

Report: Summary of Submissions by Submitter Number/Name

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| Submitter Number: | 524 | Submitter: | Anna Noakes |
| Point Number | 524.6 | | |
| Summary of Decision Requested: | Defer hearing of submission until after the National Planning Standards have been adopted and/or stage 2 of the review of Future Proof/updated Waikato Regional Policy Statement. | | |
| Decision Reasons: | <ul style="list-style-type: none"> New National Planning Standards, potential changes in land use patterns through the adoption of revisions in Future Proof that will then inform the Waikato Regional Policy Statement, all raise question marks regarding the timing of the review as subsequent changes to the Proposed District Plan brought about by these documents will be unnecessarily time consuming and expensive. Deferring the Proposed District Plan will also allow for more thorough editing of the document. | | |
| Point Number | 524.7 | | |
| Summary of Decision Requested: | Retain Section 1.4.4 The urban environment, except for the amendments sought below AND Amend Section 1.4.4. (a) The urban environment, as follows: <i>A key issue for the district is to maintain <u>and enhance</u> the productive capacity...</i> | | |
| Decision Reasons: | <ul style="list-style-type: none"> The impact of urban development on the rural environment should not restrict the productive capacity of the rural resource to existing levels. The policy should allow for enhanced rural productivity. | | |
| Point Number | 524.8 | | |
| Summary of Decision Requested: | Retain Section 1.5.2 Planning for urban growth and development, except for the amendments sought below AND Amend Section 1.5.2. (a) Planning for urban growth and development, as follows: <i>Defined growth areas have been zoned and their development will be guided through the application of objectives and policies and through processes such as the development of master plans, comprehensive structure plans, within the district plan and any future changes to the district plan. The agreed Future Proof settlement pattern for urban growth and development is to <u>will assist to</u> avoid unplanned encroachment ...</i> | | |
| Decision Reasons: | <ul style="list-style-type: none"> Oppose in part. The Environment Court has questioned the legality of the use of Structure Plans/Master Plans and the like where the activity status of a proposal is determined through such documents. The need for owners of properties within a 'Structure Plan' area to collaborate over development in accordance with 'required' Structure Plan provisions is questionable. Future Proof is a dynamic document and will undergo change throughout the term of the plan and reference to the current document may be misleading. | | |
| Point Number | 524.9 | | |
| Summary of Decision Requested: | Retain Section 1.10.1.1 Waikato District Development Strategy, except for the amendments sought below AND Amend Section 1.10.1.1 (a) Waikato District Development Strategy 2015, as follows: <i>The Waikato District Development Strategy (WDDS) provides a high-level thirty year strategic and spatial development guide for the district. The strategy replaces and integrates the Waikato District Growth Strategy (2009) and the Franklin District Growth Strategy (2008). However, the latter document remains live by virtue of Policy 6.1.1 6.1.1 in the Waikato Regional Policy Statement ...</i> | | |
| Decision Reasons: | <ul style="list-style-type: none"> Oppose in part. Refers to wrong VRPS Policy in the second line. | | |
| Point Number | 524.10 | | |
| Summary of Decision Requested: | Retain Section 1.12.1 Strategic direction, except for the amendments sought below AND Delete Section 1.12.1.(b) and (c) Strategic direction. | | |
| Decision Reasons: | <ul style="list-style-type: none"> Oppose in part. | | |

- The policy relating to the use of Master Plans where adherence to the Plans may change the activity status of a proposal is questioned.
- The Environment has questioned the legality of the use of Structure Plans/Master Plans and the like where the activity status of a proposal is determined through such documents.
- The need for owners of properties within a 'Structure Plan' area to collaborate over development in accordance with 'required' Structure Plan provisions is questionable.
- Future Proof is a dynamic document and will undergo change throughout the term of the plan and reference to the current document may be misleading.
- It is not clear in the document what is meant by Master Plans and where they are referenced in the rules

Point Number 524.11

Summary of Decision Requested: **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.

Decision Reasons:

- 4.1.1 (a) and (b) Support sustainable communities and the objective of providing for 13,300 - 17,500 additional dwellings with the District 2018-2045.

Point Number 524.12

Summary of Decision Requested: **Retain** Objective 4.1.2 (a) Urban growth and development, as notified.

Decision Reasons:

- Support Objective 4.1.2 (a) in consolidating growth around existing towns/villages.

Point Number 524.13

Summary of Decision Requested: **Amend** Policy 4.1.3 (b) Location of development, as follows:

Locate urban growth areas only where they are consistent with legislative requirements and strategic documents such as Future Proof the Future Proof Strategy Planning for Growth 2017.

Decision Reasons:

- Urban Growth should align with the Waikato Regional Policy Statement informed through Future Proof, however the Future Proof settlement patterns are to be updated 2018/19 to take into account legislative reforms such as the National Policy Statement and Urban Development Capacity and strategic requirements.

Point Number 524.14

Summary of Decision Requested: **Amend** Policy 4.7.3 Residential subdivision, to clarify position regarding guidelines and activity status and/or process for changes to guidelines.

Decision Reasons:

- The subdivision development responds to the outcomes of the Urban Design Guidelines is supported-but it is noted that the document reference directs users to the Operative Plan provisions rather than Proposed Plan. The status of this document forming part of the Proposed Plan is also questionable with regard to the ability of the public to submit on changes to the guidelines.

Point Number 524.15

Summary of Decision Requested: **Delete** reference to Structure Plans in Policy 4.7.6(a)(ii) and (iii) Coordination between servicing development and subdivision.

Decision Reasons:

- Opposes reference to Structure Plans for the following reasons:
- The policy relating to the use of Master Plans where adherence to the Plans may change the activity status of a proposal is questioned as per submission point 524.8. as per below;
- The Environment Court has questioned the legality of the use of Structure Plans/Master Plans and the like where the activity status of a proposal is determined through such documents.
- The need for owners of properties within a 'Structure Plan' area to collaborate over development in accordance with 'required' Structure Plan provisions is questionable.

Point Number 524.16

Summary of Decision Requested: **Retain Policy 4.7.7 Achieving sufficient development density to support the provision of infrastructure services.**

Decision Reasons:

- **No reasons provided.**
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Point Number 524.17

Summary of Decision Requested: **Retain Policy 4.7.8 Staging of subdivision.**

Decision Reasons:

- **No reasons provided.**
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Point Number 524.18

Summary of Decision Requested: **Retain Policy 4.7.9 Connected neighbourhoods.**

Decision Reasons:

- **No reasons provided.**
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Point Number 524.19

Summary of Decision Requested: **Retain Policy 4.7.10 Recreation and access.**

Decision Reasons:

- **No reasons provided.**
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Point Number 524.20

Summary of Decision Requested: **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.

Decision Reasons:

- Support in part.
 - While the Policies discuss protecting against reverse sensitivity, identified areas for Residential development with communities such as Pokeno do not contain any buffer between the proposed residential and existing rural environment. Residential development, has the potential to impact on existing farming operations whether or not they are intensive in nature, and/or may be negatively impacted by existing farming practices.
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Point Number 524.21

Summary of Decision Requested: **Delete from Policy 4.7.14 Structure and master planning the references to Structure Plans and Master Plans.**

Decision Reasons:

- **Opposed to the reference to Structure Plans/Master Plans.**
 - **The Environment Court has questioned the legality of the use of Structure Plans/Master Plans and the like where the activity status of a proposal is determined through such documents.**
 - **The need for owners of properties within a 'Structure Plan' area to collaborate over development in accordance with 'required' Structure Plan provisions is questionable.**
 - **It is not clear in the document what is meant by Master plans and where they are referenced in the rules.**
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Point Number 524.22

Summary of Decision Requested: **Retain Objective 6.4.1 Integration of infrastructure with subdivision, land use and development.**

Decision Reasons:

- **Submission supports the objective of the integration of the infrastructure with subdivision and development.**
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Point Number 524.23

Summary of Decision Requested: **Retain Policy 6.4.2 Provide adequate infrastructure.**

Decision Reasons:

- Support the Policy 6.4.2.

Point Number

524.24

Summary of Decision Requested:

Retain Policy 6.4.3 Infrastructure location and services.

Decision Reasons:

- Support Policy 6.4.3.

Point Number

524.25

Summary of Decision Requested:

Retain Policy 6.4.4 Road and rail network.

Decision Reasons:

- Support Policy 6.4.4.

Point Number

524.26

Summary of Decision Requested:

Retain Policy 6.4.5 Roading infrastructure.

Decision Reasons:

- Support Policy 6.4.5.

Point Number

524.27

Summary of Decision Requested:

Retain Objective 6.4.6 Stormwater and drainage.

Decision Reasons:

- Support Objective 6.4.6.

Point Number

524.28

Summary of Decision Requested:

Retain Policy 6.4.7 Stormwater.

Decision Reasons:

- Support Policy 6.4.7.

Point Number

524.29

Summary of Decision Requested:

Amend planning maps to remove indicative walkway cycleways unless the underlying land has been earmarked for residential or commercial/industrial development.

Decision Reasons:

- While supporting pedestrian and off road cycleways, the identification and location of such should not impact on property rights without Council Designating land for such purposes.

Point Number

524.30

Summary of Decision Requested:

Retain definition of "Fill material" except for the amendments sought below

AND

Amend the definition of "Fill material" in Chapter 13 Definitions, as follows:

Means material used for filling activities including, but not limited to, materials such as sand, soil, clay or aggregate.

Decision Reasons:

- Support in part.
- Clarify that the list is not inclusive - other materials could be fill such as sand.

Point Number

524.31

Summary of Decision Requested:

Amend the definition for "Impervious surface" in Chapter 13 Definitions, as follows:

Means a surface such as a road, rooftop, footpath, paving, decking, swimming pool, patio, driveway, vehicle access and manoeuvring area or highly-compacted soil that is not vegetated and does not infiltrate runoff.

It excludes wooden decks with spacing between boards of 4mm or more, or surfaces such as gobi paving, where water is allowed to drain through to a permeable surface below the deck.

Decision Reasons:

- Support in part.
- Definition is unduly restrictive and does not cater for 'pervious' materials that may be used for driveways etc.

Point Number 524.32

Summary of Decision Requested: Amend terminology used in Overlays on the Planning Maps and provisions to provide consistency between maps and text.

Decision Reasons:

- There is inconsistency in terminology used in the Overlays on the Planning Maps v provisions within the text for example in the Rural zone reference Outstanding Natural Character v Maps Natural Character.

Point Number 524.33

Summary of Decision Requested: Amend the Proposed District Planning maps (inclusive of Legend) to provide explanation as to what is meant by Stage 1.

Decision Reasons:

- There is no explanation as to what is meant by Stage 1.

Point Number 524.34

Summary of Decision Requested: Amend Map 07 Tuakau/Pokeno and Environs, to examine all zoning options for growth within land in Pokeno and surrounds to provide for the required level of Residential for the next 30 year period as detailed within the Future Proof Strategy;

AND

Delay zoning the land until new legislative planning requirements, and revised regional growth strategies have been determined.

Decision Reasons:

- Submission refers to the proposed Residential Zoning of the 160 ha block identified on attachment VI hatched in purple known as Pokeno West. The zoning of this block appears to have been developed as a private plan change and then added to the DP review and therefore has not gone through the consultative processes normally anticipated from Plan changes. Council has not completed an independent Section 32 to ensure robust decision making under the RMA.
- There has been no analysis of alternative sites for residential zoning on the periphery of Pokeno particularly with regard to the proposed Objectives and Policies of the Residential Zone. For example, while the proposed zoning provides for a degree of residential growth needed for Pokeno, the constraints within the land make achieving the density targets likely unachievable.
- It is unclear as to the nature and ownership of the large areas of 'open space' with the indicative 'Master Plan' for the development. If it is in public ownership, such a high level of public open space will place a potentially excessive burden on the rate payer for development and ongoing maintenance.
- Areas chosen for residential growth should be consistent with the Objectives and Policies of the Residential Zone, as well as Regional and National Legislative and Strategic documents. Further analysis is needed prior to determining that this area should be the 'next off the block'.

Point Number 524.35

Summary of Decision Requested: Amend the zoning of the property at Lot 2 DP 176205, Pokeno from Rural Zone on to Residential Zone (see submission for map).

Decision Reasons:

- Council has not identified enough land within Pokeno and the immediate surrounds to meet the residential growth expectations within Future Proof.
- Lot 2 DP 176205 is a 23.5 ha block immediately west of the exiting residential zone boundary of Pokeno and adjoins the Pokeno Village Estate subdivision. (see attachment VI and VI.1). The property is proposed Rural Zoning and this is inconsistent with the residential growth expectations and is not consistent with the Objectives and Policies of either the proposed Rural Zone or Residential Zone growth expectations.
- The block can be serviced from the east, is in proximity to new water infrastructure (is 250m away from a current development) and includes a future walkway cycleway.
- The geographical location of the site, separated from rural land to the north by the east west rail line and to the south by a substantial covenanted bush block, makes the property ideal for Residential Zoning.
- The site provides a logical extension of the residential development of the adjoining land, offering connectivity, access and development options that otherwise may be difficult to in the future if connectivity is lost through a lack of appropriate zoning to facilitate development options.

Point Number 524.36

Summary of Decision Requested: Amend subdivision rules to enable the required outcomes of Policies 4.7.7-4.7.10.

Decision Reasons:

- No reason provided.

Point Number 524.37

Summary of Decision Requested: Amend the rules relating to subdivision to give effect to policies 6.4.2-6.4.7 and ensure greenfield sites for urban growth are investigated through section 32 analysis to assess the ability to appropriately, effectively and efficiently service these areas in comparison to other areas.

Decision Reasons:

- No reasons provided.

Point Number 524.38

Summary of Decision Requested: Retain Policy 6.5.2 (a)(iv) Construction and operation of the land transport network, where land is earmarked for residential or commercial/industrial development

Decision Reasons:

- No reason provided.

Point Number 524.39

Summary of Decision Requested: Retain Policy 4.1.4 Staging of development.

Decision Reasons:

- Supports the integrated and staged approach to development where infrastructure supports such development

Point Number 524.40

Summary of Decision Requested: Retain Policy 4.1.5 (b) Density.

Decision Reasons:

- Support the minimum density requirements but notes that physical/geotechnical limitation and market trends may impede achieving minimum requirements especially when existing land holdings are in fragmented ownership.

Point Number 524.41

Summary of Decision Requested: Retain Policy 4.1.11 (a) (ii) Pokeno, where walking and cycling networks form part of the urban framework.

Decision Reasons:

- Submission references the proposed walkway/cycleway at Lot 2 DP176205, Pokeno.

Point Number 524.42

Summary of Decision Requested: 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.

Decision Reasons:

- Opposed policy 4.1.11 (a) (ii) which may lead to walkway, cycleways impinging on property rights where the underlying land is not part of the planned urban area. Submission refers to Lot 2 DP 176205, as identified in the submission.

Point Number 524.43

Summary of Decision Requested: Retain Objective 4.2.14 Earthworks, as notified.

Decision Reasons:

- Earthworks that facilitate residential subdivision is supported