

Report: Summary of Submissions by Submitter Number/Name

<b>Submitter Number:</b>	81	<b>Submitter:</b>	Waikato Regional Council
<b>Point Number</b>	81.1		
<b>Summary of Decision Requested:</b>	<b>Amend</b> 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.		
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>Chapters in the Proposed Plan include strategic objectives and policies, and the relationship between these and non-strategic objectives and policies, and the resource management issues identified in Chapter 1, is not clear.</li> <li>Policy 4.1 of the Waikato Regional Policy Statement (WRPS) seeks that an integrated approach to resource management be adopted, including 4.1(h) establishing a planning framework which sets clear limits and thresholds for resource use. Clearly identifying the strategic objectives and policies for all the resources that the Proposed Plan seeks to manage and cross-referencing them to related issues in Chapter 1 would promote an integrated approach and provide clarity about the relationship between issues, strategic and other objectives, policies and methods for plan users, particularly those applying for and processing resource consent applications and plan changes.</li> <li>See submission for suggested amendments.</li> </ul>		
<b>Point Number</b>	81.2		
<b>Summary of Decision Requested:</b>	<b>Amend</b> each zone chapter to provide details on the purpose and anticipated outcomes of the corresponding zone or subzone.		
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>There are no descriptions of zones and their intended outcomes.</li> <li>Clarification on the purpose of each zone will increase understanding of the anticipated outcomes, and appropriate types of activities for the different environments.</li> <li>These descriptions will assist with understanding the purpose and character of the residential zone and the associated provisions 4.2.1 and 4.2.2.</li> </ul>		
<b>Point Number</b>	81.3		
<b>Summary of Decision Requested:</b>	<b>Amend</b> Permitted Activity standards for all zones for earthworks to provide for a minimum 5 metre distance from any waterbody or overland flow path, example of which is as follows:  <i>PI 6.2.4.1 (a)(i) Be located more than <del>4.5 m</del> <u>5.0 m</u> horizontally from any waterway, open drain or overland flow path.</i>		
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>The Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River contains a number of objectives regarding the restoration and protection of the Waikato River, including but not limited to a) The restoration and protection of the health and wellbeing of the Waikato River, e) The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River and f).</li> <li>The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.</li> <li>These provisions are supported by related provisions of the Waikato Regional Policy Statement (WRPS), notably Implementation Method 8.3.10.</li> <li>The provisions as written do not take a sufficiently precautionary approach to managing sediment loadings entering stormwater networks and waterbodies, such as: Managing earthworks in close proximity to water bodies, managing earthworks in a flood plain or flood hazard area and managing the revegetation of earthworked sites in a timely fashion.</li> <li>Amending (or adding) the conditions to provide for a more precautionary approach that minimises the risk of sediment entering waterbodies or stormwater providing a minimum 5 metre setback and 2 month revegetation period aligning with better practice earthworks management.</li> </ul>		
<b>Point Number</b>	81.4		
<b>Summary of Decision Requested:</b>	<b>Amend</b> Permitted Activity standards for all zones to provide for a shorter period of time for earthworks to be revegetated, as follows:  <i>Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <del>6</del> <u>2</u> months of the commencement of the earthworks.</i>		
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>The Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River contains a number of objectives regarding the restoration and protection of the Waikato River, including but not limited to a) The restoration and protection of the health and wellbeing of the Waikato River, e) The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River, and f).</li> <li>The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.</li> <li>These provisions are supported by related provisions of the Waikato Regional Policy Statement (WRPS), notably Implementation Method 8.3.10.</li> <li>The provisions as written do not take a sufficiently precautionary approach to managing sediment loadings entering stormwater networks and waterbodies, such as: Managing earthworks in close proximity to water bodies, managing earthworks in a flood plain or flood hazard area, managing the revegetation of earthworked sites in a timely fashion.</li> <li>Amending (or adding) the conditions to provide for a more precautionary approach that minimises the risk of sediment entering waterbodies or stormwater providing a minimum 5 metre setback and 2 month revegetation period aligning with better practice earthworks management.</li> </ul>		
<b>Point Number</b>	81.5		
<b>Summary of Decision Requested:</b>	<b>Add</b> to the Proposed District Plan for all zones an additional condition related to earthworks within a flood plain (in addition to identifying		

these on maps), as follows (or similar):

Not be located within a flood plain as identified in the Waikato District Plan.

AND

**Add** to Maps the flood plain.

**Decision Reasons:**

- The Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River contains a number of objectives regarding the restoration and protection of the Waikato River, including but not limited to a) The restoration and protection of the health and wellbeing of the Waikato River; e) The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River; and f).
- The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River; and in particular those effects that threaten serious or irreversible damage to the Waikato River.
- These provisions are supported by related provisions of the Waikato Regional Policy Statement (WRPS), notably Implementation Method 8.3.10. The provisions as written do not take a sufficiently precautionary approach to managing sediment loadings entering stormwater networks and waterbodies, such as: Managing earthworks in close proximity to water bodies, managing earthworks in a flood plain or flood hazard area, managing the revegetation of earthworked sites in a timely fashion.
- Amending (or adding) the conditions to provide for a more precautionary approach that minimises the risk of sediment entering waterbodies or stormwater providing a minimum 5 metre setback and 2 month revegetation period aligning with better practice earthworks management.

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**Point Number**

81.6

**Summary of Decision Requested:**

**Add** to the Proposed District Plan for all zones a standard to minimise impacts on water bodies as follows:

Do not divert or change the nature of natural water flows, water bodies or established drainage paths.

**Decision Reasons:**

- The Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River contains a number of objectives regarding the restoration and protection of the Waikato River, including but not limited to a) The restoration and protection of the health and wellbeing of the Waikato River; e) The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River; and f).
- The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River; and in particular those effects that threaten serious or irreversible damage to the Waikato River.
- These provisions are supported by related provisions of the Waikato Regional Policy Statement (WRPS), notably Implementation Method 8.3.10. The provisions as written do not take a sufficiently precautionary approach to managing sediment loadings entering stormwater networks and waterbodies, such as: Managing earthworks in close proximity to water bodies, managing earthworks in a flood plain or flood hazard area, managing the revegetation of earthworked sites in a timely fashion.
- Amending (or adding) the conditions to provide for a more precautionary approach that minimises the risk of sediment entering waterbodies or stormwater providing a minimum 5 metre setback and 2 month revegetation period aligning with better practice earthworks management.

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**Point Number**

81.7

**Summary of Decision Requested:**

**Amend** the Proposed District Plan's provisions to support the use of low impact design principles for stormwater management (in particular consider for Restricted Discretionary Activity criteria and permitted activity standards).

**Decision Reasons:**

- Sensitive environments can be adversely affected by stormwater from the subdivision and development of land.
- There is an opportunity to provide in the policies for low impact design, or a water sensitive design approach, especially in the coastal environment, and in the vicinity of wetlands, lakes and rivers, and their margins.
- This is supported by Policies 6.2 and 6.3 of the WRPS and Implementation Method 8.3.10.
- Reserves can be located to enable low impact design stormwater management.

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**Point Number**

81.8

**Summary of Decision Requested:**

**Retain** Rule 19.1.2 RD1 Restricted Discretionary Activities.

**Decision Reasons:**

- Rule 19.1.2 RD1 already incorporates detail for low impact design principles and is supported.
- Submitter supports the application of low impact design principles as outlined in Waikato Regional Council's Waikato Stormwater Management Guideline.
- There is an opportunity for this item to be included as a matter of discretion across all zones in the district.

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**Point Number**

81.9

**Summary of Decision Requested:**

**Amend** the Proposed District Plan for all zones to provide for a minimum 10m setback from the banks of a perennial or intermittent stream.

**Decision Reasons:**

- There are a range of setbacks from water bodies throughout the zones.
- At a minimum all buildings should be setback a minimum of 10m from the banks of a perennial or intermittent stream, and rules should be provided and/or amended to reflect this.
- It is recommended that this setback is included for all zones.

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**Point Number**

81.10

**Summary of Decision Requested:**

**Retain** for all zones setbacks from waterbodies that are larger than 10m .

**Decision Reasons:**

- There are a range of setbacks from water bodies throughout the zones.
- A minimum setback of 10m from the bank of a perennial or intermittent stream that is provided for in other zones is supported.

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**Point Number**

81.11

**Summary of Decision Requested:**

**Amend** the Proposed District Plan to provide for district-wide provisions in the Natural Hazards and Climate Change zones/overlays to restrict activities that take place in these areas, and to discourage inappropriate use and development.

**Decision Reasons:**

- Submitter acknowledges that Phase 2 of the Proposed Plan review will address natural hazards. The Proposed Plan provides for a range of activities and also rezones land for urban expansion around some centres.
- Without detail from the Natural Hazards and Climate Change Chapters it is unclear what provisions will apply to manage or restrict development and other activities on land subject to an identified natural hazards or climate change area.
- Rules and standards that may be affected include those related to earthworks, building platforms, cleanfill, the construction of buildings and rezoning of new land for urban expansion.
- Objectives and policies throughout the document may also benefit from the consideration of natural hazards, such as Policies 5.3.5 and 6.4.7, avoiding the flood plain or flood risk areas.

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**Point Number**

81.12

**Summary of Decision Requested:**

**Amend** the Proposed District Plan to provide for cross references between issues, objectives, policies and rules.

**Decision Reasons:**

- There are not clear links and cross-references between related issues, objectives, policies and rules.

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**Point Number**

81.13

**Summary of Decision Requested:**

**Amend** the Proposed District Plan by pulling area specific provisions (ie Lakeside) into one Chapter (e.g. Section 9: Specific Zones).

**Decision Reasons:**

- There are a number of areas that are subject to specific provisions that have been created through plan changes or other processes: e.g. Te Kauwhata Lakeside, Rangitahi Peninsula.
- Provisions related to these types of developments are spread across multiple chapters of the Proposed Plan. There is an opportunity to provide an easier way to navigate and read a suite of provisions by pulling them together into one location.

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**Point Number**

81.14

**Summary of Decision Requested:**

**Amend** Chapter 1 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

**Decision Reasons:**

- The National Policy Statement for Urban Development Capacity (NPS-UDC) impacts multiple chapters and sections of the Proposed Plan, relating to the provision of sufficient feasible zoned and serviced housing and business land is provided for.
- Because of the proposed approach to 'live' zone new urban growth areas there are a number of areas of concern regarding this, in particular in relation to the zoning of new areas of land for urban development where it is unclear what infrastructure is available or is proposed to be provided.
- There is also limited direction for staging which may affect the efficient delivery of infrastructure.
- The submission includes suggested options.

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**Point Number**

81.15

**Summary of Decision Requested:**

**Amend** Policy 4.6.3 Maintain a sufficient supply of industrial land by specifically referencing the National Policy Statement-Urban Development Capacity.

**Decision Reasons:**

- The National Policy Statement for Urban Development Capacity (NPS-UDC) impacts multiple chapters and sections of the Proposed Plan, relating to the provision of sufficient feasible zoned and serviced housing and business land is provided for.
- Because of the proposed approach to 'live' zone new urban growth areas there are a number of areas of concern regarding this, in particular in relation to the zoning of new areas of land for urban development where it is unclear what infrastructure is available or is proposed to be provided.
- There is also limited direction for staging which may affect the efficient delivery of infrastructure.
- The submission includes suggested options.

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**Point Number**

81.16

**Summary of Decision Requested:**

**Amend** Chapter 4, Chapter 16, the Planning Maps and any other provisions that are proposed for unserviced urban residential areas where there is uncertainty about the funding, staging and timing for infrastructure provision. The amendments should establish a stronger objective, policy and rule framework than is proposed, in order to ensure that activities of an urban nature, including subdivision, is not provided for prior to structure planning processes being undertaken and without certainty about the funding, timing and staging of infrastructure provision.

**Decision Reasons:**

- The submitter is concerned that the provisions of Section 4.1 Strategic Direction do not adequately address how subdivision and development activities will be managed where a 'live' residential zoning is proposed for unserviced land within urban towns and villages.
- This concern also applies to other objectives and policies in Section 4 relating to residential activities and to rules contained in Section 16: Residential.
- Of particular concern are locations such as Tuakau, Pokeno and Horotiu. Submitter considers that the planning framework proposed for these areas does not give effect to the WRPS' direction on ensuring an integrated, staged approach to infrastructure and development.
- It is likely to enable development that undermines the ability to coordinate the adequate provision of network and community infrastructure to support growth.
- Submitter suggests that that an alternative method to 'live' zoning of these areas should be considered, to more appropriately manage land where a live zone has been applied, but where there is no existing or planned supporting infrastructure.
- Without limiting the scope of any amendments, submitter suggests that options to be considered include:
  1. Retention of the operative plan's rural zoning of these areas, with an overlay similar to the 'Hamilton Urban expansion' overlay proposed in the plan,
  2. Application of the urban zone, but with an overlay that would signal that while particular areas are considered appropriate particular activities, e.g. industrial or residential, additional subdivision and development will not be considered until there is certainty about infrastructure provisions,
  3. Creation of a new Urban Expansion Zone that would have its own suite of provisions for management of landuse and subdivision activities.

**Point Number** 81.17

**Summary of Decision Requested:** **Amend** the Proposed District Plan provisions so that any subdivision, use and development in areas that are proposed for unserviced residential where there is uncertainty about funding, staging and timing of infrastructure provision does not compromise them for future development.

**Decision Reasons:**

- The submitter is concerned that the provisions of Section 4.1 Strategic Direction do not adequately address how subdivision and development activities will be managed where a 'live' residential zoning is proposed for unserviced land within urban towns and villages.
- This concern also applies to other objectives and policies in Section 4 relating to residential activities and to rules contained in Section 16: Residential, particularly in locations such as Tuakau, Pokeno and Horotiu.
- The submitter considers that the planning framework proposed for these areas does not give effect to the WRPS' direction on ensuring an integrated, staged approach to infrastructure and development.
- The proposed approach is likely to enable development that undermines the ability to coordinate the adequate provision of network and community infrastructure to support growth.
- The submitter considers that that an alternative method to 'live' zoning of these areas should be considered, to more appropriately manage land where a live zone has been applied, but where there is no existing or planned supporting infrastructure.
- Without limiting the scope of any amendments, submitter suggests that options to be considered include:
  1. Retention of the operative plan's rural zoning of these areas, with an overlay similar to the 'Hamilton Urban expansion' overlay proposed in the plan;
  2. Application of the urban zone, but with an overlay that would signal that while particular areas are considered appropriate particular activities, e.g. industrial or residential, additional subdivision and development will not be considered until there is certainty about infrastructure provisions; and
  3. Creation of a new Urban Expansion Zone that would have its own suite of provisions for management of landuse and subdivision activities.

**Point Number** 81.18

**Summary of Decision Requested:** **Amend** the Proposed District Plan provisions and maps to provide for outcomes identified in the Auckland-Hamilton Corridor Plan and Future Proof Strategy Phase 2 review.

**Decision Reasons:**

- There is work underway producing the Auckland-Hamilton Corridor Plan, and also carrying out the Phase 2 review of the Future Proof Growth Strategy.
- This process will generate a vision for managing urban growth and development in significant parts of the Waikato District that may differ in some respects from that in the Proposed Plan as currently written.

**Point Number** 81.19

**Summary of Decision Requested:** **Amend** the Proposed District Plan to clarify the role and purpose of the Environmental Protection Area.

**Decision Reasons:**

- It is unclear what the role and purpose of the Environmental Protection Area is.
- The Environmental Protection Area is mentioned in the Residential, Rural and Country Living Zones however not the objectives and policies.
- This is problematic as non-compliance with rules sometimes leads to a discretionary activity status and it is unclear what an activity would be assessed against.

**Point Number** 81.20

**Summary of Decision Requested:** **Amend** the Proposed District Plan to provide a mechanism to manage areas that meet the WRPS IIA criteria and have not been identified and mapped in the Proposed Plan.

**Decision Reasons:**

- The submitter notes that not all areas of significance under section 6c of the Resource Management Act (RMA) and IIA of the Waikato Regional Policy Statement will have been identified and mapped in the development of the Proposed Plan.
- The plan needs to provide for those areas that meet the SNA criteria, but which were not known about until an activity is proposed.

**Point Number** 81.21

**Summary of Decision Requested:** **Add** advice notes drawing attention to the provisions of the Waikato Pest Management Plan, particularly for earthworks and fill activities.

**Decision Reasons:**

- There is potential for a number of activities to exacerbate the spread of pest plants and diseases, e.g. earthworks and filling.
- The spread of such pests and diseases poses a risk to the regional economy as well as indigenous biodiversity.
- While the Regional Pest Management Plan provides controls around the management of pests and diseases, it is important to recognise that activities controlled by the Proposed District Plan may also have implications in terms of biosecurity.

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**Point Number** 81.22

**Summary of Decision Requested:** **Add** assessment criteria to earthwork and fill activities to allow the consideration of effects on pest and disease management.

**Decision Reasons:**

- There is potential for a number of activities to exacerbate the spread of pest plants and diseases, e.g. earthworks and filling.
- The spread of such pests and diseases poses a risk to the regional economy as well as indigenous biodiversity.
- While the Regional Pest Management Plan provides controls around the management of pests and diseases, it is important to recognise that activities controlled by the Proposed Plan may also have implications in terms of biosecurity.

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**Point Number** 81.23

**Summary of Decision Requested:** **Add** issues, objectives, policies and rules to address the spread of Kauri Dieback Disease.

**Decision Reasons:**

- Kauri dieback is caused by a pathogen that is spread through soil, and is threatening kauri with functional extinction. Its spread can be facilitated by footwear, gear and machinery that is not cleaned of soil before going near kauri, and again before leaving an area with kauri.
- Provisions are sought to manage the effects of land use and development on the spread of kauri dieback.
- There is an opportunity to protect kauri. This will require changes in behaviour.
- The submission contains some details on environment court proceedings that the submitter are a party to.

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**Point Number** 81.24

**Summary of Decision Requested:** **Undertake** a natural character assessment for wetlands, lakes, rivers and their margins.

**Decision Reasons:**

- The RMA (section 6a) and WRPS (12.2 and 12.2.1) seek to manage natural character in the coastal environment and wetlands, lakes and rivers and their margins.
- There is policy support for this in Section 3.5 of the Proposed Plan however that does not flow through to other provisions.
- There has been no assessment of the natural character of wetlands, lakes and rivers and their margins and as a consequence natural character has not been mapped outside of the coastal environment.
- The Policies in section 3.5 that relate to the wetlands, lakes and rivers and their margins will only come into play for discretionary and non-complying consent applications.
- As a result there may be permitted, controlled and restricted discretionary activities that are inappropriate to the level of natural character.

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**Point Number** 81.25

**Summary of Decision Requested:** **Amend** the provisions to ensure that natural character is managed in accordance with Policy 12.2 and Implementation Method 12.2.1 of the WRPS.

**Decision Reasons:**

- The RMA (section 6a) and WRPS (12.2 and 12.2.1) seek to manage natural character in the coastal environment and wetlands, lakes and rivers and their margins.
- There is policy support for this in Section 3.5 of the Proposed Plan however that does not flow through to other provisions.
- There has been no assessment of the natural character of wetlands, lakes and rivers and their margins and as a consequence natural character has not been mapped outside of the coastal environment.
- The Policies in section 3.5 that relate to the wetlands, lakes and rivers and their margins will only come into play for discretionary and non-complying consent applications.
- As a result there may be permitted, controlled and restricted discretionary activities that are inappropriate to the level of natural character.

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**Point Number** 81.26

**Summary of Decision Requested:** **Amend** provisions throughout the plan that relate to natural character to recognise that a different approach is required to high and outstanding natural character to give effect to Policy 12.2 and Implementation method 12.2.1 of the WRPS.

**Decision Reasons:**

- All the provisions for areas of High and Outstanding Natural Character are the same, no distinction has been made between the two areas in terms of the management approach.
- As a result the different levels of natural character have not been appropriately recognised and managed.
- This is inappropriate given that Policy 12.2 and Implementation Method 12.2.1 of the WRPS seek to recognise the different levels of natural character and therefore set out a different management approach for each.

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**Point Number** 81.27

**Summary of Decision Requested:** **Retain** mapping of the coastal environment and consider a section that sets out the approach to the coastal environment.

**Decision Reasons:**

- The submitter supports the mapping of the Coastal Environment.
- The submitter considers that it would be helpful to plan users if there where a section in the Proposed District Plan that sets out the approach to the Coastal Environment.

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**Point Number** 81.28

**Summary of Decision Requested:** **Amend** the Proposed Plan to take into account activities that may impact on the significant habitats of indigenous fauna that have been identified and mapped in the planning maps.

**Decision Reasons:**

- Section 6(c) of the RMA and Chapter 11 of the WRPS both require the protection of significant habitats of indigenous fauna.
- Consideration needs to be given to the SNAs identified on the planning maps and whether provisions that focus on the clearance of indigenous vegetation and earthworks are enough to ensure that significant habitats are protected. For example clearance of exotic vegetation may in certain circumstances adversely affect significant habitats of indigenous fauna (e.g. bats).

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**Point Number** 81.29

**Summary of Decision Requested:** **Amend** Rule 22.2.8 P1 (a)(ii) and P2(a)(ii) Indigenous vegetation clearance outside a Significant Natural Area to exclude clearance in wetlands.

**Decision Reasons:**

- The submitter does not support the removal of Manuka or Kanuka from wetlands, this is potentially permitted through P1 (a)(ii) and P2(a)(ii).
- Wetlands are underrepresented with approximately 20% of original extent remaining in the Waikato District.

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**Point Number** 81.30

**Summary of Decision Requested:** **Add** an additional clause to Rule 22.2.8 P1 (a)(vii) and P3(a) Indigenous vegetation clearance outside a Significant Natural Area as follows:

*There is no alternative development area on the site outside of the area of indigenous vegetation clearance.*

**Decision Reasons:**

- P1 and P3 encourage dwellings, marae and papakainga to locate outside of areas of indigenous vegetation, as is the case for SNAs.

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**Point Number** 81.31

**Summary of Decision Requested:** **Amend** Rule 22.2.8 P3 Indigenous vegetation clearance outside a Significant Natural Area to provide a total cap on clearance, after which a consent for a restricted discretionary activity is required.

**Decision Reasons:**

- P3 does not provide a total cap for clearance, at which point a restricted discretionary activity will be triggered.
- An unlimited amount of clearance could occur under this rule with no ability to require avoid, remedy, mitigate or offset.

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**Point Number** 81.32

**Summary of Decision Requested:** **Retain** Rule 22.2.8 RD1 Indigenous vegetation clearance outside a Significant Natural Area for where the permitted thresholds become a restricted discretionary activity.

**Decision Reasons:**

- The submitter supports clearance beyond the permitted thresholds becoming a restricted discretionary activity.

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**Point Number** 81.33

**Summary of Decision Requested:** **Add** an additional assessment criteria to Rule 22.2.8 RD1 Indigenous vegetation clearance outside a Significant Natural Area as follows:

*the extent to which adverse effects have been avoided, remedied, mitigated or offset.*

**Decision Reasons:**

- Discretion should include the adverse effects on the indigenous biodiversity on the site and the extent to which these adverse effects have been avoided, remedied, mitigated or offset to allow consideration of the mitigation hierarchy in WRPS Implementation Method 11.1.3.

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**Point Number** 81.34

**Summary of Decision Requested:** **Amend** Rule 23.2.9 P1 (a)(ii) and P2(a)(ii) Indigenous vegetation clearance outside a Significant Natural Area to exclude clearance in wetlands.

**Decision Reasons:**

- The submitter does not support the removal of Manuka or Kanuka from wetlands, this is potentially permitted through P1(a)(ii) and P2(a)(ii).
  - Wetlands are underrepresented with approximately 20% of original extent remaining in the Waikato District.
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**Point Number** 81.35

**Summary of Decision Requested:** **Add** an additional clause to Rule 23.2.9 P1(a)(vii) and P3(a) Indigenous vegetation clearance outside a Significant Natural Area as follows:  
*There is no alternative development area on the site outside of the area of indigenous vegetation clearance.*

**Decision Reasons:**

- P1 and P3 encourage dwellings, marae and papakainga to locate outside of areas of indigenous vegetation, as is the case for SNAs.
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**Point Number** 81.36

**Summary of Decision Requested:** **Amend** Rule 23.2.9 P3 Indigenous vegetation clearance outside a Significant Natural Area to provide a total cap on clearance, after which a consent for a restricted discretionary activity is required.

**Decision Reasons:**

- P3 does not provide a total cap for clearance, at which point a restricted discretionary activity will be triggered. An unlimited amount of clearance could occur under this rule with no ability to require avoid, remedy, mitigate or offset.
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**Point Number** 81.37

**Summary of Decision Requested:** **Retain** Rule 23.2.9 RD1 Indigenous vegetation clearance outside a Significant Natural Area with the permitted thresholds becoming a restricted discretionary activity.

**Decision Reasons:**

- The submitter supports clearance beyond the permitted thresholds becoming a restricted discretionary activity.
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**Point Number** 81.38

**Summary of Decision Requested:** **Add** an additional assessment criteria to Rule 23.2.9 RD1 Indigenous vegetation clearance outside a Significant Natural Area as follows:  
*the extent to which adverse effects have been avoided, remedied, mitigated or offset.*

**Decision Reasons:**

- Discretion should include the adverse effects on the indigenous biodiversity on the site and the extent to which these adverse effects have been avoided, remedied, mitigated or offset to allow consideration of the mitigation hierarchy in WRPS Implementation Method 11.1.3.
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**Point Number** 81.39

**Summary of Decision Requested:** **Amend** to clarify the application of the earthworks rule (Rule 16.2.4.3) in terms of whether it includes indigenous biodiversity vegetation clearance.

**Decision Reasons:**

- The submitter seeks clarity as to whether the earthworks rules for SNA include the clearance of vegetation as a result of earthworks or if that will be subject to Rule 16.2.8 respectively.
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**Point Number** 81.40

**Summary of Decision Requested:** **Amend** to clarify the application of the earthworks rule (Rule 22.2.3.3) in terms of whether it includes indigenous biodiversity vegetation clearance.

**Decision Reasons:**

- The submitter seeks clarity as to whether the earthworks rules for SNA include the clearance of vegetation as a result of earthworks or if that will be subject to Rule 22.2.7 respectively.
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**Point Number** 81.41

**Summary of Decision Requested:** **Retain** Rule 16.2.8 D1 Indigenous vegetation clearance inside a Significant Natural Area.

**Decision Reasons:**

- The submitter is supportive of indigenous vegetation clearance beyond permitted thresholds becoming a discretionary activity (D1).
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**Point Number** 81.42  
**Summary of Decision Requested:** **Retain** Rule 22.2.7 D1 Indigenous vegetation clearance inside a Significant Natural Area.  
**Decision Reasons:**

- The submitter is supportive of indigenous vegetation clearance beyond permitted thresholds becoming a discretionary activity (D1).

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**Point Number** 81.43  
**Summary of Decision Requested:** **Retain** Rule 23.2.8 D1 Indigenous vegetation clearance inside a Significant Natural Area.  
**Decision Reasons:**

- The submitter is supportive of indigenous vegetation clearance beyond permitted thresholds becoming a discretionary activity (D1).

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**Point Number** 81.44  
**Summary of Decision Requested:** **Retain** Rule 24.2.8 D1 Indigenous vegetation clearance inside a Significant Natural Area.  
**Decision Reasons:**

- The submitter is supportive of indigenous vegetation clearance beyond permitted thresholds becoming a discretionary activity (D1).

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**Point Number** 81.45  
**Summary of Decision Requested:** **Retain** Rule 28.2.8 D1 Indigenous vegetation clearance inside a Significant Natural Area.  
**Decision Reasons:**

- The submitter is supportive of indigenous vegetation clearance beyond permitted thresholds becoming a discretionary activity (D1).

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**Point Number** 81.46  
**Summary of Decision Requested:** **Retain** Rule 16.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below  
AND  
**Amend** Rule 16.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.  
**Decision Reasons:**

- The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in P2.
- However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature.
- It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture.
- Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal.
- These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species.
- Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern
- The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS.
- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

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**Point Number** 81.47  
**Summary of Decision Requested:** **Amend** Rule 16.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.  
**Decision Reasons:**

- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

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**Point Number** 81.48  
**Summary of Decision Requested:** **Delete** P6 of Rule 16.2.8 Indigenous vegetation clearance inside a Significant Natural Area.  
**Decision Reasons:**

- P6 duplicates P2.

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**Point Number** 81.49  
**Summary of Decision Requested:** **Retain** Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below



AND

**Amend** Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.

**Decision Reasons:**

- The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in P2.
- However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature.
- It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture.
- Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal.
- These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species.
- Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern.
- The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS.
- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

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**Point Number** 81.50

**Summary of Decision Requested:** **Amend** Rule 22.2.7 P2 Indigenous vegetation clearance inside a Significant Natural Area to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.

**Decision Reasons:**

- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

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**Point Number** 81.51

**Summary of Decision Requested:** **Delete** P6 of Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area.

**Decision Reasons:**

- P6 duplicates P2.

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**Point Number** 81.52

**Summary of Decision Requested:** **Retain** Rule 23.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below  
AND

**Amend** Rule 23.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.

**Decision Reasons:**

- The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in P2.
- However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature.
- It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture.
- Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal.
- These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species.
- Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern.
- The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS.
- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

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**Point Number** 81.53

**Summary of Decision Requested:** **Amend** Rule 23.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.

**Decision Reasons:**

- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

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**Point Number** 81.54

**Summary of Decision Requested:** **Delete** P6 of Rule 23.2.8 Indigenous vegetation clearance inside a Significant Natural Area.

**Decision Reasons:**

- P6 duplicates P2.
-

**Point Number** 81.55

**Summary of Decision Requested:** **Retain** Rule 28.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below

AND

**Amend** Rule 28.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.

**Decision Reasons:**

- The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in P2.
- However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature.
- It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture.
- Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal.
- These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species.
- Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern.
- The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS.
- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

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**Point Number** 81.56

**Summary of Decision Requested:** **Amend** Rule 28.2.8 P2 to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.

**Decision Reasons:**

- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

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**Point Number** 81.57

**Summary of Decision Requested:** **Delete** P6 of Rule 28.2.8 Indigenous vegetation clearance inside a Significant Natural Area.

**Decision Reasons:**

- P6 duplicates P2.

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**Point Number** 81.58

**Summary of Decision Requested:** **Retain** provisions for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in any chapters not covered in previous submission points, and except for the amendments sought below.

AND

**Amend** provisions to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule (Indigenous vegetation clearance inside a Significant Natural Area) any other area of the Proposed Plan where similar provisions apply.

**Decision Reasons:**

- The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts.
- However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature.
- It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture.
- Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal.
- These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species.
- Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern.
- The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS.
- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).
- The submission notes a number of rules that have amendments or retention sought as relief (subject to separate submission points)

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**Point Number** 81.59

**Summary of Decision Requested:** **Amend** provisions to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate in a Significant Natural Area, in any chapters not covered in previous submissions.

**Decision Reasons:**

- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).
- The submission notes a number of rules that have amendments or retention sought as relief (subject to separate submission points)

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**Point Number** 81.60

**Summary of Decision Requested:** **Delete** duplicate provisions for the Indigenous vegetation clearance inside a Significant Natural Area rules in any chapters not covered in previous submissions.

**Decision Reasons:**

- P6 duplicates P2.
  - The submission notes a number of rules that are duplicates (subject to separate submission points) but has requested that the duplicates be removed for any other area of the Proposed Plan where similar provisions apply.
- 

**Point Number** 81.61

**Summary of Decision Requested:** **Amend** Rule 16.2.8 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.  
AND/OR

**Amend** to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P3 Provides for clearance of 250m<sup>2</sup> of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others. It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance.
  - It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
  - As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.
- 

**Point Number** 81.62

**Summary of Decision Requested:** **Amend** Rule 22.2.7 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.  
AND/OR

**Amend** to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P3 Provides for clearance of 250m<sup>2</sup> of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others. It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance.
  - It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
  - As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.
- 

**Point Number** 81.63

**Summary of Decision Requested:** **Amend** Rule 23.2.8 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.  
AND/OR

**Amend** to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P3 Provides for clearance of 250m<sup>2</sup> of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others. It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance.
  - It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
  - As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.
- 

**Point Number** 81.64

**Summary of Decision Requested:** **Amend** Rule 24.2.8 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.  
AND/OR

**Amend** to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P3 Provides for clearance of 250m<sup>2</sup> of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others. It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance.
  - It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
  - As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.
- 

**Point Number** 81.65

**Summary of Decision Requested:** **Amend** Rule 28.2.8 P3 Indigenous vegetation clearance inside a Significant Natural Area by giving it restricted discretionary activity status.  
AND/OR

**Amend** to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P3 Provides for clearance of 250m<sup>2</sup> of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others. It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance.
- It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

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**Point Number**

81.66

**Summary of Decision Requested:**

**Amend** provisions for Indigenous vegetation clearance inside a Significant Natural Area (P3) by giving it restricted discretionary activity status.

AND/OR

**Amend** provisions to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P3 Provides for clearance of 250m<sup>2</sup> of indigenous vegetation removal within an SNA for building/access purposes if there is no alternative development area on the site outside the SNA. Natural values will not necessarily be evenly spread across the SNA and it is likely that some parts will be of higher natural value or of greater sensitivity than others.
- It is appropriate to retain discretion about the location of clearance in order to avoid as much as possible the adverse effects of the vegetation clearance. It is appropriate to require mitigation or offsetting to give effect to Policy 3.2.3(a)(iii) or (iv).
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.
- The submission lists a number of rules subject to the above (subject to their own submission points).

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**Point Number**

81.67

**Summary of Decision Requested:**

**Retain** Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below

AND

**Amend** Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity.

AND/OR

**Amend** Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.

AND/OR

**Amend** Rule 16.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity.

AND/OR

**Amend** to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.

AND/OR

**Amend** to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P4 provides for up to 1500m<sup>2</sup> of vegetation removal for marae complex, 500 m<sup>2</sup> /dwelling, 500 m<sup>2</sup> / building, as a permitted activity.
- Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting.
- It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation.
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

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**Point Number**

81.68

**Summary of Decision Requested:**

**Retain** Rule 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below

AND

**Amend** Rule 22.2.7 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity.

AND/OR

**Amend** Rule 22.2.7 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.

AND/OR

**Amend** Rule 22.2.7 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity.

AND/OR

**Amend** to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.

AND/OR

**Amend** to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P4 provides for up to 1500m<sup>2</sup> of vegetation removal for marae complex, 500 m<sup>2</sup> /dwelling, 500 m<sup>2</sup> / building, as a permitted activity.
- Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting. It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation.
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

**Point Number**

81.69

**Summary of Decision Requested:**

**Retain** Rule 23.2.8 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below.

AND

**Amend** Rule 23.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity.

AND/OR

**Amend** Rule 23.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.

AND/OR

**Amend** Rule 23.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity.

AND/OR

**Amend** to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.

AND/OR

**Amend** to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P4 provides for up to 1500m<sup>2</sup> of vegetation removal for marae complex, 500 m<sup>2</sup> /dwelling, 500 m<sup>2</sup> / building, as a permitted activity.
- Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting. It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation.
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

**Point Number**

81.70

**Summary of Decision Requested:**

**Retain** Rule 24.2.8 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below

AND

**Amend** Rule 24.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity.

AND/OR

**Amend** Rule 24.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.

AND/OR

**Amend** Rule 24.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity.

AND/OR

**Amend** to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.

AND/OR

**Amend** to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P4 provides for up to 1500m<sup>2</sup> of vegetation removal for marae complex, 500 m<sup>2</sup> /dwelling, 500 m<sup>2</sup> / building, as a permitted activity.
- Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting.
- It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation.
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

**Point Number**

81.71

**Summary of Decision Requested:**

**Retain** Rule 28.2.8 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below

AND

**Amend** Rule 28.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to a restricted discretionary activity.

AND/OR

**Amend** Rule 28.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.

AND/OR

**Amend** Rule 28.2.8 P4 Indigenous vegetation clearance inside a Significant Natural Area to provide an overall cap on clearance as a permitted activity.

AND/OR

**Amend** to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.

AND/OR

**Amend** to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P4 provides for up to 1500m<sup>2</sup> of vegetation removal for marae complex, 500 m<sup>2</sup> /dwelling, 500 m<sup>2</sup> / building, as a permitted activity.
- Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting. It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation.
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.

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**Point Number**

81.72

**Summary of Decision Requested:**

**Amend** provisions for Indigenous vegetation clearance inside a Significant Natural Area (P4) in any chapters not covered in previous submissions to a restricted discretionary activity.

AND/OR

**Amend** provisions for Indigenous vegetation clearance inside a Significant Natural Area (P4) to assign a lower threshold than clearance off indigenous vegetation outside of SNA for the same activity.

AND/OR

**Amend** provisions for Indigenous vegetation clearance inside a Significant Natural Area (P4) to provide an overall cap on clearance as a permitted activity.

AND/OR

**Amend** to clarify the location and extent of areas that might be subject to this rule in order to determine if it is likely to have a significant effect on indigenous biodiversity.

AND/OR

**Amend** provisions to provide tighter thresholds/ activity status in the Coastal Environment.

**Decision Reasons:**

- P4 provides for up to 1500m<sup>2</sup> of vegetation removal for marae complex, 500m<sup>2</sup> /dwelling, 500m<sup>2</sup> / building, as a permitted activity.
- Cumulatively this could be a large loss of significant indigenous vegetation and habitat without the ability to address adverse effects through avoiding, remedying, mitigating or offsetting. It is noted that this is the same amount of clearance is provided for non-significant indigenous vegetation.
- As currently drafted this rule does not give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement and Policy 11.4 for the coastal environment.
- The submission lists a number of rules subject to the above and these are provided for as separate submission points.

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**Point Number**

81.73

**Summary of Decision Requested:**

**Amend** Chapter 16: Residential Zone to manage buildings, structures and subdivision within landscape and natural character overlay areas, which may be through activity status, rules and assessment criteria.

**Decision Reasons:**

- Apart from Rule 16.2.4.4/24.2.4.4 which relates to earthworks in landscape and natural character areas, it appears that no other provisions apply to buildings, structures and subdivision that fall within an overlay area.
- This does not give effect to WRPS Policy 12.1, 12.2 and associated Implementation Methods.

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**Point Number**

81.74

**Summary of Decision Requested:**

**Amend** Chapter 24: Village Zone to manage buildings, structures and subdivision within landscape and natural character overlay areas, which may be through activity status, rules and assessment criteria.

**Decision Reasons:**

- Apart from Rule 16.2.4.4/24.2.4.4 which relates to earthworks in landscape and natural character areas, it appears that no other provisions apply to buildings, structures and subdivision that fall within an overlay area.
- This does not give effect to WRPS Policy 12.1, 12.2 and associated Implementation Methods.

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**Point Number**

81.75

**Summary of Decision Requested:**

**Amend** Chapter 1: Introduction to include additional information for the matters it covers to be better understood and by separating its contents into discrete chapters. In particular, discussion of the district's Issues, the Strategic Direction proposed to address these, and that related to Ngāa Iwi o Tainui ki te Waikato Takiwa, Settlement Acts /Co-management/Rivers Vision and Strategies/ Joint Management Agreement should all be provided with separate chapters or sections.

**Decision Reasons:**

- The submitter considers that several of the matters covered in this chapter are of such significance that there should be more emphasis placed on them, including through provision of more detailed information, and separation into standalone plan chapters.
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**Point Number** 81.76

**Summary of Decision Requested:** **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.

**Decision Reasons:**

- The submitter supports Sections 1.12.2 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.
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**Point Number** 81.77

**Summary of Decision Requested:** **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.

**Decision Reasons:**

- The submitter supports section 1.12.3 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.
- 

**Point Number** 81.78

**Summary of Decision Requested:** **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 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.

**Decision Reasons:**

- The submitter supports Sections 1.12.4 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.
- 

**Point Number** 81.79

**Summary of Decision Requested:** **Amend** Sections 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.

**Decision Reasons:**

- The submitter supports Sections 1.12.5 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.
- 

**Point Number** 81.80

**Summary of Decision Requested:** **Amend** Section 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.

**Decision Reasons:**

- The submitter supports Sections 1.12.6 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.
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**Point Number** 81.81

**Summary of Decision Requested:** **Amend** Section 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.

**Decision Reasons:**

- The submitter supports Sections 1.12.7 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.
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**Point Number** 81.82

**Summary of Decision Requested:** **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.

**Decision Reasons:**

- The submitter supports Section 1.12.8 in part, but seeks clarity about whether these provisions are to be considered as strategic objectives, or desired strategic directions/outcomes.

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**Point Number**

81.83

**Summary of Decision Requested:**

**Retain** Section 1.4.4 The urban environment, subject to the amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

**Decision Reasons:**

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

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**Point Number**

81.84

**Summary of Decision Requested:**

**Retain** 1.5.1 Compact urban development, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

**Decision Reasons:**

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

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**Point Number**

81.85

**Summary of Decision Requested:**

**Retain** 1.5.2 Planning for urban growth and development, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

**Decision Reasons:**

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

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**Point Number**

81.86

**Summary of Decision Requested:**

**Retain** Section 1.5.3 Cross-boundary issues subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

**Decision Reasons:**

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

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**Point Number**

81.87

**Summary of Decision Requested:**

**Retain Section** 1.5.4 Urban growth, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

**Decision Reasons:**

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).



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**Point Number** 81.88

**Summary of Decision Requested:** **Retain** Section 1.5.5 Services and general infrastructure, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

**Decision Reasons:**

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

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**Point Number** 81.89

**Summary of Decision Requested:** **Retain** Section 1.5.6 Transport and logistics, subject to amendments sought in previous submissions for Policy 4.6.3 to show that the requirements of the 2017 National Policy Statement on Urban Capacity (NPS-UDC) have been considered.

**Decision Reasons:**

- The submitter supports the stated approach of maintaining the productive capacity of Waikato District's rural resource and ensuring that population growth and urban development results in high – amenity urban areas.
- The 'centres based' approach to retail development in Waikato District is also supported, as is accommodation of growth in a more compact urban form that is underpinned by robust master and structure planning exercises and aligned with the agreed Future Proof settlement pattern.
- These approaches assist to some extent with giving effect to the WRPS' policies in respect of a strategic, integrated approach to growth and the provision of infrastructure, but should more clearly articulate the district's responsibilities and proposed responses in respect of urban growth management (see submission points on NPS-UDC – submission points 81.14 and 81.15).

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**Point Number** 81.90

**Summary of Decision Requested:** **Amend** Section 1.5.6 (c) Transport and logistics to correctly reference the Waikato Regional Land Transport Plan (RLTP).

AND

**Amend** Section 1.5 Transport and logistics to reference the development of a Hamilton to Auckland passenger rail service that will run through the Waikato District.

**Decision Reasons:**

- Section 1.5.6(a) Transport and logistics talks about the need to promote a more regional and holistic consideration of the interactions between land use and transport infrastructure.
- There is an opportunity to reference the RLTP, as a document that sets out the strategic framework for land transport in the Waikato Region, including funding.
- Note Section 1.5.6(c) references the Regional Land Transport Strategy.
- This has now been replaced under the Land Transport Management Act by the Regional Land Transport Plan and the Proposed District Plan needs to be updated to reflect this.
- The Proposed Plan's statement in section 1.5.6(c) that public passenger transport will be supported by urban subdivision designs that promote efficient transport routes aligns with regional planning documents. Note that discussion of commuter rail services in section 1.5.6(d) only talks about advocacy for a passenger rail service extension between Pukekohe and Pokeno. The potential for a Hamilton to Auckland passenger rail service currently being investigated should also be acknowledged.

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**Point Number** 81.91

**Summary of Decision Requested:** **Amend** Section 1.10.2.3 Waikato Region strategies and plans to correctly reference the Waikato Regional Land Transport Plan

AND

**Amend** Section 1.10 Integration of district plan with other plans and documents to reference the development of a Hamilton to Auckland passenger rail service that will run through the Waikato District.

**Decision Reasons:**

- Need to update reference to the recently adopted "2018 Update to the Waikato Regional Land Transport Plan 2015-2045" in the list of Waikato region strategies and plans in section 1.10.2.3.
- This section would also benefit from a brief outline on the importance of the RLTP for the Waikato District, as the RLTP contains important policy on regionally significant road and rail infrastructure and the integration of land use and infrastructure.

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**Point Number** 81.92

**Summary of Decision Requested:** **Amend** Chapter 3.1 Indigenous Vegetation and Habitats to provide for the opportunity to offset non-significant biodiversity.

**Decision Reasons:**

- The submitter is generally supportive of Section 3.1 indigenous Vegetation and Habitats. However a number of amendments are sought in order to give effect to the WRPS and New Zealand Coastal Policy Statement.
- No Hierarchy or offsetting for non-significant biodiversity as per 11.1/ 11.1.3 WRPS.

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**Point Number** 81.93

**Summary of Decision Requested:** **Amend** Objective 3.1.1 Biodiversity and ecosystems to clearly state that the outcome that is being worked towards is to achieve no net loss.

**Decision Reasons:**

- The Proposed District Plan does not clearly state that it seeks to maintain or enhance biodiversity in order to work towards achieving no net loss.
- Policy 11.1(a), Implementation Method 11.1.3 and 11.2.2 of the WRPS seek to achieve no net loss.

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**Point Number** 81.94

**Summary of Decision Requested:** **Amend** Chapter 3.1 Indigenous Vegetation and Habitats to provide a mitigation hierarchy for indigenous biodiversity outside of a Significant Natural Area.

**Decision Reasons:**

- Policy 3.2.4 provides for offsetting where there are significant residual effects on indigenous biodiversity outside of an SNA. However, there is no policy that sets out a mitigation hierarchy for indigenous biodiversity outside of an SNA. It is important to link offsetting to a mitigation hierarchy to ensure that adverse effects are avoided, remedied or mitigated before offsetting significant residual adverse effects is considered.
- Implementation Method 11.1.3 of the WRPS provides direction in terms of biodiversity offsets for indigenous biodiversity outside of SNAs. Implementation Method 11.1.3 (a)(ii) states that district plans should promote biodiversity offsets as a way to achieve no net loss of indigenous biodiversity where significant residual adverse effects are unable to be avoided, remedied or mitigated.

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**Point Number** 81.95

**Summary of Decision Requested:** **Amend** Section 3.2 Significant Natural Areas to ensure that policies related to indigenous biodiversity outside of Significant Natural Area are not under section 3.2 Significant Natural Areas,

**Decision Reasons:**

- There are provisions in section 3.2 SNAs that apply to indigenous biodiversity outside of an SNA.
- Implementation Method 11.1.3 of the WRPS provides direction in terms of biodiversity offsets for indigenous biodiversity outside of SNAs.
- Implementation Method 11.1.3 (a)(ii) states that district plans should promote biodiversity offsets as a way to achieve no net loss of indigenous biodiversity where significant residual adverse effects are unable to be avoided, remedied or mitigated.

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**Point Number** 81.96

**Summary of Decision Requested:** **Amend** Section 3.1 Indigenous Vegetation and Habitats to ensure that policies related to indigenous biodiversity outside of Significant Natural Area are not under section 3.2 Significant Natural Areas.

**Decision Reasons:**

- There are provisions in section 3.2 SNAs that apply to indigenous biodiversity outside of an SNA.
- Implementation Method 11.1.3 of the WRPS provides direction in terms of biodiversity offsets for indigenous biodiversity outside of SNAs.
- Implementation Method 11.1.3 (a)(ii) states that district plans should promote biodiversity offsets as a way to achieve no net loss of indigenous biodiversity where significant residual adverse effects are unable to be avoided, remedied or mitigated.

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**Point Number** 81.97

**Summary of Decision Requested:** **Amend** Policy 3.1.2(c) Policies as follows:

*(c) Provide for the removal of Manuka or Kanuka for domestic firewood or arts and crafts on a sustainable basis.*

**Decision Reasons:**

- The level of Manuka or Kanuka removal identified in 22.2.7 P2 and the purpose of that removal is acceptable to the submitter. However, further detail needs to be added to the policy to ensure that the effects of this type of clearance remain minor.
- This is in line with the WRPS Implementation Method 11.1.4.

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**Point Number** 81.98

**Summary of Decision Requested:** **Retain** Objective 3.2.1 Significant Natural Areas.

**Decision Reasons:**

- Objective 3.2.1 is supported as it gives effect to Policy 11.2 of the WRPS.

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**Point Number** 81.99

**Summary of Decision Requested:** **Retain** Policy 3.2.2 Identify and Recognise.

**Decision Reasons:**

- The submitter supports the approach of identification and mapping of SNAs. This approach provides landowners with greater certainty and assists with achieving Policy 11.2 of WRPS.
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<b>Point Number</b>	81.100
<b>Summary of Decision Requested:</b>	<b>Retain</b> Schedule 30.5 Urban Allotment.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>The submitter supports the approach of identification and mapping of SNAs. This approach provides landowners with greater certainty and assists with achieving Policy 11.2 of WRPS.</li> <li>The submitter also supports the inclusion of Schedule 30.5 which contains a schedule of SNAs on urban environment allotments.</li> </ul>
<b>Point Number</b>	81.101
<b>Summary of Decision Requested:</b>	<b>Retain</b> identification of Significant Natural Area's on planning maps.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>The submitter supports the approach of identification and mapping of SNAs. This approach provides landowners with greater certainty and assists with achieving Policy 11.2 of WRPS.</li> </ul>
<b>Point Number</b>	81.102
<b>Summary of Decision Requested:</b>	<p><b>Amend</b> Policy 3.2.3 Management hierarchy as follows:</p> <p>(a) Recognise and protect indigenous biodiversity within Significant Natural Areas by:</p> <p>(i) avoiding <del>the significant</del> adverse effects of vegetation clearance and the disturbance of habitats <del>unless specific activities need to be enabled;</del></p> <p>(ii) remedying any effects that cannot be avoided; then</p> <p>(iii) mitigating any effects that cannot be remedied; and</p> <p>(iv) after remediation or mitigation has been undertaken, offset <del>any significant residual</del> <u>more than minor</u> adverse effects in accordance with Policy 3.2.4.</p>
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>Policy 3.2.3 is generally supported; however, some amendments are required to ensure that the Policy gives effect to Implementation Method 11.2.2 of the WRPS.</li> <li>Policy 3.2.3(a)(i) states that significant adverse effects will be avoided unless specific activities need to be enabled. Firstly, the policy sets the bar at 'significant adverse effects' being avoided.</li> <li>Implementation Method 11.2.2(b) of the WRPS requires that all adverse effects are avoided.</li> <li>Secondly, no further guidance is provided on what the specific activities that need to be enabled are. This is potentially referring to those circumstances covered by Policy 3.2.1 of the Proposed Plan, however it is not clear. Implementation Method 11.1.4 of the WRPS recognises that some activities with minor adverse effects on indigenous biodiversity may be permitted.</li> <li>In addition, Policy 3.2.3(a)(iv) requires that any significant residual adverse effects be offset. WRPS Method 11.2.2(d) requires offsets where more than minor residual adverse effects remain. 'Significant' is a much higher threshold than 'more than minor' and may result in residual adverse effects not being addressed.</li> </ul>
<b>Point Number</b>	81.103
<b>Summary of Decision Requested:</b>	<b>Amend</b> Policy 3.2.4 Biodiversity Offsetting to address biodiversity offsets in relation to indigenous biodiversity outside of Significant Natural Areas.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>As currently worded, Policy 3.2.4(a) addresses biodiversity offsets in both SNA's and indigenous biodiversity outside of SNAs. The rest of the Policy only addresses offsets in relation to SNAs. It is important that offsetting in relation to indigenous biodiversity outside of SNA's is also subject to a robust assessment framework.</li> <li>Outside of SNA's, WRPS Implementation Method 11.1.3(a)(ii) promotes biodiversity offsets where significant residual adverse effects remain. Within SNA's, WRPS Method 11.2.2(d) requires offsets where more than minor residual adverse effects remain.</li> <li>Policy 3.2.4 is intended to apply to both SNA and indigenous biodiversity outside of SNA. However it comes under section 3.2 SNAs.</li> </ul>
<b>Point Number</b>	81.104
<b>Summary of Decision Requested:</b>	<b>Retain</b> Objective 3.3.1 Outstanding natural features and landscapes.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>Objective 3.3.1 is supported as it gives effect to Objective 3.20 and Policy 12.1 of the WRPS.</li> </ul>
<b>Point Number</b>	81.105
<b>Summary of Decision Requested:</b>	<b>Amend</b> Section 3.3 Outstanding Natural Features and Landscapes to require that adverse effects of activities on the values and characteristics of Outstanding Natural Feature Landscapes are avoided in the coastal environment.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>The policy framework under section 3.3 takes the same approach to Outstanding natural features and landscapes (ONFL) regardless of whether they are in the coastal environment or outside of the coastal environment. Policy 6.2(c), Implementation Method 12.1.1 (a)(i) of the WRPS and Policy 15 of the New Zealand Coastal Policy Statement require that the adverse effects of activities on ONFL are avoided. Policy 3.3.3 (iv) of the Proposed Plan talks about avoiding, however that is only in the context of two specific activities; extractive industries and earthworks.</li> </ul>

<b>Point Number</b>	81.106
<b>Summary of Decision Requested:</b>	<b>Amend</b> Section 3.3 Outstanding Natural Features and Landscapes to ensure that, for areas outside of the coastal environment, the hierarchy set out in Implementation Method 12.1.1(a)(ii) of the WRPS is reflected. I.e. avoid adverse effects, where avoidance is not possible remedy or mitigate.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>For areas outside of the coastal environment, the policy framework in section 3.3 does not reflect the mitigation hierarchy that is expressed in Implementation Method 12.1.1(a)(ii) of the WRPS that is avoid adverse effects of activities on the values and characteristics of ONFL, and if avoidance is not possible remedy or mitigate the adverse effects.</li> </ul>
<b>Point Number</b>	81.107
<b>Summary of Decision Requested:</b>	<b>Amend</b> Section 3.3 Outstanding Natural Features and Landscapes to address cumulative adverse effects.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>The policies do not specifically address cumulative adverse effects as required by Policy 12.1 of the WRPS.</li> </ul>
<b>Point Number</b>	81.108
<b>Summary of Decision Requested:</b>	<b>Retain</b> objectives, policies, rules and maps for Significant Amenity Landscapes.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>The submitter supports the approach to significant amenity landscapes as a way to give effect to Policy 12.3 of the WRPS.</li> </ul>
<b>Point Number</b>	81.109
<b>Summary of Decision Requested:</b>	<b>Retain</b> Objective 3.5.1 Natural character.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>Objective 3.5.1 is supported as it gives effect to Objective 3.22 of the WRPS.</li> </ul>
<b>Point Number</b>	81.110
<b>Summary of Decision Requested:</b>	<p><b>Retain</b> Objective 4.1.1 Strategic, except for the amendments sought below</p> <p>OR</p> <p><b>Amend</b> Objective 4.1.1 Strategic to ensure that these provisions provide a focused, integrated strategic direction in respect of the districts urban environments.</p> <p>OR</p> <p><b>Add</b> 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.</p>
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>Objective 4.1.1 is supported in part as they will assist to some extent with giving effect to the WRPS and the Future Proof Strategy Planning for Growth 2017's (Future Proof Strategy's) direction for Waikato District's urban environment.</li> <li>Amendments (or additional objectives) are required to: provide more focussed, integrated strategic direction for the district's urban environments; relating to accommodating urban growth and development in Waikato District; and give effect to the National Policy Statement on Urban Development Capacity (NPS-UDC) and the WRPS.</li> </ul>
<b>Point Number</b>	81.111
<b>Summary of Decision Requested:</b>	<p><b>Retain</b> Objective 4.1.2 Urban growth and development, except for the amendments sought below</p> <p>AND</p> <p><b>Amend</b> 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.</p> <p>OR</p> <p><b>Add</b> 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.</p>
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>Objective 4.1.2 is supported in part as they will assist to some extent with giving effect to the WRPS and the Future Proof Strategy Planning for Growth 2017's (Future Proof Strategy's) direction for Waikato District's urban environment.</li> <li>Amendments (or additional objectives) are required to: provide more focussed, integrated strategic direction for the district's urban environments; relating to accommodating urban growth and development in Waikato District; and give effect to the National Policy Statement on Urban Development Capacity (NPS-UDC) and the WRPS.</li> </ul>
<b>Point Number</b>	81.112

**Summary of Decision Requested:****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.

**Decision Reasons:**

- The Objective fails to provide direction on other matters critical to ensuring thriving, sustainable urban environments, including the management of natural or ecological values in the urban environment and management of conflicts between rural and urban environments or different types of urban activities, such as those of an industrial and residential nature.
- The submitter considers that additional strategic objectives should be included to address these matters.
- To meet the requirements of the NPS-UDC there should also be an objective that sets out the district's minimum targets for sufficient, feasible development capacity for housing, with associated policies. (Note: WRPS Policies 6.1, 6.3, 6.14, 6.16 and 6.17).

**Point Number**

81.113

**Summary of Decision Requested:****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.

**Decision Reasons:**

- The Objective fails to provide direction on other matters critical to ensuring thriving, sustainable urban environments, including the management of natural or ecological values in the urban environment and management of conflicts between rural and urban environments or different types of urban activities, such as those of an industrial and residential nature.
- The submitter considers that additional strategic objectives should be included to address these matters.
- To meet the requirements of the NPS-UDC there should also be an objective that sets out the district's minimum targets for sufficient, feasible development capacity for housing, with associated policies. (Note: WRPS Policies 6.1, 6.3, 6.14, 6.16 and 6.17).
- This submission point is the same as that of 81.117 except that it refers to Objective 4.1.1 rather than 4.1.2.

**Point Number**

81.114

**Summary of Decision Requested:****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.

**Decision Reasons:**

- Policy direction similar to that contained in Policy 4.1.6 in respect of the zoning and location of commercial and industrial development should be included in respect of residential development.
- The policy should identify the zones that provide for urban scale residential development; the specific towns and villages where it is envisaged that residential growth and development is to occur, consistent with the Future Proof Strategy, and giving effect to the WRPS; and which of these the district intends to prioritise for growth and infrastructure provision over the term of the plan.
- Stage 2 of the Future Proof Strategy Update may have changes to the current settlement pattern, and these should be reflected in the district plan provisions.

**Point Number**

81.115

**Summary of Decision Requested:****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.**Decision Reasons:**

- Policy 4.1.3 also directs the location of urban development, however, does not take into account consideration of high class soils, SNAs, outstanding natural features and landscapes, natural character and hazards.
- This policy should be expanded to take these into account, giving effect to the WRPS provisions such as Policies 14.2, 13.2, 12.1 and 6.1 among others. (Note: WRPS Policies 6.1, 6.3, 6.6, 6.14 and Section 6A).

**Point Number**

81.116

**Summary of Decision Requested:****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.**Decision Reasons:**

- This policy is supported as it will assist with ensuring a co-ordinated approach to infrastructure provisions and integration of growth and infrastructure provision, however, it does not provide clear guidance on how infrastructure and staging of development will be integrated. (Note: WRPS Policies 6.1, 6.3, 6.14 and Section 6A).

**Point Number** 81.117

**Summary of Decision Requested:** 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.

**Decision Reasons:**

- It is anticipated that a higher density per hectare is to be achieved.
- The submitter is concerned that the proposed densities for the Residential and Village zones do not accurately reflect the Future Proof density targets and the WRPS' Policy 6.15 *Density targets for the Future Proof area*.
- The WRPS targets are expressed as average gross density targets, are specific to greenfield developments for identified towns in Waikato District, and there are no specific densities provided for the district's established urban environments.
- Higher minimum densities than those proposed are more appropriate for established residential areas immediately adjacent to the Business Town Centre zones.
- Higher residential densities around this zone would better support public transport and other infrastructure, the commercial vitality of the town centre and promote people living, working and playing in their local town centres. The submitter notes that the draft *North Waikato Integrated Growth Management Programme Business Case* states that a density of approximately 17 dwellings per hectare would be required to support a commuter train service at Tuakau.
- The submission notes that this submission point should be read in conjunction with submission 81.118

**Point Number** 81.118

**Summary of Decision Requested:** Amend Policy 4.1.5 Density to indicate a higher minimum density than is currently proposed for serviced sites within the Village Zone.

**Decision Reasons:**

- Concerned that the proposed minimum density of 8-10 households per hectare for sites in the Village Zone where public reticulated services can be provided does not give effect to the WRPS' Policy 6.15, which seeks to achieve compact urban environments.
- The density proposed for the Village Zone is equivalent to the WRPS' direction for density in greenfield developments in Waikato's rural villages, and is an average gross density target.
- Densities for these serviced sites should more resemble those in the Residential Zone. This would assist with promoting a more compact, sustainable urban form and supporting efficient infrastructure provision.

**Point Number** 81.119

**Summary of Decision Requested:** Retain Policy 4.1.6 Commercial and industrial activities.

**Decision Reasons:**

- Policy 4.1.6 is supported.
- This policy will assist with giving effect to the WRPS' policy direction regarding the location of commercial and industrial activities. (Note: WRPS Policies 6.1; 6.14; 6.16; and Section 6A).

**Point Number** 81.120

**Summary of Decision Requested:** 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.

**Decision Reasons:**

- Provisions supported in part, but the submitter considers however that the Objective, including its title, does not align well with the content of the associated policies insofar as the policies address a broader range of matters than are included in the Objective, including subdivision, density, landscape characteristics and reverse sensitivity issues.
- The submitter considers that the objective should be amended, or new objectives added, to ensure better alignment with related policies. For example, the objective should address the issue of new development connecting well with the existing built environment.
- The submission includes some detail about why they support the provisions (in part).
- The submission notes the relevant sections of the WRPS.

**Point Number** 81.121

**Summary of Decision Requested:** 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.

**Decision Reasons:**

- As proposed, the plan contains no zone descriptions that could assist with an understanding of the desired urban outcomes for the Residential, Village, Industrial and Business zones.
- The submission notes the relevant sections of the WRPS.

<b>Point Number</b>	81.122
<b>Summary of Decision Requested:</b>	<b>Amend</b> to include additional provisions, including Objectives, Policies, zone descriptions and references to the design guidelines in Appendix 3, character statements for specific towns and villages in Appendix 10 and structure plans included in other appendices to the plan, to assist with an understanding of the particular character, development focus and desired, strategic outcome(s) for each of the identified towns and villages; and how these outcomes are to be achieved.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>• There is no cross-referencing to the design guidelines in Appendix 3 which are the focus of Policies 4.1.10-4.1.18, the character statements for specific towns and villages in Appendix 10 and structure plans included in other appendices to the plan.</li> <li>• Cross-referencing to these provisions would assist with better achieving Objective 4.1.7, and provide greater clarity and understanding about the particular character, development focus and desired outcome(s) for each of the identified towns and villages.</li> <li>• The submission notes the relevant sections of the WRPS.</li> </ul>
<b>Point Number</b>	81.123
<b>Summary of Decision Requested:</b>	<b>Amend</b> to include cross-referencing to Policies in Section 4.5 Business and Business Town Centre Zones, including Policies 4.5.14 – 4.5.19, and any other relevant sections of the plan, to enable plan users to obtain a full understanding of the policy direction in relation to the character of these places, and for an integrated approach to be taken to their growth and development.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>• The policies sitting under this Objective should be cross-referenced to Policies in Section 4.5 <i>Business and Business Town Centre Zones</i>, including Policies 4.5.14 – 4.5.19, and any other relevant sections of the plan. This would enable plan users to obtain a full understanding of the policy direction in relation to the desired settlement patterns and urban outcomes of these places, and for an integrated approach to be taken to their growth and development.</li> <li>• The submission notes the relevant sections of the WRPS.</li> </ul>
<b>Point Number</b>	81.124
<b>Summary of Decision Requested:</b>	<b>Amend</b> rules in Chapter 16: Residential Zone to capture the intended location specific character and density sought.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>• There are no rules or other methods in Chapters 16 that are clearly targeted to achieve the outcomes sought for particular towns and villages identified in Policies 4.10-4.1.18.</li> <li>• The submission notes the relevant sections of the WRPS.</li> </ul>
<b>Point Number</b>	81.125
<b>Summary of Decision Requested:</b>	<b>Amend</b> rules in Chapter 17 : Business Zone to capture the intended location specific character and density sought.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>• There are no rules or other methods in Chapter 17 that are clearly targeted to achieve the outcomes sought for particular towns and villages identified in Policies 4.10-4.1.18.</li> <li>• The submission notes the relevant sections of the WRPS.</li> </ul>
<b>Point Number</b>	81.126
<b>Summary of Decision Requested:</b>	<b>Retain</b> Objective 4.2.16 Housing options.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>• The submitter supports this objective as it assists with giving effect to the WRPS' direction relating to the integration of land use with public transport: WRPS Policies 6.1; Policy 6.3 and Section 6A.</li> </ul>
<b>Point Number</b>	81.127
<b>Summary of Decision Requested:</b>	<b>Retain</b> Policy 4.2.17 Housing types.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>• The submitter supports this Policy as it assists with giving effect to the WRPS' direction relating to the integration of land use with public transport: WRPS Policies 6.1; Policy 6.3 and Section 6A.</li> </ul>
<b>Point Number</b>	81.128
<b>Summary of Decision Requested:</b>	<b>Retain</b> Policy 4.2.18 Multi-unit development.
<b>Decision Reasons:</b>	<ul style="list-style-type: none"> <li>• The submitter supports this Policy as it assists with giving effect to the WRPS' direction relating to the integration of land use with public transport: WRPS Policies 6.1; Policy 6.3 and Section 6A.</li> </ul>
<b>Point Number</b>	81.129

**Summary of Decision Requested:** **Amend** Objective 4.3.1 Village Zone character to include a description or explanation of the character and purpose of the Village Zone including anticipated intensity of development.

**Decision Reasons:**

- Submitter seeks amendments to provisions to provide greater clarity about critical elements of the character of the Village Zone that is to be maintained, (for example, the rationale behind the desired intensity of development) and to make a stronger correlation between infrastructure provision and the outcomes sought in terms of the zone.
- The submitter is concerned that in combination, the minimum density of 8-10 households per hectare for Village Zone sites proposed in Policy 4.1.5 Density where public reticulated services can be provided, and the requirement for a 3000m<sup>2</sup> minimum lot size (Rule 24.4.1) promote a rural rather than an urban outcome for the Village Zone.
- This would not achieve the sustainable, compact urban form necessary to support efficient, effective transport and other infrastructure services.
- The submitter is also of the view that the density policy and subdivision rule promote a settlement pattern that will be difficult to change if additional, more intensive development is required to provide for future growth around the district's urban settlements.

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**Point Number** 81.130

**Summary of Decision Requested:** **Amend** Policy 4.3.2 Character to provide greater clarity about the character of the Village Zone; to make a stronger correlation between infrastructure provision and the outcomes sought in terms of the Village zone; and to remove reference to 'semi-rural character'.

**Decision Reasons:**

- Submitter seeks amendments to the provisions to provide greater clarity about critical elements of the character of the Village Zone that is to be maintained, (for example, the rationale behind the desired intensity of development) and to make a stronger correlation between infrastructure provision and the outcomes sought in terms of the zone.
- The submitter is concerned that in combination, the minimum density of 8-10 households per hectare for Village Zone sites proposed in Policy 4.1.5 Density where public reticulated services can be provided, and the requirement for a 3000m<sup>2</sup> minimum lot size (Rule 24.4.1) promote a rural rather than an urban outcome for the Village zone. This would not achieve the sustainable, compact urban form necessary to support efficient, effective transport and other infrastructure services.
- The submitter is also of the view that the density policy and subdivision rule promote a settlement pattern that will be difficult to change if additional, more intensive development is required to provide for future growth around the district's urban settlements.
- The 'semi-rural character' reference is inappropriate for a zone that is to be used to manage activities in an urban environment.

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**Point Number** 81.131

**Summary of Decision Requested:** **Amend** Policy 4.3.3 Future development –Tuakau and Te Kowhai, to provide greater clarity about the urban outcomes sought for the Village Zone, including anticipated development density; to make a stronger correlation between infrastructure provision and the outcomes sought for the zone; and to remove reference to 'semi-rural character'

**Decision Reasons:**

- The submitter questions the extent to which it will achieve Objective 4.3.1 *Village Zone character*, to which it relates.
- The submitter submits that the policy should be amended to provide greater clarity about the Village Zone character that is to be maintained, including anticipated density of development, and to make a stronger correlation between subdivision, infrastructure provision and the outcomes sought in terms of the Village zone. In addition changes resulting from the Auckland-Hamilton Corridor Spatial Plan and Future Proof Strategy Phase 2 Review may influence whether this zoning is appropriate in these locations (Note: WRPS Policies 6.1, 6.3 and Section 6A).

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**Point Number** 81.132

**Summary of Decision Requested:** **Retain** Policy 4.3.11 Maintain residential function.

**Decision Reasons:**

- The submitter supports this Policy, as it will assist with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern. (Note: WRPS Policies 6.1, 6.14 and Section 6A).

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**Point Number** 81.133

**Summary of Decision Requested:** **Retain** Policy 4.5.1 Commercial function and purpose.

**Decision Reasons:**

- This Policy assists with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area. (Note: WRPS Policies 6.1, 6.14, 6.16, Section 6A; and Table 6-4).

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**Point Number** 81.134

**Summary of Decision Requested:** **Retain** Policy 4.5.2 Commercial function and purpose.

**Decision Reasons:**

- This Policy assists with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area. (Note: WRPS Policies 6.1, 6.14, 6.16, Section 6A; and Table 6-4).

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**Point Number** 81.135

**Summary of Decision Requested:** **Retain** Policy 4.5.3 Commercial purpose: Business Town Centre Zone.



**Decision Reasons:**

- This Policy assists with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area. (Note: WRPS Policies 6.1, 6.14, 6.16, Section 6A; and Table 6-4).

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**Point Number** 81.136

**Summary of Decision Requested:** **Retain** Policy 4.5.4 Commercial purpose: Business Zone.

**Decision Reasons:**

- This Policy assists with giving effect to the WRPS' policy direction relating to the Future Proof settlement pattern and commercial development in the Future Proof area. (Note: WRPS Policies 6.1, 6.14, 6.16, Section 6A; and Table 6-4).

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**Point Number** 81.137

**Summary of Decision Requested:** **Amend** maps to show identified Neighbourhood Centres within the planning maps and not only on master and structure plans.

**Decision Reasons:**

- The submitter seeks clarity that Neighbourhood Centres will be depicted on the Planning maps, and not only on master and structure plans.
- The submission also states that WRC supports Policy 4.5.7 in principal but subject to the relief sought.

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**Point Number** 81.138

**Summary of Decision Requested:** **Retain** Policy 4.5.13 Town centre built form.

**Decision Reasons:**

- This policy gives effect to the WRPS' direction on encouraging walking, cycling and multi-modal transport and maximising opportunities for people to live, work and play within their local areas. (Note: WRPS Policies 6.1, 6.14, 6.16, Section and Table 6-4.)

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**Point Number** 81.139

**Summary of Decision Requested:** **Retain** Objective 4.6.1 Economic growth of industry.

**Decision Reasons:**

- This objective will assist with maintaining the Future Proof settlement pattern and retaining industrial activities primarily within identified industrial nodes. (Note WRPS Policy 6.1.4)

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**Point Number** 81.140

**Summary of Decision Requested:** **Retain** Policy 4.6.4 Maintain industrial land for industrial purposes.

**Decision Reasons:**

- The submitter supports this Policy as it will assist with maintaining the Future Proof settlement pattern, retaining industrial activities primarily within identified industrial nodes and managing reverse sensitivity issues. (Note WRPS Policies 6.1, 6.14 and Section 6A.)

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**Point Number** 81.141

**Summary of Decision Requested:** **Retain** Objective 4.6.6 Manage adverse effects.

**Decision Reasons:**

- The submitter supports this Objective as it assists with giving effect to the WRPS direction relating to the need to have regard to reverse sensitivity effects. (Note WRPS Policy 6.1 and Section 6A).
- The submission should be read in conjunction with submission point 81.147 (submission on Policy 4.6.7)

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**Point Number** 81.142

**Summary of Decision Requested:** **Retain** Policy 4.6.7 Management of adverse effects within industrial zones.

**Decision Reasons:**

- The submitter supports this Policy as it assists with giving effect to the WRPS direction relating to the need to have regard to reverse sensitivity effects. (Note WRPS Policy 6.1 and Section 6A)
- The submission should be read in conjunction with submission point 81.146 (submission on Objective 4.6.6).

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**Point Number** 81.143

**Summary of Decision Requested:** **Retain** Objective 4.7.1 Subdivision and Land Use Integration.

**Decision Reasons:**

- This will give effect to the WRPS Policies 6.1, 6.3 and Section 6A regarding a planned, co-ordinated approach to subdivision, use and development and infrastructure provision.

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**Point Number**

81.144

**Summary of Decision Requested:**

**Amend** Rule 14.11.1.1 PI Permitted Activities to add advice notes regarding the Waikato Stormwater Management Guideline and Waikato Stormwater Runoff Modelling Guideline.

**Decision Reasons:**

- A note should be provided referring to following the guidance provided in the Waikato Regional Council's Waikato Stormwater Management Guideline and Waikato Stormwater Runoff Modelling Guidelines.

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**Point Number**

81.145

**Summary of Decision Requested:**

**Amend** Rule 14.11.2 RD1 Restricted Discretionary Activities to include a new point (c) as follows:

*(c) The potential for adverse effects to the environment in terms of stormwater quantity and stormwater quality effects.*

**Decision Reasons:**

- The effects on the environment of stormwater quality and quantity are not included as a matter of discretion.
- This change is recommended to ensure that storm water systems are appropriately designed to address potential adverse effects to the environment.

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**Point Number**

81.146

**Summary of Decision Requested:**

**Amend** the Section 32 analysis of the road hierarchy to ensure that the One Network Road Classification has been considered when forming Table 14.12.5.5.

**Decision Reasons:**

- The NZ Transport Agency has developed the One Network Road Classification as a tool to categorise roads based on their use, and to subsequently fund the road infrastructure accordingly. Clarification is sought that the road hierarchy reflects the actual and future anticipated levels of movement, in alignment with the One Network Road Classification, as this will influence the availability of funding, and may affect the ability of the road network infrastructure to meet the requirements of users and the associated land uses.

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**Point Number**

81.147

**Summary of Decision Requested:**

**Retain** Table 14.12.5.10 Required bicycle spaces.

**Decision Reasons:**

- Support requirement for bicycle spaces for all activities in section 14.12.5.10 to facilitate the uptake of cycling. The Waikato Regional Land Transport Plan supports the provision for alternative modes of transport, such as cycling.

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**Point Number**

81.148

**Summary of Decision Requested:**

**Retain** Rule 16.1.2 P3 Permitted Activities.

**Decision Reasons:**

- The submitter supports the rule's encouragement for location of retirement villages within 400 metres walking distance of public transport, as this assists with giving effect to the WRPS Policies 6.1 and 6.3, and Section 6A Development Principles.
- It also assists with giving effect to the Proposed Plan's Objective 4.2.16 *Housing options* and Policy 4.2.17 *Housing types*.

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**Point Number**

81.149

**Summary of Decision Requested:**

**Add** to Rule 16.1.3 RD 1 A Multi-Unit development a new condition as follows:

*The development is either serviced by or within 400m walking distance of public transport.*

**Decision Reasons:**

- The submitter supports the provision and considers that it will assist to some degree with the achievement of Objective 4.2.16 Staging options and Policies 2.2.17 Housing types and 4.2.18 Multi-unit development, however considers that there should be an incentive in the rule, similar to Rule 16.1.2 *Permitted Activities - P3* to encourage this type of development to locate within 400 metres walking distance of public transport.
- This would assist with giving effect to the WRPS' direction in Policies 6.1, 6.3 and Section 6A *Development Principles*.

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**Point Number**

81.150

**Summary of Decision Requested:**

**Amend** Rule 14.11.1.1 PI Permitted Activities to include additional clauses that address:

- Water quality treatment
- Downstream erosion and scour effects
- Cumulative volume effects.

**Decision Reasons:**

- Wording is proposed to support a shift to low impact design stormwater management systems that manage stormwater at source through retention devices rather than relying on large detention devices downstream.
- This approach is recommended by the submitter and is outlined in Council's Waikato Stormwater Management Guideline.

**Point Number**

81.151

**Summary of Decision Requested:**

**Amend** Rule 16.4.1 RD1 Subdivision – General to allow for more intensive subdivision in Residential areas directly adjacent to the Business Town Centre zones at Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau.

**Decision Reasons:**

- The submitter is concerned that applying this minimum lot size to areas directly adjacent to the Business Town Centre zones for the towns of Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau will not enable the achievement of a range of the plan's objectives and policies for the urban environment, including those relating to housing choice; density aligned with the Future Proof Strategy; and promotion of subdivision, land use and development that encourages thriving, sustainable town centres, and integrates with and is supportive of provision of public transport and other infrastructure.
- Submission refers to WRPS Policies 6.1 *Planned and co-ordinated subdivision, use and development*; Policy 6.3 *Co-ordinating growth and infrastructure*; Policy 6.16 *Commercial development in the Future Proof area*; and Section 6A *Development principles*.

**Point Number**

81.152

**Summary of Decision Requested:**

**Add** a new alternative residential or mixed use zone or an overlay to the residential zone, or any other method, that includes objective(s) and policy(ies) that provide for a more intensive residential pattern around the Business Town Centre zones at Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau.

**Decision Reasons:**

- The submitter is concerned that applying this minimum lot size to areas directly adjacent to the Business Town Centre zones for the towns of Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau will not enable the achievement of a range of the plan's objectives and policies for the urban environment, including those relating to housing choice; density aligned with the Future Proof Strategy; and promotion of subdivision, land use and development that encourages thriving, sustainable town centres, and integrates with and is supportive of provision of public transport and other infrastructure.
- Submission refers to WRPS Policies 6.1 *Planned and co-ordinated subdivision, use and development*; Policy 6.3 *Co-ordinating growth and infrastructure*; Policy 6.16 *Commercial development in the Future Proof area*; and Section 6A *Development principles*.

**Point Number**

81.153

**Summary of Decision Requested:**

**Amend** Rule 17.1.2 Permitted Activities – P1 Commercial activity and P2 Commercial services to clarify which particular activities are appropriate for each zone.

**Decision Reasons:**

- These rules allow for commercial activity and commercial services as permitted activities in both the Business and Business Town Centre zones.
- Allowing the same activities to occur in both zones creates unnecessary and inappropriate competition between the Town Centre and Business Zones, and does not promote a supportive, complimentary role for them.
- This is not consistent with the policy approach set out in Section 4.5, which seeks to encourage a wide range of commercial activities in both zones, the town centres focusing on retail, administration, commercial and civic centre activities, the Business Zone discouraging small scale retail and focusing on large format retail.
- The submitter seeks clarification about the rationale behind the rules, and is concerned that they do not give proper effect to the WRPS' Policy 6.16 or the policy framework for these zones contained in Section 4.5: of the Proposed Plan.

**Point Number**

81.154

**Summary of Decision Requested:**

**Amend** Rule 18.1.2 P1 Commercial activity and P3 Commercial services to clarify which particular activities are appropriate for each zone.

**Decision Reasons:**

- These rules allow for Commercial activity and Commercial services as permitted activities in both the Business and Business Town Centre zones.
- Allowing the same activities to occur in both zones creates unnecessary and inappropriate competition between the Town Centre and Business Zones, and does not promote a supportive, complimentary role for them.
- This is not consistent with the policy approach set out in Section 4.5, which seeks to encourage a wide range of commercial activities in both zones, the town centres focusing on retail, administration, commercial and civic centre activities, the Business Zone discouraging small scale retail and focusing on large format retail.
- The submitter seeks clarification about the rationale behind the rules, and is concerned that they do not give proper effect to the WRPS' Policy 6.16 or the policy framework for these zones contained in Section 4.5: of the Proposed Plan.

**Point Number**

81.155

**Summary of Decision Requested:**

**Amend** the definitions of "Commercial activity" and "Commercial services" to better distinguish large format from small scale activities.

**Decision Reasons:**

- These rules allow for Commercial activity and Commercial services as permitted activities in both the Business and Business Town Centre zones.

- Allowing the same activities to occur in both zones creates unnecessary and inappropriate competition between the Town Centre and Business Zones, and does not promote a supportive, complimentary role for them.
- This is not consistent with the policy approach set out in Section 4.5, which seeks to encourage a wide range of commercial activities in both zones, the town centres focusing on retail, administration, commercial and civic centre activities, the Business Zone discouraging small scale retail and focusing on large format retail.
- The submitter seeks clarification about the rationale behind the rules, and is concerned that they do not give proper effect to the WRPS' Policy 6.16 or the policy framework for these zones contained in Section 4.5: of the Proposed Plan.

**Point Number** 81.156

**Summary of Decision Requested:** **Add** to Rule 17.1.3 – RD 1 A Multi-Unit development a new condition as follows:

*The development is either serviced by or within 400m walking distance of public transport.*

**Decision Reasons:**

- The submitter supports this provision, however, seeks an incentive in the rule, similar to Rule 16.1.2 P3 to encourage this type of development to locate within 400 metres walking distance of public transport. This helps to give effects to WRPS Policies 6.1 and 6.3 and Section 6A Development Principles.
- Proposals not meeting the relief sought could be assessed as discretionary activities but has this not been sought this as specific relief.

**Point Number** 81.157

**Summary of Decision Requested:** **Retain** Rule 18.1.3 RD1 Restricted Discretionary Activities.

**Decision Reasons:**

- The submitter supports the provision for multi-unit development in the Business Town Centre Zone, and considers that it will assist with achieving Objective 4.2.16 and Policies 4.2.17 and 4.2.18.

**Point Number** 81.158

**Summary of Decision Requested:** **Add** to Section 20.5 rules addressing the management of stormwater in the Nau Mai Business Park.

**Decision Reasons:**

- It appears there are no rules in relation to managing stormwater from development in the Nau Mai Business Park.
- Appropriate low impact stormwater management needs to be undertaken at the Nau Mai Business Park to ensure no adverse environmental effects from stormwater runoff.

**Point Number** 81.159

**Summary of Decision Requested:** **Add** to Rule 22.1.8 P8 Forestry to have an activity specific condition as follows:

*Afforestation must not occur within 10m of a Significant Natural Area.*

**Decision Reasons:**

- The National Environment Standard for Plantation Forestry (NESPF) provides for afforestation as a permitted activity in certain circumstances.
- Regulation 14 of the NESPF sets out a number of permitted activity conditions. Regulation 14(1)(d) requires that afforestation must not occur within 10m of an SNA. There are no activity specific conditions that apply to P8 Forestry in the Proposed Plan.

**Point Number** 81.160

**Summary of Decision Requested:** **Amend** Rule 22.1.5 D15 Discretionary Activities to include afforestation of significant natural areas as a discretionary activity.

**Decision Reasons:**

- In the Rural Zone "Afforestation of any part of an Outstanding or Natural Character Area or High Natural Character Area" is a discretionary activity.
- National Environmental Standard for Plantation Forestry Regulation 12 states that afforestation must not occur within a SNA or an outstanding natural feature or landscape.
- Regulation 16 (1) states that afforestation is a restricted discretionary activity if regulation 12 cannot be met. Regulation 6 provides certain circumstances in which a rule in a plan can be more stringent than the regulations. These include where a rule gives effect to NZCPS policies 11, 13, 15 and 22 and matters of national importance (Outstanding Natural Feature Landscape and SNA). Given this, it is considered that a discretionary activity status is available and appropriate to ensure that the WRPS and NZCPS are given effect to. However, it is noted that the drafting of D15 should include afforestation as a discretionary activity in SNAs also. As currently drafted it could be considered a permitted activity under 22.1.2 P8.

**Point Number** 81.161

**Summary of Decision Requested:** **Amend** Rule 22.1.5 D15 Discretionary Activities to make it clear that includes Outstanding Natural Features and Outstanding Natural Landscapes.

**Decision Reasons:**

- The drafting of D15 could be improved to provide certainty as to the areas that it applies to.

**Point Number** 81.162

**Summary of Decision Requested:** Clarify the earthwork thresholds (area and volume) for the landscape and natural character areas, across all zones.

**Decision Reasons:**

- The submitter notes that the earthwork thresholds are lower for Landscape and Natural Character Areas in comparison to the rest of the Rural Zone. This is appropriate to achieve Policy 12.1, 12.2 and 12.3 of the WRPS.
- However, the submitter seeks clarity on what the thresholds are for the second part of the table that runs onto page 13. It is unclear if the 50m<sup>2</sup> area and 250m<sup>3</sup> volume applies or if the figures have been omitted.

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**Point Number** 81.163

**Summary of Decision Requested:** Retain Rule 22.3.1 Number of dwellings within a lot.

**Decision Reasons:**

- The submitter supports the provision of dwellings, buildings and structures in landscape or natural character areas as a discretionary activity. This gives effect to Policy 6.2, 12.1, 12.2, 12.3 of the WRPS.

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**Point Number** 81.164

**Summary of Decision Requested:** Amend Rule 22.3.2 Minor dwelling to make a minor dwelling in an Outstanding Natural Feature, Outstanding Natural Landscape, Outstanding Natural Character Area or High Natural Character Area a discretionary activity.

**Decision Reasons:**

- It is unclear what activity status a minor dwelling would have in an Outstanding Natural Feature, Outstanding Natural Landscape, Outstanding Natural Character Area or High Natural Character Area. Would it be captured by 22.3.2 PI or would it be subject to 22.3.3?
- For consistency and to enable the effects on the Outstanding Natural Feature, Outstanding Natural Landscape, Outstanding Natural Character Area or High Natural Character Area to be assessed, discretionary activity is sought for minor dwellings in these areas.

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**Point Number** 81.165

**Summary of Decision Requested:** Retain Rule 22.3.3 Buildings and structures in Landscape and Natural Character Areas.

**Decision Reasons:**

- The submitter supports the provision of dwellings, buildings and structures in landscape or natural character areas as a discretionary activity. This gives effect to Policy 6.2, 12.1, 12.2, 12.3 of the WRPS.

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**Point Number** 81.166

**Summary of Decision Requested:** Retain Rule 22.4.1.1 Prohibited subdivision.

**Decision Reasons:**

- The prohibited activity status for certain types of subdivision on high quality soils is supported noting WRPS Policy 14.2 and associated Implementation Method 14.2.1.

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**Point Number** 81.167

**Summary of Decision Requested:** Amend Rule 22.4.1.2(a)(ii) General subdivision to increase the subdivision threshold to 40ha.

**Decision Reasons:**

- Rule 22.4.1.2 acknowledges the role of high class soils and to limit the extent of rural land fragmentation. As currently written a minimum 20ha lot size is required before subdivision can be considered.
- In Rule 22.4.1.2 (a)(ii) a threshold set at 20 ha has the effect of increasing the area of land within the district for which subdivision may be permitted, thus increasing the potential for more fragmentation of rural land (and high class soils) than would otherwise be the case (with a 40 ha threshold). It may also lead to more diffuse rural residential development. This is inconsistent with policy 5.2.3(a) of the proposed plan around minimising the fragmentation of productive rural land.

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**Point Number** 81.168

**Summary of Decision Requested:** Amend Rule 22.4.1.2(a)(v) General subdivision to clarify that a property scale/site specific Land Use Capability Assessment is required.

**Decision Reasons:**

- In Rule 22.4.1.2(a)(v) it is important that the Land Use Capability Assessment be prepared at a suitable scale to reflect the specific property or properties.
- An assessment using regionally available data will not be sufficient to assess the class of soils on a site.

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**Point Number** 81.169

**Summary of Decision Requested:** Amend Rule 22.4.1.2(a)(v) General subdivision to provide for a minimum of 90% high class soils in the parent lot, and a maximum of 10% high class soils in the child lot.

**Decision Reasons:**

- Rule 22.4.1.2(a)(v) also seeks that one lot must contain a minimum of 80% of the high class soils, while the other lot may consist of up to 20% of high class soils.
- Clarification is needed that the parent lot is required to have the higher percentage of high class soils.
- To more effectively give effect to objectives and policies regarding high class soils a higher level of high class soils should be retained in the parent lot, and a 90%/10% split should apply.

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**Point Number** 81.170

**Summary of Decision Requested:** Add to 22.4.1.2(b) General subdivision the matters of discretion to include the availability of water supply, wastewater services and stormwater management.

**Decision Reasons:**

- There is no assessment criteria relating to water supply, wastewater services and stormwater management. This should be included to promote the integration of infrastructure and land use and subdivision, giving effect to WRPS Policy 6.3.

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**Point Number** 81.171

**Summary of Decision Requested:** Add to Rule 22.4.1.5 (b) Rural Hamlet Subdivision the matters of discretion to include the availability of water supply, wastewater services and stormwater management.

**Decision Reasons:**

- There is no assessment criteria relating to water supply, wastewater services and stormwater management. This should be included to promote the integration of infrastructure and land use and subdivision, giving effect to WRPS Policy 6.3.

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**Point Number** 81.172

**Summary of Decision Requested:** Amend Rule 22.4.1.4 Boundary relocation to reduce the scope for inappropriate sized subdivision that does not provide for a suitable minimum size for productive rural activities.

**Decision Reasons:**

- The rule as currently written could potentially provide for lots through boundary adjustment that are neither smaller rural residential sized lots, nor suitably sized to provide for productive rural activities.
- This is not consistent with the policy framework of either the WRPS or the objectives and policies in the Proposed Waikato District Plan.

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**Point Number** 81.173

**Summary of Decision Requested:** Amend Rule 22.4.1.5(v) Rural Hamlet Subdivision to provide for a minimum 40ha balance lot.

**Decision Reasons:**

- A threshold set at 20 ha has the effect of increasing the area of land within the district for which subdivision may be permitted, thus increasing the potential for more fragmentation of rural land (and high class soils) than would otherwise be the case (with a 40 ha threshold). It may also lead to more diffuse rural residential development. This is inconsistent with policy 5.2.3(a) of the Proposed Plan around minimising the fragmentation of productive rural land.

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**Point Number** 81.174

**Summary of Decision Requested:** Retain Rule 22.4.1.6 Conservation lot subdivision.

**Decision Reasons:**

- The submitter is supportive of mechanisms that incentivise the protection and enhancement of SNA's. This is consistent with Implementation Method 11.1.8 of the WRPS.

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**Point Number** 81.175

**Summary of Decision Requested:** Amend Rule 22.4.5 Subdivision within identified areas to make subdivision of land containing an Significant Natural Area that is not a conservation lot subdivision, a discretionary activity.

**Decision Reasons:**

- Subdivision of land containing an SNA could be considered a restricted discretionary activity under Rule 22.4.1.2 (if the conservation lot opportunity is not taken up). However, for other overlay areas subdivision is a discretionary activity under Rule 22.4.5.
- In order to manage the effects of subdivision and any subsequent land use activities on SNA's it is considered that a discretionary activity status is more appropriate. This would give effect to Policy 11.1 and 11.2 and associated implementation methods in the WRPS.

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**Point Number** 81.176

**Summary of Decision Requested:** Add to Rule 22.8.3 RD2 Restricted Discretionary Activities assessment criteria as follows:

*(vi) Stormwater management and the mitigation of potential adverse effects.*

**Decision Reasons:**

- A list is provided in (a) of the matters that council will consider when considering activities against this rule.
- The effects of stormwater should be included as a matter of discretion to encourage an assessment of effects on the environment from stormwater infrastructure, giving effect to WRPS Policy 6.3.

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**Point Number** 81.177

**Summary of Decision Requested:** Retain Rule 23.3.1 Dwelling.

**Decision Reasons:**

- The submitter supports the discretionary activity status assigned to dwellings, buildings and structures within an Outstanding Natural Feature Landscape or natural character area.

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**Point Number** 81.178

**Summary of Decision Requested:** Retain Rule 23.3.3 Buildings and structures in Landscape and Natural Character Areas.

**Decision Reasons:**

- The submitter supports the discretionary activity status assigned to dwellings, buildings and structures within an Outstanding Natural Feature Landscape or natural character area.

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**Point Number** 81.179

**Summary of Decision Requested:** Amend Rule 23.3.2 Minor dwelling to provide for minor dwellings in a landscape or natural character area as a discretionary activity.

**Decision Reasons:**

- Submitter requires clarification as to what is the activity status for a minor dwelling.

---

**Point Number** 81.180

**Summary of Decision Requested:** Amend subdivision provisions to implement the objectives and policies of Chapter 4 subject to previous submission points.

**Decision Reasons:**

- The submitter requests amendments as per other submission points. Refer to submission point regarding the Village Zone in Chapter 4 Urban Environment.
- It is unclear the exact submission point that has been referred to as there are a number of submission points by the submitter (81.123, 81.134, 81.135, 81.136 and 81.150) that have reference to both Chapter 4 and the Village Zone.

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**Point Number** 81.181

**Summary of Decision Requested:** Retain Outstanding Natural Features as identified in the planning maps.

**Decision Reasons:**

- The WRPS identifies outstanding natural features and landscapes of regional significant in Section 12A.

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**Point Number** 81.182

**Summary of Decision Requested:** Retain Outstanding Natural Landscapes as identified in the planning maps.

**Decision Reasons:**

- The WRPS identifies outstanding natural features and landscapes of regional significant in Section 12A.

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**Point Number** 81.183

**Summary of Decision Requested:** Clarify the approach taken to the extent of the outstanding natural feature for Mount Karioi.

**Decision Reasons:**

- The WRPS identifies outstanding natural features and landscapes of regional significant in Section 12A.
- ONFL 4 Mount Karioi and Outstanding Natural Feature Landscape 7 Mount Pirongia are within, or partly within the Waikato District. These Outstanding Natural Feature Landscapes have been identified in the Proposed Plan planning maps. However the extent of the Outstanding Natural Feature Landscape overlay for Mount Karioi is significantly less than what is identified in the WRPS, with the rest of the area identified as Significant Amenity Landscape.
- The submitter seeks to understand further the rationale behind this approach.

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**Point Number** 81.184

**Summary of Decision Requested:** **Clarify** the approach taken to the extent of the outstanding natural landscape for Mount Karioi.

**Decision Reasons:**

- The WRPS identifies outstanding natural features and landscapes of regional significant in Section 12A.
  - Outstanding Natural Feature Landscape 4 Mount Karioi and ONFL 7 Mount Pirongia are within, or partly within the Waikato District. These Outstanding Natural Feature Landscape have been identified in the proposed plan planning maps. However the extent of the Outstanding Natural Feature Landscape L overlay for Mount Karioi is significantly less than what is identified in the WRPS, with the rest of the area identified as Significant Amenity Landscape.
  - The submitter seeks to understand further the rationale behind this approach.
- 

**Point Number** 81.185

**Summary of Decision Requested:** **Retain** Natural Character on the planning maps.

**Decision Reasons:**

- Areas of outstanding and high natural character have been assessed and mapped in the Coastal Environment.
  - The submitter supports this as a way of achieving section 6(a) RMA, Policy 12.2 of the WRPS and Policy 13 of the NZCPS.
- 

**Point Number** 81.186

**Summary of Decision Requested:** **Amend** the planning maps to show streams and their flood plains.

**Decision Reasons:**

- Some land is zoned for urban development that has streams running across it.
  - There is an opportunity to map streams and their flood plains (if any) to assist with locating residential development, and also managing assessment of effects. For example an individual resource consent application may propose a small amount of fill in a flood plain, which may on its own may not create more than minor effects. However, if a number of developments all undertake a small amount of fill, the cumulative effect may be more than minor.
- 

**Point Number** 81.187

**Summary of Decision Requested:** **Amend** Appendix 6 (2) (1) Biodiversity Offsetting as follows:

*Restoration, enhancement and protection actions offered by an applicant will only be considered a biodiversity offset where they are used to ~~offset~~ compensate for the anticipated reasonably-measurable residual effects of activities that are anticipated will remain after appropriate avoidance, remediation and mitigation measures ~~actions~~ have been applied ~~occurred~~ in accordance with Policy 3.2.3.*

**Decision Reasons:**

- Appendix 6 (2) (1) is difficult to follow.
  - A resource consent applicant is not required to propose or agree to biodiversity offset measures, but may choose to do so if they are unable to avoid, remedy or mitigate the adverse effects of the activity they propose.
  - A biodiversity offset is not mitigation.
  - Mitigation is action to reduce the severity of an adverse effect.
  - A biodiversity offset, in contrast, is designed to compensate for residual adverse biodiversity effects that remain after appropriate measures to avoid, remedy or mitigate the effects have been applied.
  - Submitter supports Biodiversity Offsetting Framework outlined in Appendix 6 but seeks the amendments in this submission point.
- 

**Point Number** 81.188

**Summary of Decision Requested:** **Amend** Appendix 6 Biodiversity Offsetting to take into account the forthcoming national guidance for local government on biodiversity offsetting, *Biodiversity Offsetting under the Resource Management Act; A guidance document*.

**Decision Reasons:**

- It is recommended to amend the detail relating to offsetting in order to give effect to Policy 11.1 of the WRPS.
- 

**Point Number** 81.189

**Summary of Decision Requested:** **Add** to Policy 3.3.2(b) an additional bullet point recognising the flood protection and flood water attenuation properties of the features for example:

*(vii) existing water reservoirs and dams.*

**Decision Reasons:**

- Policy 3.3.2 (b) pertains to recognising the value and qualities of various sites.
  - Flood infrastructure, particularly the use of Lake Waikare and Whangamarino is not included, however, plays an important role in managing flood waters in the area.
  - While not specifically listed in this policy, Lake Waikere is listed as an outstanding natural feature, and could also be listed here. No relief has been sought for this however.
- 

**Point Number** 81.190



**Summary of Decision Requested:** **Amend** Chapter 6: Infrastructure to explicitly provide for the protection of waterways and public drainage networks by suggested additions to Policies 6.4.2 and 6.4.7 or, alternatively, reflect this outcome in the specific objectives and policies for each zone.

Refer to suggested wording and examples in original submission.

**Decision Reasons:**

- There are no provisions proposed to protect the existing drainage networks from being over loaded from residential, rural residential, industrial and commercial developments that discharge additional stormwater volumes into existing WRC drainage managed catchments. An example is the Butcher road rural residential expansion without any form of suitably maintained road berm drainage disposal system.
- There is an opportunity to incorporate provisions that align with Waikato Regional Council stormwater management plan standards.
- For example, any subdivision or development of land in an existing Waikato Regional Council managed drainage catchment should be designed to avoid adverse effects on the drainage catchment, or result in no additional flows, as this can affect the cost of maintenance and operation, which are then passed onto ratepayers.

---

**Point Number** 81.191

**Summary of Decision Requested:** **Amend** Chapters 6: Infrastructure and 14 : Infrastructure and Energy to include a policy and rule framework that will provide for the ongoing maintenance, repair, replacement and upgrade of flood and drainage scheme infrastructure.

OR

Alternatively provide specifically for flood protection and drainage scheme infrastructure in the policies and rule frameworks for each zone. (Refer to original submission for full details)

**Decision Reasons:**

- Given the national significance of flood and drainage scheme infrastructure (similar to the protection of national rail network, state highways etc.), relevant objectives and policies should be included to ensure its continued functioning (maintenance, repair, replacement and upgrades).
- This includes the related structures for examples pump sheds, transformers, etc. and the upgrades of this infrastructure as required should be included in the appropriate rules.
- Currently there is limited recognition of the nationally significant infrastructure in terms of issues, objectives and policies, and only limited activities are provided for as rules, for example the exemption of pump sheds from building setback requirements in relation to waterbodies.
- The permitted activity standards across all zones do not provide adequately for the ongoing maintenance, renewal and operation.
- The submitter states that the best fit (and their preference) is for the provisions sought to be contained within Chapters 6 and 14 to provide a district wide framework. An example of the framework has been attached to the submission (Appendix 1).

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**Point Number** 81.192

**Summary of Decision Requested:** **Amend** the definition of "ancillary rural earthworks" in Chapter 13: Definitions to provide for flood protection and drainage schemes managed by the Waikato Regional Council.

**Decision Reasons:**

- Earthworks associated with flood and drainage schemes is not referenced under this definition.

---

**Point Number** 81.193

**Summary of Decision Requested:** **Amend** the definition of "infrastructure" in Chapter 13: Definitions to include Waikato Regional Council flood infrastructure with associated flood management regime.

**Decision Reasons:**

- It is noted that flood infrastructure is not included under the definition of infrastructure.
- If a standalone approach to flood protection and drainage infrastructure is not included in Chapter 6 (refer to previous submission points) it will be appropriate to provide for it in the definition of Infrastructure. This should be read in conjunction with submission point 81.246.

---

**Point Number** 81.194

**Summary of Decision Requested:** **Amend** the definition of "Minor Infrastructure Structure" in Chapter 13: Definitions to clarify the terminology.

**Decision Reasons:**

- The definition of Minor Infrastructure Structure includes "water infrastructure" would this include the infrastructure associated with flood and drainage schemes?

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**Point Number** 81.195

**Summary of Decision Requested:** **Amend** the definition for "Rural Ancillary Earthworks" in Chapter 13: Definitions to clarify the terminology and to be consistent.

**Decision Reasons:**

- The Plan refers to both 'Rural Ancillary Earthworks' and 'Ancillary Rural Earthworks'.
- Clarification is sought that these refer to the same activity, and consistency is sought in the terminology.

---

**Point Number** 81.196

**Summary of Decision Requested:**

**Retain** Rule 24.2.8 Indigenous vegetation clearance inside a Significant Natural Area, except for the amendments sought below  
AND

**Amend** Rule 24.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to exclude clearance of Manuka and Kanuka in wetlands and the coastal environment from this rule.

**Decision Reasons:**

- The submitter supports the provision for sustainable clearance of regenerating Manuka or Kanuka for domestic firewood purposes or for arts or crafts in P2.
- However, the submitter does not support the removal of Manuka or Kanuka from wetlands or vegetation that is naturally short in stature.
- It is important to ensure that vegetation that is naturally short does not get included in the rules intended to provide for clearance of Manuka and Kanuka colonising pasture.
- Manuka, in particular, can be a permanent and important component of some types of ecosystems. These are generally wetlands, dunes and other coastal vegetation, but can be gumland vegetation that remains in the leached soils following kauri forest removal.
- These persistent shrublands are important habitats for lizards, orchids, mistletoes and a range of threatened species.
- Exclusion of permitted clearance of Manuka or Kanuka from wetlands and from the Coastal Environment is likely to prevent clearance of these ecosystems of concern.
- The exclusion of Manuka and/or Kanuka clearance in the Coastal Environment from this rule would give effect to the 'avoid' direction in the New Zealand Coastal Policy Statement (NZCPS) and Policy 11.4 of the WRPS.
- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

**Point Number**

81.197

**Summary of Decision Requested:**

**Amend** Rule 24.2.8 P2 Indigenous vegetation clearance inside a Significant Natural Area to ensure that weeds are controlled in the cleared area and native vegetation is allowed to regenerate.

**Decision Reasons:**

- Vegetation clearance within an SNA needs to be remedied to give effect to Policy 3.2.3(a)(ii).

**Point Number**

81.198

**Summary of Decision Requested:**

**Delete** P6 of Rule 24.2.8 Indigenous vegetation clearance inside a Significant Natural Area.

**Decision Reasons:**

- P6 duplicates P2.

**Point Number**

81.199

**Summary of Decision Requested:**

**Retain** Policy 4.7.3 Residential subdivision.

**Decision Reasons:**

- These will give effect to the WRPS Policies 6.1, 6.3 and Section 6A regarding a planned, co-ordinated approach to subdivision, use and development and infrastructure provision.

**Point Number**

81.200

**Summary of Decision Requested:**

**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.

**Decision Reasons:**

- Submitter is concerned in Policy 4.7.4(b) that the minimum lot sizes in the Village Zone (particularly Te Kowhai and Tuakau) appear to promote rural outcomes rather than urban outcomes, and will not achieve the sustainable, compact urban form necessary to support efficient, effective transport and infrastructure.
- The submitter is generally supportive of the min site area (450m<sup>2</sup>) for urban residential areas across the district but notes their other submission points seeking higher densities and more intensive subdivision pattern in the Residential Zone immediately adjacent to the Business Town Centre zones.

**Point Number**

81.201

**Summary of Decision Requested:**

**Retain** Policy 4.7.5 Servicing requirements.

**Decision Reasons:**

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.

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**Point Number** 81.202

**Summary of Decision Requested:** **Retain** Policy 4.7.6 Co-ordination between servicing and development and subdivision.

**Decision Reasons:**

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.
- 

**Point Number** 81.203

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

**Decision Reasons:**

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.
- 

**Point Number** 81.204

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

**Decision Reasons:**

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.
- 

**Point Number** 81.205

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

**Decision Reasons:**

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.
- 

**Point Number** 81.206

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

**Decision Reasons:**

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.
- 

**Point Number** 81.207

**Summary of Decision Requested:** **Retain** Policy 4.7.11 Reverse sensitivity.

**Decision Reasons:**

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.
- 

**Point Number** 81.208

**Summary of Decision Requested:** **Retain** Policy 4.7.14 Structure and master planning.

**Decision Reasons:**

- The submitter supports this Policy as it will assist with giving effect to the WRPS' policy direction in regard to a planned, co-ordinated approach to subdivision, use and development and infrastructure provision, achieving compact urban environments, and having regard to reverse sensitivity effects.
- 

**Point Number** 81.209

**Summary of Decision Requested:** **Amend** Policy 4.7.13 (a)(i) Residential Zone – Te Kauwhata Ecological and West Residential Areas as follows:

~~Promote~~ Protect the natural features and landscapes of the Whangamarino Wetland and Lake Waikare;

**Decision Reasons:**

- To promote consistency with the WRPS, Policy 4.7.13 (a)(i) should read 'protect' rather than promote the natural features and landscapes of Whangamarino Wetland and Lake Waikare.

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**Point Number**

81.210

**Summary of Decision Requested:**

**Amend** Objective 5.1.1 (a)(i) The rural environment to incorporate peat soils as follows (for example):  
*high class soils and peat soils are protected for productive rural activities.*

**Decision Reasons:**

- The Objective gives effect to WRPS Implementation Method 14.2.1 regarding high class soils and supporting productive rural activities;
- WRPS Provisions related to the Built Environment, including 6.1.5 and 6A regarding urban subdivision, use and development.
- Peat soils form a substantial component of Waikato District's soils, and are another valuable soil resource for the District.
- There is an opportunity to also seek peat soils to be protected for productive rural activities in this objective, giving effect to Policy 14.5 of the WRPS.

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**Point Number**

81.211

**Summary of Decision Requested:**

**Retain** Section 5.2 Productive Versatility of Rural Resources.

**Decision Reasons:**

- The submitter supports the objective and policies of this section, noting the inclusion of maintaining and enhancing high class soils, natural ecosystems, freshwater and coastal water bodies and their catchments, and protection of indigenous biodiversity.

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**Point Number**

81.212

**Summary of Decision Requested:**

**Amend** Objective 5.2.1 Rural resources wording to incorporate peat soils.

**Decision Reasons:**

- Peat soils form a substantial component of Waikato District's soils, and are another valuable soil resource for the District. There is an opportunity to also seek peat soils to be protected for productive rural activities in this objective, aligning with Policy 14.5 of the WRPS.

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**Point Number**

81.213

**Summary of Decision Requested:**

**Amend** Objective 5.2.1 (a)(ii) Rural resources as follows:

*The health and wellbeing of rural land and natural ecosystems and biodiversity;*

**Decision Reasons:**

- To ensure that biodiversity is adequately considered this should be included with this objective, giving effect to WRPS provisions Policies 11.1 and 11.2.

---

**Point Number**

81.214

**Summary of Decision Requested:**

**Retain** Policy 5.2.2 High class soils.

**Decision Reasons:**

- This objective and associated policies are supported due to how they give effect to WRPS provisions such as 14.2 and 14.2.1. Policy 14.2 of the WRPS seeks to avoid a decline in the availability of high class soils for primary production due to inappropriate subdivision, use or development.
- The Proposed District Plan provisions acknowledge the impacts that land fragmentation and other use and development, can have on high class soils.

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**Point Number**

81.215

**Summary of Decision Requested:**

**Retain** Policy 5.2.3 Effects of subdivision and development on soils.

**Decision Reasons:**

- This objective and associated policies are supported due to how they give effect to WRPS provisions such as 14.2 and 14.2.1. Policy 14.2 of the WRPS seeks to avoid a decline in the availability of high class soils for primary production due to inappropriate subdivision, use or development.
- The Proposed District Plan provisions acknowledge the impacts that land fragmentation and other use and development, can have on high class soils.

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**Point Number**

81.216

**Summary of Decision Requested:**

**Add** to Objective 5.2 Production Versatility of Rural Resources an additional policy to recognise and provide for the key features of peat

soils.

**Decision Reasons:**

- To give effect to WRPS Policy 14.5 there is an opportunity to create a policy around peat soils, and their inherent value and limitations.
- The purpose of this policy is to:
- Recognise that peat soils may limit the location of development,
- Recognise the productive capacity of peat soils,
- Encourage the sustainable management, and where possible, the enhancement of peat soils.

---

**Point Number**

81.217

**Summary of Decision Requested:**

**Retain** Policy 5.3.8 Effects on rural character and amenity from rural subdivision.

**Decision Reasons:**

- WRPS Implementation Method 6.1.5 seeks to direct rural-residential development to areas identified in the district plan. This sits within a greater context of provisions around focusing the expansion of urban development in identified growth areas, in this case as defined through Future Proof Growth Strategy.

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**Point Number**

81.218

**Summary of Decision Requested:**

**Retain** Objective 6.4.1 Integration of infrastructure with subdivision, land use and development.

**Decision Reasons:**

- This provision is supported as it helps give effect to WRPS policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, co-ordinated approach to subdivision and development and provision of supporting infrastructure.

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**Point Number**

81.219

**Summary of Decision Requested:**

**Retain** Policy 6.4.2 Provide adequate infrastructure.

**Decision Reasons:**

- This provision is supported as it helps give effect to WRPS policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, co-ordinated approach to subdivision and development and provision of supporting infrastructure.

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**Point Number**

81.220

**Summary of Decision Requested:**

**Retain** Policy 6.4.3 Infrastructure Location and Services.

**Decision Reasons:**

- This provision is supported as it helps give effect to WRPS policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, co-ordinated approach to subdivision and development and provision of supporting infrastructure.

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**Point Number**

81.221

**Summary of Decision Requested:**

**Retain** Policy 6.4.4 Road and rail network.

**Decision Reasons:**

- This provision is supported as it helps give effect to WRPS policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, co-ordinated approach to subdivision and development and provision of supporting infrastructure.

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**Point Number**

81.222

**Summary of Decision Requested:**

**Retain** Policy 6.4.5 Roading infrastructure.

**Decision Reasons:**

- This provision is supported as it helps give effect to WRPS policies 6.1, 6.3, 6.15 and Section 6A in terms of placing emphasis on planned, co-ordinated approach to subdivision and development and provision of supporting infrastructure.

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**Point Number**

81.223

**Summary of Decision Requested:**

**Amend** Section 6.5 Transport Objectives and Policies to take into account the Regional Land Transport Plan.

**Decision Reasons:**

- While the provisions in this section are generally supported, the submitter considers the policies could be considerably strengthened to be more consistent with the Waikato Regional Land Transport Plan (RLTP). Road Controlling Authorities play an important role in implementing the policies and implementation actions of the RLTP. The District Plan would benefit from incorporating the following elements into Section 6.5:

- Recognising the important role strategic road and rail corridors play in the district for facilitating the movement of inter and intraregional freight;
- Connecting Regional cycle trails;
- Specifically providing for public transport in new growth areas of the district; and
- Supporting energy efficient transport modes by providing the necessary infrastructure e.g. electric vehicle chargers.

**Point Number** 81.224

**Summary of Decision Requested:** **Amend** Policy 6.4.7 (a)(ii) Storm water as follows:

*(a)(ii) Manages stormwater in accordance with a drainage hierarchy, with a preference for ~~on-site treatment~~ at-source management;*

**Decision Reasons:**

- Care is required with on-site treatment, if this means the assets would be on-lot and hence in private ownership.
- How will Waikato District Council ensure that the stormwater management devices are constructed as per design criteria and that they are operated and maintained into the future?
- At-source stormwater management in the public domain is preferred by the submitter, i.e. in the roading corridor or in drainage reserves as this ensures that the assets can be operated and maintained as intended with the District Council ensuring this happens.
- Significant systems are needed to be in place within the District Council to manage the implementation and ongoing success of on-lot devices (to document on-lot device location, design criteria, operation and maintenance requirements, certificate of fitness, issues as they arise, etc.).
- The submitter's stormwater discharge resource consents are not able to cover on-lot devices.

**Point Number** 81.225

**Summary of Decision Requested:** **Retain** Section 8.2 Natural Values.

**Decision Reasons:**

- The submitter supports the enhancement of the natural environment through the provision of reserves.

**Point Number** 81.226

**Summary of Decision Requested:** **Seek** further assessment of Te Kowhai Airpark to enable adequate consideration of the area, including, but not limited to covering alignment with WRPS/Future Proof settlement pattern, assessment of precedent of alternative land release, availability of infrastructure, and impacts of the proposal on the Te Kowhai settlement as a whole.

**Decision Reasons:**

- The proposal represents a departure from the Future Proof settlement pattern that has been given legal weight through its insertion into the WRPS, and if approved, will create a precedent in terms of a departure from that pattern. Alternatives to the agreed settlement pattern can only be allowed if they are justified by a robust, comprehensive evidence base, including following the criteria for alternative land release identified in the WRPS.
- Further information is sought on the following:
  - Alignment with other land use and development at Te Kowhai, including Plan Change 17, and the strategic direction for the town and the Future Proof sub-region
  - The timing, staging and sequencing of development. Rule 27.4.2 Subdivision Allotment Size provides for lot sizes between 450m2 and 2500m2, dependent on connection to wastewater.
  - If on-site wastewater disposal only is provided for this becomes essentially a rural residential development, which is not appropriate at this location
  - Assessment regarding the likelihood of the provision of wastewater mains infrastructure, impacts of providing for non-residential activities on Te Kowhai businesses
  - Detail on how to improve connections between the Airpark and Te Kowhai, and better integrate the Airpark into Te Kowhai as a whole.

**Point Number** 81.227

**Summary of Decision Requested:** **Seek** further assessment of Te Kowhai Airpark to enable adequate consideration of the area, including, but not limited to covering alignment with WRPS/Future Proof settlement pattern, assessment of precedent of alternative land release, availability of infrastructure, and impacts of the proposal on the Te Kowhai settlement as a whole.

**Decision Reasons:**

- The proposal represents a departure from the Future Proof settlement pattern that has been given legal weight through its insertion into the WRPS, and if approved, will create a precedent in terms of a departure from that pattern. Alternatives to the agreed settlement pattern can only be allowed if they are justified by a robust, comprehensive evidence base, including following the criteria for alternative land release identified in the WRPS.
- Further information is sought on the following:
  - Alignment with other land use and development at Te Kowhai, including Plan Change 17, and the strategic direction for the town and the Future Proof sub-region
  - The timing, staging and sequencing of development. Rule 27.4.2 Subdivision Allotment Size provides for lot sizes between 450m2 and 2500m2, dependent on connection to wastewater. If on-site wastewater disposal only is provided for this becomes essentially a rural residential development, which is not appropriate at this location
  - Assessment regarding the likelihood of the provision of wastewater mains infrastructure, impacts of providing for non-residential activities on Te Kowhai businesses
  - Detail on how to improve connections between the Airpark and Te Kowhai, and better integrate the Airpark into Te Kowhai as a whole.

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**Point Number** 81.228

**Summary of Decision Requested:** **Add** to Policy 9.3.3.3 Stormwater management as follows:

*(a) Stormwater management systems shall be designed to minimise the erosion potential and rate of run-off into the coastal marine area.*

*(b) Stormwater management systems designed in accordance with low impact design philosophies.*

*(c) Provide a high level of water quality treatment.*

*(d) Minimise change to the existing hydrological cycle.*

**Decision Reasons:**

- To give effect to WRPS Policy 8.3.10 provision should be made for the management of effects of subdivision, use and development in relation to this zone.
- 

**Point Number** 81.229

**Summary of Decision Requested:** **Retain** Section 10.1 Hazardous Substances.

**Decision Reasons:**

- The objective and associated policies address issues around sensitive land uses, incompatible activities and the environment being properly separated from hazardous facilities, giving effect to WRPS Policy 14.4.
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**Point Number** 81.230

**Summary of Decision Requested:** **Amend** Objective 10.2.1.(a) Contaminated land as follows:

*(a)...contaminated land is sustainably managed to protect...*

**Decision Reasons:**

- To enable a broader range of considerations when addressing contaminated site remediation and/or management propose amending the wording to include the word 'sustainably' to provide for, or encourage, sustainable remediation techniques and/or in-situ management.
  - The submitter supports the use of human health and the environment as it aligns with National Environmental Standard for Contaminated Soil and section 31(1)(b) of the RMA.
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**Point Number** 81.231

**Summary of Decision Requested:** **Retain** Policy 10.2.2(b) Managing the use of contaminated land.

**Decision Reasons:**

- The use of 'human health and the environment' is supported as it aligns with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) and section 31(1)(b) of the RMA.
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**Point Number** 81.232

**Summary of Decision Requested:** **Amend** Policy 10.2.2(d) Managing the use of contaminated land as follows:

*(d)Ensure that the use, ~~subdivision and development of contaminated land management approaches~~ contaminated land management approaches associated with the use, subdivision and development of actually or potentially contaminated land include:...*

**Decision Reasons:**

- The National Environmental Standard for Contaminated Soil provides a framework for the management of contaminated sites, and Implementation Method 14.4.1 of the WRPS requires that District Plans shall include provisions that support the implementation of the National Environmental Standard for Contaminated Soil.
  - To clarify the intent of Policy 10.2.2(d) the wording should be rewritten.
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**Point Number** 81.233

**Summary of Decision Requested:** **Add** to Policy 10.2.2(d) Managing the use of contaminated land reference to 'preliminary site investigations' .

**Decision Reasons:**

- To clarify the intent of Policy 10.2.2(d) the wording should be rewritten, with additional wording to include reference to 'preliminary site investigations'
  - To align with the National Environmental Standard for Contaminated Soil reference to preliminary site investigations should also be included.
- 

**Point Number** 81.234

**Summary of Decision Requested:** **Add** to Policy 10.2.2(d) Managing the use of contaminated land an additional sub-point the requirement that any preliminary or detailed site investigation reports, remedial action plans, site validation reports and ongoing site management plans are prepared in accordance with the

Ministry for the Environment's Contaminated Land Management Guidelines #1 and #5, and are provided to both Waikato District Council and the submitter for their records.

**Decision Reasons:**

- To clarify the intent of Policy 10.2.2(d) the wording should be rewritten, with additional wording to include reference to 'the Ministry for the Environment's Contaminated Land Management Guidelines #1 and #5'.
- The National Environmental Standard for Contaminated Soil provides a framework for the management of contaminated sites, and Implementation Method 14.4.1 of the VRPS requires that District Plans shall include provisions that support the implementation of the National Environmental Standard for Contaminated Soil.

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**Point Number** 81.235

**Summary of Decision Requested:** **Add** to Chapter 13: Definitions a new definition for "Flood risk area."

**Decision Reasons:**

- Adding this definition will assist with understanding and implementation of provisions that incorporate this term.

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**Point Number** 81.236

**Summary of Decision Requested:** **Add** to Chapter 13: Definitions a new definition for "Floodplain."

**Decision Reasons:**

- Adding this definition will assist with understanding and implementation of provisions that incorporate this term.

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**Point Number** 81.237

**Summary of Decision Requested:** **Add** to Chapter 13 a new definition for "Low impact design."

**Decision Reasons:**

- Adding this definition will assist with understanding and implementation of provisions that incorporate this term.

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**Point Number** 81.238

**Summary of Decision Requested:** **Amend** the definition of "Overland flow path" in Chapter 13: Definitions as follows:

*Overland flow path*

~~Means either a primary or secondary~~ Overland flowpath - route taken by stormwater runoff not captured in a reticulated or natural stormwater system.

**Decision Reasons:**

- Current definition for overland flow path does not align with the definition in WRC's Waikato Stormwater Management Guideline.

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**Point Number** 81.239

**Summary of Decision Requested:** **Add** to Chapter 13 a new definition for "Biodiversity offset" as follows:

*Biodiversity offset*

*A measurable conservation outcome resulting from actions designed to compensate for residual, adverse biodiversity effects arising from activities after appropriate avoidance, remediation, and mitigation measures have been applied. The goal of a biodiversity offset is to achieve a no-net-loss, and preferably a net-gain, of indigenous biodiversity values.*

**Decision Reasons:**

- Biodiversity offsetting and its relationship to avoiding, remedying and mitigating adverse effects of an activity is poorly understood.
- A new definition is recommended to be added to clarify what this is, and the expectations around it.

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**Point Number** 81.240

**Summary of Decision Requested:** **Add** to Chapter 13: Definitions a new definition for "Catchment Management Plan" and ensure it there is delineation between stormwater catchment plans and Waikato Regional Council led Catchment Management Plan or Healthy Rivers Wai Ora sub catchment plans.

**Decision Reasons:**

- It is noted that the term Catchment Management Plan is not defined in the Proposed Plan. There is a need to ensure delineation between storm water catchment plans and Waikato Regional Council led Catchment Management Plan or Healthy Rivers Wai Ora sub catchment plans.

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**Point Number** 81.241

**Summary of Decision Requested:** **Amend** the definition for "Cleanfill" in Chapter 13: Definitions to reflect the definition in WasteMINZ 'Technical Guidelines for Disposal to Land (August 2018)'.



**Decision Reasons:**

- The definition for cleanfill does not fully align with the latest sector guidelines from WasteMINZ 'Technical Guidelines for Disposal to Land (August 2018)'.  
• Currently the definition specifically limits cleanfill to that which has no adverse effects on people or the environment. This should be removed from the definition, with the rule framework providing the basis for managing effects of cleanfill.
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**Point Number**

81.242

**Summary of Decision Requested:**

**Amend** the definition of "Conservation Activity" in Chapter 13: Definitions to exclude the establishment of walkways, cycle ways and accessory buildings.

AND/OR

**Amend** Rule 25.1.2 P3 Permitted Activities to include appropriate thresholds or activity status for the clearance of indigenous vegetation as a result of establishing walking, cycling tracks or accessory buildings.

**Decision Reasons:**

- In the Reserve Zone, Conservation activities are permitted with no activity specific conditions. The definition for conservation activity includes the establishment of walking and cycle tracks and accessory buildings. Therefore these activities would be permitted with no restrictions on the amount of clearance.  
• The submitter considers that this is inappropriate given the potential effect on indigenous biodiversity.
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**Point Number**

81.243

**Summary of Decision Requested:**

**Amend** Rule 25.1.2 P3 Permitted Activities to include appropriate thresholds or activity status for the clearance of indigenous vegetation as a result of establishing walking, cycling tracks or accessory buildings.

AND/OR

**Amend** the definition to exclude the establishment of walkways, cycle ways and accessory buildings.

**Decision Reasons:**

- In the Reserve Zone, Conservation activities are permitted with no activity specific conditions. The definition for conservation activity includes the establishment of walking and cycle tracks and accessory buildings. Therefore these activities would be permitted with no restrictions on the amount of clearance.  
• The submitter considers that this is inappropriate given the potential effect on indigenous biodiversity.
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**Point Number**

81.244

**Summary of Decision Requested:**

**Amend** the definition of "High class soils" in Chapter 13: Definitions to include the peat soil definition as per the definition in the Waikato Regional Policy Statement.

**Decision Reasons:**

- The definition of high class soils is supported, and aligns with the definition in the WRPS. However, peat soils are excluded from this definition and there is no definition of peat soils in plan.
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**Point Number**

81.245

**Summary of Decision Requested:**

**Amend** the Proposed District Plan to clarify the terminology of the Huntly South Assessment Area and the Huntly south ponding zone and apply consistently if they are the same.

**Decision Reasons:**

- There is potential confusion in terminology: in some areas the Huntly south assessment area is referred to then the Huntly south ponding zone- are these are the same or different.
- 

**Point Number**

81.246

**Summary of Decision Requested:**

**Amend** Chapter 14 to ensure it is consistent with the approach to overlay areas in the zone chapters. For example, there should be consistency between permitted activity thresholds and activity status between Chapter 14 and the zone chapters.

**Decision Reasons:**

- Paragraph 14.1(1) of the Infrastructure and Energy Chapter states that the provisions of that chapter apply across the district in all the zones and overlays in the district plan. It goes on to say that the zone chapters and their associated overlays, objectives, policies and rules do not apply to infrastructure and energy activities unless specially referred to within Chapter 14. Therefore, it appears that Chapter 14 is largely intended to be a standalone/ self-contained chapter.  
• See submission for examples of inconsistencies in Chapter 14.  
• Amendments are required to Chapter 14 to ensure that Chapter 11 and 12 of the WRPS and the NZCPS are given effect to.
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**Point Number**

81.247

**Summary of Decision Requested:**

**Add** to Chapter 13: Definitions a new definition for "Identified Area."

**Decision Reasons:**

- It is unclear what the term 'Identified Area' means. This appears throughout Chapter 14.

- Is it intended that this captures Outstanding Natural Feature Landscape, Significant Amenity Landscapes, Natural , SNA and non-SNA?

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**Point Number** 81.248

**Summary of Decision Requested:** **Amend** Rule 14.11.1.1 PI Permitted Activities as follows:

*(a)(ii) Primary systems detain/retain runoff from all...*

**Decision Reasons:**

- Wording is proposed to support a shift to low impact design stormwater management systems that manage stormwater at source through retention devices rather than relying on large detention devices downstream.
- This approach is recommended by the submitter and is outlined in Council's Waikato Stormwater Management Guideline.

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**Point Number** 81.249

**Summary of Decision Requested:** **Amend** Policy 3.2.4 Biodiversity Offsetting to require offsetting of more than minor residual adverse effects on Significant Natural Areas.

**Decision Reasons:**

- As currently worded, Policy 3.2.4(a) addresses biodiversity offsets in both SNA's and indigenous biodiversity outside of SNAs. The rest of the Policy only addresses offsets in relation to SNAs. It is important that offsetting in relation to indigenous biodiversity outside of SNA's is also subject to a robust assessment framework.
- Outside of SNA's, WRPS Implementation Method 11.1.3(a)(ii) promotes biodiversity offsets where significant residual adverse effects remain. Within SNA's, WRPS Method 11.2.2(d) requires offsets where more than minor residual adverse effects remain.

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**Point Number** 81.250

**Summary of Decision Requested:** **Retain** Policy 3.2.5 Biodiversity in the coastal environment.

**Decision Reasons:**

- This Policy gives effect to Policy 11.4(a) of the WRPS.

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**Point Number** 81.251

**Summary of Decision Requested:** **Retain** Policy 3.2.6 Providing for vegetation clearance, except for the amendments sought below.

AND

**Amend** Policy 3.2.6 Providing for vegetation clearance to recognise that only clearance with minor adverse effects in relation to the maintenance or protection of indigenous biodiversity will be enabled as a permitted activity.

**Decision Reasons:**

- Policy 3.2.6 gives effect to Implementation Method 11.1.4 of the WRPS. However, for clarity and consistency with the WRPS it is suggested that the opening statement be amended to refer to minor adverse effects, as this is the basis for the activities listed in the WRPS Implementation Method.

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**Point Number** 81.252

**Summary of Decision Requested:** **Retain** Policy 3.2.6 Providing for vegetation clearance, except for the amendments sought below.

AND

**Amend or Relocate** Policy 3.2.6 Providing for vegetation clearance so that it is clear that it applies to both SNA's and indigenous biodiversity outside of Significant Natural Areas.

**Decision Reasons:**

- The activities in Policy 3.2.6 are provided for as permitted activities in the rules (just as they are for SNA, but different thresholds apply). However, this Policy falls under the heading 3.2 SNAs.

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**Point Number** 81.253

**Summary of Decision Requested:** **Retain** Policy 3.2.8 Incentivise subdivision.

**Decision Reasons:**

- The submitter is supportive of mechanisms that incentivise the protection and enhancement of SNA's. This is consistent with Implementation Method 11.1.8 of the WRPS.
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