, are important to the economic health and well-being of the district and wider subregion.</u> <u>(ix) Active participation of landowners is seen as vital to the maintenance and enhancement of indigenous biodiversity. The Council will work with landowners, recognise their stewardship and current management practices, and will promote the use of non-regulatory methods, including assistance with the establishment of protective covenants, service delivery, education, and other incentives.</u> AND Any consequential changes needed to give effect to this relief.
FS1223.184	Mercury Energy Ltd	Oppose
FS1108.44	Waikato Tainui	Oppose
FS1139.35	Turangawaewae Trust Board	Oppose
FS1168.31	Horticulture NZ	Support
FS1171.64	T & G Global	Support
FS1198.7	Bathurst Resources Ltd & BT Mining Ltd	Support

FSI275.2	Zeala Ltd	Support
FSI319.21	NZ Steel Holdings Ltd	Support
FSI323.5	Heritage NZ	Oppose
FSI333.3	Fonterra Ltd	Support
986.4	KiwiRail Holdings Limited (KiwiRail)	Amend Section 1.12.8 Strategic objectives as follows (or similar amendments to achieve the requested relief): (a) The matters set out in paragraphs 4.1.1—4.1.7 1.12.1 – 1.12.7 provide the overarching directions for the development of the objectives, policies and other provisions within the district plan. (b) In summary, the overarching directions include the following: (i) Urban development takes place within areas identified for the purpose in a manner which utilises <u>and integrates</u> land and infrastructure most efficiently AND Any consequential amendments to link and/or accommodate the requested changes.
FSI273.7	Auckland Transport	Support
827.40	New Zealand Steel Holdings Ltd	Amend Section 1.12.8 Strategic objectives as follows (or words to similar effect): (a) The matters set out in paragraphs 1.4.1.1 - 4.1.7 1.4.4 provide the overarching... (vii) <u>Supporting productive rural activities, including mineral extraction...</u> AND Any other further or consequential amendments required.
FSI198.5	Bathurst Resources Ltd & BT Mining Ltd	Support
297.4	Counties Manukau Police	Retain Section 1.12.8 (b)(ii) Strategic Objectives.
FSI386.308	Mercury Energy Ltd	Oppose
367.42	Mercer Residents and Ratepayers	Retain Section 1.12.8(vi) Strategic objectives.
FSI386.556	Mercury Energy Ltd	Oppose

77. Submissions 419.100 (Horticulture New Zealand), 680.22 (Federated Farmers New Zealand) and 827.40 (New Zealand Steel Holdings) seek that section 1.12.8 recognise the role of rural production, activities and economy.

78. Submission 680.22 (Federated Farmers New Zealand) also seeks that strategic direction be provided with respect to the natural environment and indigenous biodiversity.

79. Submissions 986.4 (KiwiRail Holdings Limited) and 367.42 (Mercer Residents and Ratepayers) both suggest either minor wording changes or support.

11.1.2 Analysis

80. It is recommended that the strategic objective from Chapter 5: Rural Environment be included in the new section 1.13 – Strategic Objectives. Accordingly, it is appropriate to recognise this in section 1.12.8.

81. The matter of recognising the natural environment and indigenous biodiversity has been addressed in Section 8 of this report. No further comment is considered necessary.

11.1.3 Recommendation

82. For the reasons outlined above, it is recommended that Section 1.12.8(b) be amended to recognise the role of the rural productive and other activities.

83. It is recommended that the submissions from Horticulture New Zealand [419.100], Federated Farmers of New Zealand [680.22], KiwiRail Holdings Limited [986.4], New Zealand Steel Holdings Ltd [827.40], Counties Manukau Police [297.4] and Mercer Residents and Ratepayers [367.42] be **accepted**.

11.1.4 Recommended Amendments

84. The amendments recommended in 11.1.3 are shown in Appendix 2: Recommended Amendments – *Chapter 1: Introduction* at 1.12.8(b) Strategic objectives (recommended to be shifted to 1.12.2 – Strategic directions).

11.1.5 Section 32AA evaluation

85. The recommended amendments are minor wording improvements to reflect matters that are already addressed in the PWDP. Accordingly, no s32AA evaluation has been required to be undertaken.

12 Section B Objectives and Policies - General

12.1.1 Submissions

Submission number	Submitter	Summary of submission
923.92	Waikato District Health Board	Amend Strategic Objectives and Policies in each Policy Chapter so they relate more strongly to the purpose of the RMA as encapsulated by section 5 in terms of objectives related to the natural and built environment resources and their contributions to community health and wellbeing outcomes.
FS1387.1522	Mercury Energy Ltd	Oppose
330.54	Andrew and Christine Gore	No specific decision sought, however submission refers to Section B Objectives and Policies.
FS1386.436	Mercury Energy Ltd	Oppose
164.2	Hiini Kēpa	No specific decision sought, however submission states support for Chapter 3 Natural Environment

86. The submission from the Waikato District Health Board (923.92) is general in that it seeks a stronger relationship between the purpose of the RMA and the objectives relating to natural and built environment.

87. The submission from Hiini Kēpa (164.2) supports Chapter 3 Natural Environment, but no specific decision is sought.

12.1.2 Analysis

88. The broad decision (Waikato District Health Board) sought is elaborated on in further submission points that are considered later in the report.

12.1.3 Recommendation

89. For the reasons outlined above, I do not consider that any change is required to Section B Objectives and Policies.

90. It is recommended that the submissions from Waikato District Health Board [923.92] and Hiini Kapa [164.2] be **accepted**.

91. It is recommended that the submission from Andrew and Christine Gore [330.54] be **rejected**.

12.1.4 Section 32AA evaluation

There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

13 Chapter 4: Urban Environment – 4.1.1 Objective - Strategic

13.1.1 Submissions

Submission number	Submitter	Summary of submission
923.27	Waikato District Health Board	Add a new policy (or policies) to explicitly 'give effect to' Objective 4.1.1-Strategic.
FS1387.1484	Mercury Energy Ltd	Oppose
12.5	Carl Ammon	Amend Chapter 4 Urban Environment to be flexible to address the needs in varying communities, share costs for infrastructure, and protect the cultural identity of areas when under growth pressures and add more emphasis on cycling, walking, small buses and public areas rather than cars and retail.
FS1386.7	Mercury Energy Ltd	Oppose
FS1276.217	Whaingaroa Environmental Defence Inc Soc	Support
923.94	Waikato District Health Board	Amend Chapter Four: Urban Environment by establishing a stronger objective, policy and rule framework than is proposed for un-serviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision.
FS1387.1524	Mercury Energy Ltd	Oppose
697.361	Waikato District Council	Amend in Chapter 4 Urban Environment lists of matters to the following format: 1. Semi colon at the end of each matter; and 2. Inclusion of the word 'and' at the end of the penultimate matter
FS1387.546	Mercury Energy Ltd	Oppose
182.2	Kirriemuir Trustee Limited	No specific decision sought, but submission states general support for Chapter 4 Urban Environment except as otherwise noted in supplementary points within the submission document.
FS286.163	Mercury Energy	Oppose

	Ltd	
579.66	Lakeside Developments 2017 Limited	No specific decision sought, but submission supports the objectives and policies in Chapter 4 Urban Environment.
FSI388.928	Mercury Energy Ltd	Oppose
FSI087.12	Ports of Auckland Ltd	Support
606.4	Future Proof Implementation Committee	Retain Section 4.1 Strategic Direction, except for the amendments sought below; AND Amend Section 4.1 Urban Environment and the policies for each of the urban areas, to reflect the Hamilton-Auckland Corridor Plan as required.
FSI223.117	Mercury Energy Ltd	Oppose
FSI141.3	Shand Properties Ltd	Support
FSI191.13	Shand Properties	Support
FSI202.43	New Zealand Transport Agency	Support
FSI224.4	Ambury Properties	Support
FSI309.3	Bryan Morris	Support
FSI379.207	Hamilton City Council	Support
749.94	Housing New Zealand Corporation	Amend Objectives and Policies in Section 4.1 Strategic Direction to emphasise: The compact urban development model for concentrating growth in and around existing towns and villages, and Avoid unplanned encroachment into rural land through being contained within defined urban areas to avoid rural residential fragmentation and rural land subdivision. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
FSI387.1027	Mercury Energy Ltd	Oppose
FSI168.32	Horticulture NZ	Support
FSI202.45	New Zealand Transport Agency	Support
FSI308.124	The Surveying Company	Support
FSI377.262	Havelock Village Ltd	Support
FSI379.296	Hamilton City Council	Support
535.10	Hamilton City Council	Amend Section 4.1 Strategic Direction, by creating a separate strategic direction for towns and villages. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FSI388.685	Mercury Energy Ltd	Oppose
FSI202.44	New Zealand Transport Agency	Support
535.11	Hamilton City Council	Retain Objective 4.1.1(b) Strategic Direction except for the amendments sought below AND Amend Objective 4.1.1(b) - Strategic Direction, so that it aligns with the medium and long term housing targets in the National

		Policy Statement - Urban Development Capacity plus a buffer for the 2018-2046 period. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FS1388.686	Mercury Energy Ltd	Oppose
FS1269.140	Housing NZ	Support
FS377.128	Havelock Village Ltd	Support
243.1	Shaun McGuire	Retain Section 4.1 Strategic Direction and its policies and objectives.
FS1386.233	Mercury Energy Ltd	Oppose
FS1379.52	Hamilton City Council	Oppose
299.1	2SEN Limited and Tuakau Estates Limited	Retain Section 4.1 Strategic Direction as notified except where specific modification is sought elsewhere in the submission.
FS1386.328	Mercury Energy Ltd	Oppose
FS1379.65	Hamilton City Council	Oppose
367.49	Mercer Residents and Ratepayers Committee	Retain Section 4.1 Strategic Direction.
FS1386.557	Mercury Energy Ltd	Oppose
923.25	Waikato District Health Board	Retain Section 4.1 Strategic Direction.
FS1387.1482	Mercury Energy Ltd	Oppose
182.5	Kirriemuir Trustee Limited	Retain the Objectives and Policies in Section 4.1 Strategic Direction as notified.
FS1386.166	Mercury Energy Ltd	Oppose
FS1379.45	Hamilton City Council	Oppose
198.7	Property Council New Zealand	Amend Objective 4.1.1 Strategic to be more ambitious and flexible to incorporate Future Proof Phase 2 and the upcoming Statistics NZ data.
FS1386.211	Mercury Energy Ltd	Oppose
FS1075.9	Steven & Teresa Hopkins	Support
FS1269.97	Housing NZ	Support
FS1287.9	Blue Wallace Surveyors	Support
FS1292.2	McPherson Resources Limited	Support
798.5	Ngati Te Ata	Add a new clause (c) to Objective 4.1.1 Objective - Strategic as follows: <u>(c) natural waterbodies are maintained or enhanced within integrated</u>

		development for all towns promote park edge development for all open spaces, especially adjacent to water bodies. AND Add the following to all town centre objectives: <u>natural waterbodies are maintained or enhanced within integrated development for all towns promote park edge development for all open spaces, especially adjacent to water bodies.</u>
FS1387.1280	Mercury Energy Ltd	Oppose
FS1108.34	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Oppose
567.3	Ngati Tamaoho Trust	Add clause (c) to Objective 4.1.1 - Strategic, as follows: <u>c) natural waterbodies are maintained or enhanced within integrated development for all towns and promote park edge development for all open spaces, especially adjacent to waterbodies</u>
FS1108.96	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Support
FS1308.80	The Surveying Company	Oppose
FS1340.86	TaTa Valley	Oppose
FS1377.136	Havelock Village Limited	Oppose
326.1	Raglan Chamber of Commerce	Amend Objective 4.1.1 (a) Strategic, as follows: Liveable, thriving, <u>affordable</u> , and connected communities that are sustainable, affordable, efficient and coordinated.
FS1386.379	Mercury Energy Ltd	Oppose
310.3	Whaingaroa Raglan Affordable Housing Project	Amend Objective 4.1.1 (a) Strategic, to read as follows: (a) Liveable, thriving, <u>affordable</u> , and connected communities that are sustainable, affordable, efficient and co-ordinated.
FS1386.362	Mercury Energy Ltd	Oppose
FS1269.34	Housing NZ	Support
FS1276.8	Whaingaroa Environmental Defence Inc. Society.	Support
824.6	Raglan Community Board	Amend Objective 4.1.1 (a) Strategic, as follows; (a) Livable, thriving, <u>affordable</u> , and communities that are sustainable, affordable, efficient and co-ordinated.
FS1387.1308	Mercury Energy Ltd	Oppose
FS1276.11	Whaingaroa Environmental Defence Inc. Society.	Support
445.3	BTW Company	Amend Objective 4.1.1 (b) Strategic, to provide flexibility for Future Proof updates, as follows: (b) An additional 13,300-17,500 <u>or greater</u> dwellings

		are created during the period 2018-2045.
FSI388.290	Mercury Energy Ltd	Oppose
FSI377.102	Havelock Village Limited	Support
81.112	Waikato Regional Council	Amend Objective 4.1.1 Strategic as follows to: - Clarify whether it applies to both urban and rural communities - More explicitly refer to planned growth and development that is integrated with infrastructure provision; - Specify what proportion of the additional dwellings to be created between 2018-2045 are to be provided within the 10 year timeframe for this district plan and whether they will be serviced; and - Identify what portion of the additional dwellings to be provided are anticipated to be located within the district's urban environments.
FSI202.47	New Zealand Transport Agency	Support
FSI377.21	Havelock Village Limited	Support
923.26	Waikato District Health Board	Amend Objective 4.1.1- Strategic to more explicitly refer to planned growth and development that is integrated with infrastructure (core and community infrastructure).
FSI387.1483	Mercury Energy Ltd	Oppose
FSI377.283	Havelock Village Limited	Support
297.5	Counties Manukau Police	Amend Objective 4.1.1(a) Strategic as follows: Liveable, <u>safe</u> , thriving and connected communities that are sustainable, efficient, and coordinated.
FSI386.309	Mercury Energy Ltd	Oppose
FSI269.8	Housing NZ	Support
822.4	Bob MacLeod	Amend Objective 4.1.1(a) Objective – Strategic, as follows: (a) Liveable, thriving and connected communities that are sustainable, affordable, efficient and co-ordinated.
FSI387.1305	Mercury Energy Ltd	Oppose
FSI276.9	Whaingaroa Environmental Defence Inc. Society.	Support
942.14	Tainui	Amend Objective 4.1.1(b) Strategic to identify the towns and their predicted housing development to cater for growth based on evidence.
606.5	Future Proof Implementation Committee	Amend Section 4.1 Strategic Direction in Chapter 4 Urban Environment, so that a distinction is made between the growth of towns and villages and a greater concentration of growth in the townships.
FSI223.118	Mercury Energy Ltd	Oppose
FSI091.25	GD Jones	Support
FSI191.14	Shand Properties	Oppose
FSI379.208	Hamilton City Council	Support
693.1	Alstra (2012) Limited	Retain Objective 4.1.1 - Strategic as notified.
FSI387.371	Mercury Energy Ltd	Oppose
598.5	Withers Family Trust	Retain Objective 4.1.1 (a) and (b) Strategic.
FSI388.1006	Mercury Energy	Oppose

	<i>Ltd</i>	
579.34	Lakeside Developments 2017 Limited	Retain Objective 4.1.1 Strategic as notified.
FS1388.912	Mercury Energy Ltd	Oppose
524.11	Anna Noakes	Retain Objective 4.1.1 Strategic, except for the amendments sought below AND Amend the policies associated with Objective 4.1.1 (a) and (b) Strategic, to provide policies and support for additional residential zoning opportunities to cater for anticipated demand for the next 27 years; AND Amend the Planning Maps to increase the residential zoned areas around existing established communities in line with Future Proof expectations.
FS1388.618	Mercury Energy Ltd	Oppose
662.34	Blue Wallace Surveyors Ltd	Retain Objective 4.1.1 Strategic, except for the amendments sought below AND Amend Objective 4.1.1 (b) Strategic as follows: (b) An additional 13,300 – 17,500 dwellings are created during the period 2018 - 2045 <u>to reflect market demands.</u>
FS1387.113	Mercury Energy Ltd	Oppose
81.110	Waikato Regional Council	Retain Objective 4.1.1 Strategic, except for the amendments sought below OR Amend Objective 4.1.1 Strategic to ensure that these provisions provide a focused, integrated strategic direction in respect of the districts urban environments. OR Add to Objective 4.1.1 Strategic additional Objectives to ensure that these provisions provide a focused, integrated strategic direction in respect of the district's urban environments.
FS1377.19	Havelock Village Limited	Support
451.2	Steven & Teresa Hopkins	Retain Objective 4.1.1 Strategic.
FS1388.320	Mercury Energy Ltd	Oppose
FS1075.2	Steven & Teresa Hopkins	Support
986.11	KiwiRail Holdings Limited (KiwiRail)	Retain Objective 4.1.1(a) Strategic as notified.

92. Of the 36 submission points made, 13 submissions either seek that Objective 4.1.1 be retained without change, strengthened through changes to other policies or seek no specific decision. The remainder of the submissions seek additions to the objective or new policies.

13.1.2 Analysis

93. For those submissions seeking additions to the objective or new policies, in summary, they raise the following matters that are discussed in turn:

- a. There is no specific wording in the decision sought (Submissions 923.27, 923.94 Waikato District Health Board, 12.5 Carl Ammon, 182.2 Kirriemuir Trustee Limited and 81.110 Waikato Regional Council)
- b. The addition to the objective or policy is already addressed in objectives and policies elsewhere in Chapter 4 or in other chapters (Submissions 749.94 Housing New Zealand Corporation, 535.10 and 535.11 Hamilton City Council, 198.7 Property Council New Zealand, 445.3 BTW Company and 923.26 Waikato District Health Board) and no change is required at the strategic objective level;

- c. The addition to the objective or policy is not at the strategic level and should be addressed in the specific chapter (Submissions 798.5 Ngati Te Ata and 567.3 Ngati Tamaoho Trust with respect to promotion of park edge development and maintenance of water bodies) or the detail is in supporting documents (Submission 942.14 Tainui with respect to number of dwelling anticipated in each town and village); or
 - d. The addition to the objective or policy relies on subsequent market analysis outcomes in conjunction with the policy framework applying at that time and would be introduced through a potential variation or change to the plan (Submissions 524.11 Anna Noakes and 662.34 Blue Wallace Surveyors Ltd, which seeks that the objective anticipates an additional residential zoning and dwellings for the 2018 – 2045 period). The outcome of the H2A Corridor project and the Future Proof Strategy Refresh along with the National Policy Statement for Highly Productive Land and Council's 30 Year Infrastructure Strategy (2018-2048) amongst other matters will have a significant influence of the form of urban development within Waikato District. Accordingly, without the analysis being undertaken to determine the future urban growth of the district, it would be premature for the PWDP to signal what, how and where this growth should be directed.
94. Submissions 326.1 (Raglan Chapter of Commerce), 310.3 (Whaingaroa Raglan), 824.6 (Raglan Community Board) and 822.4 (Bob MacLeod) seek the inclusion of the word “affordable” in part (a) of Objective 4.1.1, while submission 297.5 (Counties Manukau Police) seeks the inclusion of the word “safe”. In my opinion, the concept of “affordability” and “safety” of communities is encapsulated within the terms of “liveable and thriving” already contained within the strategic objective. Subsequent policies seek to enable a range of housing densities and typologies which assist with the affordability of housing within communities.

13.1.3 Recommendation

95. For the reasons outlined above, I do not consider that any change is required to Strategic Objective 4.1.1.
96. It is recommended that the submissions from Waikato District Council [697.361], Kirriemuir Trustee Limited [182.2], Lakeside Developments 2017 Limited [579.66], Future Proof Implementation Committee [606.4], Shaun McGuire [243.1], 2SEN Limited and Tuakau Estates Limited [299.1], Mercer Residents and Ratepayers Committee [367.49], Waikato District Health Board [923.25], Kirriemuir Trustee Limited [182.5], Alstra (2012) Limited [693.1], Withers Family Trust [598.5], Lakeside Developments 2017 Limited [579.34], Anna Noakes [524.11], Steven & Teresa Hopkins [451.2], and KiwiRail Holdings Limited (KiwiRail) [986.11] be **accepted**.
97. It is recommended that the submissions from Waikato District Health Board [923.27], Carl Ammon [12.5], Waikato District Health Board [923.94], Housing New Zealand Corporation [749.94], Hamilton City Council [535.10], Hamilton City Council [535.11], Property Council New Zealand [198.7], Ngati Te Ata [798.5], Ngati Tamaoho Trust [567.3], Raglan Chamber of Commerce [326.1], Whaingaroa Raglan Affordable Housing Project [310.3], Raglan Community Board [824.6], BTW Company [445.3], Waikato Regional Council [81.112], Waikato District Health Board [923.26], Counties Manukau Police [297.5], Bob MacLeod [822.4], Tainui o Tainui [924.14], Future Proof Implementation Committee [606.5], Blue Wallace Surveyors Ltd [662.34], and Waikato Regional Council [81.110] be **rejected**.

13.1.4 Section 32AA evaluation

98. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

14 Chapter 4: Urban Environment – 4.1.2 Objective – Urban Growth and Development

14.1.1 Submissions

Submission number	Submitter	Summary of submission
749.95	Housing New Zealand Corporation	Amend 4.1.2 Objective – Urban growth and development as follows (or similar wording): (a) Future settlement pattern is consolidated in and around existing towns and villages in the district <u>to support a compact urban form</u> . AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
FS1387.966	Mercury Energy Ltd	Oppose
FS1387.1028	Mercury Energy Ltd	Oppose
FS1168.34	Horticulture New Zealand	Support
923.28	Waikato District Health Board	Amend Objective 4.1.2- Urban growth and development to state more clearly that urban growth and development is only to occur within and around towns and villages identified in the Future Proof Strategy settlement pattern and Waikato Regional Policy Statement.
81.113	Waikato Regional Council	Amend Objective 4.1.2 Urban Growth and Development to: - Clarify that urban growth and development is only to occur within and around towns and villages identified in the settlement pattern set out in the Future Proof Strategy and WRPS; and - Direct that urban growth and development will only occur where there is existing or planned supporting infrastructure.
FS1223.14	Mercury Energy Ltd	Oppose
FS1062.8	Andrew and Christine Gore	Oppose
FS1202.50	New Zealand Transport Agency	Support
FS1224.2	Ambury Properties	Oppose
FS1281.3	Pokeno Village Holdings Limited	Support
FS1369.2	Ngati Tamoho Trust	Support
FS1379.9	Hamilton City Council	Support
598.6	Withers Family Trust	Retain Objective 4.1.2 - Urban growth and development.
FS1388.1007	Mercury Energy Ltd	Oppose
FS1377.177	Havelock Village Limited	Support
524.12	Anna Noakes	Retain Objective 4.1.2 (a) Urban growth and development, as notified.
FS1388.619	Mercury Energy Ltd	Oppose
986.12	KiwiRail	Retain Objective 4.1.2 Urban growth and development as notified

	Holdings Limited (KiwiRail)	
FSI297.6	CSL Trust & Top End Properties Limited	Support
466.32	Balle Bros Group Limited	Retain Objective 4.1.2 Urban growth and development as notified.
FSI388.416	Mercury Energy Ltd	Oppose
FSI168.33	Horticulture NZ	Support
FSI297.4	CSL Trust & Top End Properties Limited	Support
535.12	Hamilton City Council	Retain Objective 4.1.2 Urban growth and development except for the amendments sought below. AND Add to Objective 4.1.2 Urban growth and development, a table/map that identifies growth areas. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FSI388.687	Mercury Energy Ltd	Oppose
FSI091.18	GD Jones	Oppose
FSI110.16	Synlait	Support
FSI269.141	Housing NZ	Support
FSI287.22	Blue Wallace Surveyors	Oppose
FSI322.12	Synlait	Support
419.101	Horticulture New Zealand	Retain Objective 4.1.2 Urban growth and development, as notified.
FSI388.224	Mercury Energy Ltd	Oppose
FSI297.3	CSL Trust & Top End Properties Limited	Support
680.50	Federated Farmers of New Zealand	Retain Objective 4.1.2 Urban growth and development, as notified.
FSI171.65	T & G Global	Support
FSI297.5	CSL Trust & Top End Properties Limited	Support
81.111	Waikato Regional Council	Retain Objective 4.1.2 Urban growth and development, except for the amendments sought below AND Amend Objective 4.1.2 Urban growth and development to ensure that these provisions provide a focused, integrated strategic direction in respect of the district's urban environments. OR Add to Objective 4.1.1 Urban growth and development additional Objectives to ensure that these provisions provide a focused, integrated strategic direction in respect of the district's urban environments.
FSI377.20	Havelock Village Limited	Support
579.35	Lakeside Developments 2017 Limited	Retain Objective 4.1.2 Urban growth and development, except for the amendments sought below AND Amend Objective 4.1.2 Urban growth and development as follows: (a) Future settlement pattern is consolidated in and around existing towns and villages in the district <u>and along the rail corridor</u> . AND Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.
FSI388.913	Mercury Energy Ltd	Oppose

FS1272.7	KiwiRail Holdings Ltd	Not stated
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99. 6 of the 12 submissions seek that Objective 4.1.2 be retained without change. The other 6 submissions seek additions to the objective.

14.1.2 Analysis

100. The submissions seek clarity as to where the urban growth is to be directed and that the compact urban form is supported. The policies from 4.1.10 – 4.1.18 identify the Future Proof towns and villages where further urban development is to be encouraged. It would provide clarity if reference to these towns and villages was provided.
101. Submission 579.35 (Lakeside Development) seeks the addition of “along the rail corridor”. However, as Raglan is not on the rail corridor, this statement is not in accordance with the growth of the district.
102. Submission 535.12 (Hamilton City Council) seeks that the growth areas be in a table or mapped. This is unnecessary as all the growth areas have been zoned.

14.1.3 Recommendation

103. For the reasons set out above, the objective could be clarified to refer to the towns and villages set out in subsequent policies.
104. It is recommended that the submissions from Housing New Zealand Corporation [749.95], Waikato District Health Board [923.28], Waikato Regional Council [81.113], Withers Family Trust [598.6], Anna Noakes [524.12], KiwiRail Holdings Limited (KiwiRail) [986.12], Balle Bros Group Limited [466.32], Horticulture New Zealand [419.101], and Federated Farmers of New Zealand [680.50] be **accepted**.
105. It is recommended that the submissions from Hamilton City Council [535.12], Waikato Regional Council [81.111], and Lakeside Developments 2017 Limited [579.35] be **rejected**.

14.1.3 Recommended amendments

106. The following amendment to 4.1.2 is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment** as follows:
- (a) Future settlement pattern is consolidated in and around existing towns and villages **listed in Policies 4.1.10 – 4.1.18 of in the district to support a compact urban form for each urban area.**

14.1.4 Section 32AA Evaluation

107. The recommended amendment is explanatory in nature to assist in the understanding as to which towns and villages growth is anticipated in, as is already set out in the supporting policies. Accordingly, no s32AA evaluation has been required to be undertaken.

15 Chapter 4: Urban Environment – 4.1.3 Policy – Location of Development

15.1.1 Submissions

Submission number	Submitter	Summary of submission
445.11	BTW Company	Add a new policy after Policy 4.1.3 Location of development, as follows: <u>Structure Planning</u> <u>Provide for and encourage planned, integrated and flexible development through both developer and council led structure planning for areas consistent with the Future Proof settlement pattern, and in accordance with relevant urban design guidelines. Encourage residential development within those approved structure planned areas through permitted activity status where effects can be managed. Multi-unit developments Encourage comprehensive residential developments outside of structure planned areas, by way of multi-unit developments.</u>
FS1388.298	Mercury Energy Ltd	Oppose
FS1202.51	New Zealand Transport Agency	Support
FS1377.104	Havelock Village Limited	Support
344.2	Burton Trust	Add new Policy 4.1.3(c) as follows: <u>(c) Identify and investigate potential future growth area options to meet long term demand.</u>
FS1386.479	Mercury Energy Ltd	Oppose
FS1252.3	AH & DB Finlay Ltd	Support
FS1254.3	WattleDowns Ltd	Support
FS1256.3	Moeraki Farm Ltd	Support
FS1260.3	K Badger and WR Badger Estate	Support
FS1270.1	Malcolm MacDonald	Support
FS1324.3	Robyn Ballard	Support
FS1377.55	Havelock Village Limited	Support
FS1379.382	Hamilton City Council	Support
923.29	Waikato District Health Board	Amend Policy 4.1.3- Location of Development, however amendments sought are unclear. OR Add additional policy for urban residential activities to Chapter 4: Urban Environment similar to Policy 4.1.6- Commercial and industrial activities.
FS1387.1486	Mercury Energy Ltd	Oppose
445.4	BTW Company	Amend Policy 4.1.3 (b) Location of development to create flexibility for Future Proof updates, as follows: (b) Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2047. <u>and any subsequent updates.</u>
FS1388.291	Mercury Energy Ltd	Oppose

FSI287.16	Blue Wallace Surveyors	Support
FSI377.103	Havelock Village Limited	Support
343.1	Rangitahi Limited	Amend Policy 4.1.3 (b) Location of development, to clarify the indicative nature of the Future Proof Strategy urban limits. AND Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.
FSI386.476	Mercury Energy Ltd	Oppose
FSI329.1	Koning Family Trust and Martin Koning	Support
FSI377.54	Havelock Village Limited	Support
524.13	Anna Noakes	Amend Policy 4.1.3 (b) Location of development, as follows: Locate urban growth areas only where they are consistent with <u>legislative requirements and strategic documents such as Future Proof the Future Proof Strategy Planning for Growth 2017.</u>
FSI388.620	Mercury Energy Ltd	Oppose
FSI297.7	CSL Trust & Top End Properties Limited	Support
FSI377.123	Havelock Village Limited	Oppose
749.96	Housing New Zealand Corporation	Amend Policy 4.1.3 Location of development as follows (or similar wording): (b) Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017 <u>and within existing urban limits.</u> (c) <u>Where possible, urban subdivision, use and development in the rural environment is avoided.</u> (c) Where possible, urban subdivision, use and development in the rural environment is avoided. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
FSI387.1029	Mercury Energy Ltd	Oppose
FSI168.36	Horticulture NZ	Support
FSI377.263	Havelock Village Limited	Support
662.35	Blue Wallace Surveyors Ltd	Amend Policy 4.1.3 Location of Development as follows: (a) Subdivision and development of a residential, commercial and industrial nature is to occur within <u>and adjacent to</u> towns and villages where infrastructure and services can be efficiently and economically provided. (b) Locate urban growth areas only where they are consistent with the <u>relevant Strategic Growth documents for the districtFuture Proof Strategy Planning for Growth 2017.</u>
FSI387.114	Mercury Energy Ltd	Oppose
FSI297.9	CSL Trust & Top End Properties Limited	Support
FSI379.227	Hamilton City Council	Oppose
81.114	Waikato Regional Council	Amend Policy 4.1.3 Location of development OR Amend Policy 4.1.3 Location of development to include additional policy for urban residential activities that is similar to Policy 4.1.6. The additional policy should specify: - Which of the plan's residential zones are to apply in the district's urban towns and villages; - That rural-residential subdivision and development is not to occur in urban areas; - Exactly what is meant by the term 'infrastructure' as used in the policy, for example if it includes on-site waste

		water treatment, such as might be used in rural towns and villages; and - That urban residential development is to occur primarily in accordance with the Future Proof Strategy (and any additional locations identified through the Future Proof update and Auckland to Hamilton Spatial Plan currently underway) where infrastructure to support development of an urban nature is or will be available over the term of the district plan; and whether and which of these locations are identified as priority growth areas for the district.
FS1223.15	Mercury Energy Ltd	Oppose
FS1110.13	Synlait	Support
FS1176.9	Watercare Services Limited	Support
FS1224.3	Ambury Properties	Support
FS1313.5	Perry Group Limited	Support
FS1322.31	Synlait	Support
FS1377.23	Havelock Village Limited	Support
466.33	Balle Bros Group Limited	Amend Policy 4.1.3 Location of development to avoid development on high-class soils where it can demonstrate that the area provides opportunity for viable primary production activities. Specific regard should be given to: Topography Productivity Sustainability (specifically avoidance of soil pests and diseases, suitably consented irrigation water) Reverse sensitivity Economic viability
FS1388.417	Mercury Energy Ltd	Oppose
FS1091.15	GD Jones	Support
FS1168.35	Horticulture New Zealand	Support
464.1	Perry Group Limited	Amend Policy 4.1.3 Location of development, as follows: (a) Subdivision and development of a residential, commercial and industrial nature is to occur within <u>or near</u> towns and villages where infrastructure and services can be efficiently and economically provided. (b) Locate Give preference to urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017, <u>any amended Future Proof documents, the Corridor Plan, and any central government directives on land use.</u> AND Any consequential amendments or further relief to address the concerns raised in the submission.
FS1388.374	Mercury Energy Ltd	Oppose
FS1087.2	Ports of Auckland Limited	Oppose
FS1287.17	Blue Wallace Surveyors	Support
FS1377.109	Havelock Village Limited	Support
419.85	Horticulture New Zealand	Amend Policy 4.1.3 Location of development, by expanding the policy to avoid the location of development on high class soils. AND Any consequential or additional amendments as a result of changes sought in the submission.
FS1388.215	Mercury Energy Ltd	Oppose
FS1091.13	GD Jones	Support
FS1171.43	T & G Global	Support
81.115	Waikato Regional Council	Amend Policy 4.1.3 Location of development to take into account high class soils, significant natural areas, outstanding natural features and landscapes, natural character and hazards.

FSI223.16	Mercury Energy Ltd	Oppose
FSI062.9	Andrew and Christine Gore	Oppose
FSI377.24	Havelock Village Limited	Support
344.1	Burton Trust	Delete the date "2017" from Policy 4.1.3(b) Location of development.
FSI386.478	Mercury Energy Ltd	Oppose
FSI252.2	AH & DB Finlay Ltd	Support
FSI254.2	WattleDowns Ltd	Support
FSI256.2	Moeraki Farm Ltd	Support
FSI260.2	K Badger and WR Badger Estate	Support
FSI324.2	Robyn Ballard	Support
299.5	2SEN Limited and Tuakau Estates Limited	Retain Policy 4.1.3 (b) Location of development as notified.
FSI386.331	Mercury Energy Ltd	Oppose
182.9	Kirriemuir Trustee Limited	Retain Policy 4.1.3 (b) Location of development, as notified.
FSI386.169	Mercury Energy Ltd	Oppose
598.7	Withers Family Trust	Retain Policy 4.1.3 (b) Location of development, except for the amendments sought below AND Amend Policy 4.1.3(b) Location of development as follows: (b) Locate urban growth areas only where they are consistent with <u>legislative requirements and strategic documents such as Future Proof, the Future Proof Strategy Planning for Growth 2017.</u>
FSI388.1008	Mercury Energy Ltd	Oppose
FSI297.8	CSL Trust & Top End Properties Limited	Support
FSI377.178	Havelock Village Limited	Support
680.51	Federated Farmers of New Zealand	Retain Policy 4.1.3 Location of development, as notified.
FSI387.163	Mercury Energy Ltd	Oppose
FSI171.66	T & G Global	Support
742.9	New Zealand Transport Agency	Retain Policy 4.1.3 Location of development, as notified.
FSI387.839	Mercury Energy Ltd	Oppose
FSI273.9	Auckland Transport	Support
579.37	Lakeside Developments 2017 Limited	Retain Policy 4.1.3 Location of development, except for the amendments sought below AND Amend Policy 4.1.3 Location of development, as follows: (a) Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages, <u>and along the rail corridor,</u>

		where infrastructure and services can be efficiently and economically provided. AND Amend the Proposed District Plan to make any amendments or consequential changes that are necessary to give effect to the matters raised in the submission.
FS1388.915	Mercury Energy Ltd	Oppose
535.13	Hamilton City Council	Retain Policy 4.1.3(a) Location of development except for the amendments sought below. AND Amend Policy 4.1.3(a) Location of development as follows: (a) Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages where infrastructure and services can be efficiently and economically provided. <u>in a coordinated manner with other development</u> ; and AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FS1388.688	Mercury Energy Ltd	Oppose
535.14	Hamilton City Council	Retain Policy 4.1.3(b) Location of development except for the amendments sought below. AND Add to Policy 4.1.3(b) Location of development a table/map that identifies the growth areas. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FS1388.689	Mercury Energy Ltd	Oppose
FS1091.19	GD Jones	Oppose

108. There are 22 submissions to Policy 4.1.3, with four of those seeking retention of the policy and the remainder seeking that the policy be amended to (in summary):

- a. Provide flexibility to accommodate the outcome of future growth strategy work
- b. Protect high quality soils and rural productive uses
- c. Provide for urban growth **adjacent to** existing towns and villages or along the rail corridor, and
- d. Use structure plans to guide subsequent development.

15.1.2 Analysis

109. As discussed earlier in this report, there are a number of growth strategy projects currently underway. However, none of these has reached a stage where they have statutory weight that needs to be given effect to or taken into account. As concluded previously in this evidence, changes to the objectives, policies and other provisions of the PWDP need to await the outcome of the strategic work and will be subject of future variation or plan change. Accordingly, I do not consider any that change is required in response to those submissions that seek reference to the Hamilton 2 Auckland, updates to Future Proof or any other documents.

110. Submission 343.1 (Rangitahi Limited) seeks that the policy reflect the indicative nature of Future Proof. I consider that the wording of the policy “**consistent** with the Future Proof Strategy” provides the direction that there is flexibility inherent and therefore no change is recommended.

111. Four submissions seek specific reference to avoiding urban growth on high quality soils. This matter is already stated in a number of objectives such as:

- a. Strategic Objective 5.1.1
- b. Objective 5.2.1 – Rural resource

- c. Objective 5.2.2 – High class soils, and
- d. Policy 5.3.3(b) – Industrial and commercial activities.

- I 12. Accordingly I do not consider that any change to the policy is required in response to submissions with respect to this matter.
- I 13. Three submissions seek that Policy 4.1.3(a) be amended to provide for growth *adjacent to or near to* existing towns and villages, and also alongside the rail corridor. The location of areas anticipated to be needed to accommodate growth within the lifetime of the plan have been zoned for that purpose in the PWDP. The future location of urban growth will need to be considered at a later stage and as discussed previously should be introduced through the variation or plan change process. Accordingly, no change is recommended in response to these submissions.
- I 14. Submission 344.2 (Burton Trust) suggests including an additional subpart (c) to the policy indicating that investigation into potential further growth areas will be undertaken. I do not consider that such a policy is required as that is a matter directed by the National Policy Statement – Urban Development Capacity.
- I 15. Submission 445.11 (BTW Company) suggests a number of changes to the policy to reference (among other matters) structure plans, urban design guidelines and comprehensive multi-unit development outside of the structure plan areas. In my opinion, these matters are covered in other policies (such as Policy 4.1.8) which describes the specific urban design sought in each town and makes specific reference to guidelines. Submission 535.13 (Hamilton City Council) seeks that infrastructure be coordinated, but this is specifically stated in the following Policy 4.1.4, and does not need to be repeated in this policy.
- I 16. Submission 81.114 (Waikato Regional Council) seeks a raft of changes including detail on the type of Residential Zone that applies, that rural residential is not to occur in residential areas, definition of infrastructure, and rural residential is to occur in accordance with Future Proof. In my opinion, the matters raised are covered in other policies (such as Policy 4.1.5 – Density which specifies the number of households to be achieved, which rules out rural residential development).

15.1.3 Recommendation

- I 17. For the reasons outlined above, I do not consider that any change is required to Policy 4.1.3.
- I 18. It is recommended that the submissions from 2SEN Limited and Tuakau Estates Limited [299.5], Kirriemuir Trustee Limited [182.9], Federated Farmers of New Zealand [680.51], and New Zealand Transport Agency [742.9] be **accepted**.
- I 19. It is recommended that the submissions from BTW Company [445.11], Burton Trust [344.2], Waikato District Health Board [923.29], BTW Company [445.4], Rangitahi Limited [343.1], Anna Noakes, [524.13], Housing New Zealand Corporation [749.96], Blue Wallace Surveyors Ltd [662.35], Waikato Regional Council [81.114], Balle Bros Group Limited [466.33], Perry Group Limited [464.1], Horticulture New Zealand [419.85], Waikato Regional Council [81.115], Burton Trust [344.1], Withers Family Trust [598.7], Lakeside Developments 2017 Limited [579.37], Hamilton City Council [535.13], and Hamilton City Council [535.14] be **rejected**.

15.1.4 Section 32AA Evaluation

120. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken

16 Chapter 4: Urban Environment – 4.1.4 Policy – Staging of Development

16.1.1 Submissions

Submission number	Submitter	Summary of submission
81.116	Waikato Regional Council	Amend Policy 4.1.4 – Staging of development to include details on how subdivision, use and development of new urban areas within urban towns and villages is to be integrated and staged in areas where a 'live' zoning is proposed, but where infrastructure does not currently exist or is not planned to be provided over the timeframe of the district plan.
FS1223.17	Mercury Energy Ltd	Oppose
FS1108.114	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Support
923.30	Waikato District Health Board	Retain Policy 4.1.4- Staging of development as notified.
FS1387.1487	Mercury Energy Ltd	Oppose
742.10	New Zealand Transport Agency	Retain Policy 4.1.4 Staging of Development, except for the amendments sought below AND Amend Policy 4.1.4 Staging of Development as follows: (a) ensure that subdivision, use and development new urban areas is: (i) located, designed, and staged to adequately support <u>ensure that it is adequately serviced by</u> existing or planned infrastructure, community facilities, open space networks and local services; and (ii) efficiently and effectively integrated and staged to support infrastructure, stormwater management networks, park, and openspace networks. AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FS1387.840	Mercury Energy Ltd	Oppose
FS1108.132	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Support
FS1224.9	Ambury Properties	Oppose
FS1273.10	Auckland Transport	Support
FS1313.21	Havelock Village Limited	Support
FS1377.241	Havelock Village	Support

	<i>Limited</i>	
524.39	Anna Noakes	Retain Policy 4.1.4 Staging of development.
FS1388.635	Mercury Energy Ltd	Oppose
535.15	Hamilton City Council	Retain Policy 4.1.4 Staging of development.
FS1388.690	Mercury Energy Ltd	Oppose
598.8	Withers Family Trust	Retain Policy 4.1.4 Staging of development.
FS1388.1009	Mercury Energy Ltd	Oppose
579.36	Lakeside Developments 2017 Limited	Retain Policy 4.1.4 Staging of development.
FS1388.914	Mercury Energy Ltd	Oppose

121. Five of the seven submissions seek the retention of the policy. The other two submissions (81.116 Hamilton City Council and 742.10 New Zealand Transport Agency) seek additional detail with respect to staging of and adequate servicing by infrastructure.

16.1.2 Analysis

122. The detailed policy direction as to the manner in which infrastructure is to be provided to existing and new urban areas is set out in detail under Section 4.7 Urban Subdivision and development, particularly Policies 4.7.5, 4.7.6 and 4.7.8. Accordingly, I do not consider that any further detail regarding infrastructure is required in Policy 4.1.4.

16.1.2 Recommendation

123. For the reasons outlined above, I do not consider any change is required to Policy 4.1.4.
124. It is recommended that the submissions from Waikato District Health Board [923.30], Anna Noakes [524.39], Hamilton City Council [535.15], Withers Family Trust [598.8], and Lakeside Developments 2017 Limited [579.36] be **accepted**.
125. It is recommended that the submissions from Waikato Regional Council [81.116], and New Zealand Transport Agency [742.10] be **rejected**.

16.1.4 Section 32AA Evaluation

126. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

17 Chapter 4: Urban Environment – 4.1.5 Policy – Density

17.1.1 Submissions

Submission number	Submitter	Summary of submission
397.2	Horotiu Properties Limited	Amend Policy 4.1.5 (c) Density, as follows: (c) Achieve a minimum density of 8-10 households per hectare in the Village Zone where public reticulated services can be provided. AND Amend the Proposed District Plan to make any consequential amendments necessary to address the matters raised in the submission.
FSI388.132	Mercury Energy Ltd	Oppose
FSI091.9	GD Jones	Support
749.97	Housing New Zealand Corporation	Amend Policy 4.1.5 Density as follows (or similar wording): (a) Encourage higher density housing and retirement villages to be located near to and support existing town commercial centres, community facilities, public transport, key strategic transport corridors and open space. (b) Achieve a minimum density of 12-15 households per hectare in the Residential Zone. (c) Achieve a minimum density of 30 households per hectare in the Medium Density Residential Zone. cd) ... AND Amend the
FSI387.1030	Mercury Energy Ltd	Oppose
FSI093.4	Garth and Sandra Ellmers	Support
FSI368.12	Rosita Barnes	Oppose
780.16	Whaingaroa Environmental Defence Incorporated Society	Amend Policy 4.1.5 Density to identify density ranges for each street.
FSI387.1197	Mercury Energy Ltd	Oppose
FSI269.69	Housing NZ	Oppose
FSI377.274	Havelock Village Limited	Oppose
825.16	John Lawson	Amend Policy 4.1.5 Density to identify density ranges for each street.
FSI387.1320	Mercury Energy Ltd	Oppose
81.118	Waikato Regional Council	Amend Policy 4.1.5 Density to indicate a higher minimum density than is currently proposed for serviced sites within the Village Zone.
FSI223.157	Mercury Energy Ltd	Oppose
FSI223.145	Mercury Energy Ltd	Support
FSI091.46	GD Jones	Support
FSI286.6	Horotiu Properties	Support
FSI335.5	CKL	Support
81.117	Waikato Regional Council	Amend Policy 4.1.5 Density to indicate that in the Residential zone closest to Business Town Centre zones, it is anticipated that a higher density per hectare is to be achieved.
FSI223.156	Mercury Energy Ltd	Oppose
FSI107.8	Simon Upton	Support

FSI261.6	Annie Chen	Support
FSI377.26	Havelock Village Limited	Support
942.15	Tainui	Amend Policy 4.1.5 Density to provide for retirement villages on marae and within papakainga on Maori Freehold Land.
658.1	Koning Family Trust and Martin Koning	Amend Policy 4.1.5 Density, as follows: <u>Residential development responds to its context and seeks to achieve, over time, the following average gross density targets: Achieve a minimum density of:</u> (i) 12-15 households per hectare in the Residential Zone (ii) 8-10 households per hectare in the Village Zone where public reticulated services can be provided. AND Any further relief or amendments as necessary to support the relief sought in the submission.
FSI387.92	Mercury Energy Ltd	Oppose
FSI117.3	Cath 2CEN and Tuakau Estates Ltd	Support
602.34	Greig Metcalfe	Amend Policy 4.1.5(c) - Density, as follows: (c) Achieve a minimum density of 8-10 households per hectare in the Village Zone where public reticulated services can be provided. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FSI388.1042	Mercury Energy Ltd	Oppose
FSI091.21	GD Jones	Support
923.32	Waikato District Health Board	Amend the Proposed District Plan to provide for higher density and mixed use developments close to train stations that have been signaled for potential re-opening.
FSI387.1489	Mercury Energy Ltd	Oppose
386.7	Pokeno Village Holdings Limited	Delete the density targets for Pokeno (as contained in Policy 4.1.5(b) Density). OR Amend Policy 4.1.5 Density to be "greater than 10 dwellings per hectare" in accordance with the Regional Policy Statement
FSI388.84	Mercury Energy Ltd	Oppose
FSI261.7	Annie Chen	Support
FSI297.10	CSL Trust & Top End Properties Limited	Support
FSI377.80	Havelock Village Limited	Support
535.16	Hamilton City Council	Retain Policy 4.1.5 Density except for the amendments sought below. AND Amend Policy 4.1.5 Density, by including a greater range of densities, canvassing growth in both greenfield and fill areas; AND Amend subdivision rules as a consequential amendment. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FSI388.691	Mercury Energy Ltd	Oppose
FSI202.52	New Zealand Transport Agency	Support
FSI269.142	Housing NZ	Support
524.40	Anna Noakes	Retain Policy 4.1.5 (b) Density.
579.38	Lakeside Developments 2017 Limited	Retain Policy 4.1.5 Density as notified.
FSI388.916	Mercury Energy Ltd	Oppose
FSI286.7	Horotiu Properties	Oppose

680.52	Federated Farmers of New Zealand	Retain Policy 4.1.5 Density as notified.
FSI387.164	Mercury Energy Ltd	Oppose
FSI171.89	T & G Global	Support
742.11	New Zealand Transport Agency	Retain Policy 4.1.5(a) Density, except for the amendments sought below AND Amend Policy 4.1.5(a) Density as follows: Encourage <u>Ensure</u> higher density housing and retirement villages to be <u>are</u> located where <u>they have safe efficient and effective access to near to and support</u> commercial centres, community facilities, public transport and open space <u>without being reliant on private vehicle use.</u> AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FSI387.841	Mercury Energy Ltd	Oppose
FSI004.1	Tamahere Eventide Home Trust-Tamahere Eventide Retirement Village	Oppose
FSI004.17	Tamahere Eventide Home Trust-Tamahere Eventide Retirement Village	Oppose
FSI005.4	Tamahere Eventide Home Trust-Tamahere Eventide Retirement Village	Oppose
FSI313.22	Perry Group Limited	Oppose
598.9	Withers Family Trust	Retain Policy 4.1.5(b) but the submitter notes that physical/geotechnical limitations, market trends and fragmented land ownership may impede achieving these minimum density requirements.
FSI388.1009	Mercury Energy Ltd	Oppose
923.31	Waikato District Health Board	Retain Policy 4.1.5-Density, except for the amendments sought below; AND Amend Policy 4.1.5 (b)- Density to indicate that in the Residential Zone closest to a Business Town Centre, it is anticipated that a higher minimum density per hectare is to be achieved.
FSI387.1488	Mercury Energy Ltd	Oppose
FSI272.16	KiwiRail Holdings Ltd	Support
FSI377.285	Havelock Village Limited	Oppose

127. Four of the 18 submissions seek the retention of the policy without change. In summary, the remainder of the submissions raise the following matters that are discussed in turn:

- Remove the 'public' infrastructure requirement for the Village Zone
- Direct higher density to transport corridors, train stations or close to Business/Town Centre zones and specify density for individual streets
- Different density targets, and

- d. Retirement villages on marae and papakainga.

17.1.2 Analysis

- 128. The Council policy direction is that where available (existing or planned), development in the Village Zone should connect to **public** infrastructure (refer to Policy 4.1.17(a)(ii) and Policy 4.3.3(a)). For both Tuakau and Te Kowhai where the Village Zone applies, both areas have the potential to connect to public infrastructure. The development of private infrastructure has the potential to make subsequent connection to the public supply problematic. Accordingly, although there is no policy support for private reticulation a proposal to provide private reticulation that would efficiently and effectively connect to a public supply is not precluded. In my opinion, it is preferable that the PWDP clearly signals that the policy direction is for public reticulation. (Submissions 397.2 Horotiu Properties Limited, 81.118 Waikato Regional Council and 602.34 Greig Metcalfe).
- 129. Policy 4.1.5(a) already encourages higher density where public transport is available (which includes transport corridors and train stations) and commercial centres (Submissions 923.31 and 923.32 Waikato District Health Board, 81.117 Waikato Regional Council, 742.11 New Zealand Transport Agency).
- 130. The town-specific policies under Objective 4.1.7 set out the location of residential activities (Submission 386.7 Pokeno Village Holdings Limited). It is unnecessary and impracticable to specify the density for individual streets (Submission 780.16 Whaingaroa Environmental Defence Incorporated Society and 825.16 John Lawson).
- 131. The densities apply to both greenfield and infill development as the density targets are sought to be obtained across the zones (Submissions 535.16 Hamilton City Council, 658.1 Koning Family Trust and Martin Koning).
- 132. Submission 749.97 (Housing New Zealand) seeks the addition of a policy that relates to a proposed Medium Density Residential Zone. This part of the submission will be addressed in Hearing H8 – Residential.
- 133. Submission 942.15 (Tainui) seeks recognition of retirement villages on marae and papakainga. Policy 4.2.1.9 encourages the development of retirement villages in urban areas. Where the marae or papakainga is within an urban area, it has policy support. The Whaanga Coast and Rural Zone chapters provide for the development of retirement villages on marae and papakainga outside urban areas.

17.1.3 Recommendation

- 134. For the reasons outlined above, I do not consider that any change is required to Policy 4.1.5.
- 135. It is recommended that the following submissions from Anna Noakes [524.40], Lakeside Developments 2017 Limited [579.38] and Federated Farmers of New Zealand [680.52] be **accepted**.
- 136. It is recommended that the following submissions from Horotiu Properties Limited [397.2], Housing New Zealand Corporation [749.97], Whaingaroa Environmental Defence Incorporated Society [780.16], John Lawson [825.16], Waikato Regional Council [81.118], Waikato Regional Council [81.117], Tainui [942.15], Koning Family Trust and Martin Koning

[658.1], Greig Metcalfe [602.34], Waikato District Health Board [923.32], Pokeno Village Holdings Limited [386.7], Hamilton City Council [535.16], New Zealand Transport Agency [742.11], Withers Family Trust [598.9] and Waikato District Health Board [923.31] be rejected.

17.1.4 Section 32AA Evaluation

137. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

18 Chapter 4: Urban Environment – 4.1.6 Policy – Commercial and industrial activities

18.1.1 Submissions

Submission number	Submitter	Summary of submission
464.2	Perry Group Limited	Add a new clause (c) to Policy 4.1.6 Commercial and industrial activities, as follows: <u>(c) Encourage linkages and connections between commercial, industrial, and residential activities.</u> AND Any consequential amendments or further relief to address the concerns raised in the submission.
FS1388.375	Mercury Energy Ltd	Oppose
FS1087.5	Ports of Auckland Limited	Oppose
781.3	Ministry of Education	Amend 4.1.6 Policy - Commercial and industrial activities, so that education facilities are included as follows: 4.1.6 Policy - <u>Education</u> , commercial and industrial activities (a) Provide for <u>education facilities</u> , commercial and industrial development in the following zones: ...
FS1387.1212	Mercury Energy Ltd	Oppose
FS1345.128	Genesis Energy Limited	Support
548.6 note Comments below recommendations	Grander Investments Limited	Amend Policy 4.1.6 (b) Commercial and Industrial Activities, as follows: "Industry is only to be located in <u>enabled in</u> identified Industrial Zones and the industrial strategic growth nodes of..."
FS1388.770	Mercury Energy Ltd	Oppose
FS1110.15	Synlait	Support
FS1306.13	Hynds Foundation	Support
FS1322.11	Synlait	Support
535.17	Hamilton City Council	Amend Policy 4.1.6 Commercial and industrial activities, so that it reads as a policy and reflects the difference between commercial and industrial activities, their intended location and management of effects. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FS1388.692	Mercury Energy Ltd	Oppose

FSI149.4	Gavin Lovegrove and Michelle Peddie	Support
FSI149.5	Gavin Lovegrove and Michelle Peddie	Support
FSI157.20	Gordon Downey	Support
FSI164.4	Tamara Huaki	Support
FSI165.4	Pukerangi Kee-Huaki	Support
FSI166.4	Jarod Kowhai Huaki	Support
FSI182.13	Newstead Country Preschool	Support
FSI183.4	Noel Gordon Smith	Support
FSI204.14	Christian & Natasha McDean	Support
FSI216.12	Newstead Residents Association	Support
FSI280.12	Dennis & Jan Tickelpenny	Support
548.5 not included in analysis below	Grander Investments Limited	Retain Policy 4.1.6 (a) Commercial and Industrial Activities, as notified.
923.33	Waikato District Health Board	Retain Policy 4.1.6- Commercial and Industrial Activities as notified.
FSI388.769	Mercury Energy Ltd	Oppose
FSI306.12	Hynds Foundation	Support
742.12	New Zealand Transport Agency	Retain Policy 4.1.6 Commercial and industrial activities, except for the amendments sought below AND Amend Policy 4.1.6 Commercial and industrial activities as follows: (a) Provide for commercial and industrial development activities in the following zones: (i) Business Town Centre; and (ii) Business (ii) Industrial (iv) Heavy Industrial (b) Industry is only to be located in identified Industrial Zones and the industrial strategic growth nodes of: (i) Tuakau (ii) Pokeno (iii) Huntly; and (iv) Horotiu Provide for industrial activities only in the following zones: (i) Industrial (ii) Heavy Industrial AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FSI387.842	Mercury Energy Ltd	Oppose
FSI110.17	Synlait	Support
FSI182.4	Newstead Country Preschool	Support
FSI183.1	Noel Gordon Smith	Support
FSI204.3	Christian and	Support

	Natasha McDean	
FSI216.3	Newstead Residents Association	Support
FSI280.3	Dennis and Jan Tickelpenny	Support
FSI322.19	Synlait	Support
924.13	Genesis Energy Limited	Retain Policy 4.1.6 Commercial and industrial activities, except for the amendments sought below AND Amend Policy 4.1.6 (a)- Commercial and Industrial activities as follows: (a) Provide for commercial and industrial development in the following zones: (i) Business Town Centre; (ii) Business; (iii) Industrial; and (iv) Heavy Industrial; <u>and (v) Electricity generation within the Huntly Power Station Heavy Industrial Zone.</u>
FSI387.1546	Mercury Energy Ltd	Oppose
81.119	Waikato Regional Council	Retain Policy 4.1.6 Commercial and industrial activities.
FSI223.167	Mercury Energy Ltd	Support
FSI149.3	Gavin Lovegrove and Michelle Peddie	Support
FSI164.3	Ta,araHuaki	Support
FSI165.3	Pekerangi Kee-Huaki	Support
FSI166.3	Jarod Kowhai Huaki	Support
FSI182.7	Newstead Country Preschool	Support
FSI204.6	Christian and Natasha McDean	Support
FSI216.6	Newstead Residents Association	Support
FSI280.6	Deenis and Jan Tickelpenny	Support
581.3	Synlait Milk Ltd	Retain Policy 4.1.6(b) Commercial and industrial activities.
FSI388.945	Mercury Energy Ltd	Oppose
FSI306.22	Hynds Foundation	Support
FSI341.19	Hynds Pipe Systems Ltd	Support

138. Four of the nine submissions seek the retention of the policy as notified. The other submissions seek clarity as to which activities are provided and the differences in effects of

the two zones, provision for the Huntly Power Station, linkages between the zones and provision for education activities. Each of these two matters is discussed in turn below.

18.1.2 Analysis

139. I concur with the submissions that seek to clarify which activities are provided for in the commercial and industrial zones (Submission 535.17 Hamilton City Council and 742.12 New Zealand Transport Agency). Also, the role of the Huntly Power Station needs to be recognised as although it is not in an urban area, it is zoned Industrial Heavy (Submission 924.13 Genesis Energy Limited).
140. The wording change suggested in Submission 548.6 (Grander Investments Limited) has the effect of changing the emphasis of the policy from one of **only** providing industry in Industrial Zones to one of enabling industry in the Industrial Zone. This change in policy is not in accordance with the overall objective and policy direction of restricting urban activities to urban zones and hence it is recommended that there is no change.
141. Submission 781.3 (Ministry of Education) seeks recognition of education activities in the zones. The purpose of this policy is to direct commercial and industrial activities to the respective zones **only**. The subsequent policies provide the support for community and other activities within the respective commercial and industrial zones. Accordingly, no change is considered necessary.
142. Submission 464.2 (Perry Group Limited) seeks that the policy encourage linkages between the various zones. As noted above the purpose of the policy is to direct the location of commercial and industrial activities. The heading of the policy is recommended to state that it is about location to assist with clarity. Other policies in Chapter 4 address linkages within urban areas.

18.1.3 Recommendation

143. For the reasons set out above it is recommended that the policy be amended to clearly state that it relates to the **location** of commercial and industrial activities in their respective zones.
144. It is recommended that the submissions from Hamilton City Council [535.17], Grander Investments Limited [548.6], Waikato District Health Board [923.33], New Zealand Transport Agency [742.12], Genesis Energy Limited [924.13], Waikato Regional Council [81.119] and Synlait Milk Ltd [581.3] be **accepted**.
145. It is recommended that the submissions from Perry Group Limited [464.2], Ministry of Education [781.3] and Grander Investments Limited [548.5] be **rejected**.

18.1.4 Recommended amendments

146. The following amendments are recommended to **Appendix 4 - Chapter 4: Urban Environment** as follows:

4.1.6 Policy – **Location of Commercial and industrial activities**

- (a) Provide for commercial ~~and industrial~~ development in the following zones;
- (i) Business Town Centre; ~~and~~

- (ii) Business;
- (b) Provide for industrial development in the following zones:
 - (i) Industrial; and
 - (ii) Heavy Industrial.
- (c) Industry is only to be located in identified Industrial Zones and the industrial strategic growth nodes of:
 - (i) Tuakau;
 - (ii) Pokeno;
 - (iii) Huntly; ~~and~~
 - (iv) Horotiu; ~~and~~
 - (v) Electricity generation within the Huntly Power Station Heavy Industrial Zone.

18.1.5 Section 32AA Evaluation

147. The recommended amendments are to provide clarification to assist with the understanding of which activities are to locate in which zones. Accordingly, no s32AA evaluation has been required to be undertaken.

19 Chapter 4: Urban Environment – 4.1.7 Objective – Character of towns

19.1.1 Submissions

Submission number	Submitter	Summary of submission
697.538	Waikato District Council	Amend Objective 4.1.7 Character of Towns as follows: Development in the Residential, Village, Industrial, <u>Industrial Heavy, Business Town Centre</u> and Business zones is attractive...
FS1387.596	Mercury Energy Ltd	Oppose
FS1110.4	Synlait	Support
FS1264.14	Bootleg Brewery	Oppose
FS1322.28	Synlait	Oppose
81.120	Waikato Regional Council	Amend Objective 4.1.7 Character of towns to ensure that these provisions provide a focused/integrated and strategic direction in respect of the district's urban environments. OR Amend Objective 4.1.7 Character of towns to add additional objectives to better support and align with the matters covered by the associated policies, including that the existing residential and commercial character of the district's urban environments is to be maintained and enhanced by new growth and development.
FS1223.19	Mercury Energy Ltd	Oppose
FS1223.19	Mercury Energy Ltd	Support
FS1323.33	Heritage NZ	Support
FS1377.27	Havelock Village Ltd	Oppose
662.36	Blue Wallace Surveyors Ltd	Amend Objective 4.1.7(a) Character of towns as follows: (a) Development in the Residential, Village, Industrial and Business zones is attractive, connected and reflects the existing character of towns.
FS1387.115	Mercury	Oppose

	<i>Energy Ltd</i>	
FS1297.11	CSL Trust & Top End Properties Ltd	Support
FS1377.186	Havelock Village Ltd	Support
923.34	Waikato District Health Board	Amend Objective 4.1.7-Character of Towns to provide better alignment with the associated policies OR Add to Section 4.1- Strategic Direction additional objectives that better support and align with matters covered by the associated policies, including that the existing residential and commercial character of the district's urban environments is to be maintained and enhanced by new growth and development.
FS1387.1491	Mercury Energy Ltd	Oppose
FS1377.288	Havelock Village Ltd	Oppose
559.43	Heritage New Zealand	Retain Objective 4.1.7 Character of Towns except for the amendments sought below. AND Amend Objective 4.1.7 Character of Towns as follows: (a) Development in the residential, village, industrial and business zones is attractive, connected and reflects the existing character <u>and historic heritage values</u> of towns.
FS1388.802	Mercury Energy Ltd	Oppose

148. Submission 697.538 (Waikato District Council) seeks that the objective apply to additional zones as set out in the submission.
149. Submission 662.36 (Blue Wallace Surveyors) seeks the deletion of the word 'existing' from the objective, while Submission 559.43 (Heritage New Zealand) seeks the addition of 'historic heritage values'.
150. Submissions 81.120 (Waikato Regional Council) and 923.34 (Waikato District Health Board) seek better alignment with supporting policies.

19.1.2 Analysis

151. The extension of Objective 4.1.7 to the "Heavy Industrial" and "Business Town Centre" zones is an omission. The objectives and policies in Section 4.5 for the Business and Business Town Centre Zones and Section 4.6 for the Industrial and Heavy Industrial Zones, all set out the existing character of the towns and how reflection of that character is to be addressed in each zone.
152. The town-specific policies (4.1.10 – 4.1.18) set out the how the existing character is to be **reflected** in new development. I accept that new development will look different and the objective does not constrain that. Accordingly, the wording suggested in Submission 923.34 (Waikato District Health Board) is recommended to be accepted. At the objective level it is not necessary to include reference to historic heritage values as that should be set out in the policy which is written with respect to Matangi and Huntly (refer to Policy 7.1.4 Matangi and Huntly Heritage Precinct).
153. Submissions 81.120 (Waikato Regional Council) and 923.34 (Waikato District Health Board) are general in their request that better alignment with supporting policies be provided. Without specific examples (which may be detailed in other parts of the submissions and will

be dealt with in subsequent hearing reports), I am not able to determine whether there is any disconnect between the objective and the policies.

19.1.3 Recommendation

154. For the reasons set out above, it is recommended that the objective be amended to recognise that new growth will be different to the existing character.
155. It is recommended that the submissions from Waikato District Council [697.538], Waikato Regional Council [81.120] and Waikato District Health Board [923.34] be **accepted**.
156. It is recommended that the submissions from Blue Wallace Surveyors Ltd [662.36] and Heritage New Zealand Lower Northern Office [559.43] be **rejected**.

19.1.4 Recommended amendments

157. The following amendments are recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.1.7 Objective – Character of towns

- (a) Development in the Residential, Village, Industrial, **Heavy Industrial, Business Town Centre** and Business zones is attractive, connected and reflects the existing character of towns **and that character is enhanced by new growth and development**.

19.1.5 Section 32AA Evaluation

158. The recommended amendments are explanatory in nature to assist with the understanding of how growth is accommodated within towns. Accordingly, no s32AA evaluation has been required to be undertaken

20 Chapter 4: Urban Environment – 4.1.8 Policy – Integration and connectivity

20.1.1 Submissions

Submission number	Submitter	Summary of submission
464.3	Perry Group Limited	Add a new point (c) to Policy 4.1.8 Integration and connectivity, as follows: <u>(c) Encourage greater connectivity and integration between commercial, industrial, and residential activities</u> . AND Any consequential amendments or further relief to address the concerns raised in the submission.
FS1388.376	Mercury Energy Ltd	Oppose
FS1087.6	Ports of Auckland Ltd	Oppose
986.13	KiwiRail Holdings Limited (KiwiRail)	Amend Policy 4.1.8 (a)(i)– Integration and connectivity as follows (or similar amendments to achieve the requested relief): (i)Providing good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, <u>rail</u> , public transport, cycle, and pedestrian

		routes; AND Add a new clause (v) to Policy 4.1.8(a) Integration and connectivity as follows (or similar amendments to achieve the requested relief): <u>(v) Avoiding or managing reverse sensitivity effects on the strategic transport infrastructure networks</u> AND Any consequential amendments to link and/or accommodate the requested changes.
FS1087.32	Ports of Auckland Ltd	Support
923.35	Waikato District Health Board	Amend Policy 4.1.8- Integration and connectivity to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.
FS1387.1492	Mercury Energy Ltd	Oppose
918.14	Property Council New Zealand	Amend the Proposed District Plan to have a multi-pronged approach and strategically support building both up and out to ensure that the district is not limiting itself.
297.6	Counties Manukau Police	Retain Policy 4.1.8 Integration and Connectivity AND Add to Policy 4.1.8(iv) Integration and connectivity a new line that reads: <u>D. National Guidelines for Crime Prevention through Environmental Design in New Zealand</u> . AND Add a new appendix to Chapter 29 Appendices - the National Guidelines for Crime Prevention through Environmental Design in New Zealand.
FS286.310	Mercury Energy Ltd	Oppose
579.39	Lakeside Developments 2017 Limited	Retain Policy 4.1.8 Integration and connectivity as notified.
FS1388.917	Mercury Energy Ltd	Oppose
742.13	New Zealand Transport Agency	Retain Policy 4.1.8 Integration and connectivity as notified.
FS1387.843	Mercury Energy Ltd	Oppose
FS1273.11	Auckland Transport	Support
198.2	Property Council New Zealand	Retain the Proposed District Plan's approach to focus urban development and growth primarily into existing towns and villages near necessary infrastructure such as transport nodes.
FS1386.210	Mercury Energy Ltd	Oppose
FS1269.93	Housing NZ	Support
FS1377.39	Havelock Village Ltd	Support

159. Three of the eight submissions support the policy as written. The other submissions seek amendments with respect to connectivity, CPTED and reverse sensitivity, which are dealt with in turn.

20.1.2 Analysis

160. For all the submissions, I consider that the matters raised are not relevant to Policy 4.1.8 and are already included in other objectives and policies as follows:

- a. Submission 464.3 (Perry Group Limited) – ‘connectivity’ is used in Objective 417(a) and does not need to be repeated in the policy
- b. Submission 986.13 (KiwiRail Holdings Limited) – reverse sensitivity where it is relevant is included in another policy (such as Policy 4.1.1.1 Pokeno)

- c. Submission 923.35 (Waikato District Health Board) – the policies set the framework for development to occur without the need for staging and location of growth
- d. Submission 918.14 (Property Council New Zealand) – the policies for each town and zone within it set out the ability to “*build up*” within the character and amenity values, and
- e. Submission 297.6 (Counties Manukau Police) – policies under Section 4.7 – Urban Subdivision and Development include reference to CPTED.

20.1.3 Recommendation

161. For the reasons outlined above, I do not consider any change is required to Policy 4.1.8.
162. It is recommended that the submissions from Lakeside Developments 2017 Limited [579.39], New Zealand Transport Agency [742.13] and Property Council New Zealand [198.2] be **accepted**.
163. It is recommended that the submissions from Perry Group Limited [464.3], KiwiRail Holdings Limited [986.13], Waikato District Health Board [923.35], Property Council New Zealand [918.14] and Counties Manukau Police [297.6] be **rejected**.

20.1.4 Section 32AA Evaluation

164. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

21 Chapter 4: Urban Environment – 4.1.9 Policy – Maintaining Landscape Characteristics

21.1.1 Submissions

Submission number	Submitter	Summary of submission
923.36	Waikato District Health Board	Amend Policy 4.1.9- Maintaining Landscape Characteristics to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.
FS1377.286	Havelock Village Ltd	Support
368.6	Ian McAlley	Amend Policy 4.1.9(a) maintaining Landscape Characteristics, to recognise that subdivision and development processes on land zoned for a particular purpose will change the shape, contour and landscape characteristics of this land.
FS1061.3	Campbell Tyson	Support
FS1261.8	Annie Chen	Support
FS1297.12	CSL Trust & Top End Properties Ltd	Support

FSI377.68	Havelock Village Ltd	Support
942.22	Tainui	Retain Policy 4.1.9 Maintaining Landscape Characteristics.

165. There are three submissions, with one in support, one general and one submission seeking recognition that landscape will change with development.

21.1.2 Analysis

166. Only Submission 368.6 (Ian McAlley) requires analysis. The submitter is concerned that the policy does not recognise that landscape will change with development. The word 'fundamental' was deliberately chosen to make the policy only applicable to address large, wholesale transformations of the landscape (such as cutting of ridgelines to fill in gullies). In my opinion, the policy therefore accommodates minor changes due to subdivision and development.

21.1.3 Recommendation

167. For the reasons outlined above, I do not consider that any change is required to Policy 4.1.9.
168. It is recommended that the submission from Tainui [942.22] be **accepted**.
169. It is recommended that the submissions from Waikato District Health Board [923.36] and Ian McAlley [368.6] be **rejected**.

21.1.4 Section 32AA Evaluation

170. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

22 Chapter 4: Urban Environment – 4.1.10 Policy – Tuakau

22.1.1 Submissions

Submission number	Submitter	Summary of submission
986.14	KiwiRail Holdings Limited (KiwiRail)	Add a new clause (iv) to Policy 4.1.10(a) Policy – Tuakau as follows (or similar amendments to achieve the requested relief): <u>(iv) Reverse sensitivity effects on strategic transport infrastructure networks are avoided or managed</u> ; OR Add a new clause (v) to Policy 4.1.8(a) Integration and connectivity as follows (or similar amendments to achieve the requested relief): <u>(v) Avoiding or managing reverse sensitivity effects on the strategic transport infrastructure networks</u> so that this applies equally to all towns and growth nodes in Chapter 4 AND Any consequential amendments to link and/or accommodate the requested changes.
FSI269.77	Housing NZ	Oppose
402.3	Tuakau Proteins Limited	Amend Policy 4.1.10 (a) (ii) Tuakau, as follows (or words to similar effect): (ii) Existing intensive farming, <u>rural industry</u> and industrial activities are protected from the effects of reverse sensitivity by considering the location of new residential development. OR Amend the definition of "Industrial Activity" in Chapter 13 Definitions to ensure that Tuakau Proteins Limited

		would fit within that definition. AND Any consequential amendment and/or further amendments to give effect to the concerns raised in the submission.
680.53	Federated Farmers of New Zealand	Amend Policy 4.1.10 (a)(ii) Tuakau, as follows: (ii) Existing intensive Rural production activities including farming and intensive farming operations , and industrial activities are protected from the effects of reverse sensitivity by considering the location of new residential development; and... AND Any consequential changes needed to give effect to this relief.
FS1076.6	NZ Pork Industry Board	Support
FS1098.5	Forest Owners Association	Support
FS1168.39	Horticulture NZ	Support
FS1171.67	T & G Global	Support
419.102	Horticulture New Zealand	Amend Policy 4.1.10 (a)(ii) Tuakau, as follows: (a) Tuakau is developed to ensure: ... (ii) Existing farming <u>including horticulture</u> , intensive farming and industrial activities are protected from the effects of reverse sensitivity by considering the location of new residential development; and AND Any consequential or additional amendments as a result of changes sought in the submission.
FS1171.52	T & G Global	Support
749.98	Housing New Zealand Corporation	Amend Policy 4.1.10 Tuakau to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
923.37	Waikato District Health Board	Amend Policy 4.1.10- Tuakau to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.
466.34	Balle Bros Group Limited	Amend Policy 4.1.10 Tuakau to reconsider the location of Tuakau residential growth, taking into account the viability of primary production activities in this location. Specific regard should be given to: Topography Productivity Sustainability (specifically avoidance of soil pests and diseases, suitably consented irrigation water) Reverse sensitivity Economic viability AND Amend Policy 4.1.10 Tuakau to include farming activities and commercial vegetable production with regard to protection from the effects of reverse sensitivity.
FS1091.16	GD Jones	Support
FS1168.38	Horticulture NZ	Support
297.7	Counties Manukau Police	Amend Policy 4.1.10(a) Tuakau as follows: (i) Subdivision, land use and development in Tuakau's new residential and business areas occurs in a manner that promotes the development of a variety of housing densities, diversity of building styles and a <u>safe</u> , high quality living environment; ... (iii) Future neighbourhood centres, roads, parks, pedestrian, cycle and bridle networks are developed in accordance with the Tuakau Structure Plan and <u>conform to the national guidelines for CPTED</u> .
FS1297.7	CSL Trust & Top End Properties Ltd	Support
197.1	NZ Pork	Retain Policy 4.1.10 - Tuakau.
FS1386.192	Mercury Energy Ltd	Oppose
FS1168.37	Horticulture NZ	Support

171. One submission is in support of the policy and the other submissions either seek recognition of reverse sensitivity protection for all rural productive activities and strategic infrastructure, or recognition of CPTED. One submission challenges the location of the new zoned growth areas. Each of these matters is addressed in turn.

22.1.2 Analysis

172. Submission 986.14 (KiwiRail Holdings Limited) seeks that the policy address reverse sensitivity effects on strategic infrastructure. The analysis undertaken to determine the growth areas for Tuakau and the location of activities included the issue of reverse sensitivity with respect to strategic infrastructure (in this case the railway). Either land was not zoned for sensitive activities, or where it was zoned, the location of strategic infrastructure has been recognised by the inclusion of Residential Rule 16.3.9.2. To support this rule it is recommended that a policy with respect to reverse sensitivity also apply to Tuakau.
173. Submission 402.3 (Tuakau Proteins Limited) seeks recognition of reverse sensitivity effects. However, I consider this is unnecessary as their site is a considerable distance from the urban area of Tuakau.
174. Submission 680.53 (Federated Farmers of New Zealand), 419.102 (Horticulture New Zealand), and 466.34 (Balle Bros Group Limited) all seek protection of rural production and horticulture activities from reverse sensitivity effects. I note that Rural Zone Rule 22.3.7.2 *Building setback – sensitive land use* amongst other matters only requires setback of a sensitive land use with respect to intensive farming (not rural production or horticulture), and that Residential Zone Rule 16.3.9.2 *Building setback – Sensitive land use* does not specify any forms of rural land use requiring a setback. Accordingly, in my opinion, there is no basis to include rural production and horticulture in the policy.
175. Submission 466.34 (Balle Bros Group Limited) also seeks that the location of urban development be reconsidered. I recommend that this submission be rejected on the basis that significant analysis regarding the suitability of land for urban development has been undertaken and this is set out in detail in the supporting s32 Report – *Strategic Direction and Management of Growth*.
176. Submission 749.98 (Housing New Zealand) seeks reference to the Town Centre Character Statement. This is included in Policy 4.5.19, and therefore no change is required to this Policy 4.1.10.
177. With respect to Submission 923.37 (Waikato District Health Board), the policies set the framework for development to occur without the need for staging and for the location of growth. No change is required.

22.1.3 Recommendation

178. For the reasons set out above it is recommended that the policy be amended to recognise all activities that could be adversely affected by reverse sensitivity.

179. It is recommended that the submissions from KiwiRail Holdings Limited [986.14], and NZ Pork [197.1] be **accepted**.
180. It is recommended that the submissions from Tuakau Proteins Limited [402.3], Housing New Zealand Corporation [749.98], Waikato District Health Board [923.37], Balle Bros Group Limited [466.34], Federated Farmers of New Zealand [680.53], Horticulture New Zealand [419.102], and Counties Manukau Police [297.7] be **rejected**.

22.1.4 Recommended Amendments

181. The following amendment is recommended in **Appendix 4 - Chapter 4: Urban Environment** as follows:

4.1.10 Policy – Tuakau

- (a) Tuakau is developed to ensure;
- (i) Subdivision, land use and development in Tuakau's new residential and business areas occurs in a manner that promotes the development of a variety of housing densities, diversity of building styles and a high quality living environment;
 - (ii) Existing intensive farming, **strategic infrastructure** and industrial activities are protected from the effects of reverse sensitivity by considering the location of new residential development; and

22.1.5 Section 32AA Evaluation

182. The recommended amendments recognise that there are other activities susceptible to reverse sensitivity in the vicinity of Tuakau. In addition, the policy supports the inclusion of rules (such as Residential Zone Rule 16.3.9.2 *Building setback – Sensitive land use*) which sets out minimum building setbacks with respect to a range of strategic infrastructure.

23 Chapter 4: Urban Environment – 4.1.11 Policy – Pokeno

23.1.1 Submissions

Submission number	Submitter	Summary of submission
433.43	Auckland Waikato Fish and Game Council	Add a new clause to Policy 4.1.11 (a) Pokeno, as follows: <u>(iv) The effects, including reverse sensitivity effects of development on existing recreational activities including hunting, ecological processes, biological diversity including avian biodiversity, are had regard to and avoided, remedied or mitigated.</u> AND Any further amendments required to give effect to the provisions and reasons stated.
FS1083.9	Ryburn Lagoon Trust Ltd	Support
FS1340.67	TaTa Valley	Oppose
FS1377.95	Havelock Village Ltd	Oppose
749.99	Housing New Zealand	Amend Policy 4.1.11 Pokeno to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification

	Corporation	close to and around existing town centres and urban settlements. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
923.38	Waikato District Health Board	Amend Policy 4.1.11- Pokeno to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.
FS/281.54	Pokeno Village Holdings Ltd	Support
297.8	Counties Manukau Police	Amend Policy 4.1.11(a) Pokeno as follows: (i) Subdivision, land use and development of new growth areas <u>promotes a safe, high quality environment</u> and does not compromise the potential further growth and development of the town; (ii) Walking and cycling networks are integrated with the existing urban area <u>and conform to the national guidelines for CPTED</u> ...
986.15	KiwiRail Holdings Limited (KiwiRail)	Amend Policy 4.1.11(a) (iii) Pokeno as follows (or similar amendments to achieve the requested relief): (iii) Reverse sensitivity effects <u>on from the</u> strategic transport infrastructure networks are avoided or managed; AND Any consequential amendments to link and/or accommodate the requested changes.
524.42	Anna Noakes	No specific decision sought, but submission opposes policy 4.1.11 (a) (ii), Pokeno where the underlying land is not part of the planned urban area.
524.41	Anna Noakes	Retain Policy 4.1.11 (a) (ii) Pokeno, where walking and cycling networks form part of the urban framework.

183. There are seven submissions two of which being either in support or not specifying a decision to be sought. The other submissions were concerned with effects in relation to:
- Values of the Mangatawhiri wetlands
 - CPTED
 - Strategic transport, and
 - Future urban outcomes.

23.1.2 Analysis

184. Given the distance between the Mangatawhiri wetlands and the proposed urban extent of Pokeno as shown on the planning maps, the urban area of Pokeno is unlikely to have any reverse sensitivity effects on the recreational and other values of the Mangatawhiri wetlands. However, if the urban boundaries of Pokeno were proposed to be extended then adverse and reverse effects on these wetlands would be a matter to be considered at that time. (Submission 433.43, Auckland Waikato Fish and Game).
185. In my opinion, the submissions with respect to CPTED (Submission 298.7 Counties Manukau Police), Town Centre (Submission 749.99 Housing New Zealand) and urban outcomes (Submission 923.38 Waikato District Health Board) are set out in other policies as follows and as such do not require any change:
- CPTED - Policy 4.7.2(a)(v) and Policy 4.7.3(a)(viii)
 - Town Centre – Objectives and Policies in Section 4.5, and
 - Urban Outcomes – Policies 4.1.0 – 4.1.18.
186. I agree with the wording change in the submission from KiwiRail Holdings Limited (Submission 986.15).

23.1.3 Recommendation

187. For the reasons set out above it is recommended that the policy be amended to recognise reverse sensitivity **on** strategic transport.
188. It is recommended that the submissions from KiwiRail Holdings Limited [986.15] and Anna Noakes [524.41] be **accepted**.
189. It is recommended that the submissions from Auckland Waikato Fish and Game Council [433.43], Housing New Zealand Corporation [749.99], Waikato District Health Board [923.38], Counties Manukau Policy [297.8] and Anna Noakes [524.42] be **rejected**.

23.1.4 Recommended Amendments

190. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment** as follows:

4.1.11 Policy – Pokeno

- (a) Pokeno is developed to ensure;
- (i) Subdivision, land use and development of new growth areas does not compromise the potential further growth and development of the town;
 - (ii) Walking and cycling networks are integrated with the existing urban area; and
 - (iii) Reverse sensitivity effects ~~from~~ **on** the strategic transport infrastructure networks are avoided or minimised

23.1.5 Section 32AA Evaluation

191. The recommended amendment is a wording correction. Accordingly, no s32AA evaluation has been required to be undertaken.

24 Chapter 4: Urban Environment – 4.1.12 Policy – Te Kauwhata

24.1.1 Submissions

Submission number	Submitter	Summary of submission
986.16	KiwiRail Holdings Limited (KiwiRail)	Add a new clause (vii) to Policy 4.1.12(b) Te Kauwhata as follows (or similar amendments to achieve the requested relief): <u>(vii) Avoids or manages reverse sensitivity effects on strategic transport infrastructure networks.</u> AND Any consequential amendments to link and/or accommodate the requested changes.
FS1269.79	Housing NZ	Oppose
433.46	Auckland Waikato Fish and Game Council	Add clause (vii) to Policy 4.1.12 (b) Te Kauwhata, as follows: <u>(vii) Recognises and provides for existing recreational use of the Lake Waikare and its margins, including gamebird hunting, and manages the balance between these and increased settlement and access for walking and cycling, including avoiding and mitigating reverse sensitivity effects on hunting activities.</u> AND Any further amendments required to give effect to the provisions and reasons stated.

FSI223.86	Mercury Energy Ltd	Oppose
FSI223.46	Mercury Energy Ltd	Oppose
433.45	Auckland Waikato Fish and Game Council	Amend Policy 4.1.12 (b)(ii) Te Kauwhata, as follows: (ii) Manages the balance between creating areas for growth and open space, and retaining an appropriate size and capacity flood plain, <u>ensuring no further reduction of existing flood capacity, and no further drainage</u> to assist flood management within the Waikato River System. AND Any further amendments required to give effect to the provisions and reasons stated.
FSI223.85	Mercury Energy Ltd	Oppose
FSI223.85	Mercury Energy Ltd	Support
697.540	Waikato District Council	Amend Policy 4.1.12 (i) – (iii) and (v) & (vi) Te Kauwhata as follows: (i) Provides <u>Providing for...</u> (ii) Manages <u>Managing the...</u> (iii) Implement <u>Implementing a high...</u> (v) Integrates <u>Integrating with...</u> (vi) Mitigates <u>Mitigating the potential...</u>
749.100	Housing New Zealand Corporation	Amend Policy 4.1.12 Te Kauwhata to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
FSI387.1031	Mercury Energy Ltd	Oppose
923.39	Waikato District Health Board	Amend Policy 4.1.12- Te Kauwhata to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.
FSI387.1493	Mercury Energy Ltd	Oppose
697.539	Waikato District Council	Amend Policy 4.1.12(b) Te Kauwhata as follows: Development of the Lakeside Precincts provides for growth, achieves a compact urban form and creates a high level of amenity and sense of place <u>by</u> ...
FSI387.597	Mercury Energy Ltd	Oppose
FSI371.27	Lakeside Development Ltd	Support
830.5	Linda Silvester	Amend the Proposed District Plan to require housing for the elderly to be included in all new developments throughout the district and not restricted to Te Kauwhata.
FSI387.1341	Mercury Energy Ltd	Oppose
831.39	Gabrielle Parson (Raglan Naturally)	Amend the Proposed District Plan to require housing for the elderly to be included in all new developments throughout the district and not restricted to Te Kauwhata (Policy 4.1.12(b)(i) Te Kauwhata).
433.44	Auckland Waikato Fish and Game Council	Retain Policy 4.1.12 (a)(ii) Te Kauwhata AND Add two new clauses to Policy 4.1.12 (a) Policy Te Kauwhata as follows: (iv) <u>Development is avoided where it cannot demonstrate adequate capacity within the wastewater and stormwater networks proposed or available to ensure the development does not contribute to additional contaminant loading to Lake Waikare and Whangamarino wetland.</u> (v) <u>The effects of development on biological diversity, including avian biological diversity, are had regard to and avoided, remedied or mitigated.</u> AND Any further amendments to give effect to the

		provisions and reasons stated.
FSI223.84	Mercury Energy Ltd	Oppose
FSI223.84	Mercury Energy Ltd	Support
FSI293.31	Dept of Conservation	Support
559.44	Heritage New Zealand	Retain Policy 4.1.12 (b)(v) Te Kauwhata.
FSI388.803	Mercury Energy Ltd	Oppose
579.40	Lakeside Developments 2017 Limited	Retain Policy 4.1.12 Te Kauwhata as notified.

192. There are 12 submissions, two of which are in support, with the remainder seeking amendments to the policy with respect to clarification or elaboration. With respect to part (b) of the policy it is noted that these have been derived from a recent plan change process and the content of that plan change has had to be amended to align with the new PWDP.

24.1.2 Analysis

193. Submission 986.16 (KiwiRail Holdings Limited) seeks the inclusion of a reverse sensitivity from strategic infrastructure. With both the North Island Main Truck Railway and State Highway1 either traversing or on the edge of Te Kauwhata this matter should be included in the policy.
194. Submission 433.46 (Auckland Waikato Fish and Game) seeks a change to the Lakeside Precinct to address matters that are outside the ambit of the precinct in question (such as balance between recreational use of the lake and its margins). This is a matter that should be addressed in Chapter 8 Reserves.
195. Submission 433.45 (Auckland Waikato Fish and Game) helpfully replaces the word ‘appropriate’ with a description of what flood management entails and the suggested wording in that submission point is recommended to be accepted (in part). I have not recommended the inclusion of the words “*or increased drainage*” as it may be possible to increase the amount of drainage to the Waikato River, but in a regulated manner that will not adversely affect flood management. In my opinion, the concept of no reduction to the existing flood capacity encompasses the concept of managing the amount of drainage.
196. Submission 697.540 and 697.539 (Waikato District Council) helpfully improves the grammar and readability of the policy.
197. In my opinion, the submissions with respect to Town Centre (Submission 749.100 Housing New Zealand) and urban outcomes (Submission 923.39 Waikato District Health Board) are set out in other policies as follows and as such do not require any change:
- Town Centre – Objectives and Policies in Section 4.5, and
 - Urban Outcomes – Policies 4.1.0 – 4.1.18.

198. Submission 830.5 (Linda Silvester) and 831.39 (Raglan Naturally) seek that reference to housing for the elderly be included in all new developments. The residential policies all seek to ensure that a range of housing types are provided and Policy 4.2.19 specifically relates to retirement villages. The reference to housing for the elderly with respect to Te Kauwhata alone appears to give a policy direction which is not intended. Rather than including housing for the elderly throughout the plan, given that it is already recognised in other policy, I recommend that the reference be deleted from Policy 4.1.12.
199. Submission 433.44 (Auckland Waikato Fish and Game) seek to introduce matters that are relevant for any further development at Te Kauwhata. The existing extent of growth has already been assessed with respect to adequacy of wastewater and stormwater and potential effects on Lake Waikare.

24.1.3 Recommendation

200. For the reasons set out above it is recommended that the policy be amended to improve readability and to clarify what is 'appropriate' flood capacity.
201. It is recommended that the submissions from KiwiRail Holdings Limited [986.16], Auckland Waikato Fish and Game Council [433.45], Waikato District Council [697.540], Waikato District Council [697.539], Linda Silvester [830.5], Gabrielle Parson (Raglan Naturally) [831.39], Auckland Waikato Fish and Game Council [433.44], Heritage New Zealand Lower Northern Office [559.44] and Lakeside Developments 2017 Limited [579.40] be **accepted**.
202. It is recommended that the submissions from Auckland Waikato Fish and Game Council [433.46], Tuakau Proteins Limited [402.3], Housing New Zealand Corporation [749.100], Waikato District Health Board [923.39] and Counties Manukau Police [297.7] be **rejected**.

24.1.4 Recommended Amendments

203. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment** as follows:

4.1.12 Policy - Te Kauwhata

- (a) Te Kauwhata is developed to ensure;
- (i) Development is avoided on areas with geotechnical and ecological constraints;
 - (ii) ~~Reverse sensitivity effects on the strategic transport infrastructure networks are avoided or minimised;~~
 - (iii) Lakeside is the only area that provides for the medium term future growth and is developed in a manner that connects to the existing town and maintains and enhances the natural environment; and
 - (iv) A variety of housing densities is provided for.
- (b) Development of the Lakeside Precincts provides for growth, achieves a compact urban form and creates a high level of amenity and sense of place; ~~by;~~
- (i) ~~Providing~~ ~~for medium density and higher density housing and including housing for the elderly and~~ a range of housing typology on small lots to assist housing affordability;
 - (ii) ~~Managing~~ the balance between creating areas for growth and open space, and retaining an ~~appropriate size and capacity~~ flood plain ~~of sufficient size and capacity to~~

- ensure there is no reduction to the existing flood capacity to assist flood management within the Waikato River system;
- (iii) Implementing a high standard of urban design including lot orientation, outlook to Lake Waikare, streetscape design, connection to the open space network, and access to the Lake Waikare forshore;
- (iv) Creating an lwi reserve on the eastern most point of the Lakeside development and vesting this land in lwi;
- (v) Integratesing with the Te Kauwhata Town Centre through improved connections to Lakeside and Lake Waikare, particularly walking and cycling;
- (vi) Mitigatesing the potential adverse effects on noise sensitive activities in the vicinity of the rail corridor arising from the operation of the North Island Main Trunk line (NIMT), including meeting minimum internal noise and vibration standards and improvements at the Te Kauwhata Road rail crossing

24.1.5 Section 32AA Evaluation

204. Most of the recommended amendments are wording corrections to improve grammar. Accordingly, no s32AA evaluation has been required to be undertaken with respect to those matters.
205. As discussed in Paragraph 192, the word ‘appropriate’ in a policy does not help with its implementation. The purpose of a policy is to set out what “appropriate’ actually means. In this instance, the recommended change to the policy clarifies that the balance to be obtained when creating areas for growth and open space is one where the flood capacity of the Waikato River system is maintained. The change in wording to the policy recognises the critical role that the Waikato River plays in the management of existing flooding and the potential for adverse effects from changes to flooding as a result of climate change.

25 Chapter 4: Urban Environment – 4.1.13 Policy – Huntly

25.1.1 Submissions

Submission number	Submitter	Summary of submission
924.43	Genesis Energy Limited	Add clause (iv) to Policy 4.1.13 (a)- Huntly as follows: <u>(iv) Reverse sensitivity effects on regionally significant industry and infrastructure are avoided or minimised.</u>
FS1387.1551	Mercury Energy Limited	Oppose
778.1	Shand Properties Limited	Amend Policy 4.1.13 - Huntly as follows: 4.1.3 Policy - Huntly (a) Huntly is developed to ensure: (i) infill and redevelopment of existing sites occurs; (ii) Reverse sensitivity effects from the strategic transport infrastructure networks are avoided or minimised; (iii) <u>Development of areas where there are hazard and geotechnical constraints is managed to ensure the associated risks do not exceed acceptable levels.</u> (iv) Development is avoided on areas with hazard, geotechnical and ecological constraints <u>significant hazard and geotechnical constraints that are unable to be remedied or sufficiently mitigated to achieve an acceptable level of risk.</u> (v) <u>Ecological values are</u>

		<u>maintained or enhanced. (vi) Development of areas with significant ecological value is avoided. AND Any further relief and/or amendments to other provisions as necessary to support the relief sought.</u>
FSI387.1185	Mercury Energy Limited	Oppose
FSI349.1	Allen Fabrics Ltd	Support
732.9	Terra Firma Mining Ltd	Amend Policy 4.1.13 (a)(iii) Huntly, as follows: 4.1.13 Policy - Huntly (a) Huntly is developed to ensure: ... (iii) Development is avoided on areas <u>where the geotechnical risk, ecological risk and the risk from any other hazards cannot be appropriately managed or mitigated, with hazard, geotechnical and ecological constraints.</u>
FSI387.815	Mercury Energy Limited	Oppose
FSI141.4	Shand Properties Limited	Support
FSI309.4	Bryan Morris	Support
749.101	Housing New Zealand Corporation	Amend Policy 4.1.13 Huntly to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter if not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
FSI387.1032	Mercury Energy Limited	Oppose
986.17	KiwiRail Holdings Limited (KiwiRail)	Amend Policy 4.1.13(a)(ii) Huntly as follows (or similar amendments to achieve the requested relief): (ii) Reverse sensitivity effects <u>on from</u> the strategic transport infrastructure networks are avoided or managed; AND Any consequential amendments to link and/or accommodate the requested changes.
FSI269.80	Housing NZ	Oppose
923.40	Waikato District Health Board	Amend Policy 4.1.13-Huntly to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.
FSI387.1494	Mercury Energy Limited	Oppose
742.16	New Zealand Transport Agency	Retain Policy 4.1.13 Huntly, except for the amendments sought below AND Amend Policy 4.1.13(ii) Huntly as follows: Reverse sensitivity effects from strategic transport infrastructure networks <u>the on National Routes and Regional Arterials in accordance with Table 14.12.5.6</u> are avoided or minimised. AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FSI387.846	Mercury Energy Limited	Oppose

206. There are seven submissions of which five seek recognition of reverse sensitivity effects and hazards and ecological values.

25.1.2 Analysis

207. Submission 924.43 (Genesis Energy Limited) and 742.16 (New Zealand Transport Agency) seek recognition of reverse sensitivity on strategic infrastructure and industry. Both are relevant for Huntly and should be included.
208. Submission 778.1 (Shand Properties Limited) and 732.9 (Terra Firma Mining Limited) seek policy that differentiates between hazard and geotechnical risks that need to be avoided and those that can be managed. I consider the proposed policy wording helpful to include.
209. In my opinion, the submissions with respect to Town Centre (Submission 749.101 Housing New Zealand) and urban outcomes (Submission 923.40 Waikato District Health Board) are set out in other policies as follows and as such do not require any change:
- a. Town Centre – Objectives and Policies in Section 4.5, and
 - b. Urban Outcomes – Policies 4.1.0 – 4.1.18.

25.1.3 Recommendation

210. For the reasons set out above it is recommended that the policy be amended to differentiate different levels of risk and to recognise reverse sensitivity.
211. It is recommended that the submissions from Genesis Energy Limited [924.43], Shand Properties Limited [778.1], Terra Firma Mining Ltd [732.9], KiwiRail Holdings Limited [986.17] and New Zealand Transport Agency [742.16] be **accepted**.
212. It is recommended that the submissions from Housing New Zealand Corporation [749.101] and Waikato District Health Board [923.40] be **rejected**.

25.1.4 Recommended amendments

213. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment** as follows:

4.1.13 Policy – Huntly

- (a) Huntly is developed to ensure;
- (i) Infill and redevelopment of existing sites occurs;
 - (ii) Reverse sensitivity effects ~~from~~ on the strategic transport infrastructure networks and regionally significant industry are avoided or minimised;
 - (iii) Development of areas where there are hazard and geotechnical constraints is managed to ensure the associated risks are reduced to levels acceptable to the proposed use;
 - (iv) Development is avoided on areas with hazard, ~~and~~ geotechnical ~~and ecological~~ constraints that are unable to be remedied or sufficiently mitigated to achieve a level of risk acceptable to the proposed use;
 - (v) Ecological values are maintained or enhanced; and
 - (vi) Development of areas with significant natural and ecological values is avoided.

25.1.5 Section 32AA Evaluation

214. The recommended amendments recognise the Huntly Power Station and differentiate when development may be acceptable with respect to managing risk. Accordingly, no additional s32AA evaluation has been required to be undertaken.

26 Chapter 4: Urban Environment – 4.1.14 Policy – Taupiri

26.1.1 Submissions

Submission number	Submitter	Summary of submission
986.18	KiwiRail Holdings Limited (KiwiRail)	Add a new clause (v) to Policy 4.1.14 (a) Taupiri as follows (or similar amendments to achieve the requested relief): <u>Reverse sensitivity effects on the strategic transport infrastructure networks are avoided or managed.</u> OR Add a new clause (v) to Policy 4.1.8(a) Integration and connectivity as follows (or similar amendments to achieve the requested relief): <u>(v) Avoiding or remedying reverse sensitivity effects on the strategic transport infrastructure networks</u> so that this applies equally to all towns and growth nodes in Chapter 4 AND Any consequential amendments to link and/or accommodate the requested changes.
FS1269.81	Housing NZ	Oppose
749.102	Housing New Zealand Corporation	Amend Policy 4.1.14 Taupiri to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
FS1387.1033	Mercury Energy Ltd	Oppose
923.41	Waikato District Health Board	Amend Policy 4.1.14- Taupiri to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.
FS1387.1495	Mercury Energy Ltd	Oppose
662.37	Blue Wallace Surveyors Ltd	Retain Policy 4.1.14(a) Taupiri, except for the amendments sought below AND Amend Policy 4.1.14(a) (ii) Taupiri as follows: (ii) Future roads, parks, pedestrian and cycle networks are developed in <u>general</u> accordance with the Taupiri section of the Ngaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan, <u>as well as in consideration of site specific natural and physical features;</u>
FS1387.116	Mercury Energy Ltd	Oppose

215. Of the four submissions, there are only two that need to be addressed with respect to reverse sensitivity and recognition of the natural and physical features.

26.1.2 Analysis

216. In my opinion, the submissions with respect to Town Centre (Submission 749.102 Housing New Zealand) and urban outcomes (Submission 923.41 Waikato District Health Board) are set out in other policies as follows and as such do not require any change:
- a. Town Centre – Objectives and Policies in Section 4.5, and
 - b. Urban Outcomes – Policies 4.1.0 – 4.1.18.
217. Although the Waikato Expressway will bypass Taupiri, the North Island Main Trunk Railway (NIMTR) needs to be recognised with respect to reverse sensitivity (Submission 986.18 KiwiRail Holdings Limited), as does the natural features within Taupiri, including gullies and river margins (Submission 662.37 Blue Wallace Surveyors Limited).

26.1.3 Recommendation

218. For the reasons set out above it is recommended that the policy be amended to recognise the NIMTR and the natural features.
219. It is recommended that the submissions from KiwiRail Holdings Limited [986.18] and Blue Wallace Surveyors Ltd [662.37] be **accepted**.
220. It is recommended that the submissions from Housing New Zealand Corporation [749.102] and Waikato District Health Board [923.41] be **rejected**.

26.1.4 Recommended amendments

221. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.1.14 Policy – Taupiri

- (a) Taupiri is developed to recognise;
- (i) The changes that may result from the completion of the Waikato Expressway including the increased demand for housing;
 - (ii) Future roads, parks, pedestrian and cycle networks are developed in accordance with the Taupiri section of the *Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan* and recognising the site specific natural values and physical features;
 - (iii) The future development area of Taupiri is to the south of the existing village;
 - (iv) Infill and redevelopment of existing sites occurs; and
 - (v) Reverse sensitivity effects on the strategic transport infrastructure networks are avoided or minimised.

26.1.5 Section 32AA Evaluation

222. The recommended amendments recognise the strategic infrastructure and natural values and features that will guide development. Accordingly, no s32AA evaluation has been required to be undertaken.

27 Chapter 4: Urban Environment – 4.1.15 Policy – Ngaruawahia

27.1.1 Submissions

Submission number	Submitter	Summary of submission
986.19	KiwiRail Holdings Limited (KiwiRail)	Add a new clause (vi) to Policy 4.1.15 (a) Ngaruawahia as follows (or similar amendments to achieve the requested relief): <u>Reverse sensitivity effects on the strategic transport infrastructure networks are avoided or managed.</u> OR Add a new clause (v) to Policy 4.1.8(a) Integration and connectivity as follows (or similar amendments to achieve the requested relief): <u>(v) Avoiding or remedying reverse sensitivity effects on the strategic transport infrastructure networks</u> so that this applies equally to all towns and growth nodes in Chapter 4 AND Any consequential amendments to link and/or accommodate the requested changes.
FS1269.82	Housing NZ	Oppose
680.54	Federated Farmers of New Zealand	Amend Policy 4.1.15 (a) Ngaruawahia as follows: (a) Ngaruawahia is developed to ensure: (i) Existing intensive Rural production activities including farming and intensive farming operations and industrial activities are protected from the effects of reverse sensitivity when locating new residential development;... AND Any consequential changes needed to give effect to this relief.
FS1387.165	Mercury Energy Ltd	Oppose
FS1171.68	T & G Global	Support
FS1316.4	Alstra (2012) Limited	Support
749.103	Housing New Zealand Corporation	Amend Policy 4.1.15 Ngaruawahia to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed and emphasise residential intensification close to and around existing town centres and urban settlements. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
FS1387.1034	Mercury Energy Ltd	Oppose
FS1316.5	Alstra (2012) Limited	Oppose
923.42	Waikato District Health Board	Amend Policy 4.1.15- Ngaruawahia to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.
FS1387.1496	Mercury Energy Ltd	Oppose
FS1316.6	Alstra (2012) Limited	Support
445.12	BTW Company	Amend Policy 4.1.15 Ngaruawahia, to provide more certainty for development of the growth cells on the likely timing of the shut down of the poultry farms and consider whether the 300m buffer (set out in Rule 16.4.7 RDI (a)(iii)(A) is really necessary based on actual effects rather than rolling over a rule automatically from a older version of the plan.
FS1388.299	Mercury Energy Ltd	Oppose
FS1316.2	Alstra (2012)	Oppose

	<i>Limited</i>	
693.3	Alstra (2012) Limited	Retain Policy 4.1.15 Ngaruawahia as notified, particularly Policy 4.1.15(a)(ii).
FS1387.373	Mercury Energy Ltd	Oppose
662.38	Blue Wallace Surveyors Ltd	Retain Policy 4.1.15 Ngaruawahia, except for the amendments sought below and Amend Policy 4.1.15(a)(iv) Ngaruawahia as follows: (iv) Future neighbourhood centres, roads, parks, pedestrian and cycle networks are developed in <u>general</u> accordance with the Ngaruawahia section of the Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan, <u>as well as in consideration of site specific natural and physical features</u> ; and
FS1387.117	Mercury Energy Ltd	Oppose
FS1316.3	Alstra (2012) Limited	Support
197.2	NZ Pork	Retain Policy 4.1.15 Ngaruawahia.

223. Two of the eight submissions support the policy without amendment, while the other submissions address the matters of reverse sensitivity and recognition of natural values. The main issue raised is with respect to future development with respect to the existing poultry farms.

27.1.2 Analysis

224. In my opinion, the submissions with respect to Town Centre (Submission 749.103 Housing New Zealand) and urban outcomes (Submission 923.42 Waikato District Health Board) are set out in other policies as follows and as such do not require any change:
- Town Centre – Objectives and Policies in Section 4.5, and
 - Urban Outcomes – Policies 4.1.0 – 4.1.18.
225. Although the Waikato Expressway bypasses Ngaruawahia, the NIMTR needs to be recognised with respect to reverse sensitivity (Submission 986.19 KiwiRail Holdings Limited), as does the natural features, including the margins of the Waikato River (Submission 662.38 Blue Wallace Surveyors Limited).
226. Submission 680.54 (Federated Farmers of New Zealand), seek protection of rural production and horticulture activities from reverse sensitivity effects. I note that Rural Zone Rule 22.3.7.2 *Building setback – sensitive land use* amongst other matters only requires setback of a sensitive land use with respect to intensive farming (not rural production or horticulture), and that Residential Zone Rule 16.3.9.2 *Building setback – Sensitive land use* does not specify any forms of rural land use requiring a setback. Accordingly, in my opinion, there is no basis to include rural production and horticulture in the policy
227. Submission 445.12 (BTW Company) raises the issue as to the likely timing for the relocation or removal of the existing poultry shed complexes and the suitability of the 300 metre buffer. The matter of the 300 metre subdivision rule is better addressed in the s42A report on Subdivision.
228. The issue of the existing poultry shed complexes needs to be addressed. In the first instance, it needs to be noted that a district plan is an ‘enabling’ document and cannot set a

timeframe. Policy 4.1.15 reflects the discussions held by Council with the operators of the poultry complexes. It was concluded that a policy direction in the PWDP that identified the land as being suitable for residential development would assist them in determining the viability of continuing with the operation on the existing sites or whether the residential zoning would provide the necessary financial incentives to relocate. I note there are no submissions from the operators to the policy.

27.1.3 Recommendation

229. For the reasons set out above it is recommended that the policy be amended to recognise the NIMTR (strategic infrastructure), and the natural features.
230. It is recommended that the submissions from KiwiRail Holdings Limited [986.19], Alstra (2012) Limited [693.3, Blue Wallace Surveyors Ltd [662.38] and NZ Pork [197.2] be **accepted**.
231. It is recommended that the submissions from Federated Farmers of New Zealand [680.54], Housing New Zealand Corporation [749.103], Waikato District Health Board [923.42] and BTW Company [445.12] be **rejected**.

27.1.4 Recommended amendments

232. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment** as follows:

4.1.15 Policy – Ngaruawahia

- (a) Ngaruawahia is developed to ensure:
- (i) Existing intensive farming, **strategic infrastructure** and industrial activities are protected from the effects of reverse sensitivity when locating new residential development;
 - (ii) That future residential development is not located within the intensive farming setbacks from the two operating poultry farms until such time that the two poultry farms within the residential growth areas of Ngaruawahia cease to exist;
 - (iii) Areas marked for future business expansion are managed so that the existing adjoining residential amenity is not compromised;
 - (iv) Future neighbourhood centres, roads, parks, pedestrian and cycle networks are developed in accordance with the Ngaruawahia section of the *Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan* **and recognising the site specific natural values and physical features**; and
 - (v) Infill and redevelopment of existing sites occurs.

27.1.5 Section 32AA Evaluation

233. The recommended amendments recognise the strategic infrastructure and natural values and features that will guide development. Accordingly, no s32AA evaluation has been required to be undertaken.

28 Chapter 4: Urban Environment – 4.1.16 Policy – Horotiu

28.1.1 Submissions

Submission number	Submitter	Summary of submission
749.104	Housing New Zealand Corporation	Amend Policy 4.1.16 Horotiu to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
FS1387.1035	Mercury Energy Ltd	Oppose
923.43	Waikato District Health Board	Amend Policy 4.1.16- Horotiu to provide more detailed guidance about the future urban outcomes (including residential, business and industrial uses) for the centres, particularly in relation to density, location of growth areas, the time and staging of new development and its integration with existing towns.
FS1387.1497	Mercury Energy Ltd	Oppose
464.4	Perry Group Limited	Amend Policy 4.1.16 Horotiu, as follows; (a) Horotiu is developed to ensure: (i) Future residential areas are connected to <u>or near</u> the existing village; (ii) Future residential development does not <u>minimises</u> impact on the existing local road network; (iia) <u>Future residential development acknowledges the benefits of Horotiu's proximity to Hamilton City;</u> (iii) <u>Effects on amenity from the strategic transport infrastructure are appropriately mitigated. Reverse sensitivity effects from the strategic transport infrastructure networks are avoided or minimised</u> (iv) The strategic industrial node is protected by having an acoustic overlay on neighbouring sensitive land uses <u>while recognising the importance of current and future residential activities;</u> (v) Future roads, parks, pedestrian and cycle networks are developed in accordance with the Horotiu section of Ngauruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan. AND Any consequential amendments or further relief to address the concerns raised in the submission.
FS1388.377	Mercury Energy Ltd	Oppose
FS1087.7	Ports of Auckland Limited	Oppose
FS1333.8	Heritage NZ	Oppose
FS1379.185	Hamilton City Council	Oppose
464.13	Perry Group Limited	Add the following specific policy basis for Horotiu which promotes the relationship of Horotiu with the river and its cultural and recreational values as follows: <u>Development on or near the Waikato River should be reflective of the visual and physical qualities of the river and its cultural importance. Recreational uses and activities which promote the rich history and recognize the cultural importance of the river edge are promoted.</u> AND Any consequential amendments or further relief to address the concerns raised in the submission.
FS1388.386	Mercury Energy Ltd	Oppose
445.5	BTW Company	Amend Policy 4.1.16 Horotiu, so that development is not unduly restricted, in contradiction to the provision of residential zoning immediately adjacent to major roads, as follows: (a) Horotiu is developed to ensure: ... (ii) Future residential development avoids or minimises <u>does not</u> impacts on the existing

		local road network; (iii) Reverse sensitivity effects from the strategic transport infrastructure networks are avoided or minimised;
FSI388.292	Mercury Energy Ltd	Oppose
FSI308.45	The Surveying Company	Oppose
535.18	Hamilton City Council	Amend Policy 4.1.16 Horotiu, to ensure that cross boundary impacts are included, particularly involving infrastructure, physical and social impacts on Hamilton; AND Amend the relevant objectives and policies to ensure that land around existing industrial nodes is safeguarded for future industrial use. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FSI388.693	Mercury Energy Ltd	Oppose
FSI087.11	Ports of Auckland Limited	Support
FSI108.186	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Support
FSI139.143	Turangawaewae Trust Board	Support
FSI149.6	Gavin Lovegrove and Michelle Peddie	Support
FSI157.3	Gordon Downey	Support
FSI164.5	Tamara Huaki	Support
FSI165.5	Pekerangi Kee-Huaki	Support
FSI182.14	Newstead Counry Preschool	Support
FSI183.9	Noel Gordon Smith	Support
FSI202.48	New Zealand Transport Agency	Support
FSI333.9	Fonterra	Support
986.20	KiwiRail Holdings Limited (KiwiRail)	Amend Policy 4.1.16(a)(iii) Huntly as follows (or similar amendments to achieve the requested relief): (iii) Reverse sensitivity effects <u>on</u> from the strategic transport infrastructure networks are avoided or managed; AND Any consequential amendments to link and/or accommodate the requested changes.
FSI269.83	Mercury Energy Ltd	Oppose
742.17	New Zealand Transport Agency	Retain Policy 4.1.16 Horotiu, except for the amendments sought below AND Amend Policy 4.1.16 Horotiu as follows: (a)(ii) Future Residential development does not impact on the <u>safety and efficiency of the existing local road network</u> ; (a)((iii) Reverse sensitivity effects from the strategic transport infrastructure networks <u>on National Routes and Regional Arterials in accordance with Table 14.12.5.5</u> are avoided or minimised; AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FSI387.847	Mercury Energy Ltd	Oppose
FSI313.23	Perry Group Limited	Support

234. There are eight submissions relating to the manner in which new development is to be undertaken with respect to reverse sensitivity and roading infrastructure matters, as well as the relationship of Horotiu to the Waikato River.

28.1.2 Analysis

235. As set out in other parts of this s42A report the following submissions are recommended to be accepted with respect to reverse sensitivity:
- a. 986.20 KiwiRail Holdings Limited
 - b. 742.17 New Zealand Transport Agency
 - c. 445.5 BTW Company, and
 - d. 464.4 Perry Group Limited
236. Submission 535.18 (Hamilton City Council) seeks a number of amendments to recognise the location of Horotiu within proximity to Hamilton and the protection of land for future industrial uses. It is noted that the land proposed to be zoned for Residential purposes is currently zoned Country Living in the operative Waikato District Plan. The rezoning of this land can have minimal if any adverse effect of the further development of Horotiu as an industrial node or on Hamilton City.
237. On reading the policies and the submissions on them, it appears to me that the use of the term 'future' is indicating further development of Horotiu outside what is proposed in the PWDP. I can confirm that the policies are only to support the changes in zoning as shown on the planning maps. The submissions provide scope to correct this impression.
238. The wording 'does not' in Policy 4.1.16(a)(ii) reads as if it were an 'avoid' policy which I consider was not the intent. An 'avoid' policy has the concept of there being **no** adverse effects. Rather, the impact on local roads was to be minimised. The non-complying or prohibited activity status has not been applied for access to a local road and hence the avoid policy is at odds.
239. Submission 464.13 (Perry Group Limited) seeks additional policy to recognise the relationship of Horotiu to the Waikato River for its cultural and recreational values. These values are incorporated within Policy 4.1.16(a)(v), with the structure plan for Horotiu being developed in accordance with the community plan, which amongst other matters took into account the following (refer to Section 3.3 of the structure plan document):
- a. Sustainable management and maintenance of the visual outlook of local natural environments including the Waikato River;
 - b. Protecting the history and heritage of each community; and
 - c. Managing the areas uniqueness and Maaori culture

28.1.3 Recommendation

240. For the reasons set out above it is recommended that the policy be amended to recognise the infrastructure and that the policies only refer to the proposed zoning, not to a future situation.

241. It is recommended that the submissions from Perry Group Limited [464.4], BTW Company [445.5, KiwiRail Holdings Limited [986.20] and New Zealand Transport Agency [742.17] be **accepted**.
242. It is recommended that the submissions from Housing New Zealand Corporation [749.104], Waikato District Health Board [923.43], Perry Group Limited [464.13] and Hamilton City Council [535.18] be **rejected**

28.1.4 Recommended amendments

243. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.1.16 Policy – Horotiu

- (a) Horotiu is developed to ensure:
- (i) ~~Future-r~~Residential areas are connected to the existing village;
 - (ii) ~~Future-r~~Residential development ~~does not~~ minimises the impact on the existing local road network;
 - (iii) Reverse sensitivity effects ~~on from~~ the strategic transport infrastructure networks are avoided or minimised;
 - (iv) The strategic industrial node is protected by having an acoustic overlay on neighbouring sensitive land uses;
- Future roads, parks, pedestrian and cycle networks are developed in accordance with the Horotiu section of the *Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan*.

28.1.5 Section 32AA Evaluation

244. The recommended amendments recognise the importance of strategic infrastructure and remove confusion with respect to planned growth and longer term future growth. Accordingly, no s32AA evaluation has been required to be undertaken.

29 Chapter 4: Urban Environment – 4.1.17 Policy – Te Kowhai

29.1.1 Submissions

Submission number	Submitter	Summary of submission
602.35	Greig Metcalfe	Amend Policy 4.1.17(a) - Te Kowhai, as follows: (a) The scale and density of residential development in Te Kowhai Village Zone achieves: (i) Lower density (3000m ² sections <u>lots</u>) where the development can be serviced by on-site non-reticulated wastewater, water and stormwater networks ; or (ii) higher density (1000m ² sections <u>lots</u>) where the development can be serviced by public reticulated wastewater, water and stormwater networks ; AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
749.105	Housing New Zealand Corporation	Amend Policy 4.1.17 Te Kowhai to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential

		intensification close to and around existing town centres and urban settlements. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
535.19	Hamilton City Council	Amend Policy 4.1.17 Te Kowhai, to ensure the type and quantum of growth at Te Kowhai is in accordance with the Waikato Regional Policy Statement and Future Proof and avoids effects on Hamilton. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FSI 108.187	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Support
FSI 139.144	Turangawaewae Trust Board	Support
FSI 202.49	New Zealand Transport Agency	Support
FSI 335.1	CKL	Support
662.39	Blue Wallace Surveyors Ltd	Retain Policy 4.1.17 Te Kowhai as notified.
FSI 339.1	NZTE Operations	Support

245. Of the four submissions, one is in support of the policy, two relate to matters that are not relevant to Policy 4.1.17, with the submission from Hamilton City Council seeking clarification as to the residential function of Te Kowhai in relation to Hamilton City.

29.1.2 Analysis

246. The rezoning of land at Te Kowhai is within the identified area on Map 6-2 Future Proof indicative limits in the Waikato Regional Policy Statement. In addition, the density is in accordance with section 6.15 Density targets for Future Proof area (Greenfield rural village where sewerage reticulation is provided) of the Regional Policy Statement.
247. I understand there have been ongoing considerations as to the potential for Te Kowhai to be serviced with reticulated sewerage (in particular), but that no resolution to that has been arrived at. Accordingly, in my opinion, the proposed zoning of the land at Te Kowhai for the density and scale of development as set out in the policy is supportable. The concern of Hamilton City Council that lower density development may preclude the servicing of Te Kowhai due to lack of scale is the reason that Policy 4.1.17(c) has been included.
248. The lot sizes were deliberately included in the policy as a clear indication that development with higher density was not supported.
249. For all the reasons set out above, Submission 535.19 (Hamilton City Council) is not agreed with.
250. Submission 602.35 (Greig Metcalfe) seeks that non-public infrastructure be enabled. However, it is Council policy that infrastructure (even though privately developed) is to be undertaken either by connection to Council infrastructure or through a Development Agreement, with the infrastructure vesting with Council. The development of private

infrastructure has the potential to make subsequent connection to the public supply problematic.

29.1.3 Recommendation

251. For the reasons set out above, it is recommended that, other than changing the word 'section' to 'lot', the policy remains unaltered.
252. It is recommended that the submissions from Greig Metcalfe [602.35] and Blue Wallace Surveyors Ltd [662.39] be **accepted**.
253. It is recommended that the submissions from Housing New Zealand Corporation [749.105], and Hamilton City Council [535.19] be **rejected**.

29.1.4 Recommended amendments

254. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.1.17 Policy - Te Kowhai

- (a) The scale and density of residential development in the Te Kowhai Village Zone achieves;
- (i) lower density (3000m² ~~sections~~ lots) where the development can be serviced by on site non-reticulated wastewater, water and stormwater networks; or
 - (ii) higher density (1000m² ~~sections~~ lots) where the development can be serviced by public reticulated wastewater, water and stormwater networks;

29.1.5 Section 32AA Evaluation

255. The recommended amendment is a minor wording change. Accordingly, no s32AA evaluation has been required to be undertaken.

30 Chapter 4: Urban Environment – 4.1.18 Policy – Raglan

30.1.1 Submissions

Submission number	Submitter	Summary of submission
942.20	Tainui	Add a new clause to Policy 4.1.18 Raglan as follows: <u>(v) Roads, parks, pedestrian and cycle networks are developed as part of subdivision development contributions.</u>
310.5	Whaingaroa Raglan Affordable Housing Project	Amend Policy 4.1.18 (iii)- Raglan to read as follows: <u>Rangitahi is the only area that will provide for the medium term future growth and is above the multiple median of affordability for Raglan. Developments that propose affordable housing to cater for the quartiles below the multiple median and that are developed in a manner than connects to the existing town and maintains and enhances the natural environment will be considered as preferred options for additional green fields development.</u>
FS1208.1	Rangitahi Limited	Support
FS1276.12	Whaingaroa Environmental Defence Inc.	Support

	<i>Society</i>	
757.2	Karen White	Amend Policy 4.1.18 Raglan to require housing for the elderly in all new developments.
FSI276.37	Whaingaroa Environmental Defence Inc. Society	Support
310.4	Whaingaroa Raglan Affordable Housing Project	Amend Direction Policy 4.1.18 iii.)- Raglan as follows: Rangitahi is the only area that provides for the medium term future growth....
697.541	Waikato District Council	Amend Policy 4.1.18 Raglan as follows: There are walkable connections between the town centre, the Papahua Reserve and Raglan Wharf.
825.17	John Lawson	Amend Policy 4.1.18 Raglan as follows: (a) Raglan is developed to ensure: (i) Infill and redevelopment of existing sites occurs, <u>subject to development of a Structure Plan to identify where this can be done without loss of character, trees, or other natural features.</u> (ii) A variety of housing densities is provided for <u>and adequate housing reserved for low cost rentals and purchases by permanent residents;</u> (iii) Rangitahi is the only area that provides for the medium term future growth and is developed in a manner that connects <u>has cycle, footway and public transport connections</u> to the existing town and maintains and enhances the natural environment; and (iv) There are <u>good quality cycle, footway and public transport</u> connections between the town centre, the Papahua Reserve and Raglan Wharf.
FSI142.5	Greig Metcalfe	Oppose
749.106	Housing New Zealand Corporation	Amend Policy 4.1.18 Raglan to include desired outcomes sought from the relevant Town Centre Character Statement (Appendix 10) if the policy matter is not already addressed, and emphasise residential intensification close to and around existing town centres and urban settlements. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
831.40	Raglan Naturally	Amend Policy 4.1.18 Raglan to read as follows: (a) Raglan is developed to ensure: (i) Infill and redevelopment of existing sites occurs, <u>subject to development of a Structure Plan to identify where this can be done without loss of character, trees, or other natural features;</u> (ii) A variety of housing densities is provided for <u>and adequate housing reserved for low cost rentals and purchases by permanent residents;</u> (iii) Rangitahi is the only area that provides for the medium term future growth and is developed in a manner that <u>has cycle, footway and public transport</u> connections to the existing towns and maintains and enhances the natural environment; and (iv) There are <u>good quality cycle, footway and public transport</u> connections between the town centre, the Papahua Reserve and Raglan Wharf. (v) <u>That Raglan is limited in size to walking distance.</u>
FSI329.24	Koning Family Trust and Martin Koning	Oppose
780.17	Whaingaroa Environmental Defence Incorporated Society	Amend Policy 4.1.18 Raglan, as follows: (a) Raglan is developed to ensure: (i) Infill and redevelopment of existing sites occurs, <u>subject to development of a Structure Plan to identify where this can be done without loss of character, trees, or other natural features.</u> (ii) A variety of housing densities is provided for <u>and adequate housing reserved for low cost rentals and purchases by permanent residents;</u> (iii) Rangitahi is the only area that provides for the medium term future growth and is developed in a manner that connects <u>has cycle, footway and public transport connections</u> to the existing town and maintains and enhances the natural environment; and (iv) There are <u>good quality cycle, footway and public transport</u> connections between the town centre, the Papahua Reserve and Raglan Wharf.
FSI142.7	Greig Metcalfe	Oppose
FSI208.8	Rangitahi Limited	Oppose

788.12	Susan Hall	Amend Policy 4.1.18 Raglan, as follows: (a) Raglan is developed to ensure: (i) Infill and redevelopment of existing sites occurs, <u>subject to development of a Structure Plan to identify where this can be done without loss of character, trees, or other natural features.</u> (ii) A variety of housing densities is provided for <u>and adequate housing reserved for low cost rentals and purchases by permanent residents;</u> (iii) Rangitahi is the only area that provides for the medium term future growth and is developed in a manner that connects <u>has cycle, footway and public transport connections</u> to the existing town and maintains and enhances the natural environment; and (iv) There are <u>good quality cycle, footway and public transport</u> connections between the town centre, the Papahua Reserve and Raglan Wharf.
499.1	Adrian Morton	Amend Policy 4.1.18 Raglan, to include the following (as a minimum): Consideration to Naturally Raglan documentation shall provide development guidance Development shall complement and maintain the Raglan's built form and character form that reflects its harbour setting and is compatible with Raglan's seaside village character. Protection of the coastal environment and character All residential development will utilise the Waikato Urban Design Guidelines Residential Subdivision' Town Development shall utilise the WDC Character statements – Raglan Town Centre as the minimum basis for any new buildings/development within the town Any development within the town centre (or overlay areas) shall be notified for public consultation The ongoing development of cycling and pedestrian facilities and links to the rural community Raglan is a place to work and live rather than a place of commuters
FS1329.8	Koning Family Trust and Martin Koning	Oppose
499.2	Adrian Morton	Amend Policy 4.1.18 Raglan, to require housing for the elderly in all new developments and designate the former Lazarus village to prevent it being sold off and redeveloped.
435.21	Jade Hyslop	Amend Policy 4.1.18 Raglan, as follows: (a) Raglan is developed to ensure (i) Infill and redevelopment of existing sites occurs, <u>subject to development of a Structure Plan to identify where this can be done without loss of character, trees or other natural features.</u> (ii) A variety of housing densities is provided for <u>and adequate housing reserved for low cost rentals and purchases by permanent residents.</u>
FS1276.166	Whaingaroa Environmental Defence Inc. Society	Support
553.3	Malibu Hamilton	Amend Policy 4.1.18(a)(iii) Raglan, as follows: Rangitahi is the only area that provides for the medium term future growth and is developed in a manner that connects to the existing town and maintains and enhances the natural environment.
FS1388.784	Mercury Energy Ltd	Oppose
658.2	Koning Family Trust and Martin Koning	Amend Policy 4.1.18(iii) Raglan, as follows: (iii) <u>Rangitahi and other areas around the Raglan urban area are the primary locations for</u> is the only area that provides for the medium term growth and <u>are</u> developed in a manner that connects to the existing town and maintains and enhances the natural environment. AND Any further relief or amendments as necessary to support the relief sought in the submission.
FS1208.5	Rangitahi Limited	Support
822.6	Bob MacLeod	Amend Policy 4.1.18(iii) Raglan, as follows: (a) Raglan is developed to ensure: ... (iii) Rangitahi is the only area that provides for the medium future growth and is <u>will provide for medium term growth above the multiple median of affordability for Raglan. Developments that propose affordable housing to cater for the quartiles below the multiple median and that are developed in a manner that connects to the existing town and maintains and enhances the</u>

		<u>natural environment will be considered as a preferred option for additional green fields development.</u>
FSI276.13	Whaingaroa Environmental Defence Inc. Society	Oppose
757.1	Karen White	Amend Policy 4.1.8 Raglan to include the following as a minimum: Consideration to Naturally Raglan documentation shall provide development guidance. Development shall complement and maintain Raglans built form and character that reflects its harbor setting and is compatible with Raglans seaside village character. Protection of the coastal environment and character. All residential development to utilise the Waikato Urban Design Guidelines "Residential Subdivision". Town Development shall utilize the WDC Character statements - Raglan Town Centre as the minimum basis for any new buildings/development within the town. Any development within the town centre (or overlay areas) shall be notified for public consultation. The ongoing development of cycling and pedestrian facilities and links to the rural community. Raglan is a place to work and live rather a place of commuters.
FSI276.196	Whaingaroa Environmental Defence Inc. Society	Support
326.2	Raglan Chamber of Commerce	Amend Urban Environment Strategic Direction Policy 4.1.18(iii) Raglan, to remove the word "only" and allow other developments that support affordable development to occur by replacing with the following wording: <u>Rangitahi will provide for medium term growth above the multiple median of affordability for Raglan. Developments that propose affordable housing to cater for the quartiles below the multiple median and that are developed in a manner that connects to the existing town and maintains and enhances the natural environment will be considered as preferred options for additional green fields development.</u>
824.8	Raglan Community Board	Delete Policy 4.1.18(iii) and replace with the following: <u>Rangitahi will provide for medium term growth above the multiple median of affordability for Raglan. Developments that propose affordable housing to cater for the quartiles below the multiple median and that are developed in a manner that connects to the existing tow and maintains and enhances the natural environment will be considered as preferred options for additional green fields development.</u>
FSI208.12	Rangitahi Limited	Oppose
FSI276.14	Whaingaroa Environmental Defence Inc. Society	Oppose
942.18	Tainui	Provide plans showing potential infill areas and statistics to justify redevelopment or infilling is necessary in the context of Policy 4.1.18(a)(i) Raglan.
343.2	Rangitahi Limited	Retain Policy 4.1.18 Raglan, except for the amendments sought below AND Amend Policy 4.1.18 Raglan to include the medium to long future growth area. AND Amend the Proposed District Plan to make consequential amendments to address the matters raised in this submission.
FSI276.32	Whaingaroa Environmental Defence Inc. Society	Oppose
FSI329.2	Koning Family Trust and Martin Koning	Support
942.19	Tainui	Retain Policy 4.1.18(iv) Raglan

256. There are 22 submissions, with one in support with no changes and the other 21 submissions in summary break down into the following topics, which are discussed in turn:
- Identification of Raglan characteristics
 - The role of Rangitahi and other infill areas to provide affordable housing, and
 - Housing for the elderly.

30.1.2 Analysis

Raglan Characteristics

257. The following submissions are relevant:
- | | |
|--------------------|--------------------------|
| Submission 697.541 | Waikato District Council |
| Submission 499.1 | Adrian Morton |
| Submission 757.1 | Karen White |
258. In summary, the submissions highlight the following characteristics that I consider are suitable for inclusion in the policy:
- that the connections between the town centre, Papahua Reserve and Raglan wharf are good quality for walking and cycling
 - Raglan's built form and character reflects its harbour setting and is compatible with its seaside village character, and
 - Protection of the coastal environment.
259. The submissions also reference other matters such as the Town Centre character statements. These have been incorporated into other policies and do not need to be repeated here.

Role of Rangitahi and Other Areas for Infill

260. The following submissions are relevant:
- Submission 310.4 and 310.5 Whaingaroa Raglan Affordable Housing Project
 - Submission 343.2 Rangitahi Limited
 - Submission 825.17 John Lawson
 - Submission 831.40 Raglan Naturally
 - Submission 780.17 Whaingaroa Environmental
 - Submission 788.12 Susan Hall
 - Submission 435.21 Jade Hyslop
 - Submission 553.3 Malibu Hamilton
 - Submission 658.2 Koning Family Trust
 - Submission 822.6 Bob MacLeod
 - Submission 326.2 Raglan Chamber of Commerce
 - Submission 824.8 Raglan Community Board
 - Submission 942.18 Tainui
261. In accordance with the Waikato Regional Policy Statement growth in Raglan is restricted to urban growth limits. Accordingly, the policy sets out that Rangitahi Peninsula is the only new growth area with infill being within the balance of the urban area. Submissions that seek to remove the word "only" and/or to enable other areas in and around Raglan to provide for residential growth are contrary to this policy direction and no analysis of the

suitability of other areas for urban development has been undertaken. Should additional land be required for growth at Raglan, a separate process will need to be undertaken and either a variation or plan change promoted.

262. Submissions 310.5 (Whaingaroa Raglan Affordable Housing Project), 831.40 (Raglan Naturally), 780.17 (Whaingaroa Environmental), 788.12 (Susan Hall), 435.21 (Jade Hyslop), 326.2 (Raglan Chamber of Commerce) and 824.8 (Raglan Community Board) seek that development at Rangitahi includes provisions for some of the housing to be reserved for low cost rentals or be available for purchase by permanent residents. Both propositions are outside the role of the district plan.

Housing for the elderly

263. Submission 757.2 (Karen White) seeks that housing for the elderly be included. As discussed previously, the residential policies and rules provide for a range of housing types and specific reference to housing for the elderly does not need to be included in the policy.
264. Submission 499.2 (Adrian Morton) seeks that housing for the elderly be required in all developments and that the Lazarus village be designated to prevent its sale and redevelopment. As noted above, the residential policies enable housing for the elderly and the designation of land is a matter for Waikato District Council and cannot be addressed through this submission.

30.1.3 Recommendation

265. For the reasons set out above it is recommended that the policy be amended to include additional matters to guide development and to confirm that Rangitahi is the new growth area in the medium to long term.
266. It is recommended that the submissions from Waikato District Council [697.541], Adrian Morton [499.1], Karen White [757.1], Rangitahi Limited [343.2] and Tainui [942.19] be **accepted**.
267. It is recommended that the submissions from Tainui [942.20], Whaingaroa Raglan Affordable Housing Project [310.5], Karen White [757.2], Whaingaroa Raglan Affordable Housing Project [310.4], John Lawson [825.17], Housing New Zealand Corporation [749.106], Raglan Naturally [831.40], Whaingaroa Environmental Defence Incorporated Society [780.17], Susan Hall [788.12], Adrian Morton [499.2], Jady Hyslop [435.21], Malibu Hamilton [553.3], Koning Family Trust and Martin Koning [658.2], Bob Macleod [822.6], Raglan Chamber of Commerce [326.2], Raglan Community Board [824.8] and Tainui [924.18] be **rejected**.

30.1.4 Recommended amendments

268. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.1.18 Policy – Raglan

- (a) Raglan is developed to ensure:
- (i) Infill and redevelopment of existing sites occurs;

- (ii) A variety of housing densities is provided for;
- (iii) The built form and character reflects its harbour setting and is compatible with its seaside village character;
- (iv) Protection of the coastal margins and environment;
- (v) Rangitahi is the only area that provides for the medium to long term future growth and is developed in a manner that connects to the existing town and maintains and enhances the natural environment; and
- (vi) There are good quality walking and cycling connections between the town centre, the Papahua Reserve and Raglan Wharf.

30.1.5 S32AA Evaluation

269. The recommended amendments are explanatory in nature and no additional information has been provided in the submissions that require further investigation as to the suitability of other areas for urban growth. Accordingly, no s32AA evaluation has been required to be undertaken.

31 Chapter 4: Urban Environment – 4.7 – Urban Subdivision and Development

31.1.1 Submissions

Submission number	Submitter	Summary of submission
695.44	Sharp Planning Solutions Ltd	Amend Section 4.7 Urban Subdivision and development to be a separate section of the Proposed District Plan.
FS1387.308	Mercury Energy Ltd	Oppose
299.4	2SEN Limited and Tuakau Estates Limited	Retain Section 4.7 Urban Subdivision and development as notified except where specific modification is sought elsewhere in the submission.
FS1386.330	Mercury Energy Ltd	Oppose
414.3	Chris Rayner	Retain Section 4.7 Urban Subdivision and development.
FS1388.156	Mercury Energy Ltd	Oppose
535.26	Hamilton City Council	Retain the intent of the objectives and policies in Section 4.7 Urban Subdivision and development subject to amendments to other rules.
FS1388.699	Mercury Energy Ltd	Oppose
182.8	Kirriemuir Trustee Limited	Retain the Objectives and Policies in Section 4.7 Urban Subdivision and development, as notified, unless otherwise specified in the submission.
FS1386.168	Mercury Energy Limited	Oppose

270. There are five submissions, with all in support of the section.

31.1.2 Analysis

271. Submission 695.44 (Sharp Planning Solutions Ltd) seeks that the section be a separate section in the plan. However, as the section is already separate and as such I am unsure exactly what the submission seeks.

31.1.3 Recommendation

272. For the reasons outlined above, I do not consider that any change is required to the location of Section 4.7.

273. It is recommended that the submissions from 2SEN Limited and Tuakau Estates Limited [299.4], Chris Rayner [414.3], Hamilton City Council [535.26] and Kirriemuir Trustee Limited [182.8] be **accepted**.

274. It is recommended that the submission from Sharp Planning Solutions Ltd [695.44] be **rejected**.

31.1.4 Section 32AA Evaluation

275. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

32 Chapter 4: Urban Environment – 4.7.1 Objective - Subdivision and Land Use Integration

32.1.1 Submissions

Submission number	Submitter	Summary of submission
368.12	Ian McAlley	Amend Objective 4.7.1 Subdivision and land use integration, to read as follows: Subdivision layout and design facilitates the land use outcomes sought for the residential, business, industrial, reserve and specific purpose zones, <u>ensuring development occurs in the most efficient means possible to achieve the defined purpose of the zone.</u>
FS1386.561	Mercury Energy Ltd	Oppose
923.68	Waikato District Health Board	Retain Objective 4.7.1- Subdivision and land use integration as notified.
FS1387.1511	Mercury Energy Ltd	Oppose

FS1287.45	Blue Wallace Surveyors	Support
662.46	Blue Wallace Surveyors Ltd	Retain Objective 4.7.1 Subdivision and Land Use Integration, as notified.
FS1387.120	Mercury Energy Ltd	Oppose
81.143	Waikato Regional Council	Retain Objective 4.7.1 Subdivision and Land Use Integration.
FS1223.29	Mercury Energy Ltd	Oppose
FS1176.12	Watercare Services Limited	Support
FS1287.3	Blue Wallace Surveyors	Support

276. The four submissions support the objective with one submission seeking additional wording.

32.1.1 Analysis

277. Submission 368.12 (Ian McAlley) seeks that additional words be included to define 'efficient means'. I consider the suggested words are either already encompassed within the objective or are included within the following policies.

32.1.2 Recommendation

278. For the reasons outlined above, I do not consider that any change is required to the objective.

279. It is recommended that the submissions from Waikato District Health Board [923.68], Blue Wallace Surveyors Ltd [662.46] and Waikato Regional Council [81.143] be **accepted**.

280. It is recommended that the submissions from Ian McAlley [368.12] be **rejected**.

32.1.3 Section 32AA Evaluation

281. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

33 Chapter 4: Urban Environment – 4.7.2 Policy – Subdivision location and design

33.1.1 Submissions

Submission number	Submitter	Summary of submission
567.6	Ngati Tamaoho Trust	Add a new clause (viii) to Policy 4.7.2 - Subdivision location and design, as follows: <u>(viii) promote park edge design that enhances the interface with urban design and public access and amenity.</u>
419.87	Horticulture New Zealand	Add a new clause (viii) to Policy 4.7.2 (a) Subdivision location and design, as follows: (a) Ensure subdivision, is located and designed to: <u>... (viii) recognises and addresses issues at the rural/urban interface.</u> AND Any consequential or additional amendments as a result of changes sought in the submission.
FS1388.216	Mercury Energy Ltd	Oppose
FS1171.45	T & G Global	Oppose
798.8	Ngati Te Ata	Add a new clause (viii) to Policy 4.7.2 Subdivision location and design as follows: <u>(viii) promote park edge design that enhances the interface with urban design and public access and amenity.</u>
FS1387.1282	Mercury Energy Ltd	Oppose
302.39	EnviroWaste New Zealand Limited	Add an exclusion to Policy 4.7.2 Subdivision location and design for Industrial Zones. AND Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.
FS1386.353	Mercury Energy Ltd	Oppose
924.45	Genesis Energy Limited	Add clause (viii) to Policy 4.7.2- Subdivision location and design by including the following as follows: <u>(viii) Avoids reverse sensitivity effects on existing and proposed regionally significant industry and regionally significant infrastructure.</u>
FS1387.1553	Mercury Energy Ltd	Oppose
766.41	Holcim (New Zealand) Limited	Amend Policy 4.7.2 Subdivision location and design to provide an exclusion for Industrial Zones. AND Any additional or consequential relief to give effect to the matters raised in the submission.
FS1387.1154	Mercury Energy Ltd	Oppose
742.31	New Zealand Transport Agency	Amend Policy 4.7.2 (a)(v) Subdivision location and design as follows: (a)(v) Promote <u>safe and connected</u> communities through <u>quality</u> urban design; AND Add a new clause (b) to Policy 4.7.2 Subdivision location and design as follows: <u>(b) Ensure that the adverse effects on land transport networks from proposed subdivision are appropriately managed.</u> AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FS1387.855	Mercury Energy Ltd	Oppose
FS1272.10	KiwiRail Holdings Ltd	Support
FS1273.12	Auckland Transport	Support
466.38	Balle Bros Group	Amend Policy 4.7.2 Subdivision location and design to consider reverse sensitivity.

	Limited	
FS1388.418	Mercury Energy Ltd	Oppose
FS1168.41	Horticulture New Zealand	Support
633.9	Van Den Brink Group	Amend Policy 4.7.2 Subdivision location and design to provide an exclusion for Industrial zones. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
662.47	Blue Wallace Surveyors Ltd	Amend Policy 4.7.2(a)(vii) Subdivision location and design as follows: (vii) Promote consistent grid layout <u>where it suits character and topographical constraints.</u>
FS1387.121	Mercury Energy Ltd	Oppose
FS1107.12	Simon Upton	Support
746.96	The Surveying Company	Delete Policy 4.7.2 (a) (vii)- Subdivision location and design OR Amend Policy 4.7.2 (a) (vii)- Subdivision location and design as follows: Promote consistent grid layout <u>while allowing for alternative road designs where a grid layout is not appropriate due to topographical constraints.</u>
FS1387.967	Mercury Energy Ltd	Oppose
FS1287.41	Blue Wallace Surveyors	Support
FS1377.251	Havelock Village Limited	Support
751.49	Chanel Hargrave and Travis Miller	Delete Policy 4.7.2 (a) (vii) Subdivision location and design OR Amend Policy 4.7.2(a)(vii) Subdivision location and design as follows: Promote consistent grid layout <u>while allowing for alternative road designs where a grid layout is not appropriate due to topographical constraints.</u>
FS1387.1096	Mercury Energy Ltd	Oppose
368.13	Ian McAlley	Delete Policy 4.7.2 (a)(i) Subdivision location and design.
FS1386.562	Mercury Energy Ltd	Oppose
368.39	Ian McAlley	Delete Policy 4.7.2 (a)(iii) Subdivision location and design.
FS1386.570	Mercury Energy Ltd	Oppose
368.40	Ian McAlley	Delete Policy 4.7.2 (a)(vii) Subdivision location and design.
FS1377.70	Havelock Village Limited	Oppose
FS1061.18	Campbell Tyson	Support
FS1308.21	The Surveying Company	Support
FS1377.71	Havelock Village Limited	Support
695.43	Sharp Planning Solutions Ltd	Delete Policy 4.7.2(a)(vii) Subdivision location and design.
FS1387.307	Mercury Energy Ltd	Oppose
751.48	Chanel Hargrave and Travis Miller	Retain Policies 4.7.2(a)(i) - (vi) Subdivision location and design
FS1387.1095	Mercury Energy Ltd	Oppose
746.95	The Surveying Company	Retain Policy 4.7.2 (a) (i-vi)- Subdivision location and design.
198.21	Property Council New	Retain Policy 4.7.2 Layout and Design – Subdivision location and design.

	Zealand	
FS1386.217	Mercury Energy Ltd	Oppose
923.69	Waikato District Health Board	Retain Policy 4.7.2- Subdivision location and design as notified.
FS1387.1512	Mercury Energy Ltd	Oppose
297.62	Counties Manukau Police	Retain Policy 4.7.2 Subdivision location and design except for the amendments sought below. AND Add to Policy 4.7.2(a) subdivision location and design a new point as follows: <u>(a)(v) promote safe communities through quality urban design, including conforming to the national guidelines for CPTED.</u> AND Add to Policy 4.7.2 Subdivision location and design a new point between (vi) and (vii) as follows: <u>Ensure adequate accessibility for emergency services and other services vehicles (including the provision of an adequate turning circle and road widths when roads are in use and taking into consideration parked vehicles at the road side.)</u>
FS1386.325	Mercury Energy Ltd	Oppose
FS1114.5	Fire and Emergency	Support
559.53	Heritage New Zealand	Retain Policy 4.7.2 Subdivision location and design, except for the amendments sought below. AND Add a new clause 'viii' to Policy 4.7.2(a) Subdivision location and design as follows: (a) Ensure subdivision is located and designed to: (i) Be sympathetic to the natural and physical qualities and characteristics of the surrounding environment; (ii) Establish boundaries that avoid buildings and structures dominating adjoining land or public places, the coast, or fresh waterbodies; (iii) Arrange allotments to allow for view sharing, where possible; (iv) Retain existing access to public space; (v) Promote safe communities through quality urban design; (vi) Accommodate building platforms and vehicle accesses that are safe and stable; and (vii) Promote consistent grid layout <u>and (viii) Avoid adverse effects on historic heritage and cultural values.</u>
FS1388.806	Mercury Energy Ltd	Oppose
697.554	Waikato District Council	Delete the heading "Layout and Design" that is between Objective 4.7.1 Subdivision and land Use Integration and Policy 4.7.2 Subdivision location and design.
FS1387.605	Mercury Energy Ltd	Oppose

282. There are 23 submissions to this policy. Four submissions support the policy with no change. The other submissions seek deletions or additions, in summary with respect to the following matters which are considered in turn:

- a. Park edge design;
- b. Urban/rural interface;
- c. Exclusion of Industrial Zone;
- d. Reverse sensitivity;
- e. Grid layout;
- f. Safety and emergency access; and
- g. Historic heritage.

33.1.2 Analysis

Park Edge Design

283. Submissions 567.6 (Ngati Tamaoho Trust) and 798.8 (Ngati Te Ata) both seek recognition of park edge and its role with respect to urban design and access. The suggested wording is a helpful expansion of existing matter (iv).

Urban/Rural Interface

284. Submission 419.87 (Horticulture New Zealand) seeks recognition of the urban/rural interface. The suggested wording is a helpful expansion of existing matter (i).

Exclusion of Industrial Zone

285. Submissions 302.39 (EnviroWaste New Zealand Ltd), 766.41 (Holcim (New Zealand Ltd), 633.9 (van den Brink Group) seek the exclusion of the policy applying to Industrial Zones. It is recognised that for industrial zones some parts of the policy will not be applicable (such (iii) view sharing). However, there will be other parts of the policy that are applicable. As with all objectives and policies they need to be applied in a manner that is relevant to the situation. As such, there is no reason to exclude the policy from applying to the Industrial zones.

Reverse Sensitivity

286. Submissions 924.45 (Genesis Energy Limited), 742.31 (New Zealand Transport Agency) and 466.38 (Balle Bros Group Limited) seek recognition of reverse sensitivity effects. This is an additional matter that is generally covered in Policy 4.7.2(a)(i), but should be specifically identified.

Grid Layout

287. Submissions 662.47 (Blue Wallace Surveyors Ltd), 746.96 (The Surveying Company), 751.49 (Chanel Hargrave and Travis Miller), 368.40 (Ian McAlley) and 695.43 (Sharp Planning Solutions Ltd) either seek deletion of the policy or recognition that topography may require a different layout. The policy has a 'promote' intent which is not an absolute and needs to be considered with respect to part (i) of Policy 4.7.2(a). Care needs to be taken that the wording of the policy is not watered down to an extent that the general grid layout outcome is not achieved.

Safety and Emergency Services

288. Submission 297.62 (Counties Manukau Police) seeks additional elaboration which would be helpful to include within existing Policy 4.7.2(a)(v).

Historic Heritage

289. Submission 559.53 (Heritage New Zealand) seeks the inclusion of avoiding adverse effects on historic heritage and cultural values. The intent of the submission is agreed with, however the "avoid" direction does not recognise that in some instances through archaeological recording, cultural protocol and other methods, development where there are historic heritage and cultural values can be accommodated. Accordingly, I have recommended different wording.

33.1.3 Recommendation

290. For the reasons set out above it is recommended that the policy be amended to include additional matters to guide subdivision and development with respect to public edge, urban/rural interface, reverse sensitivity, grid layout, safety and emergency service and historic heritage.
291. It is recommended that the submissions from Ngati Tamaoho Trust [567.6], Horticulture New Zealand [419.87], Ngati Te Ata [798.8], Genesis Energy Limited [924.45], New Zealand Transport Agency [742.31], Balle Bros Group Limited [466.38], Blue Wallace Surveyors Ltd [662.47], The Surveying Company [746.96], Chanel Hargrave and Travis Miller [751.49], Chanel Hargrave and Travis Miller [751.48], The Surveying Company [746.95], Property Council New Zealand [198.21], Waikato District Health Board [923.69], Counties Manukau Police [297.62], Heritage New Zealand Lower Northern Office [559.53] and Waikato District Council [697.554] be **accepted**.
292. It is recommended that the submissions from EnviroWaste New Zealand Limited [302.39], Holcim (New Zealand) Limited [766.41], van den Brink Group [633.9], Ian McAlley [368.13, 368.39 and 368.40] and Sharp Planning Solutions Ltd [695.43] be **rejected**.

33.1.4 Recommended Amendments

293. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

Layout and Design

4.7.2 Policy – Subdivision location and design

- (a) Ensure subdivision, is located and designed to:
- (i) Be sympathetic to the natural and physical qualities and characteristics of the surrounding environment **including the urban/rural interface and reverse sensitivity effects from on the strategic transport infrastructure networks and regionally significant industry;**
 - (ii) Establish boundaries that avoid buildings and structures dominating adjoining land or public places, the coast, or fresh waterbodies;
 - (iii) Arrange allotments to allow for view sharing, where possible;
 - (iv) Retain existing access to public space **and public access to new areas of public space that promote park edges that enhance the interface with urban design and amenity;**
 - (v) Promote safe communities through quality urban design **including implementation of Crime Prevention through Environmental Design (CPTED) and accessibility for emergency and other services;**
 - (vi) Accommodate building platforms and vehicle accesses that are safe and stable; **and**
 - (vii) Promote consistent grid layout **with minor changes to accommodate topographical and geotechnical constraints; and**
 - (viii) **Protect significant historic heritage and cultural values and incorporate those values into subdivision design.**

33.1.5 Section 32AA Evaluation

294. Most of the recommended amendments are generally elaborations to assist with the understanding of the outcomes sought for subdivision location and design or link to related policies (such as in respect to Policy 4.7.11 - Reverse Sensitivity). Accordingly, no s32AA evaluation has been required to be undertaken.
295. The main change is with respect to the addition of Policy 4.7.2(a)(viii). There appears to be a lack of policy to support the subdivision rules (such as Residential Zone Rule 16.4.10 *Subdivision of land containing heritage items*) and the addition of the policy provides that support.

34 Chapter 4: Urban Environment – 4.7.3 Policy – Residential subdivision

34.1.1 Submissions

Submission number	Submitter	Summary of submission
749.20	Housing New Zealand Corporation	Retain the Objectives and Policies in Section 4.7 Urban Subdivision and development, except for the amendments sought below AND Amend Policy 4.7.3 Residential Subdivision as follows: <u>Ensure Development meets the following responds to the outcomes of Waikato District Council's Urban Design Guidelines Residential Subdivision (Appendix 3.1), section 4 (Connectivity and Movement Networks), section 5 (Neighbourhood Character), section 6 (Residential Block and Street Layout), section 7 (Open Space and Landscape Treatment), and section 8 (Low Impact Urban Design), in particular by: (i)...</u> AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as necessary.
FSI387.999	Mercury Energy Ltd	Oppose
493.16	Jackie Colliar	Amend Policy 4.7.3 (xvi) Residential Subdivision, to refer to low impact stormwater design, to improve consistency with Policy 6.4.7 Stormwater which does mention low impact design being adopted where appropriate
FSI388.487	Mercury Energy Ltd	Oppose
FSI035.69	Pareoranga Te Kata	Support
FSI108.119	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Support
FSI139.107	Turangawaewae Trust Board	Support
286.32	Waikato-Tainui	Amend Policy 4.7.3 (a) (xvi) Residential subdivision to refer to low impact stormwater design. AND Amend the Proposed District Plan to clarify situations where low impact design is not appropriate.
FSI035.38	Pareoranga Te	Support

	Kata	
FSI176.43	Watercare Services Limited	Support
524.14	Anna Noakes	Amend Policy 4.7.3 Residential subdivision, to clarify position regarding guidelines and activity status and/or process for changes to guidelines.
FSI388.621	Mercury Energy Ltd	Oppose
695.45	Sharp Planning Solutions Ltd	Amend Policy 4.7.3(a) Residential subdivision to be placed before Policy 4.7.2(a) Subdivision location and design.
FSI387.309	Mercury Energy Ltd	Oppose
297.63	Counties Manukau Police	Amend Policy 4.7.3(a)(viii) Residential subdivision as follows: <u>Conforming to national guidelines for CPTED. Ensuring pedestrian access is consistent with the Crime Prevention through Environmental Design (CPTED)</u>
FSI386.326	Mercury Energy Ltd	Oppose
FSI269.28	Housing NZ	Oppose
633.10	Van Den Brink Group	Delete any requirement to adhere to “Guidelines” in Policy 4.7.3 Residential subdivision. AND Amend Policy 4.7.3 Residential subdivision to ensure the policy enables infill development in existing residential areas without making it adhere to the same standards as new greenfield development. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
198.22	Property Council New Zealand	Retain Policy 4.7.3 Layout and Design – Residential subdivision.
FSI386.218	Mercury Energy Ltd	Oppose
FSI108.149	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Support
FSI377.43	Havelock Village Limited	Support
751.47	Chanel Hargrave and Travis Miller	Retain Policy 4.7.3 Residential subdivision
FSI387.1094	Mercury Energy Ltd	Oppose
FSI108.151	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Oppose
FSI139.136	Turangawaewae Trust Board	Oppose
746.93	The Surveying Company	Retain Policy 4.7.3- Residential subdivision as notified.
FSI387.964	Mercury Energy Ltd	Oppose
FSI108.150	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Oppose

FSI139.135	Turangawaewae Trust Board	Oppose
923.70	Waikato District Health Board	Retain Policy 4.7.3- Residential Subdivision as notified.
FSI387.1514	Mercury Energy Ltd	Oppose
FSI108.145	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Oppose
598.11	Withers Family Trust	Retain Policy 4.7.3 Residential subdivision, insofar as subdivision development responds to the outcomes of the Urban Design Guidelines. AND Clarify the Urban Design Guidelines and the activity status and/or the process for changing these guidelines.
FSI388.1011	Mercury Energy Ltd	Oppose
81.199	Waikato Regional Council	Retain Policy 4.7.3 Residential subdivision.
FSI223.43	Mercury Energy Ltd	Oppose
FSI176.22	Watercare Services Limited	Support
FSI377.33	Havelock Village Limited	Support

296. There are 13 submissions to this section with seven of those seeking that the policy be retained without change. The other six submission sought changes with respect to the following matters which are considered in turn:

- a. Stormwater design
- b. Status of guidelines
- c. Reference to CPTED, and
- d. Location of the policy.

34.1.2 Analysis

297. Submissions 493.16 (Jackie Colliar) and 286.32 (Waikato-Tainui) seek recognition of low impact stormwater design in the policy. The submitter notes that this would complement Policy 6.4.7 – Stormwater, and I also note would complement Section 8 (Low Impact Urban Design) of the Waikato District Council’s Urban Design Guidelines Residential Subdivision. However, low impact stormwater design is only one part of what is sought to be achieved through the guidelines, which includes ecological improvements, residential amenity through planting and access to riparian margins. Accordingly, I do not consider it is helpful to single out this particular aspect at the policy level.

298. Submissions 524.14 (Anna Noakes), 633.10 (Van Den Brink Group), 749.20 (Housing New Zealand) and 598.11 (Withers Family Trust) seek clarification on the status of the guidelines. Submission 633.10 helpfully clarifies that policy is most applicable to subdivision in the new growth areas and large infill or redevelopment within an established residential area, and that

some aspects of the policy will not be applicable to a simple one additional lot infill subdivision. There is no requirement to 'adhere' to or 'meet' the guidelines as the policy seeks that new development 'responds'. The guidelines are those contained in Appendix 3.1 and should the guidelines be amended then that would require formal variation or change to the plan to incorporate the updated guidelines. No change is required.

299. Submission 297.63 (Counties Manukau Police) seeks additional reference to CPTED. However, the principles of CPTED are incorporated in detail within the guidelines and Policy 4.7.3 and no further reference is considered necessary.
300. Submission 695.45 (Sharp Planning Solutions Ltd) suggests locating Policy 4.7.3 ahead of Policy 4.7.2. However, Policy 4.7.2 is general applying to all urban subdivision and should go first.

34.1.3 Recommendation

301. For the reasons set out above it is recommended that the policy be amended to clarify what is most applicable to subdivision in new growth areas.
302. It is recommended that the submissions from Van Den Brink Group [633.10], Property Council New Zealand [198.22], Chanel Hargrave and Travis Miller [751.47], The Surveying Company [746.93], Waikato District Health Board [923.70], Withers Family Trust [598.11], Waikato Regional Council [81.199] and Property Council New Zealand [198.16] be **accepted**.
303. It is recommended that the submissions from Housing New Zealand Corporation [749.20], Jackie Colliar [493.16], Waikato-Tainui [286.32], Anna Noakes [524.14], Sharp Planning Solutions Ltd [695.45] and Counties Manukau Police [297.63] be **rejected**.

34.1.4 Recommended Amendments

304. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.7.3 Policy – Residential subdivision

Development **particularly within new growth areas and for large infill or redevelopment within existing residential areas** responds to the outcomes of Waikato District Council's Urban Design Guidelines Residential Subdivision (Appendix 3.1), section 4 (Connectivity and Movement Networks), section 5 (Neighbourhood Character), section 6 (Residential Block and Street Layout), section 7 (Open Space and Landscape Treatment), and section 8 (Low Impact Urban Design), in particular by:

34.1.5 Section 32AA Evaluation

305. The recommended amendments are clarification to assist with the understanding of the application of the policy. Accordingly, no s32AA evaluation has been required to be undertaken.

35 Chapter 4: Urban Environment – 4.7.4 Policy – Lot sizes

35.1.1 Submissions

Submission number	Submitter	Summary of submission
419.88	Horticulture New Zealand	Add a new clause (c) to Policy 4.7.4 Lot sizes, as follows: <u>(c) encourage a density of development that supports intensification of existing urban areas rather than urban sprawl on to rural production land.</u> AND Any consequential or additional amendments as a result of changes sought in the submission.
FSI171.46	T & G Global	Support
FSI377.87	Havelock Village Ltd	Oppose
81.200	Waikato Regional Council	Amend Policy 4.7.4 (b) Lot sizes to support appropriate urban outcomes for the Village Zone, and provide for more intense development in locations immediately adjacent to Business Town Centre Zones.
FSI223.44	Mercury Energy Ltd	Oppose
FSI223.44	Mercury Energy Ltd	Support
FSI091.56	GD Jones	Support
FSI107.14	Simon Upton	Support
FSI377.34	Havelock Village Ltd	Support
695.46	Sharp Planning Solutions Ltd	Amend Policy 4.7.4 lot size to include shape, required setbacks, and slope, especially for Raglan and Pokeno.
FSI387.310	Mercury Energy Ltd	Oppose
923.72	Waikato District Health Board	Amend Policy 4.7.4- Lot Sizes to provide for more intense development in locations immediately adjacent to Business Town Centre Zones.
FSI387.1515	Mercury Energy Ltd	Oppose
923.71	Waikato District Health Board	Amend Policy 4.7.4- Lot Sizes to support appropriate urban outcomes for the Village Zone.
FSI387.1513	Mercury Energy Ltd	Oppose
FSI092.61	GD Jones	Support
751.1	Chanel Hargrave and Travis Miller	Retain Policy 4.7.4(a) Lot sizes except for the amendments sought below. AND ADD two new clauses to Policy 4.7.4 Lot sizes as follows: <u>(b) Smaller lot sizes and multi-unit development promoted within walking distance to existing Town Centres, public amenities and public transport.</u> <u>(c) Smaller lots size and multi-unit development promoted within new greenfield sites where the land is within walking distance to amenities and reserves.</u> (d) Avoid undersized lots in the Village Zone.
FSI387.1065	Mercury Energy Ltd	Oppose
FSI168.43	Horticulture NZ	Support
746.97	The Surveying	Retain Policy 7.4.7 Lot sizes, except for the amendments sought below AND Amend Policy 4.7.4- Lot sizes as follows: (a)Minimum lot size and dimension

	Company	of lots enables the achievement of the character and density outcomes of each zone; and (b) Smaller lots size and multi-unit development promoted within walking distance to existing Town Centres, public amenities and public transport. (c) Smaller lots size and multi-unit development promoted within new greenfield sites where the land is within walking distance to amenities and reserves. (d) Avoid undersized lots in the Village Zone.
FS387.968	Mercury Energy Ltd	Oppose
FS1168.42	Horticulture NZ	Support
FS1202.57	New Zealand Transport Agency	Support
FS1287.42	Blue Wallace Surveyors	Support
FS1377.252	Havelock Village Ltd	Support

306. The seven submissions seek amendments with respect to the following matters which are considered in turn:
- Support for intensification and infill
 - Urban outcomes for the Village zone, and
 - Additional factors for consideration.

35.1.2 Analysis

307. Submissions 419.88 (Horticulture New Zealand), 923.72 (Waikato District Health Board), 751.1 (Chanel Hargrave and Travis Miller), 81.200 (Waikato Regional Council) and 746.97 (The Surveying Company) seek policy support for intensification and infill, particularly in relation to the town centres, public transport and public amenities. This outcome (where relevant) is already contained in the objectives and policies (such as Objective 4.2.16) and is the reason Policy 4.7.4(a) makes reference to the character and density outcomes for each zone. Accordingly, this matter does not need to be included.
308. Submissions 81.200 (Waikato Regional Council) and 923.71 (Waikato District Health Board) seek to change the emphasis of the Village Zone from one that is 'semi-rural' in character (refer to Policy 4.3.2 – Character) to one that supports urban outcomes. Policy 4.1.17, Objective 4.3.1 and Policy 4.3.2 (in particular) confirm that the outcome sought for the Village Zone, although it may be serviced with urban infrastructure, is still low density semi-rural character. My understanding is that there is no imperative that the Village Zone change from this outcome to meet any of the urban capacity requirements for the district.
309. Submission 695.46 (Sharp Planning Solutions Ltd) seeks the addition of shape, setbacks and slope especially for Raglan and Pokeno. The residential subdivision matters of discretion include consideration of shape, ability to accommodate a building platform (slope), setbacks from hazards and amenity (such as riparian margins). The inclusion of these matters within the policy, provides support for the matters of discretion. However, some of these relate to characteristics of land within the lot rather than the lot dimensions themselves. As such it would be helpful to include these matters in the policy.

35.1.3 Recommendation

310. For the reasons set out above it is recommended that the policy be amended to include other matters relevant to lot size, that complement the matters of discretion within the subdivision rules.
311. It is recommended that the submission from Sharp Planning Solutions Ltd [695.46] be **accepted**.
312. It is recommended that the submissions from Horticulture New Zealand [419.88], Waikato Regional Council [81.200], Waikato District Health Board [923.72], Chanel Hargrave and Travis Miller [751.1] and The Surveying Company [746.97] be **rejected**.

35.1.4 Recommended Amendments

313. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.7.4 Policy – Lot sizes

Minimum lot size, **shape** and dimension of lots **taking into consideration setbacks from hazards and natural features and slope**, enables the achievement of the character and density outcomes of each zone; and

35.1.5 Section 32AA Evaluation

314. The recommended amendments are explanatory in nature to assist with the understanding of factors anticipated achieve the outcomes sought. Accordingly, no s32AA evaluation has been required to be undertaken.

36 Chapter 4: Urban Environment – 4.7.5 Policy – Servicing requirements

36.1.1 Submissions

Submission number	Submitter	Summary of submission
302.40	EnviroWaste New Zealand Limited	Add an exclusion to Policy 4.7.5 Urban Outcomes – Servicing requirements for Industrial Zones for provision of cycleways/pedestrian connections. AND Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.
766.42	Holcim (New Zealand) Limited	Amend Policy 4.7.5 Servicing requirements to provide an exclusion for Industrial Zones for provision of cycle ways/pedestrian connections. AND Any additional or consequential relief to give effect to the matters raised in the submission.
FS1387.1155	Mercury Energy Ltd	<i>Oppose</i>
662.48	Blue Wallace Surveyors Ltd	Amend Policy 4.7.5 (a) Servicing Requirements as follows: (a) Require urban subdivision and development to be serviced to a level that will provide for the anticipated activities approved <u>indicated</u> in a structure plan, or otherwise

		anticipated within the zone...
FSI387.122	Mercury Energy Ltd	Oppose
633.11	Van Den Brink Group	Amend Policy 4.7.5 to provide an exclusion for Industrial zones for provision of cycleways/pedestrian connections. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FSI387.34	Mercury Energy Ltd	Oppose
423.6	Watercare Services Limited	Amend the Proposed District Plan (among other matters) to adequately give effect to Policy 4.7.5 Servicing requirements, Policy 4.7.6 Coordination between servicing and development and Subdivision and Policy 4.7.8 Staging of Subdivision.
FSI388.248	Mercury Energy Ltd	Oppose
FSI110.22	Synlait	Support
FSI322.39	Synlait	Support
FSI377.89	Havelock Village Ltd	Support
423.2	Watercare Services Limited	Retain Policy 4.7.5 Servicing requirements, subject to the provision of adequate structure planning guidance that provides sufficient requirements (among other matters) regarding the integration of development and infrastructure provision being included in the Proposed District Plan. AND Any consequential amendments or further relief to address the matters raised in the submission.
FSI388.246	Mercury Energy Ltd	Oppose
FSI223.66	Mercury Energy Ltd	Oppose
FSI223.66	Mercury Energy Ltd	Support
FSI202.58	New Zealand Transport Agency	Support
81.201	Waikato Regional Council	Retain Policy 4.7.5 Servicing requirements.
FSI223.45	Mercury Energy Ltd	Oppose
FSI223.45	Mercury Energy Ltd	Support
FSI176.23	Watercare Services Limited	Support
378.60	Fire and Emergency New Zealand	Retain Policy 4.7.5 Servicing requirements.
FSI035.167	Pareoranga Te Kata	Support

315. Two of the eight submissions on this policy seek that it be retained. The other submissions seek amendments with respect to the following matters which are considered in turn:
- Exclusion of cycleway/pedestrian connections in Industrial Zones, and
 - Structure plans.

36.1.2 Analysis

316. Submissions 302.40 (EnviroWaste New Zealand Ltd), 766.42 (Holcim (New Zealand) Ltd) and 633.11 (van den Brink Group) seek the exclusion of access through industrial areas. Industrial areas can adjoin natural features where it is appropriate to provide public access (such as in Te Kauwhata from Rata Street to Lake Waikare – refer to proposed planning map Te Kauwhata East 14.2). Accordingly, for other new industrial areas, the policy should not exclude the potential for similar access.
317. Submission 662.48 (Blue Wallace Surveyors) seeks deletion of the word ‘approved’ and replacement with ‘indicated’. On review, neither word is necessary and it is suggested that they be deleted.
318. Submissions 423.2 and 423.6 (Watercare Services Limited Services Limited) are concerned to ensure that due to the ‘live zoning’ of new growth areas, there are sufficiently robust objectives, policies and methods to ensure appropriate landuse and infrastructure integration. In my opinion, taken as a whole, the objectives and policies of the PWDC are sufficiently robust to ensure such integration (such as policy 4.7.6). No specific change to the objectives and policies has been sought.

36.1.3 Recommendation

319. For the reasons outlined above, I consider only a minor change is required to Policy 4.7.5.
320. It is recommended that the submissions from Blue Wallace Surveyors Ltd [662.48], Waikato Regional Council [81.201] and Fire and Emergency New Zealand [378.60] be **accepted**.
321. It is recommended that the submissions from EnviroWaste New Zealand Limited [302.40], Holcim (New Zealand) Limited [766.42], van den Brink Group [633.11] and Watercare Services Limited [423.2 and 423.6] be **rejected**.

36.1.4 Recommended Amendment

322. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.7.5 Policy – Servicing requirements

Require urban subdivision and development to be serviced to a level that will provide for the anticipated activities ~~approved~~ in a structure plan, or otherwise anticipated within the zone, including through the provision of:

36.1.5 Section 32AA Evaluation

323. The recommended amendment is a minor wording change. Accordingly, no s32AA evaluation has been required to be undertaken.

37 Chapter 4: Urban Environment – 4.7.6 Policy – Co-ordination between servicing and development and subdivision

37.1.1 Submissions

Submission number	Submitter	Summary of submission
297.64	Counties Manukau Police	Add to Policy 4.7.6(a) Co-ordination between servicing and development and subdivision a new point as follows: (a)(v) provides adequate accessibility for emergency services and other service vehicles (including the provision of an adequate turning circle and road width when roads are in use and taking into consideration parked vehicles at the road side)
FS1386.327	Mercury Energy Ltd	Oppose
FS1114.6	Fire & Emergency	Support
464.6	Perry Group Limited	Amend Policy 4.7.6 Co-ordination between servicing and development and subdivision, as follows: <u>Increasingly, infrastructure is put in pursuant to private development agreements and other arrangements, and it should not depend on Council funding or Long-Term Plan arrangements.</u> (a) <u>Ensure Encourage</u> development and subdivision: (i) Is-To be located in areas where infrastructural capacity has been planned and funded; (ii) Is-To be located in areas subject to an approved structure plan and provide sufficient infrastructure capacity to meet the demand identified in the structure plan; (iii) <u>To</u> achieves the lot yield anticipated in an approved structure plan; and (iv) <u>To</u> includes infrastructure provision for both the strategic infrastructure network and local infrastructure connections; <u>while acknowledging that there may be exceptions to the above, for example in the case of a new housing development with infrastructure being provided and paid for in whole or in part by central government or private or public-private funding.</u> AND Any consequential amendments or further relief to address the concerns raised in the submission.
FS1388.379	Mercury Energy Ltd	Oppose
FS1087.9	Ports of Auckland Ltd	Oppose
598.12	Withers Family Trust	Delete Policy 4.7.6 (a)(ii) and (iii) Coordination between servicing and development and subdivision.
FS1388.1012	Mercury Energy Ltd	Oppose
524.15	Anna Noakes	Delete reference to Structure Plans in Policy 4.7.6(a)(ii) and (iii) Coordination between servicing development and subdivision.
FS1388.622	Mercury Energy Ltd	Oppose
445.6	BTW Company	Retain Policy 4.7.6 (ii) and (iii) Co-ordination between servicing and development and subdivision.
423.3	Watercare Services Limited	Retain Policy 4.7.6 Co-ordination between servicing and development and subdivision subject to the provision of adequate structure planning guidance that provides sufficient requirements (amongst other matters) regarding the integration of development and infrastructure provision being included in the Proposed District Plan. AND Any consequential amendments or further relief to address the matters raised in the submission.
FS1388.247	Mercury Energy Ltd	Oppose

742.32	New Zealand Transport Agency	Retain Policy 4.7.6 Co-ordination between servicing and development and subdivision, except for the amendments sought below AND Amend Policy 4.7.6(a)(i) Co-ordination between servicing and development as follows: Is located in areas where infrastructural <u>infrastructure</u> capacity <u>appropriate to the proposal is available, or is otherwise</u> has been planned and funded. AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FS1387.856	Mercury Energy Ltd	Oppose
FS1273.13	Auckland Transport	Support
FS1377.243	Havelock Village Ltd	Support
81.202	Waikato Regional Council	Retain Policy 4.7.6 Co-ordination between servicing and development and subdivision.
FS1223.46	Mercury Energy Ltd	Oppose
FS1223.46	Mercury Energy Ltd	Support
FS1176.24	Watercare Services Limited	Support

324. Two of the eight submissions seek retention of the policy. The other submissions seek amendments with respect to the following matters, which are considered in turn:
- Emergency services
 - Methods of providing infrastructure, and
 - Legality of structure plans.

37.1.2 Analysis

325. Submission 297.64 (Counties Manukau Police) seeks additional elaboration which is helpful to include within existing Policy (i).
326. Submissions 464.6 (Perry Group Limited), 445.6 (BTW Company) and 742.32 (New Zealand Transport Agency) seek amendments to reflect alternative ways in which to provide infrastructure. It would be helpful to clarify that the policy does not restrict the provision of infrastructure solely to public agencies.
327. Submissions 598.12 (Withers Family Trust) and 524.15 (Anna Noakes) are concerned as to the legality of structure plans. This is a matter that relates to activity status not to the policy direction level.

37.1.3 Recommendation

328. For the reasons outlined above, I consider that only a minor change is required to Policy 4.7.6 to clarify the provision of infrastructure.
329. It is recommended that the submissions from Counties Manukau Police [297.64], Perry Group Limited [464.6], BTW Company [445.6], Watercare Services Limited Services Limited

[423.3], New Zealand Transport Agency [742.32] and Waikato Regional Council [81.202] be **accepted**.

330. It is recommended that the submissions from Withers Family Trust [598.12] and Anna Noakes [524.15] be **rejected**.

37.1.4 Recommended Amendments

331. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.7.6 Policy – Co-ordination between servicing and development and subdivision

- (a) Ensure development and subdivision:

Is located in areas where infrastructure ~~real~~ capacity (including for emergency and other services) has been planned, ~~and~~ funded and provided by the relevant agencies, or through other arrangements;

37.1.5 Section 32AA Evaluation

332. The recommended amendment is a minor wording change for clarification. Accordingly, no s32AA evaluation has been required to be undertaken.

38 Chapter 4: Urban Environment – 4.7.7 Policy – Achieving sufficient development density to support the provision of infrastructure services

38.1.1 Submissions

Submission number	Submitter	Summary of submission
419.89	Horticulture New Zealand	Add a new clause (c) to Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services, as follows: (c) <u>encourage a density of development that supports intensification of existing urban areas rather than urban sprawl on to rural production land.</u> AND Any consequential or additional amendments as a result of changes sought in the submission.
FS1388.218	Mercury Energy Ltd	Oppose
FS1171.47	T & G Global	Support
751.2	Chanel Hargrave and Travis Miller	Amend Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services to ensure that policies (a) and (b) are not contradictory. AND Amend Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services as follows: (b) recognise the minimum potential yield may not be achieved where there are proven geotechnical constraints <u>or other topographical constraints.</u>
FS1387.1066	Mercury Energy Ltd	Oppose
746.98	The Surveying Company	Amend Policy 4.7.7 so that (a) and (b) do not contradict themselves AND Amend Policy 4.7.7 (b)- Achieving sufficient development density to support the provision of infrastructure services as follows: Recognise that the minimum potential yield may not be achieved where there are proven geotechnical constraints <u>or other topographical constraints.</u>

FSI387.969	Mercury Energy Ltd	Oppose
FS269.28	Ngati Tamoho Trust	Support
742.33	New Zealand Transport Agency	Retain Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services, except for the amendments sought below AND Amend Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services, to address the inconsistency with Policy 4.7.6 Co-ordination between servicing and development and subdivision. AND Define the terms "maximum potential yield" and "minimum potential yield." AND Amend Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services, to recognise that other constraints may also affect yield beyond geotechnical constraints including the need to achieve good urban design outcomes and provide for land transport infrastructure. AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FSI387.857	Mercury Energy Ltd	Oppose
FSI273.14	Auckland Transport	Support
FSI377.244	Havelock Village Ltd	Support
81.203	Waikato Regional Council	Retain Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services.
FSI223.47	Mercury Energy Ltd	Oppose
FSI223.47	Mercury Energy Ltd	Support
FSI176.25	Watercare Services Limited	Support
FSI379.17	Hamilton City Council	Support
524.16	Anna Noakes	Retain Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services.
FSI388.623	Mercury Energy Ltd	Oppose
598.13	Withers Family Trust	Retain Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services.
FSI388.1013	Mercury Energy Ltd	Oppose
633.12	Van Den Brink Group	Retain Policy 4.7.7(a) Achieving sufficient development density to support the provision of infrastructure services to the extent that the industrial lot sizes are retained or reduced.
FSI387.35	Mercury Energy Ltd	Oppose
766.43	Holcim (New Zealand) Limited	Retain Policy 4.7.7(a) Achieving sufficient development density to support the provision of infrastructure services, to the extent that the industrial lot sizes are retained or reduced.
FS387.1156	Mercury Energy Ltd	Oppose
302.41	EnviroWaste New Zealand Limited	Retain Policy 4.7.7(a) Urban Outcomes – Achieving sufficient development density to support the provision of infrastructure services as proposed, to the extent that the industrial lot sizes are retained or reduced.
FSI386.354	Mercury	Oppose

	Energy Ltd	
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333. Two of the ten submissions seek retention of the policy without amendment. The other submissions seek amendments with respect to the following matters, which are considered in turn:
- Recognition of topographical and other constraints
 - Clarity with respect to 'maximum' and 'minimum' yields
 - Clarity between Policies 4.7.6 and 4.7.7, and
 - Industrial lots.

38.1.2 Analysis

334. Submissions 751.2 (Chanel Hargrave and Travis Miller), 746.98 (The Surveying Company), and 742.33 (New Zealand Transport Agency) seek recognition of other topographical constraints. The potential residential yield recognises that the yield only applies on land that is suitable for development (excluding unsuitable land such as land required for stormwater management). However, geotechnical constraints may not be known until the detailed preliminary investigations prior to subdivision are undertaken. Topographical constraints would have been taken into account in a structure plan exercise, so where a structure plan does not apply, topographical constraints should be recognised. The other constraints are addressed in other policies.
335. Submission 742.33 (New Zealand Transport Agency) also seeks the definition of minimum and maximum yields. The minimum yields for the Residential Zone are set out in Policy 4.1.5(b) as being 12 – 15 households per hectare. This yield is based on there being sufficient urban infrastructure to support that density of development.
336. Section (a) of Policy 4.7.7 is seeking that where infrastructure will support it, more than the minimum yield is to be achieved (ie the maximum), particularly for residential development in those locations as set out in Policy 4.1.5(a). Clarity could be provided by linking these two policies and changing the heading of the policies.
337. Submissions 302.41 (EnviroWaste New Zealand Ltd), 766.43 (Holcim (New Zealand) Ltd) and 633.12 (van den Brink Group) consider that the policy in its current form would support a reduction in the average or minimum lot size. I do not consider that is what the policy enables and have not recommended any changes.

38.1.3 Recommendation

338. For the reasons outlined above, I consider only minor changes are required to Policy 4.7.7. I also consider that consequential changes are required to Policy 4.7.6, to clarify the relevant constraints and the relationship between Policy 4.7.6 and Policy 4.7.7.
339. It is recommended that the submissions from Chanel Hargrave and Travis Miller [751.2], The Surveying Company [746.98], New Zealand Transport Agency [742.33], Waikato Regional Council [81.203], Anna Noakes [524.16] and Withers Family Trust [598.13] be **accepted**.

340. It is recommended that the submissions from Horticulture New Zealand [419.89], EnviroWaste New Zealand Ltd [302.41], van den Brink Group [633.12] and Holcim (New Zealand) Limited [766.43] be **rejected**.

38.1.4 Recommended Amendments

341. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.7.6 Policy – Co-ordination between servicing and development and subdivision with and without a structure plan [s42A Report – Topic 35 Chapter 4: Urban Environment 4.7.7 - Policy – Achieving sufficient development density to support the provision of infrastructure services]

(b) Ensure development and subdivision:

- (i) Is located in areas where infrastructure ~~real~~ capacity (including for emergency and other services) has been planned, ~~and~~ funded and provided by the relevant agencies, or through other arrangements; [s42A Report – Topic 34 Chapter 4: Urban Environment 4.7.6 - Policy – Co-ordination between servicing and development and subdivision]
- (ii) ~~Is~~ **Where** located in areas subject to an approved structure plan, ~~and~~ provide sufficient infrastructure capacity to meet the demand identified in the structure plan; [s42A Report – Topic 35 Chapter 4: Urban Environment 4.7.7 - Policy – Achieving sufficient development density to support the provision of infrastructure services]

4.7.7 Policy – Achieving sufficient development density to support the provision of infrastructure services in areas without a structure plan

- (a) In areas where there is no structure plan, ensure that the maximum potential yield for the zone is achieved to support infrastructure provision **and for residential development seek higher yields in accordance with Policy 4.1.5(a) - Density**.
- (b) Recognise that the minimum potential yield may not be achieved where there are proven geotechnical **and topographical** constraints.
[All of the changes to Policy 4.7.7 refer to s42A Report – Topic 35 Chapter 4: Urban Environment 4.7.7 - Policy – Achieving sufficient development density to support the provision of infrastructure services]

38.1.5 Section 32AA Evaluation

342. The recommended amendments are explanatory in nature to assist with the understanding of the policies. Accordingly, no s32AA evaluation has been required to be undertaken.

39 Chapter 4: Urban Environment – 4.7.8 Policy –Staging of subdivision

39.1.1 Submissions

Submission number	Submitter	Summary of submission
423.4	Watercare Services Limited	Retain Policy 4.7.8 Staging of subdivision, subject to the provision of adequate structure planning guidance that provides sufficient requirements (among other matters) regarding the integration of development and infrastructure provision being included in the Proposed District Plan. AND Any consequential amendments or further relief to address the matters raised in the submission.
FS1202.59	New Zealand Transport Agency	Support
81.204	Waikato Regional Council	Retain Policy 4.7.8 Staging of subdivision.
FS1176.26	Watercare Services Limited	Support
524.17	Anna Noakes	Retain Policy 4.7.8 Staging of subdivision.
598.29	Withers Family Trust	Retain Policy 4.7.8 Staging of subdivision.

343. All four submissions seek the retention of the policy.

39.1.1 Analysis

344. The submission from Watercare Services Limited Services Limited, does not seek any specific changes to the policy. However, in the reasons for the decision, the submitter states that “*It is critical that the Proposed District Plan includes sufficiently robust objectives, policies and methods to ensure appropriate land use and infrastructure integration.*” In my opinion, the objectives, policies and methods included in the PWDP (subject to the recommended amendments) will ensure such integration.

39.1.2 Recommendation

345. For the reasons outlined above, I do not consider that any change is required to Policy 4.7.8.

346. It is recommended that the submissions from Watercare Services Limited Services Limited [423.4], Waikato Regional Council [81.204], Anna Noakes [524.17] and Withers Family Trust [598.29] be **accepted**.

39.1.3 Recommended Amendments

347. No amendments are required.

39.1.4 Section 32AA Evaluation

348. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken

40 Chapter 4: Urban Environment – 4.7.9 Policy – Connected neighbourhoods

40.1.1 Submissions

Submission number	Submitter	Summary of submission
302.42	EnviroWaste New Zealand Limited	Add an exclusion to Policy 4.7.9 Connected neighbourhoods for Industrial Zones provision of cycleways/pedestrian connections. AND Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.
766.44	Holcim (New Zealand) Limited	Amend Policy 4.7.9 Connected neighborhoods to provide an exclusion for Industrial zones for provision of cycle ways/pedestrian connections. AND Any additional or consequential relief to give effect to the matters raised in the submission.
633.13	Van Den Brink Group	Amend Policy 4.7.9 Connected neighbourhoods to provide an exclusion for provision of cycleways/pedestrian connections in industrial zones. AND Amend Policy 4.7.9 Connected neighbourhoods to enable infill development in existing residential areas without making it adhere to the same standards as new greenfield development. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
742.34	New Zealand Transport Agency	Retain Policy 4.7.9 Connected neighbourhoods as notified.
FS/273.15	Auckland Transport	Support
81.205	Waikato Regional Council	Retain Policy 4.7.9 Connected neighbourhoods.
524.18	Anna Noakes	Retain Policy 4.7.9 Connected neighbourhoods.
598.30	Withers Family Trust	Retain Policy 4.7.9 Connected neighbourhoods.
695.47	Sharp Planning Solutions Ltd	Retain Policy 4.7.9(a) Connected neighbourhoods.

349. Five of the eight submission seek that the policy remain unaltered. The other three submissions seek the exclusion of cycleway/pedestrian connections in Industrial zones.

40.1.2 Analysis

350. Submissions 302.42 (EnviroWaste New Zealand Ltd), 766.44 (Holcim (New Zealand) Ltd) and 633.13 (van den Brink Group) seek the exclusion of access through industrial areas. Industrial areas can adjoin natural features where it is appropriate to provide public access (such as in Te Kauwhata from Rata Street to Lake Waikare – refer to proposed planning map Te Kauwhata East 14.2). Accordingly, for other new industrial areas, the policy should not exclude the potential for similar access.

40.1.3 Recommendation

351. For the reasons outlined above, I do not consider any change is required to Policy 4.7.9.
352. It is recommended that the submissions from New Zealand Transport Agency [742.34], Waikato Regional Council [81.205], Anna Noakes [524.18], Withers Family Trust [598.30] and Sharp Planning Solutions Ltd [695.47] be **accepted**.
353. It is recommended that the submissions from EnviroWaste New Zealand Ltd [302.42], Holcim (New Zealand) Limited [766.44] and van den Brink Group [633.13] be **rejected**.

40.1.4 Section 32AA Evaluation

354. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

41 Chapter 4: Urban Environment – 4.7.10 Policy – Recreation and access

41.1.1 Submissions

Submission number	Submitter	Summary of submission
746.99	The Surveying Company	Add a new clause (iv) to Policy 4.7.10 (a)- Recreation and access as follows: <u>(iv) Giving effect to the Parks and Reserves Strategy.</u>
302.43	EnviroWaste New Zealand Limited	Add an exclusion to Policy 4.7.10 Urban Outcomes – Recreation and access for Industrial Zones for provision of cycleways/pedestrian connections. AND Amend the Proposed District Plan to make consequential amendments or additional amendments to address the matters raised in the submission.
297.32	Counties Manukau Police	Add to Policy 4.7.10(a) Recreation and access a new point as follows: <u>(a)(iv) conforming to the national guidelines for CPTED</u>
FS1269.21	Housing NZ	Support
766.45	Holcim (New Zealand) Limited	Amend Policy 4.7.10 Recreation and access to provide an exclusion for Industrial zones for provision of cycle ways/pedestrian connections. AND Any additional or consequential relief to give effect to the matters raised in the submission.
633.14	Van Den Brink Group	Amend Policy 4.7.10 Recreation and access to provide an exclusion for industrial zones for the provision of cycleways/pedestrian connections. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
81.206	Waikato	Retain Policy 4.7.10 Recreation and access.

	Regional Council	
524.19	Anna Noakes	Retain Policy 4.7.10 Recreation and access.
598.31	Withers Family Trust	Retain Policy 4.7.10 Recreation and access.

355. Three of the eight submissions seek retention of the policy without change. The other submissions seek amendments with respect to the following matters, which are considered in turn:

- a. Parks and Reserves Strategy
- b. Industrial Zones, and
- c. CPTED.

41.1.2 Analysis

356. Submission 746.99 (The Surveying Company) seeks recognition of the *Waikato District Council Parks Strategy 2014*. This is a comprehensive document analysing current and future demand for recreation and park facilities. It includes a vision, strategic direction and detail on the types and location of future facilities. It is a helpful document to reference at the policy level to guide the provision of facilities.

357. Submissions 302.43 (EnviroWaste New Zealand Ltd), 766.45 (Holcim (New Zealand) Ltd) and 633.14 (van den Brink Group) seek the exclusion of access through industrial areas. Industrial areas can adjoin natural features where it is appropriate to provide public access (such as in Te Kauwhata from Rata Street to Lake Waikare – refer to proposed planning map Te Kauwhata East 14.2). Accordingly, for other new industrial areas, the policy should not exclude the potential for similar access.

358. Submission 297.32 (Counties Manukau Police) seeks recognition of CPTED. The design of recreation areas to ensure that they are safe is an important matter to consider at the initial acquisition of reserve land to ensure that the subsequent development can be undertaken in accordance with CPTED. Accordingly, recognition of CPTED is recommended.

41.1.3 Recommendation

359. For the reasons outlined above, I consider only minor changes are required to Policy 4.7.10 to recognise the Strategy and CPTED.

360. It is recommended that the submissions from The Surveying Company [746.99], Counties Manukau Police [297.32], Waikato Regional Council [81.206], Anna Noakes [524.19] and Withers Family Trust [598.31] be **accepted**.

361. It is recommended that the submissions from EnvironWaste New Zealand Limited [302.43], Holcim (New Zealand) Limited [766.45] and van den Brink Group [633.14] be **rejected**.

41.1.4 Recommended Amendments

362. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.7.10 Policy – Recreation and access

- (a) Subdivision provides for the recreation and amenity needs of residents by:
 - (i) Encouraging open spaces which are prominent and accessible by pedestrians;

- (ii) Requiring the number and size of open spaces in proportion to the future density of the neighbourhood, *as one way of implementing the Waikato District Council Parks Strategy 2014; and*
- (iii) *Providing open spaces in locations and characteristics which will enable their subsequent development to conform with and implement CPTED; and*
- (iv) Enabling for pedestrian and/or cycle linkages.

41.1.5 Section 32AA Evaluation

363. The recommended amendments elaborate on how new recreation and access facilities are anticipated to be provided and complement other policies within the PWDP. Although the addition of Policy 4.7.10(a)(iii) with respect to CPTED, is new, it complements other policies within the chapter. Accordingly, no s32AA evaluation has been required to be undertaken.

42 Chapter 4: Urban Environment – 4.7.11 Policy – Reverse Sensitivity

42.1.1 Submissions

Submission number	Submitter	Summary of submission
924.46	Genesis Energy Limited	Amend Policy 4.7.11- Reverse Sensitivity as follows: (b) Avoid potential reverse sensitivity effects of locating new dwelling <u>sensitive activities</u> in the vicinity of an intensive farming, extraction industry or industrial activity. AND Add clause (c) to Policy 4.7.11- Reverse Sensitivity as follows: <u>(c) Avoid potential reverse sensitivity effects of locating new sensitive activities in the vicinity of Regionally Significant Industry or Regionally Significant Infrastructure.</u>
FS1387.1554	Mercury Energy Ltd	Oppose
FS1110.19	Synlait	Oppose
FS1110.23	Synlait	Support
FS1322.9	Synlait	Support
FS1350.7	Transpower Ltd	Support
466.39	Balle Bros Group Limited	Amend Policy 4.7.11 Reverse sensitivity to avoid potential reverse sensitivity effects of locating new dwellings near existing commercial vegetable production activities.
FS1388.419	Mercury Energy Ltd	Oppose
FS1168.46	Horticulture NZ	Support
182.13	Kirriemuir Trustee Limited	Amend Policy 4.7.11 Reverse sensitivity to ensure that "protection" of sites generating adverse effects is extended only where those effects are lawfully established, as follows: (a) Development and subdivision design minimises <u>lawfully established and operating</u> reverse sensitivity effects on adjacent sites, adjacent activities, or the wider environment; and (b) Avoid potential reverse sensitivity effects of locating new dwellings in the vicinity of <u>lawfully established and operating</u> an—intensive farming, extraction industry or industrial activity. AND Amend provisions as consequential changes to give effect to the relief sought in the submission.
FS1386.170	Mercury Energy Ltd	Oppose
FS1198.20	Bathurst Resources Ltd	Oppose

	& BT Mining Ltd	
FS1182.13	Newstead Country Preschool	Support
464.7	Perry Group Limited	Amend Policy 4.7.11 Reverse sensitivity, as follows: <u>Reverse sensitivity effects can be mitigated in many circumstances (for example, through consent conditions or land covenants).</u> (a) Development and subdivision design minimises reverse sensitivity effects arising from current uses on adjacent sites, adjacent activities, or the wider environment; and (b) Avoid, minimise <u>or appropriately mitigate</u> potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity. AND Any consequential amendments or further relief to address the concerns raised in the submission.
FS1388.380	Mercury Energy Ltd	Oppose
FS1050.1	Kiwi Green NZ Ltd	Support
FS1087.10	Ports of Auckland Ltd	Oppose
FS1168.45	Horticulture NZ	Oppose
FS1333.10	Fonterra	Oppose
FS1377.110	Havelock Village Ltd	Support
419.90	Horticulture New Zealand	Amend Policy 4.7.11(b) Reverse sensitivity, as follows: (b) Avoid potential reverse sensitivity effects of locating new dwellings in the vicinity of <u>farming including horticulture</u> , an intensive farming, extraction industry or industrial activity. AND Any consequential or additional amendments as a result of changes sought in the submission.
FS1171.48	T & G Global	Support
695.48	Sharp Planning Solutions Ltd	Amend Policy 4.7.11(b) Reverse sensitivity as follows: Avoid potential reverse sensitivity effects of locating new dwellings in the <u>buffer setback</u> vicinity of an <u>existing (or approved)</u> intensive farming, extraction industry or industrial activity <u>unless the written approval of the activity operator has been obtained.</u>
FS1387.311	Mercury Energy Ltd	Oppose
451.4	Steven & Teresa Hopkins	Amend Policy 4.7.11(b) Reverse sensitivity, as follows: Avoid <u>Manage</u> potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity.
FS1388.321	Mercury Energy Ltd	Oppose
197.3	NZ Pork	Retain Policy 4.7.1.11 Reverse Sensitivity.
797.10	Fonterra Limited	Retain Policy 4.7.11 Reverse sensitivity as notified.
FS1387.1261	Mercury Energy Ltd	Oppose
986.24	KiwiRail Holdings Limited (KiwiRail)	Retain Policy 4.7.11 Reverse sensitivity except for the amendments sought below AND Amend Policy 4.7.11(a) Reverse sensitivity as follows (or similar amendments to achieve the requested relief): (a)Development and subdivision design minimises reverse sensitivity effects on adjacent sites, adjacent <u>lawfully established</u> activities (<u>including infrastructure</u>) or the wider environment; and (b) <u>Avoid the potential for</u> reverse sensitivity effects <u>from the location of</u> new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity, <u>or infrastructure</u> ; (c) <u>Development of noise-sensitive activities is designed to avoid or mitigate reverse sensitivity effects on transport networks</u> AND Any consequential amendments to link and/or accommodate the requested changes.

FSI269.84	Housing NZ	Oppose
FSI087.33	Ports of Auckland Ltd	Support
FSI176.289	Watercare Services Limited	Support
742.35	New Zealand Transport Agency	Retain Policy 4.7.11 Reverse sensitivity, except for the amendments sought below AND Amend Policy 4.7.11 Reverse sensitivity as follows: (a) Development and subdivision design minimises <u>potential for</u> reverse sensitivity...; and (b) Avoid potential <u>for</u> reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity, <u>or infrastructure</u> . AND Request any consequential changes necessary to give effect to the relief sought in the submission.
FSI387.858	Mercury Energy Ltd	Oppose
FSI062.94	Andrew & Christine Gore	Oppose
299.9	2SEN Limited and Tuakau Estates Limited	Retain Policy 4.7.11 Reverse sensitivity, except for the amendments sought below AND Amend Policy 4.7.11 Reverse Sensitivity as follows: (a)Development and subdivision design minimises <u>lawfully established and operating</u> reverse sensitivity effects on adjacent sites, adjacent activities, or the wider environment; and (b)Avoid potential reverse sensitivity effects of locating new dwellings in the vicinity of <u>lawfully established and operating</u> an intensive farming, extraction industry or industrial activity. AND Any consequential changes necessary to give effect to the relief sought.
FSI386.332	Mercury Energy Ltd	Oppose
524.20	Anna Noakes	Retain Policy 4.7.11 Reverse sensitivity, except for the amendments sought below AND Amend the Proposed District Plan to encourage new residential areas to be developed where topographical or physical constraints provide a natural separation between conflicting land uses,(eg roads/rails lines, significant planted areas as the buffer) in accordance with Policy 4.7.11(a) and (b) Reverse sensitivity.
FSI388.624	Mercury Energy Ltd	Oppose
FSI281.20	Pokeno Village Holdings Ltd	Support
81.207	Waikato Regional Council	Retain Policy 4.7.11 Reverse sensitivity.
FSI223.48	Mercury Energy Ltd	Oppose
FSI223.48	Mercury Energy Ltd	Support
FSI176.27	Watercare Services Limited	Support
FSI353.2	Tuakau Proteins Ltd	Support
598.26	Withers Family Trust	Retain Policy 4.7.11 Reverse sensitivity. AND Amend the Proposed District Plan to encourage new Residential areas to be developed where topographical or physical constraints provide a natural separation between conflicting land uses, for example, roads, railway lines, significant planted areas could be used as a buffer.
FSI388.1022	Mercury Energy Ltd	Oppose
FSI272.8	KiwiRail	Oppose

	<i>Holdings Ltd</i>	
<i>FSI377.182</i>	<i>Havelock Village Ltd</i>	<i>Support</i>
860.4	Aggregate and Quarry Association (AQA) and Straterra	Retain Policy 4.7.11(b) Reverse sensitivity AND Amend Policy 4.7.11 (b) Reverse sensitivity to include areas set aside where new mines and quarries may be located.
<i>FSI198.21</i>	<i>Bathurst Resources Ltd & BT Mining Ltd</i>	<i>Support</i>
<i>FSI285.14</i>	<i>Terra Firm Mining Ltd</i>	<i>Support</i>
<i>FSI292.4</i>	<i>McPherson Resources Ltd</i>	<i>Support</i>
<i>FSI322.4</i>	<i>Synlait</i>	<i>Support</i>
<i>FSI334.4</i>	<i>Fulton Hogan Ltd</i>	<i>Support</i>
771.9	Bathurst Resources Ltd and BT Mining Ltd	Retain Policy 4.7.11(b) Reverse Sensitivity as notified.
<i>FSI285.7</i>	<i>Terra Firma Mining Ltd</i>	<i>Support</i>
576.10	Transpower New Zealand Ltd	Retain the recognition of reverse sensitivity in Policy 4.7.11 Reverse sensitivity, except for the amendments sought below. AND Amend Policy 4.7.11 (b) Reverse sensitivity, as follows (or equivalent references to Regionally Significant Infrastructure or the National Grid): (b) Avoid potential reverse sensitivity effects of locating new dwellings in the vicinity of an intensive farming, <u>infrastructure</u> , extraction industry or industrial activity. AND Amend the Proposed District Plan to make consequential amendments to address the matters raised in the submission.
<i>FSI176.122</i>	<i>Watercare Services Limited</i>	<i>Support</i>
<i>FSI345.22</i>	<i>Genesis Energy Ltd</i>	<i>Support</i>
923.79	Waikato District Health Board	Review the extent of the live zoning and its ability to be serviced with infrastructure. OR Consider including much stronger development staging rules which are linked to the provision of infrastructure and development of structure plans.
<i>FSI387.1516</i>	<i>Mercury Energy Ltd</i>	<i>Oppose</i>
<i>FSI176.273</i>	<i>Watercare Services Limited</i>	<i>Support</i>

364. Four of the nineteen submissions seek to retain the policy without change. The other submissions seek amendments with respect to the following matters which are considered in turn:
- Extending the policy to apply to 'sensitive activities'
 - Recognise lawfully established and operating activities
 - Recognise other activities and infrastructure, and
 - Amend the 'avoid' in Policy (b) to be 'manage' or 'mitigate'.

42.1.2 Analysis

Sensitive Activities

365. Submission 924.46 (Genesis Energy Limited) seeks that the policy (b) apply to 'sensitive activities', not just dwellings. The Residential Zone provides for activities other than dwellings (such as childcare), and as the definitions use the term 'sensitive land use', it is recommended that this be used. From a policy perspective, there is no logic in avoiding locating dwellings near an activity likely to have reverse sensitivity effects, and allowing other activities with a similar level of likely adverse effect.

Lawfully established and operating activities

366. Submissions 182.13 (Kirriemuir Trustee Limited), 986.24 (KiwiRail Holdings Limited) and 299.9 (2SEN Limited and Tuakau Estates) seek that the policy apply to where an adjacent activity is legally established and operating. However, this fails to recognise that new activities may establish on adjacent sites in the future. It is my recommendation that it is preferable to retain the open nature of the policy.

Recognise other activities and infrastructure

367. A number of submissions seek recognition of infrastructure. The intent of what is sought in the submissions with respect to infrastructure is agreed with and I consider that the recommended amendments incorporate the intent without overly complicating the policy.
368. However, with respect to Submissions 466.39 (Balle Bros Group Limited) and 419.90 Horticulture New Zealand that seek protection of commercial vegetable production and horticulture activities from reverse sensitivity effects, I note that Rural Zone Rule 22.3.7.2 *Building setback – sensitive land use* amongst other matters only requires setback of a sensitive land use with respect to intensive farming (not commercial vegetable or horticulture production), and that Residential Zone Rule 16.3.9.2 *Building setback – Sensitive land use* does not specify any forms of rural land use requiring a setback. Accordingly, in my opinion, there is no basis to include commercial vegetable and horticulture production in the policy.
369. Submission 860.4 (Aggregate and Quarry Association) seeks additional recognition of new mines and quarries. I note that Policy (b) already includes 'extraction industry' and for any new activity, the resource consent process will enable the assessment of environmental effects and imposition of conditions to address adverse effects. Accordingly, no change is recommended.

Avoid vs Manage or Mitigate

370. Submissions 464.7 (Perry Group Limited) and 451.4 (Steven & Teresa Hopkins) seek that the avoid direction in Policy (b), be amended to provide for management or mitigation. I consider that the policy should provide flexibility using a step process of avoid and where avoidance is not possible mitigation.

42.1.3 Recommendation

371. For the reasons outlined above, I consider changes are required to Policy 4.7.11 to refer to 'sensitive land use', recognise infrastructure and provide policy flexibility.
372. It is recommended that the submissions from Genesis Energy Limited [924.46], Perry Group Limited [464.7], Steven and Teresa Hopkins [451.4], NZ Port [197.3], Fonterra Limited [797.10], Kiwi Rail Holdings Limited [986.24], New Zealand Transport Agency [742.35], Anna Noakes [524.20], Waikato Regional Council [81.207], Withers Family Trust [598.26],

Bathurst Resources Ltd, BT Mining Ltd [771.9] and Transpower New Zealand Ltd [576.10] be **accepted**.

373. It is recommended that the submissions from Balle Bros Group Limited [466.39], Kirriemuir Trustee Limited [182.13], Horticulture New Zealand [419.90], Sharp Planning Solutions Ltd [695.48], 2SEN Limited and Tuakau Estates Limited [299.9], Aggregate and Quarry Association (AQA) and Straterra [860.4] and Waikato District Health Board [923.79] be **rejected**.

42.1.4 Recommended Amendments

374. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

4.7.11 Policy – Reverse sensitivity

- (a) Development and subdivision design (including use of topographical and other methods) minimises the potential for reverse sensitivity effects on adjacent sites, adjacent activities, or the wider environment; and
- (b) Avoid potential reverse sensitivity effects of locating new dwellings sensitive land uses in the vicinity of an intensive farming, extraction industry or industrial activity and strategic infrastructure. Minimise the potential for reverse sensitivity effects where avoidance is not practicable.

42.1.5 Section 32AA Evaluation

375. The recommended amendments are considered to provide clarity to assist with the understanding of the policies as well as recognise that an ‘avoidance’ policy does not provide flexibility for minimising reverse sensitivity. Accordingly, no s32AA evaluation has been required to be undertaken.

43 Chapter 4: Urban Environment – 4.7.12 Policy – Boundary adjustments and relocations

43.1.1 Submission

Submission number	Submitter	Summary of submission
695.49	Sharp Planning Solutions Ltd	Delete Policy 4.7.12(a) Boundary adjustments and relocations.

43.1.2 Analysis

376. Submission 695.49 (Sharp Planning Solutions Ltd) seeks deletion of the policy on the basis that it is not required. I disagree as the policy provides the linkage to support the subdivision rule and the consideration of any subdivision application.

43.1.3 Recommendation

377. It is recommended that no change be made to Policy 4.7.12.
378. It is recommended that the submission from Sharp Planning Solutions Ltd [695.49] be **rejected**.

43.1.4 Recommended Amendment

379. No amendment to Policy 4.7.12 is recommended.

43.1.5 Section 32AA Evaluation

380. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

44 Chapter 4: Urban Environment – 4.7.13 Policy – Residential Zone – Te Kauwhata Ecological and West Residential Areas

44.1.1 Submission

Submission number	Submitter	Summary of submission
368.41	Ian McAlley	Amend Policy 4.7.13 (b) Residential zone Te Kauwhata Ecological and West Residential Areas, as follows: (b)Subdivision is designed and located in the Te Kauwhata West Residential Area to achieve the minimum lot size, and recognise the views of natural features and landscapes. OR Delete Policy 4.7.13 -Residential Zone -Te Kauwhata Ecological and West Residential Areas and rely on the standard Residential Zone provisions.
FS1386.571	Mercury Energy Ltd	Oppose
FS1061.19	Campbell Tyson	Support

44.1.2 Analysis

381. Submission 368.41 (Ian McAlley) seeks the deletion of the ‘views of natural features and landscapes’ from part (b) of the policy. As noted previously, the provisions for the Lakeside development were carefully considered through the plan change process. I disagree that the wording of the policy is vague, as it relates to the layout of roads and section to provide aspect to the surrounding environment.

44.1.3 Recommendation

382. It is recommended that no change be made to Policy 4.7.13.
383. It is recommended that the submission from Ian McAlley [368.41] be **rejected**.

44.1.4 Recommended Amendment

384. No amendment to Policy 4.7.13 is recommended.

44.1.5 Section 32AA Evaluation

385. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

45 Chapter 4: Urban Environment – 4.7.14 Policy – Structure and master planning

45.1.1 Submissions

Submission number	Submitter	Summary of submission
419.91	Horticulture New Zealand	Amend Policy 4.7.14 (a) Structure and master planning, as follows: (a) Ensure that development and subdivision within approved structure or master plan areas is integrated with the development pattern and infrastructure requirements specified in an approved structure or master plan and addresses issues at the rural/urban interface. AND Any consequential or additional amendments as a result of changes sought in the submission.
FS1388.219	Mercury Energy Ltd	Oppose
FS1171.49	T & G Global	Support
662.1	Blue Wallace Surveyors Ltd	Amend Policy 4.7.14 Structure and master planning as follows (or words to similar effect): (a) Ensure that development and subdivision within approved structure or master plan areas is integrated, <u>where physically reasonable</u> , with the <u>general</u> development pattern and infrastructure requirements specified <u>conceptually provided for</u> in an approved structure or master plan.
FS1387.94	Mercury Energy Ltd	Oppose
FS1281.38	Pokeno Village Holdings Ltd	Support
FS1377.185	Havelock Village Ltd	Support
368.42	Ian McAlley	Amend Policy 4.7.14 Structure and Master Planning to clarify that it only refers to structure or master plans that are contained within the notified version of the Proposed Plan.
FS1386.572	Mercury Energy Ltd	Oppose
581.10	Synlait Milk Ltd	Amend Policy 4.7.14 Structure and master planning to refer to approved structure or master plans that are either included within or incorporated by reference into the Proposed District Plan.
FS1306.29	Hynds Foundation	Support
FS1341.26	Hynds Pipe Systems Ltd	Support
FS1377.152	Havelock Village Ltd	Oppose
524.21	Anna Noakes	Delete from Policy 4.7.14 Structure and master planning the references to Structure Plans and Master Plans.
FS1388.625	Mercury Energy Ltd	Oppose
FS1281.21	Pokeno	Oppose

	<i>Village Holdings Ltd</i>	
598.32	Withers Family Trust	Delete Policy 4.7.14 Structure and master planning.
FS1388.1024	<i>Mercury Energy Ltd</i>	<i>Oppose</i>
81.208	Waikato Regional Council	Retain Policy 4.7.14 Structure and master planning.
FS1223.49	<i>Mercury Energy Ltd</i>	<i>Oppose</i>
FS1223.49	<i>Mercury Energy Ltd</i>	<i>Support</i>
FS1176.28	<i>Watercare Services Limited</i>	<i>Support</i>
FS1202.60	<i>New Zealand Transport Agency</i>	<i>Support</i>
FS1273.16	<i>Auckland Transport</i>	<i>Support</i>
445.7	BTW Company	Retain 4.7.14 Policy - Structure and master planning as notified.
FS1388.294	<i>Mercury Energy Ltd</i>	<i>Oppose</i>

386. Two of the eight submissions seek retention of the policy without change. Two submissions seek deletion of the policy. The other submissions seek amendments with respect to the following matters which are considered in turn:
- Wording changes to provide flexibility in development, and
 - Policy only refers to plans included in the PWDP.

45.1.2 Analysis

387. Submissions 524.21 (Anna Noakes) and 598.32 (Withers Family Trust) express concern as to the legality of structure plans. However as noted previously, there are no legal issues arising where the structure plans are a matter included at the policy rather than the rule level.
388. Submission 419.91 (Horticulture New Zealand) seeks inclusion of rural/urban interface issue. However, this issue is included in Policy 4.7.11 – Reverse sensitivity and does not need to be repeated here.
389. Submission 662.1 (Blue Wallace Surveyors Ltd) seek recognition that some of the matters in the plans will be at a conceptual rather than detailed level, which is agreed with.
390. Submissions 368.42 (Ian McAlley) and 581.10 (Synlait Milk Ltd) seek that clarification is provided that the policy is only referring to structure plans within the PWDP, and I concur with that clarification.

45.1.3 Recommendation

391. For the reasons outlined above, I consider that changes are required to Policy 4.7.14 to clarify the structure plans being referred to and the conceptual nature of some of the provisions.
392. It is recommended that the submissions from Blue Wallace Surveyors Ltd [662.1], Ian McAlley [368.42], Synlait Milk Ltd [581.10], Waikato Regional Council [81.208] and BTW Company [445.7] be **accepted**.
393. It is recommended that the submissions from Horticulture New Zealand [419.91], Anna Noakes [524.21] and Withers Family Trust [598.32] be **rejected**.

45.1.4 Recommended Amendments

394. The following amendment is recommended as shown in **Appendix 4 - Chapter 4: Urban Environment**:

~~Structure and master plans~~

4.7.14 Policy – Structure and master planning

Ensure that development and subdivision within approved structure or master plan areas is integrated with the development pattern and infrastructure ~~requirements specified concept provisions~~ in an approved structure or master plan **incorporated into the district plan**.

45.1.5 Section 32AA Evaluation

395. The recommended amendments are explanatory in nature to assist with the understanding the role of structure plans. Accordingly, no s32AA evaluation has been required to be undertaken.

46 Chapter 5: Rural Environment – 5.1 – Strategic Objective – The rural environment & 5.1.1 Objective – The rural environment

46.1.1 Submissions

Submission number	Submitter	Summary of submission
680.56	Federated Farmers of New Zealand	Amend Chapter 5 Rural Environment, to include a new policy as follows: 5.1.2 Policy – enabling growth (a) Provide for the growth and efficient operation of primary productive land use and rural production activities in the Rural Zone. AND Any consequential changes needed to give effect to this relief.
FSI387.167	Mercury Energy Ltd	Oppose
FSI168.48	Horticulture NZ	Support
FSI171.70	T & G Global	Support
FSI275.5	Zeala Ltd	Support
330.140	Andrew and Christine Gore	Amend Section 5.1 The Rural Environment so that it does have primacy over all other objectives as it is not suitable for all properties.
FSI379.80	Hamilton City Council	Oppose
330.129	Andrew and Christine Gore	Amend Section 5.1 The Rural Environment so that urban subdivision use and development is appropriate to circumstance, in particular for properties such as the submitters' at 295 Kay Road, Horsham Downs.
FSI386.402	Mercury Energy Ltd	Oppose
FSI379.72	Hamilton City Council	Oppose
746.140	The Surveying Company	Amend Section 5.1: The Rural Environment as necessary to reflect and give effect to the amendments sought throughout the submission.
55.11	Shelley Munro	Amend the Objective 5.1 The Rural Environment to maintain, enhance and improve the environment.
FSI386.42	Mercury Energy Ltd	Oppose
406.1	Rushala Farm Ltd	No specific decision sought, but the submission indicates opposition to Section 5.1 The Rural Environment, and states: "Been told what and how we can subdivide our land".
FSI388.152	Mercury Energy Ltd	Oppose
FSI375.1	Radio NZ	Oppose
539.1	Garyowen Properties (2008) Limited	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.730	Mercury Energy Ltd	Oppose
533.1	Colin and Rae Hedley	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.674	Mercury Energy Ltd	Oppose
522.1	Joy and Wayne Chapman	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.599	Mercury Energy Ltd	Oppose
526.1	Roy and Lesley	Retain Objective 5.1.1 The rural environment, as notified.

	Wright	
FSI388.636	Mercury Energy Ltd	Oppose
419.92	Horticulture New Zealand	Add a new clause (iv) to Objective 5.1.1 The rural environment, as follows: (a) Subdivision, use and development within the rural environment where: ... <u>(iv) Countryside living is directed to defined locations and the effects of scattered countryside living and rural production is avoided.</u> AND Any consequential or additional amendments as a result of changes sought in the submission.
FSI388.220	Mercury Energy Ltd	Oppose
FSI171.50	T & G Global	Support
FSI330.35	Middlemiss Farm Holdings	Oppose
FSI375.3	Radio NZ	Support
FSI379.130	Hamilton City Council	Support
433.47	Auckland Waikato Fish and Game Council	Add three new clauses to Objective 5.1.1 The rural environment, as follows: <u>(iv) natural ecological and hydrological integrity are protected; (v) existing recreational uses are protected and maintained; (vi) landscape and amenity values are protected and maintained.</u> AND/OR Any alternative relief to address the issues and concerns raised in the submission.
FSI223.87	Mercury Energy Ltd	Oppose
FSI223.87	Mercury Energy Ltd	Support
FSI083.104	Ryburn Lagoon Trust Ltd	Support
FSI198.22	Bathurst Resources Ltd & BT Mining Ltd	Oppose
FSI340.68	TaTa Valley	Oppose
FSI342.118	Federated Farmers	Oppose
680.55	Federated Farmers of New Zealand	Amend Objective 5.1.1 (a) The rural environment, as follows: (a) Subdivision, use and development within the rural environment where: (i) high class <u>and versatile soils are protected for primary productive use and to maintain the productive land resources for future generations rural activities;</u> (ii) productive primary productive use and rural activities are supported and enabled in a manner which does not reduce existing primary productive use or compromise existing and future primary productive use options; while maintaining or enhancing the rural environment; (iii) urban subdivision, use and development in the rural environment is avoided. <u>the use and development of rural resources enables people and communities to provide for their economic, social and cultural wellbeing</u> AND Any consequential changes needed to give effect to this relief.
FSI387.166	Mercury Energy Ltd	Oppose
FSI108.55	Te Whakakitenga o Waikato Incorporated on behalf of Waikato Tainui	Oppose
FSI139.46	Turangawaewae Trust Board	Oppose
FSI168.51	Horticulture NZ	Support
FSI171.69	T&G Global	Support
FSI379.243	Hamilton City	Oppose

	<i>Council</i>	
330.142	Andrew and Christine Gore	Amend Objective 5.1.1- The Rural Environment so that it does not limit urban subdivision in an area that is marked future urban.
FS1386.408	Mercury Energy Ltd	Oppose
FS1379.82	Hamilton City Council	Oppose
197.4	NZ Pork	Amend Objective 5.1.1 The rural environment, as follows: (a) Subdivision, use and development within the rural environment where: (i) high class soils <u>and rural production land is are</u> protected for productive rural activities; (ii) productive rural activities are supported, while maintaining or enhancing the rural environment; (iii) urban subdivision, use and development in the rural environment is avoided, (iv) <u>managing the opportunities for countryside living in rural areas in ways that provide for rural-residential development in close proximity to urban areas and the larger towns and villages while minimising the loss of rural production land.</u>
FS1386.195	Mercury Energy Ltd	Oppose
FS1168.49	Horticulture NZ	Support
FS1316.8	Alstra (2012) Ltd	Support
FS1375.2	Radio NZ	Support
FS1379.49	Hamilton City Council	Oppose
450.2	Rushala Farm Ltd	No specific decision sought, but the submitter opposes Objective 5.1.1 (iii) The rural environment.
FS1388.318	Mercury Energy Ltd	Oppose
FS1375.4	Radio NZ	Oppose
FS1379.162	Hamilton City Council	Oppose
507.1	Whitford Farms Limited	Retain Objective 5.1.1 The Rural Environment, as notified.
FS1388.513	Mercury Energy Ltd	Oppose
686.2	Reid Crawford Farms Limited	Retain Objective 5.1.1 The Rural environment, as notified.
FS1387.259	Mercury Energy Ltd	Oppose
530.1	John Van Lieshout	Retain Objective 5.1.1 - The rural environment as notified.
FS1388.659	Mercury Energy Ltd	Oppose
532.1	Joanne & Kevin Sands	Retain Objective 5.1.1 - The rural environment as notified.
FS1388.666	Mercury Energy Ltd	Oppose
676.1	T & G Global Limited	Retain Objective 5.1.1 – The Rural Environment; AND Amend the Proposed District Plan to provide a definition for "productive rural activities" which should include both production of raw products and also the processing of such products and ancillary activities as are acceptable within the Rural Zone; AND Any further or consequential amendments necessary to address the concerns raised in the submission.
FS1387.138	Mercury Energy Ltd	Oppose
281.4	Zeala Ltd	Retain Objective 5.1.1 (a)(i) and (ii) The rural environment.
466.40	Balle Bros Group Limited	Retain Objective 5.1.1 The Rural Environment as notified.

FSI388.420	Mercury Energy Ltd	Oppose
FSI168.50	Horticulture NZ	Support
536.1	LJ & TM McWatt Limited	Retain Objective 5.1.1 The rural environment as notified.
FSI388.721	Mercury Energy Ltd	Oppose
544.1	KR & BC Summerville	Retain Objective 5.1.1 The rural environment as notified.
FSI388.756	Mercury Energy Ltd	Oppose
362.2	CYK Limited	Retain Objective 5.1.1 The Rural Environment, as notified.
FSI386.523	Mercury Energy Ltd	Oppose
FSI062.30	Andrew and Christine Gore	Oppose
512.1	Enton Farms Limited	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.531	Mercury Energy Ltd	Oppose
516.1	Anthony and Maureen Vazey	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.557	Mercury Energy Ltd	Oppose
FSI062.67	Andrew and Christine Gore	Oppose
519.1	B and N Balle Limited	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.573	Mercury Energy Ltd	Oppose
520.1	Finlayson Farms Limited	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.581	Mercury Energy Ltd	Oppose
521.1	A Irwin & Son Limited	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.590	Mercury Energy Ltd	Oppose
FSI062.68	Andrew and Christine Gore	Oppose
523.1	R & B Litchfield Limited	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.607	Mercury Energy Ltd	Oppose
527.1	Mark Scobie	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.642	Mercury Energy Ltd	Oppose
540.2	Glen Alvon Farms Limited	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.738	Mercury Energy Ltd	Oppose
311.1	Harpal Singh-Sandhu	Retain Objective 5.1.1 The rural environment, except for the amendments sought below AND Amend Objective 5.1.1 The rural environment, as follows: (a) Subdivision, use and development within the rural environment where: (i) high class soils are <u>reasonably and appropriately</u> protected for productive rural activities; (ii) productive rural activities are supported, while

		maintaining or enhancing the rural environment; (iii) urban subdivision, use and development in the rural environment is avoided.
FSI386.371	Mercury Energy Ltd	Oppose
FSI062.22	Andrew and Christine Gore	Support
529.2	Wilcox Properties Limited	Retain Objective 5.1.1 The rural environment, as notified.
FSI388.650	Mercury Energy Ltd	Oppose
332.2	Gwyneth and Barrie Smith	Retain Objective 5.1.1 The rural environment.
FSI386.457	Mercury Energy Ltd	Oppose
364.1	Michael Innes	Retain Objective 5.1.1 The rural environment.
FSI386.535	Mercury Energy Ltd	Oppose
FSI062.32	Andrew and Christine Gore	Oppose
355.1	Scott and Tina Ferguson	Retain Objective 5.1.1. The rural environment, as notified.
FSI386.512	Mercury Energy Ltd	Oppose
FSI062.27	Andrew and Christine Gore	Oppose
372.25	Auckland City Council	Retain Objective 5.1.1. The rural environment.
FSI388.7	Mercury Energy Ltd	Oppose
FSI330.22	Middlemiss Farm Holdings	Oppose

396. 28 of the 39 submissions support Objective 5.1.1 without change. Two submissions oppose Objective 5.1.1 but do not specify the decision sought and one submission is concerned with the primacy statement in 5.1 – Strategic Objective. The other submissions seek amendments with respect to the following matters, which are considered in turn:
- Countryside living and rural residential
 - Protection of natural values, and
 - Recognition of ‘versatile’ soils and primary production.

46.1.2 Analysis

Primacy of Objective 5.1.1

397. Submission 330.140 and 330.142 (Andrew and Christine Gore) seeks deletion of the primacy of the objective on the basis that it is not suitable for their property. The submitters concerns are specifically with the Hamilton Urban Expansion Area. This is a site specific matter that will be addressed by future variation or plan change.

Countryside Living and Rural Residential

398. The following submissions seek a relaxation from the objective and policy framework that seeks to protect the rural area for rural activities and directs countryside and rural residential to the Country Living and Village zones:
- 419.92 (Horticulture New Zealand)
 - 197.4 (NZ Pork), and

c. 311.1 (Harpal Singh-Sandhu).

399. The section 32 analysis with respect to both the urban and rural zones (particularly the Rural Environment s32 Report at Section 2.2.1 – Irreversible Loss of High-class Soils), supports the strong objective and policy framework of protecting high quality soils and directing urban development to urban areas. The submissions do not provide any supporting analysis that challenges this approach.

Protection of natural values

400. Submission 433.47 (Auckland Waikato Fish and Game Council) seek amendments to Strategic Objective 5.1.1 to recognise and protect natural, ecological, recreation, landscape and amenity values. These matters are addressed in the following objectives and policies and as such I do not consider that they need to be within the strategic objective.

Recognition of 'versatile' soils and rural production

401. Submissions 680.55 and 680.56 (Federated Farmers of New Zealand) and 197.4 (NZ Pork) seek amendments to recognise versatile soils and rural production activities. The Rural Environment s32 Report at Section 2.2.1 – Irreversible Loss of High-class Soils, notes that the Waikato contains 35% of the country's most versatile soils being Land Use Capability Classes I, II and IIIe. Accordingly, the emphasis in the strategic objective with respect to 'high class soils' is correct. The matter of protecting versatile soils in general for productive purposes is addressed in supporting objectives and policies (such as Objective 5.2.1 – Rural resources. For these reasons, I consider that the structure and wording of the strategic objective and the supporting objectives and policies provides the correct emphasis.

46.1.3 Recommendation

402. For the reasons outlined above, I consider that no changes are required to Strategic Objective 5.1.1 – The rural environment.
403. It is recommended that the submissions from Garyowen Properties (2008) limited [539.1], Colin & Rae Hedley [533.1], Joy & Wayne Chapman [522.1], Roy & Lesley Wright [526.1], Whitford Farms Limited [507.1], Reid Crawford Farms Limited [686.2], John van Lieshout [530.1], Joanne & Kevin Sands [532.1], T&G Global Limited [676.1], Zeala Ltd [281.4], Balle Bros Group Limited [466.40], LJ & TM McWatt Limited [536.1], KR & BC Summerville [544.1], CYK Limited [362.2], Enton Farms Limited [512.1], Anthony and Maureen Vazey [516.1], B and N Balle Limited [519.1], Finlayson Farms Limited [520.1], A Irwin & Son Limited [521.1], R & B Litchfield Limited [523.1], Mark Scobie [527.1], Glen Alvon Farms Limited [540.2], Wilcox Properties Limited [529.2], Gwyneth & Barrie Smith [332.2], Michael Innes [364.1], Scott & Tina Ferguson [355.1] and Auckland City Council [372.25] be **accepted**.
404. It is recommended that the submissions from Federated Farmers New Zealand [680.56], Andrew and Christine Gore [330.129], Andrew and Christine Gore [330.140], The Surveying Company [746.140], Shelly Munro [55.11], Rushala Farm Ltd [406.1], Horticulture New Zealand [419.92], Auckland Waikato Fish and Game Council [433.47], Federated Farmers New Zealand [680.55], Andrew and Christine Gore [330.142], NZ Port [197.4], Rushala Farm Ltd [450.2], and Harpal Singh-Sandhu [311.1] be **rejected**.

46.1.4 Section 32AA Evaluation

405. There are no recommended amendments. Accordingly, no s32AA evaluation has been required to be undertaken.

47 Chapter 5: Rural Environment – 5.5.1 – Objective – Hamilton’s Urban Expansion Area and 5.5.2 – Policy – Activities within Hamilton’s Urban Expansion Area

47.1.1 Submissions

Submission number	Submitter	Summary of submission
535.53	Hamilton City Council	Retain Objective 5.5.1 Hamilton's Urban Expansion Area.
FS1062.79	Andrew and Christine Gore	Oppose
535.54	Hamilton City Council	Amend Objective 5.5.1(a) Hamilton's Urban Expansion Area, as follows: (a) Manage <u>Avoid</u> subdivision, use and development within Hamilton's Urban Expansion Area to ensure that future urban development is not compromised. AND Any consequential amendments and/or additional relief required to address the matters raised in the submission.
FS1131.4	The Village Church Trust	Oppose
FS1202.61	New Zealand Transport Agency	Support
797.17	Fonterra Limited	Amend Policy 5.5.2 (a) Activities within Hamilton Urban Expansion Area as follows (or words to similar effect): Manage subdivision, use and development within Hamilton's Urban Expansion Area to <u>avoid reverse sensitivity effects in respect of the Te Rapa Dairy Manufacturing Facility and to</u> ensure that future urban development is not compromised. AND Any consequential amendments or further relief to give effect to the concerns raised in the submission.
FS1313.27	Perry Group Ltd	Support
FS1379.335	Hamilton City Council	Oppose

406. Submissions 535.53 and 535.54 (Hamilton City Council) respectively seek the retention of the objective and a change to the policy to have an ‘avoid’ direction. Submission 797.17 (Fonterra Limited) seeks recognition of the Te Rapa Dairy Factory within the policy.

47.1.2 Analysis

407. The proposed ‘avoid’ policy would be consistent in that within the Hamilton Urban Expansion Area, those activities with a potential to compromise future urban development

are either non-complying (several land use activities) or in respect of subdivision (Rural Zone rule 22.4.1.1) are prohibited.

408. It is noted that the Hamilton Urban Expansion Area is separated from the Te Rapa Dairy Factory by the existing rural residential development along River Road. Accordingly, any reverse sensitivity effects will have been mitigated to a residential amenity level already. There is a further Hamilton Urban Expansion Area further east of Gordonton Road. The consideration of any reverse sensitivity effects is a matter that will need to be addressed when a variation or plan change is promoted to provide for the future use of this land.

47.1.3 Recommendation

409. For the reasons outlined above, I consider that the only change that is required to Policy 5.5.2, is to align the policy with the activity status.
410. It is recommended that submissions from Hamilton City Council [535.53 and 535.54] be **accepted**.
411. It is recommended that submission from Fonterra Limited [797.17] be **rejected**.

47.1.4 Recommended Amendments

412. The following amendment is recommended as shown in **Appendix 5 - Chapter 5: Rural Environment**:

5.5.2 Policy – Activities within Hamilton’s Urban Expansion Area

~~Manage~~ **Avoid** subdivision, use and development within Hamilton’s Urban Expansion Area to ensure that future urban development is not compromised.

47.1.5 Section 32AA Evaluation

413. The recommended amendment to the policy reflects the activity status. Accordingly, no s32AA evaluation has been required to be undertaken.

48 Conclusion

414. I concur with the conclusion to Hearing Report H2: Plan Structure and All of Plan (paragraph 405), that the strategic environment in the Hamilton-Auckland area, including Waikato District, is currently extremely dynamic with a number of spatial planning and growth management initiatives underway. However, that is always the situation when undertaking plan making regardless of whether that is at a regional policy statement level or a district plan level. The preparation of a district plan needs to be undertaken in light of the current statutory framework as well as an ‘eye to the future’.
415. None of the submissions fundamentally challenged the strategic objective framework in relation to the emphasis of urban areas being for urban purposes that are well planned and integrated to accommodate growth. Nor did the submissions challenge that within each urban zone, only activities that are suitable in each zone should be provided.

416. Some amendments have been recommended in response to matters raised in submissions, to enhance the clarity and usability of the PWDP. This is particularly so in relation to the strategic directions and objectives.
417. Other amendments recommended relate to greater recognition of reverse sensitivity (particularly in relation to strategic infrastructure and industry), Crime Prevention Through Environmental Design and character of towns and villages.
418. I consider that the recommended amended provisions will be efficient and effective in achieving the purpose of the Resource Management Act, the relevant objectives of the PWDP and the relevant statutory documents, for the reasons set out in the analysis of the submissions and where necessary the Section 32AA evaluations undertaken and included throughout this report.