

Report: Summary of Submissions by Submitter Number/Name

Submitter Number:	493	Submitter:	Jackie Colliar
Point Number	493.1		
Summary of Decision Requested:	Amend the Proposed District Plan to ensure that the objectives, policies, principles and intent of the Tangata Whenua Chapter are provided for across the Plan and how they are implemented.		
Decision Reasons:	<ul style="list-style-type: none">• Submission supports the introduction of a specific Chapter addressing Tangata Whenua concerns, issues and opportunities.• It is important that Tangata Whenua issues are not simply addressed in this Tangata Whenua chapter but throughout the proposed consent plan, to ensure a holistic approach is taken to resource management, consistent with the principles of whakapapa, whanaunatanga, tangata whenuatanga, and kaitiaki.		
Point Number	493.2		
Summary of Decision Requested:	Amend the Proposed District Plan to allow for greater use of Maaturanga Maaori.		
Decision Reasons:	<ul style="list-style-type: none">• Submitter would expect that Waikato District Council would be looking to Maaturanga Maaori to remedy adverse effects of development.• Maaturanga Maaori is increasingly being used as conditions of resource consents and in the identification of restoration projects as an alternative to engineering solutions.		
Point Number	493.3		
Summary of Decision Requested:	Amend the Proposed District Plan after engaging with Waikato-Tainui and mana whenua to ensure that the Waikato-Tainui Environmental Plan, Tai Tumu, Tai Pari, Tai Ao and marae environmental plans have been included in the Waikato District Plan.		
Decision Reasons:	<ul style="list-style-type: none">• The proposed plan should signal and provide for greater opportunities to utilise Maaturanga Maaori for the benefit of the environment.• There may be future opportunities to develop initiatives and programs of work where marae and Maaori owned land is better utilised for the benefit of the land owners.		
Point Number	493.4		
Summary of Decision Requested:	Amend the Proposed District Plan to integrate the concept of environmental enhancement including in the Biodiversity Offsetting provisions.		
Decision Reasons:	<ul style="list-style-type: none">• No reasons provided.		
Point Number	493.5		
Summary of Decision Requested:	Amend the Proposed District Plan and maps to include the Waikato River in its entirety as both an Outstanding Natural Feature and Outstanding Natural Landscape.		
Decision Reasons:	<ul style="list-style-type: none">• Submission does not support the assessment of and non-inclusion of the Waikato River as an Outstanding Natural Feature and/or Landscape in its entirety.• The submitter believes that the Waikato River must be viewed holistically and therefore do not believe that parts of the Waikato River can be cut into sections.• The assessment of the Waikato River as Outstanding Natural Feature and Landscape is both a historic and contemporary issue. Beyond the rich history of the Waikato River pre and post European settlement, a variety a legislative and policy directions have been developed; that support the identification of the Waikato River as an Outstanding Natural Feature.• The Proposed Plan and maps provide for the Waikato River as an Outstanding Natural Feature, only from the river delta to inside the river mouth. Submitter considers the Waikato River is an Outstanding Natural Feature in its entirety and the reasons for it not attaining regional significance was based on interpretation and a lack of work on behalf of those researching the cultural significance of the river.		
Point Number	493.6		

Summary of Decision Requested: **Amend** the Proposed District Plan to include a Waikato River Corridor Zone to recognise the special status and importance of the Waikato River.

Decision Reasons:

- The Waikato River must be viewed holistically and therefore parts of the Waikato River can not be cut into sections.

Point Number 493.7

Summary of Decision Requested: **Amend** the Proposed District Plan to provide greater clarity as to what information must be provided when developing a Concept Management Plan.

Decision Reasons:

- The submitter seeks additional information to the implementation of the plans.
- Whilst the introduction of the Concept Management Plans and the potential for reduced regulation is positive, the submitter wants to ensure that the development of these is not overly onerous.
- The submitter does not want to see individual marae or Maaori freehold land owners required to provide a Concept Management Plan and then still require further resource consents applications to satisfy district plan requirements.
- The introduction of Concept Management Plans is generally supported.
- The ability of Marae or trusts to develop Maaori Freehold Land has historically proven challenging and any initiative which remedies this is generally supported.

Point Number 493.8

Summary of Decision Requested: **Amend** the Proposed District Plan to provide further information as to how Concept Management Plans will be implemented as part of a Resource Management Act process.

Decision Reasons:

- The submitter is of the opinion that the development and process of Concept Management Plans requires greater explanation in the Proposed District Plan.
- Whilst submitter supports ease of development on marae and Maaori freehold land, the potential still remains for a lengthy consenting process.

Point Number 493.9

Summary of Decision Requested: **Amend** the Proposed District Plan to provide greater clarity to the application of the Plan if a Concept Management Plan is not developed.

Decision Reasons:

- The submitter seeks greater clarification in the Proposed Plan, as to the application of the plan zoning when a concept management plan is not developed.
- It is presumed that the underlying zoning will apply.
- Submitter understands that Marae and Papakainga housing will default to Discretionary Activity status without an approved Concept Management Plan. This would appear to be a restrictive activity status for what could be small scale development.

Point Number 493.10

Summary of Decision Requested: **Amend** the Proposed District Plan to ensure consistency of wording in the rural and residential zones, in relation to the approval process for a Concept Management Plan.

Decision Reasons:

- If the underlying zoning will apply, this could create issues for those located in residential and rural zones.

Point Number 493.11

Summary of Decision Requested: **Provide** greater clarity as to who resources the development of Concept Management Plans and what council information and assistance will be provided to Marae and/or trusts.

Decision Reasons:

- No reasons provided.
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Point Number 493.12

Summary of Decision Requested: **Amend** the Proposed District Plan to provide for the most enabling provisions to facilitate the development of marae and papakainga throughout the district.

Decision Reasons:

- Submitter understands that Marae and papakainga housing will default to Discretionary Activity status without an approved Concept Management Plan. This would appear to be a restrictive activity status for what could be small scale development.
- Aside from Resource Management Act issues around Concept management Plans, the submitter understands the key benefits being the development of papakainga housing and the ability to futureproof in some situations future land use.
- This is supported provided additional resource consents are not required to satisfy district plan requirements.

Point Number 493.13

Summary of Decision Requested: **Add** a new district-wide Maaori land chapter that includes specific objectives and policy framework, a wider range of activities relevant to Maori land such as urupa and kohanga (could be specifically identified rather than just covered by the definition of "Marae Complex") and would apply District-wide.

Decision Reasons:

- The submitter considers a more effective and efficient method of providing for the use and development of Maaori land in accordance with maatauranga and tikanga is by way of a district-wide Maaori land chapter.
- The use of the proposed Concept Management Plans could provide for Permitted Activities, should the clarification of the Concept Management Plans sought from this submission occur.
- In addition to the practical benefits, this would ensure that the Tanagata Whenua Chapter as notified is brought through the entire plan, not simply a heading at the beginning of the proposed plan. This approach has been successfully implemented in the Auckland Unitary Plan.

Point Number 493.14

Summary of Decision Requested: **Retain** the activity status and clearance thresholds for indigenous vegetation clearance for Marae, dwellings and papakainga on Maaori Freehold Land or Maaori Customary Land in the Proposed District Plan.

Decision Reasons:

- The Proposed District Plan provides for the clearance of indigenous vegetation (both within identified significant natural areas and outside of significant natural areas) on Maaori Freehold Land or Maaori Customary Land for the purpose of a Marae complex (1500m2), dwellings (500m2 per dwelling) and a papakainga building (500m2), as a permitted activity.
- If provisions cannot be compiled with then a resource consent for a discretionary activity (clearance of indigenous vegetation within a significant natural area) or restricted discretionary activity (clearance of indigenous vegetation outside of a significant natural area) is required.

Point Number 493.15

Summary of Decision Requested: **Amend** the Proposed District Plan to provide for earthworks in Significant Natural Areas that are for the establishment of Marae, papakainga, dwellings and associated access, parking and manoeuvring as a permitted activity.

Decision Reasons:

- It appears however that earthworks within significant natural areas and associated with Marae, papakainga and dwellings are not afforded the same permitted status as vegetation clearance; they would be a restricted discretionary activity.
- Only the maintenance of existing tracks, fences or drains are permitted within certain parameters.
- There seems little point in providing for a permitted indigenous vegetation clearance for these activities but then requiring a resource consent for any earthworks.
- As currently drafted a resource consent for a restricted discretionary activity would potentially need to be obtained to establish building platforms and access.
- The submitter supports the ability to clear indigenous vegetation for the purpose of establishing these activities on Maaori Freehold Land or Maaori Customary Land. However, I seek that provision be made in the earthworks in Significant Natural Areas rules to allow earthworks associated with Marae, papakainga and dwellings as a permitted activity.
- The Proposed District Plan also provides for indigenous vegetation clearance associated with the gathering of plants in accordance with Maaori customs and values as a permitted activity. This is supported.

Point Number 493.16

Summary of Decision Requested: **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

Decision Reasons:

- Submission seeks that the proposed District Plan utilizes Low Impact Design in all new developments.
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Point Number

493.17

Summary of Decision Requested:

Amend the Proposed District Plan to re instate deferred zoning to a point in time when Waikato District Council have clarity around their infrastructure and how the areas will be serviced.

Decision Reasons:

- The Proposed Waikato District Plan 'live zones' or assigns Residential Zoning to areas of land that were previously Rural Zoned/Future Urban/Deferred Zones.
- For most of this land there is uncertainty around infrastructure timing and funding and structure planning is yet to be undertaken.
- Given the wastewater issues that the Waikato District Council currently have and are facing in the future, it seems almost impossible that Waikato District Council infrastructure will be able to cope with the live zoning of the district.
- The submitter is concerned that live zoning will create an expectation, that the Waikato River will absorb greater volumes of wastewater and stormwater discharge, an expectation that is contrary to and does not give effect to the Vision and Strategy for the Waikato River.
- The submitter strongly opposes this proposition and believe deferred zoning is required in most if not all locations that cannot be catered for through existing infrastructure.

Point Number

493.18

Summary of Decision Requested:

Amend Chapter 14 Infrastructure and Energy, to provide clear provisions to manage the effects of infrastructure and energy activities on Maaori Areas of Significance and Maaori Sites of Significance. This may include making amendments to the activity status, rules and defining terms such as "identified areas."

Decision Reasons:

- The first paragraph of Chapter 14 Infrastructure and Energy states that the zone chapters and their associated overlays, objectives, policies and rules do not apply to infrastructure and energy activities unless specifically referred to within the Infrastructure and Energy Chapter. Chapter 14 is largely designed to be self-contained and standalone.
- The submitter seeks clarity as to what activity status and provisions would apply to infrastructure and energy activities proposed on Maaori Areas of Significance or Maaori Sites of Significance.
- Throughout the Chapter the terminology 'identified areas' is used. This term is not defined in Chapter 13 definitions and therefore it is unclear if this is intended to capture Maaori Areas of Significance or Maaori Sites of Significance.
- Without clear provisions regarding infrastructure and energy activities in Maaori Areas of Significance or Maaori Sites of Significance there is a risk that these areas and sites may be adversely affected by activities with very few checks and balances in place.
- It is important to note that not all Areas of Significance to mana whenua are listed or public knowledge; this is well understood by all parties.

Point Number

493.19

Summary of Decision Requested:

Withdraw or place on hold the Proposed District Plan Review Process to allow for the Hazards Chapter to be developed, integrated and considered as part of a thorough District Plan review process.

Decision Reasons:

- The submitter is concerned that the Natural Hazards Chapter has been omitted from the notified proposed district plan.
- It is very challenging to consider a proposed district plan without a natural hazards chapter and how a future inserted natural hazards chapter will relate to other chapters in the plan.
- Given the vast array of natural hazards in the Waikato District, the submitter is of the opinion that it is not realistic to progress the plan without this chapter being considered in tandem with all the other chapters of the plan.
- The submitter considers that this is a major flaw in the process and to ensure consistency and integration across the plan, the plan review should be placed on hold to allow for the Hazards Chapter to be considered in conjunction with all other proposed chapters of the district plan.

Point Number

493.20

Summary of Decision Requested:

Amend the Proposed District Plan to include integrated catchment management planning as a method of sustainably managing land development and Three Waters infrastructure.

Decision Reasons:

- The submitter would like to see, integrated catchment management planning used as a tool to help manage the form and function of Three Waters infrastructure in an integrated, effective, efficient, functional, safe and sustainable manner, particularly in urban centres.
- Water Impact Assessments should also be used as a tool to assess and ensure Three Waters integration at a more detailed level.

Point Number

493.21

Summary of Decision Requested:

Amend the Proposed District Plan following engagement with Waikato-Tainui and mana whenua to ensure that respective land development plans and opportunities are adequately provided for.

Decision Reasons:

- The Proposed Plan should signal and provide for greater opportunities to utilise Matauranga Maori for the benefit of the environment.

- There may be future opportunities to develop initiatives and programs of work where Marae and Maori owned land is better utilised for the benefit of the land owners.

Point Number 493.22

Summary of Decision Requested: **Undertake** a Natural Character Assessment of the Waikato River to determine if there are any areas of High or Outstanding Natural Character.

Decision Reasons:

- It is also a concern that no natural character assessment has been undertaken for the Waikato River.
- The submitter believes that the Waikato River must be viewed holistically and therefore do not believe that parts of the Waikato River can be cut into sections.

Point Number 493.23

Summary of Decision Requested: **Amend** the definition of “Maori Customary Land” within Chapter 13 Definitions to ensure consistency with section 129(2) (a) of the Te Ture Whenua Maori Act 1993.

Decision Reasons:

- The submitter seeks the definitions applying to Maori land are clarified.
- Some definitions remain undefined and very broad.
- The submitter seeks greater clarity of these definitions.

Point Number 493.24

Summary of Decision Requested: **Recognise** tikanga and Maatauranga Maori in the Blueprint and structure plan processes.

Decision Reasons:

- The submitter is pleased that structure plans were referenced in various parts of the proposed district plan, however there appears to be an absence of structure plans when attempting to locate them in the plan.
- The submitter understands a 'Blueprinting' exercise is currently underway and will provide the basis for any future structure plans.
- Whilst submission supports this initiative, especially considering the growth challenges that the district faces in the north; the timing of this process is unfortunate and would have been more effective if the process had been undertaken pre the notification of the Proposed District Plan.
- The submitter is concerned that the Blueprinting exercise and potential structure plans will require plan change processes to implement as part of the district plan.
- Locations such as Huntly, Mercer and Pokeno are in need of high-level planning assessment and it is disappointing that resource and time be required to get these guiding plans part of the district plan.
- The submitter is also of the opinion that any structure plans or Blueprinting exercises should recognise Waikato-Tainui tikanga and Maatauranga Maaori, to reflect the districts rich Maaori heritage.

Point Number 493.25

Summary of Decision Requested: **Amend** the Proposed District Plan to clarify situations where low impact design is not appropriate, as provided for in the Proposed District Plan.

Decision Reasons:

- Submission seeks that the proposed District Plan utilizes Low Impact Design in all new developments.

Point Number 493.26

Summary of Decision Requested: **Retain** the provisions allowing for indigenous vegetation clearance associated with the gathering of plants in accordance with Maori customs and values as a Permitted Activity.

Decision Reasons:

- Submitter supports these provisions.

Point Number 493.27

Summary of Decision Requested: No specific decision sought, but submission supports the introduction of a specific chapter addressing Tangata Whenua concerns, issues and opportunities.

Decision Reasons:

- No reasons provided.

Point Number 493.28

Summary of Decision Requested: No specific decision sought, but submission supports efforts to identify areas of high and outstanding natural character and outstanding natural features and landscapes, the engagement of experts and with mana whenua.

Decision Reasons:

- No reasons provided.

Point Number 493.29

Summary of Decision Requested: No specific decision sought, but submission generally supports the introduction of concept plans.

Decision Reasons:

- The ability of Marae trusts to develop Maori freehold land has historically proven challenging and any initiative that remedies this is generally supported.

Point Number 493.30

Summary of Decision Requested: No specific decision sought, but submission supports referencing of structure plans but notes the absence of structure plans in the Proposed District Plan.

Decision Reasons:

- No reasons provided.

Point Number 493.31

Summary of Decision Requested: **Retain** the ability to clear indigenous vegetation for the purposes of establishing a Marae complex, dwellings and papakainga building on Maaori Freehold Land or Maaori Customary Land.

Decision Reasons:

Supports the ability to clear indigenous vegetation for these activities.

Point Number 493.32

Summary of Decision Requested: **Amend** the Proposed District Plan to utilise low impact design in all new developments.

Decision Reasons:

No reason provided.

Point Number 493.33

Summary of Decision Requested: **Amend** the definition of "Marae Complex" in Chapter 13 Definitions, although submission does not set out specific amendments sought.

Decision Reasons:

- No reasons provided.

Point Number 493.34

Summary of Decision Requested: **Amend** the definition of "Maori Freehold Land" within Chapter 13 Definitions, to ensure consistency with section 129(2)(b) of the Te Ture Whenua Maaori Act 1993.

Decision Reasons:

- The submitter seeks the definitions applying to Maaori land are clarified.
- Some definitions remain undefined and very broad.
- The submitter seeks greater clarity of these definitions.

Point Number 493.35

Summary of Decision Requested: **Put** the District Plan review process on hold so that outcomes of the blueprinting exercise can be accommodated I the District Plan, including the development of structure plans

Decision Reasons:

- The submitter is pleased that structure plans were referenced in various parts of the proposed district plan, however there appears to be an absence of structure plans when attempting to locate them in the plan.
- The submitter understands a 'Blueprinting' exercise is currently underway and will provide the basis for any future structure plans.
- Whilst submission supports this initiative, especially considering the growth challenges that the district faces in the north; the timing of this process is unfortunate and would have been more effective if the process had been undertaken pre the notification of the Proposed District Plan.
- The submitter is concerned that the Blueprinting exercise and potential structure plans will require plan change processes to implement as part of the district plan.
- Locations such as Huntly, Mercer and Pokeno are in need of high-level planning assessment and it is disappointing that resource and time be required to get these guiding plans part of the district plan.
- The submitter is also of the opinion that any structure plans or Blueprinting exercises should recognise Waikato-tainui tikanga and Maatauranga Maaori, to reflect the districts rich Maaori heritage.

Point Number 493.36

Summary of Decision Requested: **Amend** the Proposed District Plan to provide setbacks from waterways that are consistent with Proposed Plan Change 1 to the Waikato Regional Council and gives effect to the Vision and Strategy for the Waikato River and the Waikato-Tainui Environmental Plan.

Decision Reasons:

- The proposed Waikato District Plan provides for Earthworks in specific zones. Concerned that the earthworks setbacks do not adequately protect waterways and fail to be consistent with the notified Proposed Plan Change 1 to the Waikato Regional Plan.
- This plan change process, triggered by the need to give effect to the Vision and Strategy for the Waikato River, requires a minimum set back of 5m from a waterway (for cropping only) to be considered a permitted activity.
- The Proposed Waikato District Plan allows for a 1.5m setback in the residential zone and appears to have no setbacks at all for earthworks in the rural zone.
- The submitter does not believe that this lack of setback for earthworks from a waterway is appropriate and has failed to have regard to the Vision and Strategy for the Waikato River and the Waikato-Tainui Environmental Plan.
- As a minimum it would be anticipated that the Proposed District Plan change would be consistent with Proposed Plan Change 1 to Waikato Regional Plan.

Point Number 493.37

Summary of Decision Requested: **Retain** earthworks on Maaori Sites of Significance and Maaori Areas of significance as a restricted discretionary activity.

Decision Reasons:

- Earthworks on Maaori Sites of Significance and Maaori Areas of significance are a restricted discretionary activity. Submitter supports this as early warning when such activities are being undertaken.
-