



Federated Farmers of New Zealand

Submission on the Proposed Waikato District Plan 2018 (Stage 1)

October 2018

**SUBMISSION TO WAIKATO DISTRICT COUNCIL ON THE PROPOSED WAIKATO DISTRICT
PLAN 2018 (Stage 1)**

Form 5

Submission on publicly notified proposal for policy statement or plan
Clause 6 of First Schedule, Resource Management Act 1991

To: The Chief Executive
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This is a submission on the Proposed Waikato District Plan 2018 (Stage 1).

Federated Farmers of New Zealand could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that this Federated Farmers of New Zealand ('FFNZ') submission relate to, and the decisions it seeks from Council, are detailed on the following pages. FFNZ also seek any consequential changes necessary to give effect to the relief sought in each of the individual submissions made.

Federated Farmers of New Zealand wish to be heard in support of this submission.

INTRODUCTION

- 1.1 Federated Farmers welcome the opportunity to submit on the Proposed Waikato District Plan 2018 - Stage 1, ('PDP'). We wish to expressly recognise the work Council has undertaken in reviewing the Operative District Plan and acknowledge the considerable work required to prepare a new district plan.
- 1.2 Federated Farmers are a primary sector organisation with a long and proud history of representing the needs and interests of New Zealand farmers involved in a range of rural businesses.
- 1.3 Federated Farmers aim to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
 - Our members may operate their business in a fair and flexible commercial environment;
 - Our members' families and their staff have access to services essential to the needs of the rural community; and
 - Our members adopt responsible management and environmental practices
- 1.4 Farming has a strong presence in the Waikato and Franklin districts and contributes significantly to the region. Federated Farmers represent a variety of dairy, dry stock and horticulture land users and seeks to uphold and enhance the value of farming to the region.
- 1.5 We acknowledge submissions from individual members on the PDP.

2. GENERAL COMMENTS APPLYING TO THE WHOLE OF THE PLAN

- 2.1 Federated Farmers understand a key purpose of the PDP is to combine both the Franklin and Waikato sections into a single district plan with a consistent approach to development and growth across the district.
- 2.2 Whilst this is will be a useful outcome, Federated Farmers do question the wisdom of timing a full plan review coinciding with the Ministry for the Environment ('MfE') work on National Planning Standards ('the standards') due to be approved and released in April 2019. The standards aim to make district plans easier to prepare and use.
- 2.3 Federated Farmers have taken a keen interest in the development process of the standards and have lodged a submission that generally supports these. The benefits of the standards (which can reasonably be anticipated) include: increased efficiency and affordability, consistency among councils, a clear national, regional, local policy hierarchy, increased accessibility, and ease of use to both plan developers and plan users.
- 2.4 As such, we question why Waikato District Council ('WDC') has chosen to review the District Plan before the benefit of the standards could be utilised. The short term effect of delaying the notification of the PDP would enable more-efficient plan drafting, once it could be seen where the standards landed.
- 2.5 We understand that the standards will require councils to redraft their plans to implement the standards within a five-year period, which effectively reduces the term of this PDP by half. A two-year extension was introduced by MfE during the drafting phase, after some councils who had recently concluded major plan review processes, expressed significant concerns about cost and legal challenges if their plan structure and elements were required to be changed again within a short time period. MfE listed the councils who will have the

two-year extension applied to them (on page 26 in the *National Planning Standards Consultation Document*). WDC is not included in this list. Therefore, this full plan review has exposed WDC ratepayers and plan users to significant uncertainty with regards to the planning framework, and has significantly increased the risk of exposure to added costs from plan implementation, not to mention further costs of having to do another plan review within a five-year window. Moreover, the timing of full district plan reviews is typically such that this PDP may only just be gaining operative status as the next review is triggered.

- 2.6 MfE's two-year extension criterion for compliance with the National Planning Standard applies if '*the council has notified, or is due to notify, the decisions version of a ... plan, or a partial decision that encompasses the majority of the plan, between April 2016 and April 2019*'. Therefore, this criterion applies regardless of the current status of such a plan (i.e. whether or not its proposed, operative or under appeal).
- 2.7 MfE has acknowledged that the list of councils (in the *National Planning Standards Consultation Document*) who have the two-year extension may be incomplete. Therefore, they have an option for any council who may meet the extension criterion, to make a submission to demonstrate that the criterion is met, and to provide an indicative timeframe within which such council expects to implement the first set of National Planning Standards for their district plan(s).
- 2.8 Federated Farmers would like to know whether WDC took the opportunity provided by MfE to seek an extended seven-year implementation timeframe for the National Planning Standards. If not, the act of introducing the PDP would seem somewhat reckless and irresponsible, given the cost implications of a full plan review, not only for the Council, but also for many farmers who have to bear the (arguably unnecessary) costs of consent processes set out in the PDP.
- 2.9 Furthermore, MfE has signalled that it expects significant cost savings will be achieved for those who use plans which have been developed under the NPS. On behalf of our members, we ask whether WDC is comfortable denying their plan users access to those savings for at least another five years.
- 2.10 The introduction to Section 32 Evaluation Reports provide no mention of the draft National Planning Standards, nor do they provide any detail which would help us to understand the position WDC has taken.

2.10 Decision sought:

Federated Farmers seek a withdrawal of the proposed district plan at this first submission stage as provided for under the Resource Management Act 1991 Schedule 1(8D)(1). This would allow an assessment of the drafted plan against the National Planning Standards when it is released in 2019. The submissions received during this process could provide useful feedback and could be analysed during the interim period. This would certainly improve the quality of the proposed district plan in the end. It would also allow WDC time to undertake robust identification and scheduling of significant natural areas, outstanding landscapes and significant amenity landscapes. Taking time getting it right during the early planning stage will reduce the time consuming and expensive appeals process at the end.

- 2.11 The process to consult with landowners with potentially significant natural areas ('SNA's) on their land looked good on paper. However, feedback from Federated Farmers members indicates that the process was wasn't as robust or engaging as it should have been. The pre-notification review process provided opportunity for feedback and information sharing, which provided WDC with useful insight into the issues faced by landowners whose sites contain indigenous biodiversity. However, there this no evidence in the PDP that those issues were heard, understood or addressed by the Council. We strongly urge Council to

take our submission points seriously. In Federated Farmers experience, the best outcomes are achieved when Councils have a good understanding of the issues facing landowners, and acknowledge the *public good* aspect which is provided (at the expense of landowners). This includes utilising Council ratepayers' money to provide meaningful incentives to enable good biodiversity management, such as provision of information and advice, assistance with pest control and other non-regulatory tools that reflect a partnership approach to achieve biodiversity gains.

- 2.12 Federated Farmers are very surprised and disappointed to see an exclusively regulatory approach being adopted by the PDP. This coercive 'stick' approach is an outdated and ineffective planning response to an issue whose very success relies on landowner buy-in. The majority of indigenous biodiversity which remains in the district is found on private land. It remains because of the stewardship role successive generations of farmers have embraced. In Federated Farmers experience the best biodiversity outcomes are achieved when Councils have a good understanding of the issues facing landowners, acknowledge the public good aspect which is created and work to provide meaningful incentives and information. This important partnership approach is currently missing under the PDP planning response.

2.13 **Decision sought**

Amend the PDP to acknowledge and recognise that biodiversity gains are best achieved with landowner buy-in. Adopt a biodiversity policy and management framework which facilitates a collective and collaborative response to this public good issue. This can be achieved with the introduction of non-regulatory methods that include range of meaningful incentives such as: increasing the contestable conservation fund as recommended in the Kessels Ecology report, assistance with stock exclusion and pest control, and raising education and awareness about the importance of biodiversity.

- 2.14 Primary production activities make significant contributions to the economic, social and cultural well-being of communities in the Waikato and Franklin districts. These activities also have a positive impact on the economic sustainability and continued viability of many of the districts/ towns.
- 2.15 Our members strongly support a planning approach which recognises that landowners play a principle role as managers (and financiers) of the region's natural and physical resources. They also support plans that are truly effects-based and do not unnecessarily inhibit or pose constraints on farming activity. Landowners are proactive resource managers who rely on their properties natural and physical resources for their farming business. It is entirely in their best interest to manage their land sustainably
- 2.16 Farmers are the most efficient agents for achieving on-farm good practice, as farmers are where the 'rubber hits the road' for land management. To that end, Federated Farmers actively encourage non-regulatory methods to achieve and encourage good practices. There are substantial existing drivers for farmers to ensure that their on-farm practices meet environmental standards. The lack of non-regulatory methods proposed in the PDP is a significant concern.
- 2.17 Federated Farmers believe that when undertaking a district plan review, it is essential that councils take into account and balance the economic, social, cultural and environmental considerations of any particular policy or provision. We consider that the emphasis in the PDP often sways disproportionately towards environmental considerations in a way that subtly prejudices against the ability of landowners to manage farming operations in ways that are within their capability. This is a concern, lest farmers further lose what capability they have to manage environmental outcomes on their farms, whereupon no-one can get anything done, and everybody becomes frustrated.

- 2.18 It is also important that Council recognise and consider the way these economic, social, cultural and environmental factors interact. Economically-viable primary production in the District enables farmers to better contribute to positive environmental, social and cultural outcomes. On the other hand, a reduction in the economic viability of primary production not only reduces the economic wellbeing of the District, but in doing so reduces the potential to achieve positive environmental, social and cultural wellbeing.
- 2.19 Subsequently, we are concerned that some of the changes proposed within the District Plan, especially those with adverse implications for farming; such as those relating to the removal of indigenous vegetation, or protection of visual amenity landscapes; have the potential to result in high economic and social costs in the rural area. We don't consider these economic and social costs have been adequately considered nor had proper account taken of them within the PDP Section 32 cost-benefit analysis.
- 2.20 Within our submission, we have drawn attention to the Objectives, Policies and Rules we consider can be given a more appropriate and balanced position, while still remaining consistent with the underlying purpose and intent of the RMA.

Conclusion

- 2.20 Federated Farmers recognise that this district plan review is intended to provide some consistency and a consolidated set of planning methods applicable to the entire district. We also appreciate that this is essentially a third-generation district plan that should be trending towards being more streamlined and pared-back than previous heavily-regulated plans. However, in our view WDC has lost some very important context and direction for plan users. This submission looks to provide the solutions to address these issues.

2.21 Decision sought

Adopt the PDP with specific changes sought in FFNZ's submission.

3 SPECIFIC COMMENTS

- 3.1 The amendments we seek, and the reasons for them, are set out in the table below. In addition, we seek any consequential changes necessary to give effect to the relief we seek and/or to address the concerns we raise.

Page	Reference	Support/oppose	Decision sought	Reasons
N/A	Whole plan structure and format	Oppose	<p>Amend plan format and structure to ensure the respective chapters include an introductory/ explanatory section that provides plan users with a clear understanding of the issues, values, and purpose of the chapter.</p> <p>It is important to include proactive and positive attributes as well such as a range of non-regulatory methods or the suite of mechanisms council will be using to educate, inform, incentivise and generate a good understanding of the respective resource management issues.</p> <p>The associated rules should also be included in the relevant chapter, i.e. one chapter for each resource management topic, or at least provide 'road-mapping' or 'sign posting' within the plan.</p> <p>It is also recommended that WDC include advisory notes cross-referencing other legislation, planning instruments or authorities that have jurisdiction or an interest in specific issues.</p>	<p>The PDP in its current format is not cohesive. It is oversimplified with a bias on environmental ecology to the extent that important context around social, economic and cultural outcomes are missing.</p> <p>Furthermore, opportunities for incorporating best-practice planning methods have not been adopted, which is to the detriment of plan users, and ultimately to the district's natural and physical resources.</p>
CHAPTER ONE: INTRODUCTION				
7-17	Sections 1.4 and 1.5	Oppose	<p>This submission point is related to plan format rather than context.</p> <p>Amend the PDP to incorporate the relevant issues outlined in Sections 1.4 and 1.5 into the respective chapters of the plan.</p>	<p>FFNZ consider the purpose of the plan would be better served if the issues for the district were incorporated into the respective chapters of the plan rather than contained in a separate section.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
9	Section 1.4.3 – Rural Environment	Support in part	<p>Amend 1.4.3 as follows and make any consequential changes needed to give effect to this relief:</p> <p>Section 1.4.3 – Rural Environment</p> <p>(a) The district benefits from an extensive rural area which contains a range of attributes necessary for productive rural activities, including a variety of soils, mineral resources and landscapes that are able to sustain a diverse range of economic activities. A productive rural area is important to the economic health of the district and wider sub region, and needs to be recognised as a productive resource.</p> <p>(b) In addition, <u>rural activities contribute to the parts of the rural environment parts of the district which are</u> valued for their landscape, character and amenity values.</p>	FFNZ remind the Council that the rural ideal of landscapes or amenity are largely dynamic working landscapes which are there as a result of the activities you would expect to find in the rural zone. It is important to establish that understanding in the contextual sections of the plan.
9	Section 1.4.3.1 and 1.4.3.2	Support in part	<p>Amend 1.4.3.2 as follows and make any consequential changes needed to give effect to this relief:</p> <p>1.4.3.2 Protection the rural environment</p> <p>(b) Activities affecting landscape, historic and amenity values, including: rural character, recreational activities, high quality soils, significant mineral resources and ecological values need to be managed to avoid, <u>remedy or mitigate</u> adverse effects on the environment, including cumulative effects. This should occur through limiting the</p>	<p>Broad support is extended to the range of issues outlined in this section. However, it is important to accurately reflect legislative requirements and not over-simplify this contextual information.</p> <p>It may not always be appropriate to seek to avoid adverse effects on the environment, and may in fact be more important to remedy or mitigate them, depending on the situation.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>extent to which non-rural activities are able to establish in the Rural Zone. There is a need to uphold the increased level of control the Council has placed over subdivision activities in the Rural and Country Living Zones, particularly within the north Waikato and around the Hamilton City boundary. Any additional areas for rural residential development should be considered within identified growth areas of towns or villages. Non-rural activities must occur in towns, villages and defined growth areas, and the expansion of such areas should be managed so that adverse effects on rural areas are minimised.</p>	
14	Section 1.5.7- Natural environment	Oppose	<p>Delete 1.5.7(a) or in the alternative amend as follows and make any consequential changes needed to give effect to this relief:</p> <p>1.5.7 Natural environment</p> <p>(a) The Council will ensure that adjoining authorities and the regional council are informed of <u>any</u> all resource consent applications received for vegetation clearance <u>located on the district boundary</u>. The location of indigenous vegetation often coincides with areas of outstanding landscape. The criteria used to assess landscape are not entirely consistent among the local authorities in the area, as shown by studies undertaken at different times by different experts. Undoubtedly, there will be subdivision and development proposals requiring a cross-boundary</p>	<p>FFNZ consider this section to be an unnecessary duplication of the cross-boundary issues addressed under Section 1.5.3 and 1.5.7.1(a).</p> <p>In most vegetation-clearance situations, it would be completely unnecessary to involve all adjoining authorities and the regional council. In fact, it may only occasionally be appropriate for such involvement in relation to cross-boundary clearance of significant indigenous vegetation.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			discussion on landscape matters during the life of this plan.	
14	Section 1.5.7- Natural environment	New provisions	<p>Amend 1.5.7 to include new provisions as follows and make any consequential changes needed to give effect to this relief:</p> <p>(#) <u>Reconciling the tension between the private cost and public benefit of protecting and managing the District's natural environment.</u></p> <p>(##) <u>Increase public recognition and understanding of the District's natural environment, the associated values and the respective responsibility that the public and private landowners assume in its ongoing management and protection.</u></p> <p>(###) <u>Develop a range of non-regulatory mechanisms that encourage, assist and facilitate the protection, maintenance or enhancement of the District's Significant Natural Areas and Outstanding Natural Landscapes.</u></p>	This requested relief relates to our submission points raised in Section Two General Comments above.
16	Section 1.5.7.3	Support	<p>Retain 1.5.7.3 as notified:</p> <p>1.5.7.3 Water</p> <p>(e) Water for industry located outside municipal supply areas is sourced from a combination of surface water (mostly the Waikato River catchment) and groundwater. Recently, new allocation</p>	FFNZ understand the issues outlined in this section and are supportive of the approach to encourage winter water storage. We are keen to ensure there is a consistent approach adopted within the plan with an enabling management response adopted. This will require amendments to the way water tanks are proposed to be controlled in the notified plan. Further comment and specific relief sought will be made against the respective definitions and proposed

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			limits and minimum flows have been set for surface water resources across the whole Waikato region (as a result of a change to the Waikato Regional Plan). Greater scrutiny of, and restrictions on, groundwater takes have also been introduced. While the availability of surface water will depend on the point of abstraction, the level of allocation at the bottom of the Waikato catchment is the overriding constraint on water availability. The majority of Waikato district is within the Waikato catchment. As at the beginning of 2015, 87% of the flow that was able to be allocated at the river mouth was already allocated for the summer months. Although more water is available in winter, demand for water is either year round for industrial processing and municipal supply, or for the summer season for irrigation. Therefore, unless winter water can be stored, the use of water tanks should be encouraged as the available winter water is practically unavailable for economic use.	rules.
16	Section 1.5.7.5 - The coast	Oppose in part	<p>Amend 1.5.7.5 as follows and make consequential changes needed to give effect to this relief:</p> <p>1.5.7.5 The coast</p> <p>(a) Coastal issues cross the boundaries with Otorohanga District, Hauraki District and Auckland. In addition, Waikato Regional Council has responsibilities for administering the coastal marine area. The Council will liaise with the relevant councils</p>	FFNZ understand the purpose and intent of this section, however it is important to not over simplify this contextual information.

Page	Reference	Support/oppose	Decision sought	Reasons
			on coastal activities with a cross-boundary impact. <u>Inappropriate</u> development will be managed to protect landscape and ecological values throughout the coastal environment.	
17	Section 1.5.7.7 - Energy	Support	Retain 1.5.7.7 as notified: 1.5.7.7 Energy (a) The district plan recognises the national and regional importance of existing energy resources and infrastructure, which include coalfields, coal mines, Huntly Power Station, gas, electricity transmission, and coal conveyance facilities, as well as renewable energy. The plan addresses the positive and adverse effects of energy infrastructure and development.	FFNZ support the balanced approach which is being established for the management of energy infrastructure and development within the plan.
27	Section 1.9.4	Support in part	Amend 1.9.4 as follows and make any consequential changes needed to give effect to this relief: 1.9.4 Section 6 RMA (a) This section places a duty on the Council to recognise and provide for a range of matters of national importance. These include the coastal environment, lakes, rivers, wetlands, natural features, <u>significant habitats of indigenous fauna and significant</u> indigenous vegetation, outstanding landscapes, historic heritage, the relationship of Maaori to ancestral land, sites and features, the protection of recognised customary activities and the management of significant risks from	FFNZ understand the purpose and intent of this section. However, it is important to accurately summarise the Act not over simplify this contextual information.

Page	Reference	Support/oppose	Decision sought	Reasons
			natural hazards.	
27	1.9.5 Section 7 RMA	Support in part	<p>Amend 1.9.5 as follows and make any consequential changes needed to give effect to this relief:</p> <p>1.9.5 Section 7 RMA</p> <p>(a) The matters in Section 7 of the RMA, while not described as matters of national importance are, nevertheless, important to Council's resource management functions. This section requires Council to have particular regard to several matters, including kaitiakitanga, the ethic of stewardship, the efficient use and development of natural and physical resources, the maintenance and <u>enhancement</u> protection of amenity values, intrinsic values of ecosystems, the quality of the environment, the effects of climate change, and the benefits to be derived from the use and development of renewable energy.</p>	FFNZ understand the purpose and intent of this section, however it is important to accurately summarise the Act and not over simplify this contextual information.
31	1.10.3.4 National Environmental Standards	Support in part	<p>Amend 1.10.3.4 as follows and make any consequential changes needed to give effect to this relief:</p> <p>1.10.3.4 National Environmental Standards</p> <p>(a) National Environmental Standards are technical standards relating to the use, development and protection of natural and physical resources and are a form of regulation. Methods for implementing these standards are prescribed by the legislation,</p>	<p>FFNZ understand the hierarchy of planning instruments and WDC's intent to not duplicate land use controls for activities to which respective National Environmental Standards ('NES's) apply.</p> <p>However, we consider it appropriate for the PDP to be more explicit in terms of the relationship between the NESs and the rules framework within the plan. This lack of connection between the two is of particular concern when a 'catch all' rule like NC5 is proposed.</p>

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			<p>which promotes consistent standards, requirements or recommended practices. National standards override existing provisions in plans that have a lower standard.</p> <p>(b) National Environmental Standards are regulations issued under sections 43 and 44 of the RMA and apply nationally. This means that each regional, city or district council must enforce the same standard. In some circumstances, councils can impose stricter standards. <u>The land use activities over which respective NESs apply will be considered as permitted activities under this plan.</u></p>	
33	1.12.2 Natural environment	Oppose	<p>Amend 1.12.2 as follows and make any consequential changes needed to give effect to this relief:</p> <p>1.12.2 Natural environment</p> <p>(a) A district that <u>values</u> protects its natural habitat and ecology at values and retains its significant landscape features.</p> <p>(b) <u>A district that acknowledges the tension between the private cost and public benefit of maintaining or enhancing the District's natural environment.</u></p> <p>(c) A district that <u>where</u> retains the natural character of its rural areas and has access to the public open space <u>is available for public enjoyment and use and well used by</u></p>	<p>Federated Farmers consider the PDP to be overly simplistic and unbalanced in its identification of the significant issues and strategic direction being taken by the district.</p> <p>The lack of recognition or acknowledgement that tensions can be created when private cost is over relied on to achieve public benefit is a significant concern for our members.</p> <p>Many of our members are impacted by natural environment and historic heritage provisions as many of these sites are located on private land. Our members value the natural environment and historic heritage, but often the unknown costs or implications of a policy approach can create a perception that these areas are a liability rather than an asset.</p> <p>When developing policies around the natural</p>

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			the community.	<p>environment and heritage, the impacts on resource users must be addressed. Council's mechanisms to manage or enhance them should include encouragement for resource users. If the effects on landowners are ignored it could be perceived that natural environment resources are a hindrance and a liability, resulting in negative consequences all around.</p> <p>FFNZ seek policies which provide recognition of the private efforts which have created public good resources, and non-regulatory methods that assist landowners help to create win-win outcomes - which should be the ultimate goal.</p> <p>Furthermore, FFNZ consider the purpose and intent of (c) in the notified version of the PDP to be unclear and confusing as presently worded, and seek that this be set forth more clearly.</p>
34	1.12.7 Managing change	Support	<p>Retain 1.12.7 as notified:</p> <p>1.12.7 Managing change</p> <p>(a) A district that effectively consults with and includes its community in decision making while co-operating with other authorities on regionally strategic policy. A district that manages development with master plans that matches the community, the capacity of the environment and infrastructure and avoids the adverse effects of that infrastructure on communities.</p>	FFNZ support the policy position and consider effective consultation and strategic planning to be critical for the efficient operation of the Council's functions.
34	1.12.8 Strategic objectives	Oppose	Amend 1.12.8 as follows and make any consequential changes needed to give	FFNZ are disappointed at the urban-centric focus and nature of this summary of strategic objectives. The

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>effect to this relief:</p> <p>1.12.8 Strategic objectives</p> <p>(a) The matters set out in paragraphs 4.1.1 – 4.1.7 provide the overarching directions for the development of the objectives, policies and other provisions within the district plan.</p> <p>(b) In summary, the overarching directions include the following:</p> <ul style="list-style-type: none"> (i) Urban development takes place within areas identified for the purpose in a manner which utilises land and infrastructure most efficiently. (ii) Promote safe, compact sustainable, good quality urban environments that respond positively to their local context. (iii) Focus urban growth in existing urban communities that have capacity for expansion. (iv) Plan for mixed-use development in suitable locations. (v) Encourage community collaboration in urban growth decisions (vi) <u>Protect and enhance public green open space, outstanding landscapes and areas of cultural, ecological, historic, and environmental significance from inappropriate use and development.</u> (vii) <u>Reconciling the tension between the private cost and public benefit of maintaining or enhancing the District's natural environment and historic</u> 	<p>importance of the primary production sector to this district should be a key consideration for the overarching direction of this plan.</p> <p>Our membership and rural landowners take great pride in their work, stewardship of their land and their economic contribution to their local community.</p> <p>Section 1.4.2 (page 7) states that economic growth can be largely attributed to primary industry, which as of 2014 accounts for more than a third of the district's GDP.</p> <p>FFNZ ask WDC to adopt a more balanced and considered approach to the strategic objectives of this PDP. One which is more consistent with the purpose and intent of the Resource Management Act 1991 ('RMA') and direction in the Waikato Regional Policy Statement ('WRPS').</p>

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			<p>heritage.</p> <p>(viii) <u>Acknowledge the continued use of rural areas for productive rural activities and other land and soil resource-dependent rural-based activities, as well as access to and the extraction of mineral resources, are important to the economic health and well-being of the district and wider subregion</u></p> <p>(ix) <u>Active participation of landowners is seen as vital to the maintenance and enhancement of indigenous biodiversity. The Council will work with landowners, recognise their stewardship and current management practices, and will promote the use of non-regulatory methods, including assistance with the establishment of protective covenants, service delivery, education, and other incentives.</u></p>	
CHAPTER TWO: TANGATA WHENUA				
8-9	Objective 2.12 - Whakapapa (connection to nature)	Support in part	<p>Amend as follows and make consequential changes needed to give effect to this relief:</p> <p>2.12 Objective -Whakapapa (connection to nature)</p> <p>(a) Relationships with ancestral lands, water, sites, waahi tapu and other taonga are protected <u>from inappropriate subdivision, use and development</u>, and enhanced <u>where appropriate</u>.</p>	<p>FFNZ submit that the aspect of <i>whakapapa</i> that should be addressed in the PDP, should relate to the effects of land use.</p> <p>This is in keeping with a general theme across our submission which seeks to ensure WDC restricts the PDP provisions to matters that district councils have the jurisdiction to regulate.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
8-9	2.12.1 Policy- Whanaungatanga (relationship to nature)	Support in part	<p>Amend 2.12.1 as follows and make consequential changes needed to give effect to this relief:</p> <p>2.12.1 Policy- Whanaungatanga (relationship to nature)</p> <p>(a) Recognise the relationship of Tangata Whenua with areas of significance, including waahi tapu, urupaa, maunga and other landforms, mahinga kai, and indigenous flora <u>and consider these matters</u> through provisions which <u>trigger requirement for resource consent or Notice of Requirement for Designation, which</u> may include:</p> <ul style="list-style-type: none"> (i) Cultural value assessments and/or cultural impact assessments; (ii) Accidental discovery protocols; (iii) Use of traditional place names; (iv) Protection, enhancement and restoration of mauri; (v) Use of appropriate plant species; (vi) Use of archaeological information; and (vii) Incorporation of traditional or sympathetic design elements. 	<p>FFNZ understand the purpose and intent of this policy but considers it appropriate for the PDP to include detail as to how this policy will be implemented. It is difficult to determine how and when the provisions listed in (i-vii) will be required.</p> <p>In FFNZ's view, the resource consent and/or designation process is the most appropriate method to incorporate the stated provisions - as and when necessary.</p>
8-9	Policy 2.14.1	Support in part	<p>Amend Policy 2.14.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>2.14.1 Policy Kaitiakitanga (stewardship/guardianship)</p>	<p>FFNZ understand the purpose and intent of this policy however we seek to remind Council that a broad policy like this can isolate landowners. In our experience most landowners want to do the right thing with regards to cultural heritage but it is Council's role to facilitate this with a planning</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(a) Consult with Tangata Whenua where activities have the potential to adversely affect ancestral lands, water, sites, waahi tapu, and other taonga and which may include:</p> <ul style="list-style-type: none"> (i) Establishing who should be consulted, <u>in what circumstances within a resource consent application process or in a resource consent implementation process, and the consultation fees;</u> (ii) Establishing formal arrangements such as joint management agreements or memoranda of understanding; (iii) Tangata Whenua involvement with consent processes and representation on hearings; (iv) Supporting the creation of Iwi and hapuu management plans; and (v) The exercising of kaitiakitanga or stewardship. 	<p>framework that creates certainty and consistency.</p> <p>The Council needs to ensure appropriate consideration is given to existing landowner's rights and their reasonable expectations to manage their land, when recognising and providing for tangata whenua's exercise of kaitiakitanga.</p>
9-9	2.15.1 Policy	Support in part	<p>Amend 2.15.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>2.15.1 Policy- Ngaa taonga tuku iho (Maaori Sites and Areas of Significance)</p> <p>(a) Ensure <u>new</u> subdivision, use and development does not compromise the cultural and spiritual significance of areas, including waahi tapu, urupaa, maunga and other landforms, mahinga kai, and</p>	<p>FFNZ submit that not all subdivision, development or land use should be subject to this policy. There are many legitimate and expected activities which should be able to continue without undue restriction. FFNZ accept that changes to existing land use activities may need to be assessed against potential adverse effects on these sites and areas.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			indigenous flora and fauna. (b) Areas and sites of significance to Maaori including waahi tapu sites and waahi tapu areas are protected from adverse effects of <u>inappropriate land use change development or activities</u> on those sites.	
CHAPTER THREE: NATURAL ENVIRONMENT				
3-7	Objective 3.1.1	Conditional support	3.1.1 Objective – Biodiversity and ecosystems (a) Indigenous biodiversity values and the life-supporting capacity of indigenous ecosystems are maintained or enhanced.	<p>FFNZ understand the intention of this objective is to give effect to the RMA and Waikato Regional Policy Statement (WRPS). It is a goal that many farmers and landowners share and reminds farmers to adopt responsible management and environmental practices.</p> <p>However, the PDP's exclusively regulatory approach is outdated and inconsistent with best practice and advice received from the Council's own consultant through this district plan review process (<i>Kessels Ecology Significant Natural Areas Summary of Inputs from the Community Consultation Process Dec 2016</i>). FFNZ consider that the planning approach will need significant changes if WDC is genuine about engaging in effective consultation and serious about achieving the stated public good outcomes.</p> <p>FFNZ support for this objective is conditional on provision of appropriate policy that recognises the role landowners play in protecting and enhancing biodiversity and our relief sought elsewhere in that regard. (See below)</p>
	New Policy 3.1.X		Insert New Policy as follows and make any consequential amendments needed to give	FFNZ remind WDC that enhancement goals require active management on behalf of both Council and

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>effect to this relief:</p> <p>(a) <u>The Council recognises landowners' stewardship of the land and will work with landowners to promote the use of non-regulatory methods; including assistance with the establishment of protective covenants, service delivery, education, and other incentives in protecting and enhancing ecological sites, geological features, and the values of outstanding natural features and landscapes; and ensure current land management practices help achieve this.</u></p>	<p>landowners if the goals are to be met. We are very disappointed and concerned at the lack of understanding and recognition within the planning framework of the role landowners play with regards to achieving protection and enhanced biodiversity and ecosystem values across the district, regional and country.</p> <p>Active participation of landowners is practically necessary and essential to the successful protection and enhancement of ecological sites, geological features, and the values of outstanding natural features and landscapes.</p>
3-7	Policy 3.1.2	Support in part	<p>Amend Policy 3.1.2 as follows and make any consequential amendments needed to give effect to this relief:</p> <p>3.1.2 Policies</p> <p>(a) Enable-Incentivise activities that maintain or enhance indigenous biodiversity including:</p> <ul style="list-style-type: none"> (i) planting using indigenous species suitable to the habitat; (ii) the removal or management of pest plant and animal species; (iii) biosecurity works. (iv) <u>Encouraging voluntary planting of indigenous plant specimens suitable to each habitat, whilst anticipating flexibility to appropriately manage planted vegetation in a way that is integrated with other land management practices.</u> 	<p>FFNZ support the enabling intent of this policy, however the proposed rules framework designed to implement this policy are not consistent.</p> <p>Activities such as the removal or management of pest plant and animal species can require vegetation clearance and earthworks for conservation fencing to exclude stock or pests. The proposed rules only enable the vegetation clearance activity under 22.2.7, P1(a)(ii), earthworks for a new fence or track would require a Restricted Discretionary resource consent as per 22.2.3.3, RD1(a).</p> <p>This requirement introduces consent costs, on top of labour and materials and creates time constraints – all of which have the ability to stifle good intentions and hinder rather than enable activities which ultimately maintain or enhance indigenous biodiversity.</p> <p>Proposed amendments which will address the</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(b) Consider the following when avoiding, remedying or mitigating adverse effects on indigenous biodiversity:</p> <ul style="list-style-type: none"> (i) the required range of natural food sources; (ii) habitats of threatened and at risk species; (iii) ecological processes and corridors (iv) ecological sequences; (v) migratory pathways; (vi) pest plants and pest animals; (vii) the Waikato river and its catchment; (viii) natural character and landscape values of the area; (ix) natural waterway habitats and hydrology; (x) ecological corridors, natural processes and buffer areas; (xi) legal and physical protection of existing habitat; <p>(c) Provide for the removal of manuka or kanuka on a sustainable basis.</p> <p>(d) <u>Council will coordinate with other agencies and organisations in identifying risks, requirements, opportunities and effective methods for maintaining and enhancing Waikato's biodiversity and will support landowners with a range of regulatory and non-regulatory initiatives to maintain and enhance biodiversity.</u></p> <p>(e) <u>Consider additional subdivision</u></p>	<p>inconsistency of this policy's implementation will be provided under the specific rules.</p> <p>It is widely accepted that the enhancement indigenous vegetation and ecosystems is difficult to achieve without assistance and co-operation from landowners and other parties. Landowners need support from a range of authorities and agencies for initiatives to protect and maintain biodiversity.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>opportunities where significant biodiversity gains can be achieved in the following priority areas or locations:</u></p> <p><u>(i) Peat lakes and rivers: by permanently providing significant buffer areas around peat lakes and rivers; or</u> <u>(ii) Wetlands, kahikatea stands, riparian margins and bush stands on the low lands, by providing permanent protection; or</u> <u>(iii) Significant natural areas being aggregated to form one large more ecologically sustainable area and being permanently protected; or</u> <u>(iv) Biodiversity corridors: by the permanent protection of significant areas of indigenous forest within biodiversity (indigenous forest) corridors; or</u> <u>(v) Biodiversity corridors: by permanently protecting significant riparian or wetland areas within identified biodiversity (river or stream) corridors.</u></p>	
3-7	Objective 3.2.1	Support in part	<p>Amend Objective 3.2.1 as follows and make any consequential amendments needed to give effect to this relief:</p> <p>Objective – Significant Natural Areas</p> <p>(a) Indigenous biodiversity in Significant Natural Areas is protected and enhanced <u>through a range of regulatory and non-regulatory methods.</u></p>	<p>FFNZ consider it important for the Objective to provide more direction and context. It is important to be clear that enhancement goals require a different approach to protection which can be achieved, in part via regulation. Regulation can control use but not induce the active management required to achieve enhancement.</p> <p>We recognises that protection of significant indigenous vegetation and significant habitats of indigenous fauna is a RMA Section 6(c) obligation, and that biodiversity is important to all New Zealanders. This does not however justify the one</p>

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				<p>dimensional approach the PDP has adopted. There are a number of ways Council can discharge their obligations under the Act.</p> <p>Farmers play a fundamental role in the on-going active management and protection of biodiversity on private land in the district and invest hundreds and thousands of dollars in weed and pest control on their own land, every single year. Pests have been identified as the single biggest issues in respect to the management of indigenous flora and fauna and farmers/landowners play a key role in ensuring that pests are actively controlled.</p> <p>We consider it more appropriate to provide support, advice and encouragement through contestable funds to landowners when it comes to protection of ecosystems supporting significant indigenous vegetation and significant habitats of indigenous fauna. It is through such non-regulatory methods that Council can ensure the greatest landowner buy-in and ultimately the best environmental gains.</p>
3-7	Policy 3.2.2	Support in part	<p>Amend Policy 3.2.2 as follows and make any consequential amendments needed to give effect to this relief:</p> <p>3.2.2 Policy - Identify and Recognise</p> <p>(a) Identify significant indigenous vegetation and habitats of indigenous fauna in accordance with the Waikato Regional Policy Statement and identify as Significant Natural Areas <u>on a Schedule in the plan and planning maps.</u></p> <p>(i) <u>The sites currently identified on the</u></p>	<p>FFNZ understand the intent of this policy and the link to the significance criteria in the WRPS.</p> <p>FFNZ support the principle of a policy that seeks to identify areas of national importance and consider that a targeted planning response is more appropriate than general catch all rules which elevate all areas of biodiversity to a significance status until proven otherwise.</p> <p>However, this position increases the importance of the process used to identified the sites, as with significance comes protection and acceptance that</p>

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			<p><u>planning maps are for information purposes only and have no legal effect until a robust identification process, including ground-truthing, has been undertaken.</u></p> <p>(b) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected.</p> <p>(ii) <u>Ensure landowners are informed of the characteristics relating to their specific site and the activities which may adversely affect them.</u></p> <p>(c) <u>Where a proposed activity requires a resource consent solely as a result of an area being identified as a significant natural area (SNA) and the site has not been ground-truthed, Council will meet the costs of the ground-truthing assessment to confirm the status and boundaries of the significant natural area. The assessment will be carried out by a Council approved suitably qualified and experienced ecologist prior to an application for resource consent being lodged.</u></p>	<p>extra land use controls may be required to meet RMA obligations. It would be very rare to find a landowner who would not want to look after an area which is truly significant, but frustrations and resentment will result from a flawed identification process.</p> <p>In this regard we are unsure what the method or process which will be used to implement the identification assessment required of Policy 3.2.2(a) and as such cannot assess the merits or otherwise of the process going forward.</p> <p>With regards to SNA sites which have been included in the PDP, FFNZ seek that these be withdrawn until a robust identification process has been undertaken. Many sites have been mapped as SNAs which didn't categorically meet the WRPS significance criterion. It is our submission that identification of sites using aerial photography and desktop analysis with only a very small percentage of sites visited to ground-truth information, means the level of confidence in the process is not sufficiently high enough to incorporate these sites into the plan with the degree of regulation proposed to be applied over these areas.</p> <p>There are many potential deficiencies in relying only on desktop studies, including outdated information, not understanding the purpose or origins of features that may be identified (such as 'wetland areas' for example - which may have been deliberately constructed for water storage purposes) and not being able to properly evaluate and understand the values of a feature, or ground slope.</p> <p>FFNZ also urge WDC to be strategic and practical in its approach and focus limited resources on working</p>

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				first with those landowners who are engaged and keen to be involved in the first instance. There is little to be gained by backing reluctant landowners into an expensive and protracted litigious battle using public money that would be better spent achieving good outcomes on the ground not on paper.
3-7	Policy 3.2.3	Conditional support	Retain Policy 3.2.3 as notified: 3.2.3 Policy - Management hierarchy (a) Recognise and protect indigenous biodiversity within Significant Natural Areas by: (i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled; (ii) remedying any effects that cannot be avoided; then (iii) mitigating any effects that cannot be remedied; and (iv) after remediation or mitigation has been undertaken, offset any significant residual adverse effects in accordance with Policy 3.2.4.	Conditional support is extended to this policy, which FFNZ understand is drafted to give effect to the WRPS. However, FFNZ support a planning response which is focussed on more robust and ground-truthed SNA identification. In the absence of such an approach, and in recognition of RMA section 86B(3), FFNZ seek deletion of the rules drafted to implement this policy.
3-7	Policy 3.2.4	Conditional support	Retain Policy 3.2.4 as notified: 3.2.4 Policy – Biodiversity Offsetting (a) Allow for a biodiversity offset to be offered by a resource consent applicant where an activity will result in significant residual adverse effects on a Significant Natural Area, or on indigenous biodiversity outside	Conditional support is extended to this policy, which FFNZ understand is drafted to give effect to the WRPS. Support is conditional on a more robust SNA identification process being undertaken.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>such Significant Natural Areas.</p> <p>(b) Within a Significant Natural Area, a biodiversity offset will only be considered appropriate where adverse effects have been avoided, remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and</p> <p>(i) the biodiversity offset is consistent with the framework detailed in Appendix 6 Biodiversity Offsetting; and</p> <p>(ii) the biodiversity offset can achieve no net loss of indigenous biodiversity: A. preferably in the affected area of Significant Natural Area; or B. where that is not practicable, in the ecological district in which the affected area of Significant Natural Area is located.</p>	
4-7	3.2.5 Policy - Biodiversity in the coastal environment	Conditional support	<p>Retain Policy 3.2.5 as notified:</p> <p>3.2.5 Policy - Biodiversity in the coastal environment</p> <p>(a) Avoid the adverse effects of subdivision use and development within Significant Natural Areas of the coastal environment on:</p> <p>(i) indigenous species that are listed as threatened or at risk in the New Zealand Threat Classification System lists</p> <p>(ii) habitats of indigenous species where the species are listed as threatened or</p>	Conditional support is extended to this policy, which FFNZ understand is drafted to give effect to the NZ Coastal Policy Statement and WRPS. Support is conditional on a more robust SNA identification process being undertaken.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>at risk, are at the limit of their natural range, or are naturally rare</p> <p>(iii) areas containing nationally-significant examples of indigenous community types</p> <p>(iv) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare, and</p> <p>(v) areas set aside for full or partial protection of indigenous biological diversity under legislation.</p>	
4-7	3.2.6 Policy - Providing for vegetation clearance	Conditional support	<p>Amend Policy 3.2.6 as follows and make any consequential changes needed to give effect to this relief:</p> <p>3.2.6 Policy - Providing for vegetation clearance</p> <p>(a) Provide for the clearance of indigenous vegetation in Significant Natural Areas when:</p> <p>(i) maintaining tracks, fences and farm drains</p> <p>(ii) avoiding loss of life injury or damage to property</p> <p>(iii) collecting material to maintain traditional Maaori cultural practices</p> <p>(iv) collecting firewood for domestic use</p> <p>(b) Provide for the clearance of indigenous vegetation in Significant Natural Areas for the construction of building platforms, services, access, vehicle parking and on-site manoeuvring and the development of Maaori Freehold Land by:</p> <p>(i) using any existing cleared areas on a</p>	<p>Conditional support is extended to this policy which FFNZ understand is drafted to give effect to the WRPS. Support is conditional on a more robust SNA identification process being undertaken.</p> <p>Furthermore, FFNZ seek a better balance being struck between environmental, social and economic wellbeing. Farmers typically need to undertake a variety of types of vegetation clearance as part of day-to-day farming activity for the purpose of matters including the following:</p> <ul style="list-style-type: none"> • Vegetation clearance around farm buildings, airstrips and helipads, farm access tracks, waterway crossings, culverts and bridges, farm infrastructure such as telecommunications facilities, water supply pipelines, dams and troughs, fertiliser storage areas, hazardous substance storage and handling areas, silage pits, stock mustering areas for dairy sheds, shearing sheds and marshallng yards • Pest plant/weed control, including invasive weed clearance from riparian margins • Pasture maintenance

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>site that are suitable to accommodate new development in the first instance</p> <p>(ii) using any practicable alternative locations that would reduce the need for vegetation removal</p> <p>(iii) retaining indigenous vegetation which contributes to the ecological significance of a site, taking into account any loss that may be unavoidable to create a building platform, services, access, vehicle parking and manoeuvring on a site</p> <p>(iv) firewood.</p>	<ul style="list-style-type: none"> Maintenance of rural fire breaks <p>These types of minor vegetation clearance include clearance of all types of vegetation, including indigenous vegetation. These activities are undertaken in the context of the relatively wide open spaces and low population and development densities that characterise rural areas.</p> <p>Enabling these types of routine minor vegetation clearance is important for efficient resource management in order to support the economic, social and cultural well-being of communities in the district. Farmers should not be subject to undue delays and costs from triggering resource consent requirements for minor clearance of indigenous vegetation where there is little or no environmental benefit. FFNZ are also unsure why land tenure is an appropriate trigger to determine different land use controls related to biodiversity outcomes, and seek that reference to particular land tenure be deleted from this policy.</p>
4-7	3.2.7 Policy - Managing Significant Natural Areas	Conditional support	<p>Amend Policy 3.2.7 as follows and make any consequential changes needed to give effect to this relief:</p> <p>3.2.7 Policy - Managing Significant Natural Areas</p> <p>(a) Promote the management of Significant Natural Areas in a way that protects their long-term ecological functioning and indigenous biodiversity values, through such means as:</p> <p>(i) permanently excluding stock through</p>	<p>WDC need to prioritise and ground-truth identification and management of SNAs in order to ensure landowners are not unnecessarily subject to onerous costs and time delays. This is the outcome when usual and expected farming activities are subject to resource consent conditions to protect patches of indigenous vegetation. FFNZ has concerns that the district's ratepayers will not be able to afford to adequately protect areas of indigenous vegetation which accurately meet the significance criteria let alone the 'wish list' which has currently been created by the inadequate identification process.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>voluntary covenants and conservation subdivisions</p> <p>(ii) undertaking plant and animal pest control</p> <p>(iii) retaining and enhancing indigenous vegetation cover</p> <p>(iv) maintaining and restoring natural wetland hydrology</p> <p>(v) avoiding physical and legal fragmentation</p> <p>(vi) legal protection of Significant Natural Areas through conservation covenants or similar mechanisms</p> <p>(vii) providing for the role of Mana Whenua as kaitiaki and for the practical exercise of kaitiakitanga in restoring, protecting and enhancing areas.</p> <p>(b) <u>Recognise that management of Significant Natural Areas on private land requires public investment in a range of incentives such as:</u></p> <p>(i) <u>Rates remissions or rebates for land retired for biodiversity purposes;</u></p> <p>(ii) <u>Reimbursements or discounts for products and fencing material for stock exclusion;</u></p> <p>(iii) <u>Resource consent fee discounts and waivers;</u></p> <p>(iv) <u>Providing native plants seedlings;</u></p> <p>(v) <u>Pest animal and weed control assistance;</u></p> <p>(vi) <u>Contestable fund for biodiversity projects;</u></p> <p>(vii) <u>Transferable development rights.</u></p> <p>(viii) <u>Education and information on types of</u></p>	<p>WDC also need to acknowledge the role landowners play in managing SNAs where these are found on private land, and to have policy which incentivises a range of management tools to enable the appropriate management of SNAs.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<u>vegetation and habitat, and why they are important;</u> (ix) <u>Assistance for landowners going through a QEII process, or applying for Landcare Trust funding</u>	
4-7	3.2.8 Policy – Incentivise subdivision	Support	Retain Policy 3.2.8 as notified: 3.2.8 Policy – Incentivise subdivision (a) Incentivise subdivision in the Rural Zone when there is the legal and physical protection of Significant Natural Areas, provided the areas are of a suitable size and quality to achieve a functioning ecosystem.	FFNZ support the intention of the incentive.
5-7	3.3.1 Objective – Outstanding natural features and landscapes	Support	Retain Objective 3.3.1 as notified: 3.3.1 Objective – Outstanding natural features and landscapes (a) Outstanding Natural Features and Outstanding Natural Landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development.	FFNZ understand the intent of this Objective is to meet RMA obligations and WRPS direction
5-7	3.3.2 Policy – Recognising values and qualities	Support in part	Amend Policy 3.3.2 as follows and make any consequential changes needed to give effect to this relief; 3.3.2 Policy – Recognising values and qualities (a) Recognise the attributes of the district's mountains, bush clad ranges and hill	FFNZ understand the policy in the context of the WRPS. However, the PDP must ensure that ONFs and ONLs (which have been identified over private farmland), enable farming activities that contribute to the values and qualities of pastoral working landscapes. These are dynamic and changing, and it is not appropriate for the PDP to seek to 'freeze' landscape character by rendering farming land use and development as 'static' in this context.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>country identified as Outstanding Natural Features and Outstanding Natural Landscapes including:</p> <ul style="list-style-type: none"> (i) ridgelines and valleys; (ii) significant ecological values; (iii) indigenous bush and the extent of this bush cover; (iv) cultural heritage values associated with these areas; (v) recreational attributes including walking and access tracks; (vi) existing water reservoirs and dams; (vii) existing pastoral farming activities on the margins of these areas. <p>(b) Recognise the attributes of the Waikato River delta and wetlands, Whangamarino Wetland and Lake Whangape identified as Outstanding Natural Features, including:</p> <ul style="list-style-type: none"> (i) natural geomorphology and hydrological processes; (ii) significant habitat values; (iii) significant indigenous vegetation; (iv) cultural heritage values associated with these areas; (v) recreational use of these areas; and (vi) existing pastoral farming activities on the margins these areas. <p>(c) Recognise the attributes of the west coast dunes identified as outstanding natural features, including:</p> <ul style="list-style-type: none"> (i) natural geomorphology, patterns and processes; (ii) significant habitat values; (iii) significant indigenous vegetation; 	<p>Farmers have a legitimate right to be able to use their land resource in a way that meets their social and economic wellbeing. This includes being able to respond to a range of variables including economic drivers and market trends and adapt, through change. It is accepted that adverse effects need to be managed to an appropriate standard. However, the PDP policy framework as proposed, will force unduly onerous and unnecessary assessment requirements on resource consent applicants for little or no environmental benefit if it only focusses on recognising existing farms and farming infrastructure. In FFNZ's view, the PDP policy should instead emphasise values and attributes, and the type of farming activities which give rise to these, rather than restricting recognition specifically to existing activities.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<ul style="list-style-type: none"> (iv) cultural heritage values associated with these areas; and (v) existing pastoral farming activities on the margins these areas. 	
5-7	3.3.3 Policy - Protection from inappropriate subdivision, use and development	Support in part	<p>Amend Policy 3.3.3 as follows and make any consequential changes needed to give effect to this relief:</p> <p>3.3.3 Policy - Protection from inappropriate subdivision, use and development</p> <ul style="list-style-type: none"> (a) Ensure that the attributes of identified Outstanding Natural Features and Outstanding Natural Landscapes are protected from inappropriate subdivision, use and development by: <ul style="list-style-type: none"> (i) requiring <u>new</u> buildings and structures to be integrated into the Outstanding Natural Landscape or feature to minimise any visual impacts; (ii) managing the adverse effects of <u>new</u> building platforms, buildings, driveways and roads through appropriate subdivision design; (iii) requiring subdivision and development to retain views of Outstanding Natural Landscapes and features from public places; and (iv) avoiding the adverse effects of extractive industries and <u>inappropriate</u> earthworks. 	FFNZ understand the intent of this policy. However, we consider that amendments are required to better meet RMA obligations and WRPS direction.
5-7	3.3.4 Policy - The relationships of Maaori with natural	Support	<p>Retain Policy 3.3.4 as notified:</p> <p>3.3.4 Policy - The relationships of Maaori with</p>	FFNZ support the principle of this policy which recognises that balance and compromise is required to be stuck between the competing values of

Page	Reference	Support/oppose	Decision sought	Reasons
	resources and land		<p>natural resources and land</p> <p>(a) Provide for the consideration of cultural and spiritual relationships of Maaori with Outstanding Natural Features and Outstanding Natural Landscapes as part of subdivision, use and development.</p> <p>(b) Provide for the development of Maaori Freehold Land, within Outstanding Natural Features and Landscapes, including within the Whaanga Coast Specific Area.</p> <p>(c) Provide for Maaori cultural and customary uses of natural resources, including land, water and other natural resources as an integral part of identified Outstanding Natural Features and Outstanding Natural Landscapes.</p>	<p>resource use and resource protection.</p> <p>FFNZ expect this principle as expressed in 3.3.4 (b) to be applied consistently and a better balance struck in relation to use and development of private land within ONLs and ONFs.</p>
6-7	Objective 3.4.1	Oppose in part	<p>Amend Objective 3.4.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>3.4.1 Objective – Significant amenity landscapes</p> <p>(a) The attributes of areas and features valued for their contribution to landscape values and visual amenity are maintained or enhanced.</p> <p>(b) <u>These areas will be identified and applied over public land only in recognition that zone specific rules are designed, in part, to manage adverse effects on amenity values created by private land use, where appropriate.</u></p>	<p>FFNZ understand the intent of this objective is to meet WRPS Policy 12.3 direction.</p> <p>However, the WRPS does not explicitly require the amenity values of rural landscapes to be identified and managed. In our view the extra overlay of SAL objectives, policies and rules as they relate to rural activities on private land are an unnecessary duplication of rural zone rules.</p> <p>FFNZ is opposed to any protection of a rural ideal, landscape or amenity that largely involves working landscapes there as a result of the activities you would expect to find in the rural zone.</p> <p>FFNZ not support unnecessary controls on activities in the rural area.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
				Further, we are concerned at the lack of landowner involvement in the process of identifying significant amenity landscapes and understand that substantial areas of some farmland has been included.
6-7	3.4.2 Policy – Recognising Significant Amenity Landscapes	Oppose in part	<p>Amend Policy 3.4.2 as follows and make any consequential changes needed to give effect to this relief:</p> <p>3.4.2 Policy – Recognising Significant Amenity Landscapes</p> <p>(a) Recognise the attributes which contribute to identified Significant Amenity Landscapes</p> <p>(i) <u>This policy will be implemented by the relevant zone rules which control effects of land use relative to the zone</u></p>	<p>FFNZ understand the intent of this policy is to meet WRPS Policy 12.3 direction. However, the WRPS does not explicitly require the amenity values of rural landscapes to be identified and managed.</p> <p>In FFNZ's view, the extra overlay of SAL objectives, policies and rules (as they relate to rural activities on private land) serve no useful purpose. These are an unnecessary duplication of other Rural Zone rules that control amenity through provisions for managing building bulk and location and certain earthworks.</p> <p>FFNZ oppose any 'protection' of rural pastoral landscape amenity or characteristic over farmland, no matter how 'significant' such amenity may seem. FFNZ also oppose any associated restriction on land use within farmland, aimed at such protection. FFNZ view farmland as a 'working landscape' that is always changing as a result of the rural-based activities that would be expected to be found within rural areas. Any restrictions aimed at protecting rural farmland amenity are completely unnecessary and do not achieve any environment benefit. Rather they only serve to burden farmers with undue delay and cost in having to seek resource consents in order to carry out routine farming activity and associated development.</p> <p>FFNZ are concerned at the lack of landowner involvement in the process of identifying <i>Significant Amenity Landscapes</i> and understand that substantial areas of some farmland have been included. FFNZ</p>

Page	Reference	Support/oppose	Decision sought	Reasons
				are totally opposed to this and seek removal of all SAL classification over farmland.
6-7	3.4.3 Policy – Maintaining and enhancing Significant Amenity Landscapes	Oppose in part	<p>Amend Policy 3.4.3 as follows and make any consequential changes needed to give effect to this relief:</p> <p><u>3.4.3 Policy – Maintaining and or where appropriate enhancing the attributes of Significant Amenity Landscapes</u></p> <p>(a) Maintain and, <u>where appropriate</u>, enhance the attributes of identified Significant Amenity Landscapes, during subdivision, land use and development, in particular by:</p> <ul style="list-style-type: none"> (i) requiring buildings and structures to be integrated into the Significant Amenity Landscape to minimise any visual impacts; (ii) managing the adverse effects of building platforms, buildings, driveways and roads through appropriate subdivision design; (iii) <u>recognising and</u> providing for the continuation development of <u>rural production farming</u> activities within hill country landscapes and volcanic features; (iv) managing the adverse effects of earthworks; and (v) promoting and encouraging maintenance and enhancement of their attributes. <p>(b) <u>Note: There are no rules relating specifically to Significant Amenity</u></p>	<p>FFNZ relief in this respect is contingent on our relief sought in relation to Objective 3.4.1 and Policy 3.4.2.</p> <p>The proposed policy as drafted contains a number of unnecessary duplications and is inconsistent with the enabling approach adopted under 3.4.4.</p> <p>The potential adverse effects associated with new development can be addressed under (ii). Non rural development earthworks will be addressed under (ii) so (iv) is an unnecessary duplication which may capture farming related earthworks inappropriately.</p> <p>The activities that have attributes which contribute to amenity values should be enabled and so it is important to acknowledge this in (iii), but it is broader than just farming. The proposed amendments are required to ensure a consistent planning response is adopted. Reference to made to the enabling intent of 3.4.4(b), which appropriately prioritises economic, social and cultural wellbeing over second tier amenity landscapes.</p> <p>FFNZ submit that the WRPS doesn't require rules as such. Rather, the overarching requirement to 'maintain and enhance' can be achieved by recognising all types of farming activity as contributing to rural landscape amenity, and excluding it from requirement for resource consent.</p> <p>FFNZ submit that implementing the policy can be achieved when <i>discretionary activity</i> or <i>non-complying activity</i> status is triggered as a result of</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<u>Landscapes in Chapter 22. However, where discretionary or non-complying activity resource consents are required under rules of this Plan, and where those activities are located within significant amenity landscapes, the proposed activities will be assessed in terms of their consistency with this policy.</u>	other resource consent requirements in the PDP. An assessment of the adverse effects of the proposed activity can be considered, if appropriate, at that time. against significant landscape amenity values and the ability to avoid, remedy or mitigate those effects
6-7	3.4.4 Policy - The relationships of Maaori with their resources and land	Support in part	<p>Retain Policy 3.4.4 as notified:</p> <p>3.4.4 Policy - The relationships of Maaori with their resources and land</p> <p>(a) Provide for the cultural and spiritual relationships of Maaori with Significant Amenity Landscapes during subdivision, use and development.</p> <p>(b) Provide for the development of Maaori Freehold Land within Significant Amenity Landscapes.</p> <p>(c) Provide for Maaori cultural and customary uses of natural resources, including land, water and other natural resources as an integral part of identified Significant Amenity Landscapes.</p>	<p>FFNZ support the principle of this policy which recognises that balance and compromise is required to be struck between the competing values of resource use and resource protection, but this is contingent on our relief sought in relation to Objective 3.4.1 and Policies 3.4.2 and 3.4.3.</p> <p>FFNZ expect this principle as expressed in 3.4.4(b) to be applied consistently across the district regardless of the land title.</p>
6-7	3.5.1 Objectives – Natural character	Support	<p>Retain as notified:</p> <p>3.5.1 Objectives – Natural character</p> <p>(a) The high and Outstanding Natural Character of the coastal environment is protected from inappropriate subdivision,</p>	FFNZ understand the purpose and intent of this Objective

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>use and development.</p> <p>(b) The natural character of wetlands, and lakes and rivers and their margins are protected from inappropriate subdivision, use and development.</p>	
6-7	3.5.2 Policies – Recognising natural character	Oppose	<p>Delete Policy 3.5.2 as follows and make any consequential changes needed to give effect to this relief:</p> <p>3.5.2 Policies – Recognising natural character</p> <p>(a) Recognise the following natural elements, patterns, processes and experiential qualities which contribute to natural character:</p> <p>(i) areas or waterbodies in their natural states or close to their natural state;</p> <p>(ii) coastal or freshwater landforms and landscapes;</p> <p>(iii) coastal or freshwater physical processes, including the movement of water and sediment;</p> <p>(iv) biodiversity;</p> <p>(v) biological processes and patterns;</p> <p>(vi) water flows and levels, and water quality; and</p> <p>(vii) the experience of the above elements, patterns and processes.</p> <p>(b) Recognise the natural character qualities of the following areas within the coastal environment and identified on the planning maps as:</p>	<p>FFNZ understand the coastal environment and rivers and lakes are particularly valued for natural character qualities which are predominant in these areas. We also understand the RMA section 6(a) and the WRPS Policy 12.2 requirements.</p> <p>In our view, Policies 3.5.3 and 3.5.4 achieve those goals more appropriately, with Policy 3.5.2 being an unnecessary duplication, which has the ability to cause confusion and uncertainty leading to unnecessarily onerous requirements for assessment in resource consent applications. It is important to note the planning map legend includes overlays as 'coastal environment', 'natural character', 'outstanding natural landscapes'. There are no overlays on the legend which match the areas specified under 3.5.2(b).</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			(i) Outstanding Natural Character areas; and (ii) high (and very high) natural character areas.	
6-7	3.5.3 Policy - Protecting the natural character qualities of the coastal environment	Support in part	<p>Amend Policy 3.5.3 as follows and make any consequential changes needed to give effect to this relief:</p> <p>3.5.3 Policy - Protecting the natural character qualities of the coastal environment</p> <p>(a) Protect the qualities of outstanding and high natural character areas in the coastal environment from inappropriate subdivision, use and development by:</p> <ul style="list-style-type: none"> (i) managing the adverse effects of subdivision, use and development; (ii) avoiding significant adverse effects of subdivision, use and development; (iii) avoiding subdivision, use and development within areas of outstanding natural character, where it would damage, diminish or compromise natural character; (iv) avoiding activities that damage the stability of identified coastal dune systems; (v) requiring appropriate building setbacks from riparian and coastal margins; (vi) ensuring that activities are carried out in a way that maintains or enhances water quality in the coastal environment; (vii) enabling and concentrating development within existing 	<p>Whilst FFNZ understands the intent of this policy it is important the note the planning map legend lists overlays as 'coastal environment', 'natural character', 'outstanding natural landscapes'. There are no overlays on the legend which match areas specified as outstanding natural character areas.</p> <p>We also remind WDC they must focus land use controls to purposes which fall within the jurisdiction of the district council.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>settlements to avoid development sprawling along the coastline;</p> <p>(viii) recognising historic farming operations that continue today;</p> <p>(ix) avoiding the establishment of new plantation forestry.</p> <p><u>Note the Policy will not be implemented until such time as the areas of outstanding natural character within the coastal environment have been appropriately identified and included into the planning maps.</u></p>	
7-7	3.5.4 Policy - Protecting the natural character of wetlands, and lakes and rivers and their margins	Support in part	<p>Amend Policy 3.5.4as follows and make any consequential changes needed to give effect to this relief:</p> <p>3.5.4 Policy - Protecting the natural character of wetlands, and lakes and rivers and their margins</p> <p>(a) Protect the natural character qualities of wetlands, and lakes and rivers and their margins from inappropriate subdivision, use and development by:</p> <p>(i) ensuring that location, intensity, scale and form of subdivision, use and development are appropriate;</p> <p>(ii) minimising, to the extent practicable <u>and necessary</u> indigenous vegetation clearance and modification (including earthworks, disturbance and structures);</p> <p>(iii) encouraging any new activities to consolidate within, and around, existing developments or, where the</p>	<p>FFNZ understand the intent of this Policy is to meet RMA section 6(a) and the WRPS Policy 12.2 requirements, however we consider the amendments are required to better meet the WRPS direction.</p> <p>Further we are unsure as to the drafting of 3.5.4(a)(ii) and what the relationship between the activities contained within the brackets is.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>natural character and landscape values have already been compromised, to avoid development sprawling; and</p> <p>(iv) requiring appropriate setbacks of activities from wetlands, lakes and rivers.</p> <p>(b) <u>Determining what is inappropriate use and development will be considered with respect to the level of natural character. Where man-made elements/influences are dominant, it may be appropriate that activities result in further adverse effect on natural character.</u></p>	
CHAPTER FOUR: URBAN ENVIRONMENT				
7-26	4.1.2 Objective – Urban growth and development	Support	<p>Retain 4.1.2 as notified:</p> <p>4.1.2 Objective – Urban growth and development</p> <p>(a) Future settlement pattern is consolidated in and around existing towns and villages in the district.</p>	Support is extended to the recognition that future settlement development is appropriately directed to existing areas with infrastructure and services.
7-26	4.1.3 Policy - Location of development	Support	<p>Retain 4.1.3 as notified:</p> <p>4.1.3 Policy - Location of development</p> <p>(a) Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages where infrastructure and services can be efficiently</p>	FFNZ support this policy as it is aimed at ensuring future settlement development is appropriately directed to existing areas with infrastructure and services.

Page	Reference	Support/oppose	Decision sought	Reasons
			and economically provided. (b) Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017.	
7-26	4.1.5 Policy – Density	Support	Retain 4.1.5 as notified: 4.1.5 Policy – Density (a) Encourage higher density housing and retirement villages to be located near to and support commercial centres, community facilities, public transport and open space. (b) Achieve a minimum density of 12-15 households per hectare in the Residential Zone. (c) Achieve a minimum density of 8-10 households per hectare in the Village Zone where public reticulated services can be provided.	FFNZ support this policy, which is designed to reduce urban sprawl and the subsequent pressures that are placed on Council infrastructure and services.
8-26	4.1.10 Policy – Tuakau	Oppose in part	Amend 4.1.10 as follows and make any consequential changes needed to give effect to this relief: 4.1.10 Policy – Tuakau (a) Tuakau is developed to ensure; (i) Subdivision, land use and development in Tuakau's new residential and business areas occurs in a manner that promotes the development of a variety of housing densities, diversity of building styles and a high quality living	FFNZ are concerned at the focus of this policy. Consideration of reverse sensitivity effects created when new residential development occurs within an existing non-residential environment, should be applied much wider than to just intensive farming and industrial activities. We consider that sensitive activities in rural areas can result in creating unreasonable expectations of the amenity of rural areas amongst people who are unaccustomed to rural environments. FFNZ are concerned that this would result in complaints about normal farming activities, and create unreasonable

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>environment;</p> <p>(ii) Existing intensive <u>Rural production activities including farming and intensive farming operations</u>, and industrial activities are protected from the effects of reverse sensitivity by considering the location of new residential development; and</p> <p>(iii) Future neighbourhood centres, roads, parks, pedestrian, cycle and bridle networks are developed in accordance with the Tuakau Structure Plan.</p>	<p>expectations that such effects to be avoided or mitigated in every instance, which would drive opposition to farming activity, making it even harder for farmers to be able to efficiently utilise the rural land resource for farming</p>
9-26	4.1.15 Policy – Ngaruawahia	Oppose in part	<p>Amend 4.1.15 and make any consequential changes needed to give effect to this relief:</p> <p>4.1.15 Policy – Ngaruawahia</p> <p>(a) Ngaruawahia is developed to ensure:</p> <p>(i) Existing intensive <u>Rural production activities including farming and intensive farming operations</u> and industrial activities are protected from the effects of reverse sensitivity when locating new residential development; ...</p>	<p>FFNZ are concerned at the current focus of the Policy. The consideration of reverse sensitivity effects created when new residential development occurs within an existing non-residential environment should be applied much wider than to just intensive farming and industrial activities.</p> <p>We consider that it could result in creating unreasonable expectations of the amenity of the area and perpetuate reverse sensitivity issues with people unaccustomed to the rural environment complaining about normal farming activities and expecting those effects to be avoided or mitigated in every instance.</p>
CHAPTER FIVE: RURAL ENVIRONMENT				
4-11	5.1.1 Objective – The rural environment	Support in part	<p>Amend 5.1.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.1.1 Objective – The rural environment</p>	<p>Agriculture is significant to the district, both in economic terms and for the basis of district identity as a thriving and successful rural region.</p> <p>Primary production activities such as dairying, dry</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(a) Subdivision, use and development within the rural environment where:</p> <p>(i) high class <u>and versatile</u> soils are protected <u>for primary productive use and to maintain the productive land resources for future generations rural activities</u>;</p> <p>(ii) productive <u>primary productive use and rural activities are supported and enabled in a manner which does not reduce existing primary productive use or compromise existing and future primary productive use options while maintaining or enhancing the rural environment</u>;</p> <p>(iii) urban subdivision, use and development in the rural environment is avoided. the <u>use and development of rural resources enables people and communities to provide for their economic, social and cultural wellbeing</u></p>	<p>stock and horticulture make significant contributions to the economic, social and cultural well-being of the district. Federated Farmers believes that the PDP needs to adopt a more balanced and considered response between resource use and resource protection.</p> <p>Any decisions, policies or rules relating to the sustainable management of the district's rural land and soils must recognise the economic, social and cultural wellbeing that rural activities provide to the district and wider region.</p> <p>FFNZ support a high priority being given to maintaining the productive capacity of rural land resource. Sustaining the primary sector activities dependant on this land is critical to providing for current and future generations, however it is difficult to do this too prescriptively. For example, a stony soil that may be identified as appropriate for alternative non rural use may be highly productive for one particular land use.</p> <p>FFNZ support a flexible approach to managing the effects of land use on the soils of the district, one that is based on flexible, enabling objectives and policies.</p> <p>FFNZ consider these amendments are required to better meet the WRPS Objective 3.25 Values of soils and Policy 14.2 directives.</p>
4-11	New Policy	Support	Amend Chapter five: rural environment to include a new policy and make any consequential changes needed to give effect to this relief:	FFNZ submit this new policy is required as consequential relief sought in relation to Objective 5.1.1.

Page	Reference	Support/oppose	Decision sought	Reasons
			<u>5.1.2 Policy – enabling growth</u> (a) <u>Provide for the growth and efficient operation of primary productive land use and rural production activities in the Rural Zone.</u>	
4	5.2.1 Objective - Rural resources	Oppose	Delete Objective 5.2.1 in its entirety 5.2.1 Objective – Rural resources (a) Maintain or enhance the: (i) inherent life-supporting capacity and versatility of soils, in particular high class soils; (ii) The health and wellbeing of rural land and natural ecosystems; (iii) The quality of surface fresh water and ground water, including their catchments and connections; (iv) Life-supporting and intrinsic natural characteristics of water bodies and coastal waters and the catchments between them.	<p>FFNZ oppose this policy and remind WDC that it is the Regional Council's role to control land use for the purpose of soil conservation. The district council's role, as directed by the WRPS, is to ensure land use is managed in a way that does not decline the availability of high class soils for primary production due to inappropriate subdivision, use or development (WRPS Policy 14.2).</p> <p>FFNZ considers the relief sought in relation to Objective 5.1.1 above will better meet RMA and the WRPS requirements and renders 5.2.1(a)(i) unnecessary and inappropriate. Federated Farmers is unsure what resource management issue 5.2.1(a)(ii) is trying to address or what 'rural land' means in this context.</p> <p>In FFNZ's view, Objective 5.2.1 is also, in part, an unnecessary duplication of resource management issues which are being addressed under Chapter 3 Natural Environment.</p> <p>There are other elements of the objective which are also outside the functions of a district council.</p>
4-11	5.2.2 Policy - High class soils	Oppose in part	Amend 5.2.2 as follows and make any consequential changes needed to give effect to this relief:	<p>Whilst FFNZ understand the intent of the policy, we remind WDC that management of chemical and biological properties of soils is not a territorial authority function. We are concerned about</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>5.2.2 Policy – High class soils</p> <p>(a) Soils, in particular high class soils, are retained for their primary productive value.</p> <p>(b) Ensure the adverse effects of activities do not compromise the physical, chemical and biological properties of high class soils.</p>	<p>unnecessary duplication, overlap and added costs arising from over-regulation, without added value. WDC can realistically do its part in protection of soils by way of subdivision and development controls, but FFNZ are concerned that (b) has the potential to capture and control other activities inappropriately.</p>
4-11	5.2.3 Policy - Effects of subdivision and development on soils	Oppose in part	<p>Amend 5.2.3 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.2.3 Policy - Effects of subdivision and development on soils</p> <p>(a) Subdivision,—use and development minimises the fragmentation of productive rural land, particularly where high class soils are located.</p> <p>(b) Subdivision which provides a range of lifestyle <u>and economic</u> options is <u>managed in a way that ensures rural resources, character and environmental values are retained.</u> directed away from high class soils and/ or where indigenous biodiversity is being protected.</p>	<p>FFNZ consider that subdivision and development policies and planning should provide for managed growth in rural communities.</p> <p>While land use change, subdivision and land development activities in rural areas may result in the loss of productive land, there is a need to recognise that farmers may need to undertake small lot subdivision for a number of reasons, including; providing for farm succession, disposing of surplus dwellings and for providing on-farm accommodation for family members and employees, and rearrangement of lot boundaries to enable more efficient land management.</p> <p>Considered, well-managed growth in rural communities provides for diversity and vibrancy in rural areas, sustains essential community infrastructure, and provides employment flexibility and opportunities.</p> <p>FFNZ consider that there are benefits to enabling subdivision and other rural-residential opportunities, however, this should be done in a way that appropriately protects rural character and enables and maintains a reasonable use of productive land.</p> <p>FFNZ oppose the protection of rural landscapes or</p>

Page	Reference	Support/oppose	Decision sought	Reasons
				<p>amenity on farmland which is characterised by ever-changing working landscapes, that are largely there as a result of farming activities that you would expect to find in a rural zone.</p> <p>Furthermore, FFNZ consider that land use and subdivision don't need to be controlled to protect areas of significant indigenous vegetation where there are clearly no more than minor effects, or where the effects can be successfully mitigated through permitted or controlled activity standards.</p>
5-11	5.3.1 Objective - Rural character and amenity	Support in part	<p>Amend Objective 5.3.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.3.1 Objective - Rural character and amenity</p> <p>(a) <u>The values which contribute to</u> rural character and amenity are maintained.</p>	<p>FFNZ support the intent of the objective. However, some amendment is required to ensure the plan is appropriately focused and consistent with broader policy direction.</p> <p>FFNZ consider that there are benefits to enabling a range of land use opportunities within the Rural Zone, and that this should be done in a way that appropriately maintains the values that contribute to the rural character and amenity of the zone.</p> <p>FFNZ oppose the protection of rural landscapes or amenity on farmland which is characterised by ever-changing working landscapes, that are largely there as a result of farming activities that would be expected to be found in a rural area.</p> <p>A focus on 'values' would introduce a degree of flexibility that is necessary to recognising the evolving nature of rural farming areas.</p>
5	5.3.2 Policy - Productive rural activities	Support in part	<p>Retain 5.3.2 as notified:</p> <p>5.3.2 Policy —Productive rural <u>production</u></p>	<p>FFNZ submit that the activities required to operate in the rural environment should be the overall focus of this policy. FFNZ are not sure what is meant by</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>activities</p> <p>(a) Recognise and protect the continued operation of the rural environment as a productive working environment by:</p> <p>(i) Recognising that buildings and structures associated with farming and forestry and other operational structures for productive rural activities contribute to rural character and amenity values;</p> <p>(ii) Ensuring productive rural activities are supported by appropriate rural industries and services;</p> <p>(iii) Providing for lawfully-established rural activities and protecting them from sensitive land uses <u>and reverse sensitivity effects</u>.</p> <p>(iv) <u>Recognising the use and development of rural resources enables people and communities to provide for their economic, social and cultural wellbeing</u></p>	<p>‘productive rural activities’ in this context and believe WDC has inadvertently used the terms ‘productive rural activities’ and ‘rural production activities’ interchangeably. They are not interchangeable in our view.</p> <p>It is also important to acknowledge that change may occur as new markets and technologies are created. Therefore, production techniques will need to adapt and such change is not detrimental to rural amenity. A good example is the rise of viticulture in New Zealand over the last 20 years and the change from pastoral landscapes to vineyards.</p> <p>Farmers want the opportunity to continue to innovate and invest and adopt in new technologies and retain the flexibility to respond to markets. Federated Farmers acknowledge that WDC has an important role to play in ensuring the PDP does not stifle primary production with overly restrictive and unnecessary land use controls.</p> <p>That important goal can be achieved with acceptance of the relief sought across the FFNZ submission.</p>
5-11	5.3.3 Policy – Industrial and commercial activities	Support in part	<p>Amend 5.3.3 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.3.3 Policy – Industrial and commercial activities</p> <p>a) <u>(b) Industrial and commercial Rural industries and services are managed to ensure that any potential adverse effect on the they are in keeping with the character</u></p>	<p>Whilst FFNZ understand the intent of this policy, it is considered that the amendments are required to ensure the wording is consistent with stated policy header and other policies within this section.</p> <p>Further in our view (a) and (b) would make more sense if the order was swapped. The key point being that activities without a functional need to be in the zone should be avoided. The supporting point is that if they are going to be in the zone any potential adverse effects on the rural character needs to be</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>of the Rural Zone <u>are avoided, remedied or mitigated.</u></p> <p>b) (a) Avoid locating industrial and commercial activities in rural areas that do not have a genuine functional connection with the rural land or soil resource.</p>	managed.
5	5.3.4 Policy - Density of dwellings and buildings within the rural environment	Support in part	<p>Amend Policy 5.3.4 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.3.4 Policy - Density of dwellings and buildings within the rural environment</p> <p>(a) <u>shall be at a density and scale</u> Retain open spaces to ensure rural character is maintained.</p> <p>(b) Additional dwellings <u>shall be directly associated with the scale and intensity of the farming activities on site.</u> support workers' accommodation for large productive rural activities.</p>	<p>FFNZ are concerned with Council's reference within the policy to retain open spaces. Open space is one element which contributes to the rural character. Prioritising this value over others has the potential to create perverse outcomes.</p> <p>We also have concerns at the priority given to workers' accommodation. We consider policy should also recognise that farm properties may require extra dwellings which are occupied by non-staff, for example, other family members living on the farm who may not be employed on the property. There will be situations such as farm succession where retired family members will continue to live on the property. Furthermore, the term 'worker' may not cover the situation where more than one owner of the property resides on the farm in separate housing, as they aren't technically 'staff'.</p>
5-11	5.3.5 Policy – Earthworks activities	Support	<p>Amend 5.3.5 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.3.5 Policy – Earthworks activities</p> <p>(a) Provide for earthworks where they support rural activities including:</p>	FFNZ support the <i>enabling</i> intent of this policy. However, amendment is appropriate to provide necessary context to 5.3.5(b)(iv).

Page	Reference	Support/oppose	Decision sought	Reasons
			<ul style="list-style-type: none"> (i) Ancillary rural earthworks and farm quarries; (ii) The importation of fill material to a site; (iii) Use of cleanfill where it assists the rehabilitation of quarries. <p>(b) Manage the effects of earthworks to ensure that:</p> <ul style="list-style-type: none"> (i) Erosion and sediment loss is avoided or mitigated; (ii) The ground is geotechnically sound and remains safe and stable for the duration of the intended land use; (iii) Changes to natural water flows and established drainage paths are avoided or mitigated; (iv) Adjoining properties and public services are protected <u>from the adverse effects of inappropriate earthworks</u> 	
5-11	5.3.6 Policy - Intensive farming activities	Oppose in part	<p>Amend Policy 5.3.6 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.3.6 Policy - Intensive farming activities</p> <p>(a) Enable <u>Recognise that intensive farming activities may be increasingly required as the twin pressures on land required for urban growth and food production increases. provided they operate in accordance with industry best practice and management of adverse effects both on-site and any neighbouring sites.</u></p> <p>(b) <u>Ensure that intensive farming activities</u></p>	<p>FFNZ consider Policy 5.3.6 to be misguided and an unnecessary duplication as written.</p> <p>The management of potential adverse effects from an intensive farming activity is addressed under Policy 5.3.7(h) and as such the second part of this policy is not required.</p> <p>FFNZ consider the PDP to be relatively short-sighted and not sufficiently future focused in its current response to intensive farming activities. Although NZ is a pastoral farming nation, intensive farming is a relevant way to increase production and reduce overhead costs. Increasing land prices mean that the ability to purchase large tracts of land for extensive</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<u>operate in such a way as to appropriately manage adverse effects both on-site and on any neighbouring sites.</u>	production is becoming less viable. Policy about management of effects associated with intensive farming should be a separate policy.
5-11	5.3.7 Policy - Reverse sensitivity effects	Support in part	<p>Amend Policy 5.3.7 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.3.7 Policy - Reverse sensitivity effects</p> <p>(a) Recognise the following features are typical of the rural environment and the effects are accepted and able to be managed:</p> <ul style="list-style-type: none"> (i) Large numbers of animals being farmed, extensive areas of plants, vines or fruit crops, plantation forests and farm forests; (ii) Noise, odour, dust, traffic and visual effects <u>including buildings and structures</u> associated with the use of land for farming, horticulture, forestry, farm quarries; (iii) Existing—mineral extraction and processing activities; (iv) Minor dwellings; (v) Papakaainga housing developments within Maaori Freehold land. <p>(b) <u>Manage activities to ensure that adverse effects (other than minor effects) are avoided, remedied or mitigated. Avoid adverse effects outside the site and where those effects cannot be avoided, they are to be mitigated.</u></p>	<p>FFNZ support the intent of Policy 5.3.7, which is in part to raise awareness of the types of activities and associated effects which are considered appropriate within the rural environment. It is appropriate for the plan to be clear and upfront that farming activities must be able to function effectively and not be unduly restricted by new and encroaching activities being established within the rural zone.</p> <p>However, FFNZ consider that amendments are required to ensure the plan accurately implements reverse sensitivity principles.</p> <p>We accept that where possible unacceptable nuisance effects such as noise and odour should be contained within the property boundary. However, farming requirements and weather conditions mean that even with the best intention it is not always possible to avoid a level of nuisance effect. In such instances (which are generally intermittent and temporary) it is imperative that the Plan clearly allows for this to ensure the farm business is not unduly impacted upon.</p> <p>Examples are harvesting contractors and farmers working through the night to harvest crops due to short weather windows, odour from the feeding out of silage in neighbouring paddock, and short term odour from the spreading of effluent on pasture.</p> <p>FFNZ consider that such effects are not unreasonable to expect in the Rural Zone, and that</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(c) Mitigate the adverse effects of reverse sensitivity through the use of setbacks and the design of subdivisions and development <u>where appropriate.</u></p> <p>(d) The scale, intensity, timing and duration of activities are managed to ensure compatibility with the amenity and character of the rural environment.</p> <p>(e) Enable the use of artificial outdoor lighting for night time work.</p> <p>(f) Ensure glare and light spill from artificial lighting in the rural environment does not:</p> <p>(i) Compromise the safe operation of the road transport network; and</p> <p>(ii) Detract from the amenity of other sites within the surrounding environment.</p> <p>(g) Frost fans are located and operated to ensure adverse effects on the surrounding environment are minimised.</p> <p>(h) Provide for intensive farming activities, recognising the potential adverse effects that need to be managed, including noise, visual amenity, rural character or landscape effects, and odour.</p> <p>(i) <u>Ensure that land use activities that are sensitive to the effects of rural activities do not constrain the operation of rural activities.</u></p>	<p>therefore 5.3.7(b) is inappropriate as presently worded. We consider that it could result in creating unreasonable expectations of the amenity of the Rural Zone, and perpetuate reverse sensitivity issues with people unaccustomed to the rural environment complaining about normal farming activities and expecting those effects to be avoided or mitigated in every instance.</p> <p>Farming in a rural area is a lawfully established existing activity</p> <p>Noise, lighting, odour and dust can be quite reasonable effects as a consequence of normal farming activities as outlined in (a) so we have some concerns as to how (a) and (b) are to be read together. We have concerns with reference to the avoiding, or mitigating of usual and expected effects within the rural environment.</p> <p>Further, the methods used to give effect to this policy must not place undue constraints on either the existing land use or the potential land use activity. Any decisions as to separation distance as a method to address such issues must be based on a case by case assessment and not an automatic planning response.</p> <p>FFNZ support adopting an approach for low probability and low impact scenarios of incurring occasional relatively minor adverse effects rather than imposing external buffer zones. FFNZ are opposed to use of blanket external buffer zones as a proxy for triggering resource consent, as it places restrictions on adjoining landowners who have no responsibility for the adverse effect, and who receive</p>

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				no compensation for the restrictions placed on their activities. That said, it may be appropriate for sensitive activities to avoid locating within close proximity to activities that may emit objectionable odours and discharges.
6-11	5.3.8 Policy - Effects on rural character and amenity from rural subdivision	Support in part	<p>Amend Policy 5.3.8 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.3.8 Policy - Effects on rural character and amenity from rural subdivision</p> <p>(a) Protect productive rural areas by directing urban forms of subdivision, use, and development to within the boundaries of towns and villages.</p> <p>(b) Ensure development does not compromise the predominant open space, character and amenity of rural areas.</p> <p>(c) Ensure subdivision, use and development minimise the effects of ribbon development.</p> <p>(d) Rural hamlet subdivision and boundary relocations ensure the following:</p> <p>(i) Protection of rural land for productive purposes;</p> <p>(ii) Maintenance of the rural character and amenity of the surrounding rural environment;</p> <p>(iii) Minimisation of cumulative effects.</p> <p>(e) Subdivision, use and development</p>	<p>FFNZ understand the intent of the policy but consider WDC's focus on rural character and amenity betrays a lack of understanding of the broader issues and drivers for subdivision within a rural environment.</p> <p>At face value, subdivision is primarily a process of defining (or redefining) land parcel boundaries. However, for farmers and other large landowners, land is a critical asset, and there are important implications arising from regulation of subdivision that need to be appropriately considered.</p> <p>We agree that inappropriately designed or located subdivision can result in the inefficient use of natural and physical resources that can give rise to adverse environmental effects. These concerns should be appropriately addressed through the PDP in a way that provides certainty for developers and landowners, and which aligns subdivision provisions with Council's broader strategic planning.</p> <p>However, it is also important that the PDP recognises that unnecessary constraints on otherwise appropriate subdivision can also result in adverse effects. In considering the proposed rules around subdivision, FFNZ seek to ensure there is a degree of flexibility for landowners in the rural area who need subdivision enabled in order to facilitate efficient management of the land resource. This recognises that economic and social drivers for subdivision may</p>

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			<p>opportunities ensure that rural character and amenity values are maintained. <u>Subdivision within the Rural Zone should give particular consideration to anticipated rural land use and development and recognise that integrated and well planned subdivision design:</u></p> <ul style="list-style-type: none"> (i) <u>Creates desirable places to live.</u> (ii) <u>Results in the efficient and effective land use.</u> (iii) <u>Provides for anticipated future land use and development.</u> (iv) <u>Recognises the physical layout and underlying topography of the site.</u> (v) <u>Integrates with existing utility services and infrastructure.</u> (vi) <u>Gives effect to any relevant outline development plan or structure plan.</u> (vii) <u>Implements best practice urban design principles</u> (viii) <u>Enables efficient utilisation of productive farmland through appropriate provision for rearranging property ownership to enable management of farmland according to landowner need</u> <p>(f) Subdivision, use and development ensures the effects on public infrastructure are minimised.</p>	<p>differ between farming operations, and that these different drivers often require different treatment.</p> <p>Farmers undertake low impact subdivision for a variety of reasons. These vary from diversifying their business into tourism operations (lodgings and or associated tourism development and infrastructure), providing for or disposing of a surplus dwelling on the property where a neighbouring farm is purchased, providing for a family member or staff member to live on the farm or to implement a succession plan for multiple siblings through small lot subdivision, or for boundary adjustment of boundary relocation to promote the more efficient administration of farm land.</p> <p>A farm may be valued considerably beyond its underlying productive capacity, simply because of the farm's proximity to the urban centre and urban infrastructure, or the amenity afforded by proximity to a desirable locality, such as coastal areas. However, these reflect a piece of land's potential value for other land uses, and do not reflect its value for farming per-se. This situation can result in a farmer having to pay considerably more in rates or facing significantly increased opportunity costs from continuing to farm the land, as opposed to subdividing the property for some other land use. This in-turn creates a significant economic driver for subdivision. This tautological driver of land value needs to be carefully managed if NZ is to avoid losing valuable productive farmland in favour of non-farming development and use.</p> <p>This situation can be exacerbated where returns from farming are variable, due to a variety of factors including: weather conditions, economic conditions,</p>

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				individual property circumstances and market demands, which disrupt farming continuity. Therefore, (like any business) enabling diversification, flexibility, responsiveness and cash flow, are critically important to retaining the viability of farming
6-11	5.3.9 Policy - Non-rural activities	Oppose	Delete Policy 5.3.9 5.3.9 Policy - Non-rural activities (a) Manage any non-rural activities, including equestrian centres, horse training centres, forestry and rural industries, to achieve a character, scale, intensity and location that are in keeping with rural character and amenity values. (b) Avoid buildings and structures dominating land on adjoining properties, public reserves, the coast or waterbodies.	FFNZ consider Policy 5.3.9 an unnecessary duplication of issues which are addressed by other policies within the PDP.
6-11	5.3.11 Policy - Home occupations	Support	Retain Policy 5.3.11 as notified: 5.3.11 Policy - Home occupations (a) Support any home occupation to enable flexibility for people to work from their homes, provided that it is of a scale that is consistent with the character and amenity of the rural environment.	FFNZ support the enabling intent of this policy. It is important to provide for small scale diverse business opportunities within the rural zone with can help to sustain a vibrant rural community.
7-11	5.3.13 Policy - Waste management activities	Support	Retain Policy 5.3.13 as notified: 5.3.13 Policy - Waste management activities (a) Provide for the rehabilitation of existing quarry sites, including landfill and cleanfill	FFNZ broadly support the intent of this policy with the focus of (b) and (c) on waste management facilities appropriate.

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			<p>activities, where there is an environmental gain.</p> <p>(b) Waste management facilities are appropriately located to ensure compatibility with the surrounding rural environment.</p> <p>(c) Waste management facilities within the following areas are undertaken in a manner that protects the natural values of:</p> <ul style="list-style-type: none"> (i) An Outstanding Natural Landscape; (ii) An Outstanding Natural Feature; (iii) An Outstanding Natural Character Area; (iv) A High Natural Character Area. 	
7-11	5.3.15 Policy – Noise and vibration	Support in part	<p>Amend Policy 5.3.15 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.3.15 Policy – Noise and vibration</p> <p>(a) Adverse effects of noise and vibration are minimised by:</p> <ul style="list-style-type: none"> (i) Ensuring that the maximum sound levels are compatible with the surrounding environment; (ii) Limiting the timing and duration of noise-generating <u>activities which are not anticipated within rural areas</u>; (iii) Maintaining appropriate buffers between high noise environments and noise sensitive activities; (iv) Ensuring frost fans are located and operated to minimise the adverse noise 	<p>With reference to our submission point in relation in 5.3.7, FFNZ consider that Council's plan provisions should acknowledge the issue of 'reverse sensitivity' when addressing 'noise and vibration effects' and that there must be provision to allow for a reasonable level of noise associated with agricultural activity within the rural zone – both in daylight hours and through the night.</p> <p>There will be situations for example where farm machinery will be used for making hay or harvesting crops outside the hours prescribed in Rule 22.2.1.1 (P2); newly weaned animals will also be making noise outside of any specified hours. Such noises and vibrations must legitimately be expected in a rural zone.</p> <p>There is concern that the policy as currently worded will create unreasonable expectations of the amenity of the Rural Zone, and perpetuate reverse sensitivity</p>

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			<p>effects on other sites.</p> <p>(v) Managing the location of sensitive land uses, particularly in relation to lawfully-established activities;</p> <p>(vi) Requiring acoustic insulation where sensitive activities are located within high noise environments, including the Airport Noise Outer Control Boundary, Huntly Power Station, the Gun Club Noise Control Boundary.</p> <p>(vii) Ensuring the adverse effects of vibration are managed by limiting the timing and duration of blasting activities and maintaining sufficient setback distances between aggregate extraction activities and dwellings or identified building platforms on another site.</p> <p>(viii) Manage noise to protect existing adjacent activities sensitive to noise effects.</p>	<p>issues with people unaccustomed to the rural environment complaining about normal farming activities and expecting those effects to be controlled in every instance.</p>
7-11	5.3.16 Policy – Specific area - Agricultural research centres	Support	<p>Retain Policy 5.3.16 as notified:</p> <p>5.3.16 Policy – Specific area - Agricultural research centres</p> <p>(a) Recognise and protect the continued operation of Agricultural Research Centres that are an integral part of the agricultural sector.</p> <p>(b) Provide for a range of rural activities and agricultural research activities that complement each other.</p>	<p>FFNZ support recognition of the need for these research centres.</p>
8-11	5.4.1 Objective – Minerals and	Support	<p>Retain Objective 5.4.1 as notified:</p>	<p>FFNZ agree with the Objective.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
	extractive industries		<p>5.4.1 Objective – Minerals and extractive industries</p> <p>(a) Mineral resource use provides economic, social and environmental benefits to the district.</p>	
8-11	5.4.2 Policy – Access to minerals and extractive industries	Support in part	<p>Retain Policy 5.4.2 as notified:</p> <p>5.4.2 Policy – Access to minerals and extractive industries</p> <p>(a) Enable extractive industries provided that adverse effects are avoided, remedied or mitigated.</p> <p>(b) Protect access to, and extraction of, mineral resources by:</p> <p>(i) Identifying lawfully established extractive industries in Aggregate Extraction Areas and Coal Mining Areas on planning maps;</p> <p>(ii) Identifying the site of a potential extractive industry within an Aggregate Resource Area on planning maps;</p> <p>(c) Ensure that lawfully established extractive industries are not compromised by new subdivision, use or development;</p> <p>(d) Avoid the location of any sensitive land use within specified buffer areas which otherwise risks the effective operation of a lawfully established extractive industry.</p>	FFNZ support this policy approach provided that it doesn't inadvertently capture farm quarries in any resource consent process

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8-11	5.5.1 Objective – Hamilton's Urban Expansion Area	Support in part	<p>Amend Objective 5.5.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>5.5.1 Objective – Hamilton's Urban Expansion Area</p> <p>(a) Protect land within Hamilton's Urban Expansion Area for future urban development whilst; ...</p> <p>(j) <u>Ensuring that existing rural production activities and industrial activities are protected from the effects of reverse sensitivity when locating new residential development</u></p>	FFNZ supports co-ordinated future planning with regards to urban expansion, however this must not be at the expense of lawfully established activities.

CHAPTER SIX: INFRASTRUCTURE AND ENERGY

4-10	6.1.1 Objective – Development, operation and maintenance of infrastructure	Support	<p>Retain 6.1.1 as notified:</p> <p>6.1.1 Objective – Development, operation and maintenance of infrastructure</p> <p>(a) Infrastructure is developed, operated and maintained to benefit the social, economic, cultural and environmental well-being of the district.</p>	FFNZ support a single objective aimed at social, economic, cultural and environmental benefits.
4-10	6.1.2 Policy - Development, operation and maintenance	Conditionally support	<p>Retain 6.1.2 as notified:</p> <p>6.1.2 Policy - Development, operation and maintenance</p> <p>(a) Provide for the development, operation, maintenance, repair, replacement,</p>	FFNZ conditionally support enabling policies to provide for infrastructure, provided that these don't unnecessarily burden farmers with needless delays and costs nor erode ability of farmers to undertake practical day-to-day farming without being encumbered by regulations that result in undue hardship on farmers for a wider public good benefit.

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			<p>upgrading and removal of infrastructure throughout the district by recognising:</p> <ul style="list-style-type: none"> i) Functional and operational needs; ii) Location, route and design needs and constraints; iii) Locational constraints related to the need to access suitable resources or site; iv) The benefits of infrastructure to people and communities; v) The need to quickly restore disrupted services; and vi) Its role in servicing existing consented and planned development 	
4-10	6.1.3 Policy – Technological advances	Support	<p>Retain 6.1.3 as notified:</p> <p>6.1.3 Policy - Technological advances</p> <p>(a) Provide flexibility for infrastructure operators to use new technological advances that:</p> <ul style="list-style-type: none"> i) Improve access to, and enable the efficient use or development of infrastructure; ii) Allow for the re-use of redundant infrastructure and structures where appropriate; <p>and</p> <p>(iii) Result in positive environmental and community outcomes</p>	FFNZ support making infrastructure more accessible, especially within rural areas. FFNZ are opposed to policy which favours granting access for infrastructure maintenance that unnecessarily infringes on rights of farmers to be able to manage their properties or compromises the safety and efficiency of their farming operations.
4-10	6.1.4 Policy – Infrastructure benefits	Support in part	<p>Amend 6.1.4. as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.1.4 Policy – Infrastructure benefits</p>	FFNZ support infrastructure for its benefits but seeks that the policy also includes benefits for rural-based communities, industry and agriculture.

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			<p>(a) Have regard to the benefits that infrastructure provides, including:</p> <ul style="list-style-type: none"> i) Enabling enhancement of the quality of life and residential standard for people and communities, <u>including rural areas</u>; ii) Providing for public health and safety; iii) Enabling the functioning of business and growth and development; iv) Managing adverse effects on the environment; v) Enabling the transportation of freight, goods and people; vi) Enabling interaction and communication; and vii) Providing for lifeline utility services. 	
4-10	6.1.5 Policy – Natural hazards and climate change	Support in part	<p>Amend 6.1.5 as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.1.5 Policy – Natural hazards and climate change</p> <p>(a) <u>Improve the resilience of infrastructure to natural hazard risk and climate change disruptions by:</u></p> <ul style="list-style-type: none"> (i) <u>Encouraging</u> the design and location of infrastructure to take account of natural hazards and the effects of climate change. (ii) <u>Ensure management and operational decisions include appropriate natural hazard and climate change risk analysis.</u> 	FFNZ support the aim of improving resilience to natural hazard risks and climate change disruptions, including provision and management of infrastructure to anticipate these risks. The policy could be better worded along these lines.

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4-10	6.1.6. Objective – reverse sensitivity	Support in part	<p>Amend 6.1.6 as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.1.6 Objective – Reverse sensitivity</p> <p>a) <u>Existing and/or designated infrastructure (including the National Grid)</u> is protected from reverse sensitivity effects, and infrastructure (including the National Grid) is not compromised.</p>	FFNZ support protection of existing infrastructure from reverse sensitivity effects, but this should not apply to infrastructure that does not yet exist. Therefore, FFNZ seek that this policy be amended by referring to protection of existing and/or designated infrastructure.
5-10	6.1.7 Policy – Reverse sensitivity and infrastructure	Support in part	<p>Amend 6.1.7 as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.1.7 Policy – Reverse sensitivity and infrastructure</p> <p>(a) <u>Avoid, remedy or mitigate</u> reverse sensitivity effects on <u>existing and/or designated</u> infrastructure from subdivision, use and development as far as reasonably practicable, so that the ongoing and efficient operation of infrastructure is not compromised.</p>	<p>FFNZ submit that this policy should be refocussed on existing or designated infrastructure and on proposed subdivision, development and use. FFNZ are concerned that this policy will be used to unfairly prejudice against existing farming activity in favour of infrastructure that doesn't exist yet. Infrastructure that doesn't exist should properly be subject to its own consent application or notice of requirement process, where merits can be considered on a case-by-case basis in the context of the surrounding environment and land use.</p> <p>Furthermore, some subdivision in rural areas, such as boundary relocation or boundary adjustment where the pattern of land use activity is not being intensified, can support the efficient management of farming and primary production, and is only likely to have minor reverse sensitivity effects on existing infrastructure. In such cases, FFNZ submit that the policy should be more appropriately focused on mitigation or remediation of reverse sensitivity effects (rather than avoidance).</p>

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				In addition, some subdivision, such as small lifestyle lots to facilitate protection of significant natural areas, can have important positive environmental effects. Such subdivision should not be automatically biased against by a policy strictly focused on avoidance of reverse sensitivity effects on infrastructure.
5-10	6.1.8 Objective – Infrastructure in the community and identified areas	Support in part	<p>Amend Objective 6.1.8 as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.1.8 Objective – <u>Proposed and/or designated</u> infrastructure in the community and identified areas</p> <p>(a) <u>Proposed and/or designated</u> infrastructure takes into account the qualities and characteristics of surrounding environments and community well-being.</p>	<p>FFNZ conditionally support this objective provided it is refocussed to apply to proposed and/or designated infrastructure. Generally, in rural areas, wider open spaces and lower development intensity mean that adverse effects on amenity and environmental quality can be more readily absorbed without consequence.</p> <p>(This is different from lawfully established existing infrastructure that may have been designed when surrounding environmental qualities were different, and in respect of which it is appropriate to consider reverse sensitivity effects, and where it may be an efficient use of resources to maintain such infrastructure for the time being.)</p>
5-10	6.1.9 Policy – Environmental effects, community health, safety and amenity	Support	<p>Retain 6.1.9 as notified:</p> <p>6.1.9 Policy - Environmental effects, community health, safety and amenity</p> <p>(a) Require the development, operation, maintenance, repair, replacement, upgrading and removal of infrastructure and its associated structures to avoid, remedy or mitigate adverse effects on the environment, community health, safety and amenity.</p>	FFNZ support this policy
5-10	6.1.10 Policy –	Support	Retain 6.1.10 as notified:	FFNZ support this policy

Page	Reference	Support/oppose	Decision sought	Reasons
	Infrastructure in identified areas		<p>Policy – Infrastructure in identified areas</p> <p>(a) Ensure consideration of the values, qualities and characteristics of Significant Natural Areas, Landscape and Natural Character Areas and Heritage Items when proposing new infrastructure or undertaking significant upgrades to existing infrastructure.</p>	
5-10	6.1.11 Policy – Undergrounding new infrastructure	Support in part	<p>Amend 6.1.11 as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.1.11 Policy – Undergrounding new infrastructure</p> <p>(a) Encourage new infrastructure <u>in residential and urban areas</u> to be placed underground unless:</p> <p>(i)The adverse effects on the environment are greater than placing the infrastructure above ground;</p> <p>(ii)A natural or physical feature or structure renders underground placement impractical or undesirable; or</p> <p>(iii)There are significant operational, functional, technical, cultural or economic reasons that require the infrastructure to be above ground.</p>	FFNZ conditionally support this policy provided that it applies to urban areas. Undergrounding is unnecessary in the context of rural areas, where the disadvantages and costs of undergrounding may far outweigh any benefits.
5-10	6.1.12 Policy – Co-location of compatible facilities	Support in part	<p>Amend 6.1.12 as follows and make any consequential changes needed to give effect to this relief:</p>	FFNZ support this policy provided that it doesn't extend the area of concern for reverse sensitivity around co-located infrastructure in a way that would

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>6.1.12 Policy – Co-location of compatible facilities</p> <p>(a) Encourage compatible infrastructure to share location or facilities where operational advantages can be achieved or adverse effects are reduced, <u>and where reverse sensitivity effects on other surrounding land use and development is not increased.</u></p>	otherwise further constrain farming activities. FFNZ submit that consideration be included within the policy for ensuring reverse sensitivity effects on other uses is not increased.
5-10	6.1.13 Policy – Future growth areas	Support	<p>Retain 6.1.13 as notified:</p> <p>6.1.13 Policy – Future growth areas</p> <p>(a) Require infrastructure services to be developed to a standard that enables the service to be extended to future growth areas where appropriate.</p>	FFNZ support this policy as an efficient use of resources
5-10	6.1.14 Policy – Electromagnetic and radiofrequency fields	Support	<p>Retain 6.1.14 as notified:</p> <p>6.1.14 Policy – Electromagnetic and radio frequency fields</p> <p>(a) Require infrastructure that generates electromagnetic or radio frequency fields to comply with the International Commission on Non-ionising Radiation Protection Guidelines, relevant WHO guidelines and the relevant New Zealand Standard</p>	FFNZ support this policy
5-10	6.1.15 Policy – Raglan Navigation beacons	Support in part	<p>Amend 6.1.15 as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.1.15 Policy – Raglan navigation beacons</p> <p>(a) Avoid <u>proposed new development and land use</u> obscuring navigational beacons and</p>	FFNZ support this policy provide that it is aimed at new development on land that might otherwise obstruct line-of sight for navigation beacons and that it won't impinge on existing farming activity and built form.

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			associated view shafts at Raglan Harbour (Whaingaroa).	
6-10	6.1.16 Policy – Water Conservation	Oppose	<p>Either delete 6.1.16 or rename it and amend it as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.1.16 Policy – <u>Stormwater management for new development and subdivision</u> Water conservation</p> <p>(a) <u>Where new development and land use is proposed which may otherwise give rise to stormwater ponding, overland flow and flood management issues,</u> Encourage water conservation measures and, where appropriate, low impact stormwater design and facilities.</p>	<p>FFNZ are perplexed that this policy is sitting in a district plan. If the policy is aimed at water conservation in order to facilitate minimum flows for water allocation, that is a regional council matter, and the district council does not have jurisdiction over this under the Act.</p> <p>Similarly, if the policy is aimed at freshwater quality management, it also has no place in a district plan.</p> <p>If it is aimed at flood control, and managing stormwater ponding and overland flow, then it should be focussed in the context of proposed development intensification and subdivision which triggers stormwater management concerns, and in which case the title ‘water conservation’ is a misnomer.</p>
6-10	Objective 6.2.1 National Grid	Oppose	<p>Amend 6.2.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.2.1 Objective – National grid</p> <p>(a) The national significance of the National Grid is recognised and <u>managed in order to meet the needs of present and future generations</u> protected.</p>	<p>FFNZ oppose this objective as it is not consistent with the National Policy Statement for Electricity Transmission 2010 (‘NPSET’). The NPSET is aimed at enabling the management of the effects of the electricity transmission network in light of its national significance being the need to operate, maintain, develop and upgrade the electricity transmission network. It says nothing about protection. The objective of the NPSET is:</p> <p><i>To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future</i></p>

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				<p><i>generations, while:</i></p> <ul style="list-style-type: none"> •<i>managing the adverse environmental effects of the network; and</i> •<i>managing the adverse effects of other activities on the network.</i> <p>FFNZ are concerned that if district plans start to seek protection of assets used or owned by Transpower NZ Ltd, that this will escalate into a requirement all sorts of impositions on farming activity where farms are traversed by part of the National Grid. FFNZ seek that this objective be amended to more closely reflect the objective of the NPSET.</p>
6-10	Policy 6.2.2 – Recognise the National Grid	Support in part	<p>Amend 6.2.2. as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.2.2 Policy – Recognise the national grid Recognise the operational, functional and technical constraints of the National Grid, and the interconnectedness of networks <u>where these may be co-located within the National Grid Yard or within public land, including roads.</u></p>	FFNZ conditionally support this policy provided that its confined to consideration of National Grid matters within the National Grid Yard and the National Grid Corridor. Outside these areas, farmers have the right to use and to manage access to their farms including the right to refuse access across private land.
6-10	Policy 6.2.3 – Operation and development of the National Grid	Support	<p>6.2.3 Policy – Operation and development of the National Grid (a) Provide for the operation, upgrading and development of the National Grid.</p>	FFNZ support this policy
6-10	Policy 6.2.4 – Maintenance and minor upgrade to the National Grid	Support in part	<p>Amend 6.2.4. as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.2.4 Policy – Maintenance and minor</p>	FFNZ conditionally support this policy. Replacement of an underground pipeline, wires and replacement of an electricity tower can be seriously big jobs. Whole paddocks or areas of the farm may be taken over by the network utility operator and unable to be used by

Page	Reference	Support/oppose	Decision sought	Reasons
			upgrade the National Grid a) Enable the repair, maintenance, replacement and minor upgrade of the National Grid <u>within the National Grid Corridor</u> .	<p>the farmer, as well as experiencing significant traffic over their farm by work crews arriving and leaving for work every day and vehicles carrying gear and equipment. Disturbance and disruption includes damage to pasture and soil compaction; damage to property, gates and fence lines; livestock disturbance; having to change farming practice like not being able to graze particular paddocks or continue with irrigation; damage and destruction of crops; and storage of materials and machinery on the property. Landowners are concerned about liability if there is an accident while workers are on their land. All these disruptive matters which occur outside the National Grid Corridor should be handled by landowner agreement with network utility operators, and is outside the sphere of the district plan to control.</p> <p>Therefore, FFNZ submit that policy consideration be confined to matters within the National Grid Corridor. In particular, 'replacement' or 'minor upgrade' should not involve any increase in adverse effects beyond this corridor.</p>
6-10	Policy 6.2.5 – Environmental effects	Support in part	Amend 6.2.5. as follows and make any consequential changes needed to give effect to this relief: 6.2.5 Policy – Environmental effects (a) Manage the environmental effects of the development or upgrades (other than minor upgrades) of the National Grid, by: <ul style="list-style-type: none"> (i) Recognising the national, regional and local benefits of sustainable, secure and efficient electricity transmission; (ii) Avoiding, remedying or mitigating adverse effects through consideration of 	<p>FFNZ conditionally support this policy. Any policy which seeks to manage landowners' activities around utilities and the potential for reverse sensitivity needs to differentiate between rural and urban land uses. Rural and farming land uses will not have the same reverse sensitivity effects on any network utility due to the wider open spaces, low density of buildings, larger property sizes and less people on the property.</p> <p>Furthermore, it is a burden for landowners to host public infrastructure on their property, which has mostly been installed in the past without compensation. Landowners must be prepared to</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>route, site and method selection;</p> <p>(iii) Reducing the existing adverse effects as part of any substantial upgrade;</p> <p>(iv) Considering the effects on urban amenity (including town centres), areas of high recreational or amenity value and existing sensitive land uses; and</p> <p>(v) Addressing the adverse effects on any heritage values, outstanding natural landscapes, areas of high natural character, town centres, areas of high recreation value and existing sensitive activities including the avoidance of adverse effects where practicable; and</p> <p>(vi) <u>Avoiding, remedying or mitigating adverse effects (including intrusion) from operation, maintenance or upgrading of infrastructure, which may intrude on activities outside the National Grid Yard; and</u></p> <p>(vii) <u>Enabling non-sensitive farming activity, such as; animal grazing, pasture maintenance, pest and weed control, as well as maintaining existing farm infrastructure such as dams and water storage tanks, troughs, water races and water supply pipelines, stock feed pads, stock and vehicle access tracks (including bridges, culverts and fords), fences, rural fire breaks, and farm telecommunication facilities, within the National Grid Yard, except within 12m of a National Grid support structure.</u></p>	<p>operate their farming activities around public infrastructure, and to have work crews on their property doing operation or maintenance activities. In today's health and safety climate, this is not something that farmers take lightly</p> <p>FFNZ submit that the policy criteria be expanded to include:</p> <ul style="list-style-type: none"> • Avoiding, remedying or mitigating adverse effects (including intrusion) of infrastructure servicing requirements in areas outside the National Grid Yard. • Enabling farming activity such as; animal grazing, pasture maintenance, pest and weed control, as well as maintaining existing farm infrastructure such as dams and water storage tanks, troughs, water races and water supply pipelines, stock feed pads, stock and vehicle access tracks (including bridges, culverts and fords), fences, rural fire breaks, and farm telecommunication facilities, within the National Grid Yard, except within 12m of a National Grid support structure.
6-10	Policy 6.2.6 – Reverse sensitivity	Support in part	Amend 6.2.6 as follows and make any consequential changes needed to give	FFNZ conditionally support this policy. Rural and farming land uses will not have the same reverse

Page	Reference	Support/oppose	Decision sought	Reasons
	and the National Grid		<p>effect to this relief:</p> <p>6.2.6 Policy – Reverse sensitivity and the National Grid</p> <p>(a) Manage <u>proposed</u> subdivision, use and development <u>adjacent to the National Grid Yard</u> so that the operation, maintenance, upgrading and development of the National Grid is not compromised by ensuring that:</p> <ul style="list-style-type: none"> (i) The National Grid is identified on the planning maps and the National Grid Yard and National Grid Corridor establish buffer distances for managing land use development and subdivision near the National Grid; (ii) Sensitive <u>proposed</u> land uses and buildings and structures that may compromise the National Grid, including intensive farming activities, are excluded from establishing within the National Grid Yard; (iii) Subdivision is managed within the National Grid Corridor to avoid subsequent land use from compromising the operation, maintenance, <u>minor</u> upgrading and development of the National Grid; and (iv) Changes to existing activities within a National Grid Yard do not further restrict the operation, maintenance, upgrading and development of the National Grid. 	<p>sensitivity effects on any network utility due to the wider open spaces, low density of buildings, larger property sizes and less people on the property. This includes intensive farming activity where animals are kept in outdoor feedlots. Where intensively farmed animals are kept indoors, the Federation accepts that minimum separation distances between buildings and high-voltage electricity transmission lines and structures is important. However, this can be managed through policy aimed at restriction of new structures and development within the National Grid Yard.</p> <p>Therefore, FFNZ seeks that the policy's focus is such that matters requiring consideration be confined to being within the National Grid Yard, and to network utility activities that can be lawfully carried out within the National Grid Yard.</p> <p>FFNZ further seek that the policy be amended so that it clearly only applies to proposed subdivision, use and development within the National Grid Yard, and does not impugn existing lawfully established activity and development.</p> <p>FFNZ further seek that existing farming, and maintenance of existing farm accessways and fences within the National Grid Yard, be provided for.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			(v) <u>Existing farming activity which is not sensitive to management of the National Grid, such as grazing, intensive stock feeding in open feedlots, land cultivation, maintenance of pasture, existing farm accessways and tracks (including stock bridges, culverts and fords), fences and stock exclusion structures, areas for fodder storage, rural fire breaks, water supply pipelines, farm dams, stock water troughs, permitted vegetation clearance, and pest and weed control, is permitted within the National Grid Yard, except within 12 metres from the outer edge of any national grid support structure.</u>	
7-10	Objective 6.3.1. - Energy	Support	Retain 6.3.1 as notified: 6.3.1 Objective – Renewable energy (a) Energy efficient design and an increase in renewable electricity generation activities are promoted.	FFNZ support this objective
7-10	Policy 6.3.2 -- Utilising Energy Efficiently	Support	Retain 6.3.2 as notified: 6.3.2 Policy – Utilising energy efficiency (a) Design subdivision, land use and development so that buildings can utilise energy efficiency and conservation measures, including by orientation to the sun and through other natural elements.	FFNZ support this policy

Page	Reference	Support/oppose	Decision sought	Reasons
7-10	Policy 6.3.3 – Enabling Renewable Electricity Generation	Support	Retain 6.3.3 Policy – Enabling renewable electricity generation (a) Enable the investigation, development, operation, maintenance and upgrading of renewable electricity generation activities, including domestic and community scale distributed renewable electricity generation, provided that adverse effects are avoided, remedied or mitigated.	FFNZ support this policy to the extent that community-scale REG facilities are of a scale and character that is appropriate to their proposed location and not inconsistent with the manner of existing development and land use on adjoining sites. FFNZ are particularly concerned about potential compromises to existing farm development and farming activity such as farm airstrips and associated aircraft take-off and landing flight paths that can result from inappropriate placement of large wind turbine structures.
7-10	Policy 6.3.4 – Future renewable energy	Support	Retain 6.3.4 as notified: 6.3.4 Policy – Future renewable electricity (a) Provide for the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation activities.	FFNZ support this policy
7-10	Policy 6.3.5 – Existing renewable electricity facilities	Support in part	Amend 6.3.5. as follows and make any consequential changes needed to give effect to this relief: 6.3.5 Policy – Existing renewable electricity facilities (a) Ensure subdivision, use and development are designed and located so that they do not adversely affect the operation and maintenance of existing, lawfully established renewable energy generation facilities. (b) <u>Enable non-sensitive rural land use including: animal grazing, land</u>	FFNZ conditionally support this policy provided that recognition is made in the policy for non-sensitive farming activity such as animal grazing, cultivation and pasture maintenance, pest and weed control, maintenance of farm tracks (including stock bridges, culverts and fords), fences, water supply pipelines, farm dams and stock water troughs, and farm storage areas for fodder storage, fuel, fertiliser, hazardous substances, including associated farm storage buildings, sheds, animal barns and shelters and rural fire breaks.

Page	Reference	Support/oppose	Decision sought	Reasons
			<u>cultivation and maintenance of pasture, pest and weed control, farm accessways and tracks fences and stock exclusion structures (including stock bridges, culverts and fords), water supply pipelines, farm dams and stock water troughs, and farm storage areas for fodder storage, fuel, fertiliser, hazardous substances, including associated farm storage buildings, sheds, animal barns and shelters and rural fire breaks, and permitted vegetation clearance, pest and weed control</u>	
8-10	Objective 6.4.1 - Integration of infrastructure with subdivision, land use and development	Support	Retain 6.4.1: 6.4.1 Objective – Integration of infrastructure with subdivision, land use and development (a) Infrastructure is provided for, and integrated with, subdivision, use and development.	FFNZ support this policy
8-10	Policy 6.4.2 – Provide adequate infrastructure	Support in part	Amend 6.4.2 as follows and make any consequential changes needed to give effect to this relief: 6.4.2 Policy – Provide adequate infrastructure (a) Ensure adequate provision of infrastructure, including land transport networks, <u>where proposed subdivision results in an increase in the number of lots adjacent to an existing road, infrastructure corridor or existing</u>	FFNZ conditionally support this policy provided that its focus is confined to considering subdivision which increases the number of lots next to an infrastructure corridor or existing infrastructure easement. Effects of rural subdivision on infrastructure are very minor, and can be managed through controlled subdivision status with appropriate matters of control around minimum lot boundary separation distances. Agreements as to access across private farmland are a matter between utility operators and landowners, and the Council is not involved.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>infrastructure easement, or its use intensified where resource consent is required for restricted discretionary, discretionary or non-complying land use</u></p> <p>(b) <u>To manage minor effects of subdivision on infrastructure in rural areas, through enabling subdivision as a controlled activity, with appropriate matters of control around separation distance from infrastructure to proposed new lot boundaries.</u></p>	Similarly, FFNZ submit that the focus of the policy be amended to refer to substantial changes in land use where resource consent is required, such as for example from farming activity to some non-farming use of land. Use of farmland for farming, even if paddock stocking rates are increased, should not be within the remit of this policy to control.
8-10	Policy 6.4.3 – Infrastructure location and services	Support	<p>Retain 6.4.3 as notified:</p> <p>6.4.2 Policy – Infrastructure Location and Services</p> <p>(a) Ensure subdivision, use and development are provided with infrastructure and services to a level that is appropriate to its location and intended use including:</p> <ul style="list-style-type: none"> (i) Three waters (water, wastewater and stormwater supply); (ii) Telecommunication services; (iii) Electricity services; and (iv) Adequate water supply within urban areas for firefighting purposes. 	FFNZ support this policy
8-10	Policy 6.4.4 - Road and Rail network	Support	<p>Retain 6.4.4 as notified:</p> <p>6.4.4 Policy – Road and rail network</p> <p>(a) Discourage subdivision, use and development that would compromise:</p>	FFNZ support this policy

Page	Reference	Support/oppose	Decision sought	Reasons
			<ul style="list-style-type: none"> (i) The road function, as specified in the road hierarchy, or the safety and efficiency of the roading network; and (ii) The safety and efficiency of the railway network. 	
8-10	Policy 6.4.5 – Roding infrastructure	Support	<p>Retain 6.4.5 as notified:</p> <p>6.4.5 Policy – Roding infrastructure</p> <ul style="list-style-type: none"> (a) Ensure that roading infrastructure is developed so that: <ul style="list-style-type: none"> (i) The design, location, alignment and dimensions of new roads provide safe vehicle, pedestrian and cycling access and manoeuvring to every site; (ii) The roading pattern provides good connectivity to the site and integrates with adjacent land identified as future growth areas including public transport such as bus stops; (iii) There is adequate provision of on-site parking and manoeuvring for land use activities; and (iv) Contaminants generated are appropriately mitigated. 	FFNZ support this policy
8-10	Objective 6.4.6 – Stormwater and drainage	Oppose	<p>Either delete 6.4.6 or amend it as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.4.6 Objective – Stormwater and drainage</p> <ul style="list-style-type: none"> (a) The hydrological characteristics of the natural drainage processes are retained 	FFNZ are perplexed that this objective should be included in a district plan. If the focus is management of hydrology to maintain water quantity for the purpose of managing water allocation, the district council does not have the jurisdiction for this under the RM Act.

Page	Reference	Support/oppose	Decision sought	Reasons
			<u>where new subdivision, development or land use is proposed.</u>	FFNZ submit that if the purpose of this objective is to manage flood control and stormwater ponding and overland flow associated with subdivision, development or land use which intensifies use of land, then this objective should be amended confine its focus to such matters.
8-10	Policy 6.4.7 - Stormwater	Support in part	<p>Amend 6.4.7. as follows and make any consequential changes needed to give effect to this relief:</p> <p>6.4.7 Policies – Stormwater</p> <p>(b) Ensure that stormwater and drainage infrastructure for subdivision, land use and development <u>in urban and rural residential areas:</u></p> <ul style="list-style-type: none"> (i) Adopts, where appropriate, a best-practice low impact design approach to the management of stormwater; (ii) Manages stormwater in accordance with a drainage hierarchy, with a preference for on-site treatment; (iii) Minimises impervious surfaces to reduce stormwater run-off; (iv) Retains pre-development hydrological conditions as far as practicable; (v) Does not increase the flow of stormwater runoff onto adjoining properties or flood plains, or reduce storage capacity on-site; (vi) Provides a stormwater catchment management plan for future urban development; and 	FFNZ conditionally support this policy provided that criteria for low-impact design approaches and minimising impervious surfaces is focused so that these only apply in urban areas. In rural areas, the impact of stormwater from development, and the amount of impervious surface in comparison to land area, is insignificant to the point that these are not relevant issues, and the costs of carrying out assessment and design for these matters far outweighs any benefit to be derived.

Page	Reference	Support/oppose	Decision sought	Reasons
			(vii) Promotes clean water reuse and groundwater recharge where practicable.	
9-10	Objective 6.5.1. - Transport	Support	Retain 6.5.1 as notified: 6.5.1 Objective – Land transport network (a) An integrated land transport network where: (i) all transport modes are accessible, safe and efficient; and (ii) adverse effects from the construction, maintenance and operation of the transport network are managed.	FFNZ support this objective.
9-10	Policy 6.5.2 – Construction and operation of the land transport network	Support	Retain 6.5.2: 6.5.2 Policy – Construction and operation of the land transport network (a) Promote the construction and operation of an efficient, effective, integrated, safe, resilient and sustainable land transport network through: (i to viii)	FFNZ support this policy
9-10	Policy 6.5.3 – Road hierarchy and function	Support	Retain 6.5.3 as notified: 6.5.3 Policy – Road hierarchy and function (a) Provide a hierarchy of roads for different functions and modes of land transport while recognising the nature of the surrounding land use within the district.	FFNZ support this policy
9-10	Policy 6.5.4. – Road standards	Support in part	Amend 6.5.4 as follows and make any consequential changes needed to give	FFNZ conditionally support this policy and submit that the policy be expanded to recognise that in rural

Page	Reference	Support/oppose	Decision sought	Reasons
			effect to this relief: 6.5.4 Policy – Road standards (a) Ensure that the construction and operation of roads is consistent with their function in the road hierarchy. (b) <u>Ensure that in rural areas, the safe and efficient functioning of roads also takes into account safe sight distances, vehicle entranceways, pavement design and construction, road geometry and speed environments.</u>	areas, the safe and efficient functioning of roads also takes into account safe sight distances, vehicle entranceways, pavement design, construction and geometry and speed environments. Rural roads are often longer roads with higher speed environments than urban roads, and safe and efficient roads are important for farming communities.
10-10	Policy 6.5.5 – Road safety	Support in part	Amend 6.5.5 as follows and make any consequential changes needed to give effect to this relief: 6.5.5 Policy - Road safety (a) Ensure that structures, lighting, signage and vegetation are located and designed so as to not compromise the safe and efficient operation of the land transport network, or obscure RAPID numbers. (b) <u>To recognise that in rural areas, there may be agreements with landowners to utilise road berms for grazing or hay making, and that changes to road design to accommodate new access for subdivision need to consider the effect of subdivision and site access on the safe and efficient functioning of the road network in light of such arrangements.</u>	FFNZ conditionally support this policy and submit that the policy be expanded to recognise that in rural areas, there may be agreements with landowners to utilise road berms for grazing or hay making, and that changes to road design to accommodate new access for subdivision need to consider the effect of subdivision and site access on the safe and efficient functioning of the road network in light of such arrangements .
10-10	Policy 6.5.6 –	Support	Retain 6.5.6 as notified:	FFNZ support this policy

Page	Reference	Support/oppose	Decision sought	Reasons
	Network utility location		6.5.6 Policy – Network utility location (a) Encourage the location of network utility infrastructure within transport corridors where the function, safety and efficiency of the transport network will not be compromised.	
10-10	Policy 6.5.7. – Vehicle access	Support	Retain 6.5.7 as notified: 6.5.7 Policy – Vehicle access (a) Control the location of new vehicle accesses to sites adjacent to other accesses and rail level crossings to improve the safety and efficiency of the land transport network.	FFNZ support this policy

CHAPTER SEVEN: HISTORIC HERITAGE

3	7.1 Protection of Historic Heritage and Notable Trees	Support in part	Amend 7.1.1 as follows and make any consequential changes needed to give effect to this relief: 7.1.1 Objective (a) A district that acknowledges its past by: recognising, identifying, protecting and promoting <u>historic</u> heritage.	FFNZ understand the purpose of the Objective however amendment is required to promote consistency and clarity within the PDP. We note that the term 'heritage' is not defined in the PDP.
3	7.1.2 Policy – Identification	Support in part	Amend 7.2.1 as follows and make any consequential changes needed to give effect to this relief: 7.1.2 Policy – Identification (a) Identify and schedule historic heritage <u>identified by the Regional Heritage</u>	FFNZ consider this Policy has the potential to unnecessarily duplicate work the Regional Council is facilitating via the Regional Heritage Forum. It is our understanding this forum is currently scoping an inventory of historic heritage items, sites and areas for inclusion in district plans, which merit some form of heritage management or possibly even protection

Page	Reference	Support/oppose	Decision sought	Reasons
			Forum as requiring protection from inappropriate subdivision, use and development throughout the District. that represent the heritage and cultural themes and activities of the district.	from inappropriate subdivision, use and development. We prefer that there is some consistency between different agencies managing heritage issues, hence our relief sought in this regard.
3	7.1.3 Policy – Heritage items	Support in part	<p>Amend 7.1.4 as follows and make any consequential changes needed to give effect to this relief:</p> <p>7.1.3 Policy – Heritage items</p> <p>(a) The contribution of historic heritage to the Waikato District and its communities is maintained through the protection <u>management</u> and conservation of its buildings, sites, structures, places and areas through restoring, conserving and reusing.</p> <p>(b) Protect scheduled heritage items and their values from inappropriate subdivision, use and development of land where the values may include:</p> <ul style="list-style-type: none"> (i) Architectural; (ii) Archaeological; (iii) Cultural; (iv) Technological; (v) Scientific; (vi) Intrinsic or amenity values; and (vii) Any other significant features. <p>(c) Relationships between heritage buildings, sites, structures, places and their settings, including the view of the identified heritage item, are retained.</p> <p>(d) Ensure Protect the relationship of identified redoubts and battlefields with their surrounds or settings is from</p>	FFNZ are broadly supportive of the policy approach being taken. Council is appropriately limiting matters to ‘inappropriate’ subdivision, use and development. Section 6 (f) of the RMA provides for the protection of historic heritage from inappropriate subdivision, use, and development. With this direction, only inappropriate activities that could damage sites need to be managed.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>inappropriate subdivision, use and development.</p> <p>(e) Protect scheduled heritage items from demolition or removal unless:</p> <ul style="list-style-type: none"> (i) The condition of an item poses a serious risk to human life, and (ii) Reasonable alternatives have been investigated and considered, including restoration or adaptation, reuse or relocation, and these alternatives have been found to be impracticable or uneconomic. <p>(f) Ensure alterations to identified heritage items and curtilage are:</p> <ul style="list-style-type: none"> (i) Consistent with the scale, detailing, style, materials and character of the heritage item; (ii) Retain cultural and heritage values; (iii) Do not compromise the heritage item, or have a design that competes with its heritage values; and (iv) Do not compromise the heritage setting of the item. <p>(g) Ensure maintenance and repairs protect the significant features identified in (Schedule 30.1 Heritage Item)</p> <p>(h) Ensure signs on scheduled heritage items are only for the purposes of identification and interpretation, and:</p> <ul style="list-style-type: none"> (i) Do not detract from the heritage values, and (iii) Maintain the heritage item as the primary visual element. 	

Page	Reference	Support/oppose	Decision sought	Reasons
4	7.1.7 Policy – Identification	Oppose	<p>Amend 7.1.7 as follows and make any consequential changes needed to give effect to this relief:</p> <p>7.1.7 Policy – Identification</p> <p>(a) <u>Notable trees should be identified and scheduled in Schedule 30.2 in a manner that recognises the important values of each tree. Identify and schedule trees, including groups of trees and assess them for significance and/ or notable values.</u></p>	With reference to Schedule 30.2 Notable Trees, FFNZ are unsure why this policy is necessary. Presumably the relevant PDP Schedule should be referenced in any such policy, otherwise FFNZ are concerned that the policy could be used to justify some sort of assessment or onerous consenting requirement in respect of any old tree.
4	7.1.8 Policy –Tree protection	Support in part	<p>Amend 7.1.8 as follows and make any consequential changes needed to give effect to this relief:</p> <p>7.1.8 Policy –Tree protection</p> <p>(a) Ensure removal of a notable tree listed in (Schedule 30.2 Notable Trees) only occurs if the tree is in an unsafe condition and/or there is a serious risk to human life or property.</p> <p>(b) Ensure land use or work within the dripline of a notable tree listed in (Schedule 30.2 Notable Trees) does not affect the form or health of the tree.</p> <p>(c) <u>Enable removal of the protective tree status if the values associated with the protected tree have deteriorated.</u></p> <p>(d) <u>Enable removal of a notable tree on private property if the reasonable use and enjoyment of the property and surrounds is compromised.</u></p>	FFNZ support the practical approach adopted by this policy but consider it needs to go further to enable the removal of a notable tree on private property if the use and enjoyment of that property is compromised.

Page	Reference	Support/oppose	Decision sought	Reasons
4	7.1.9 Policy –Tree maintenance	Support in part	<p>Amend 7.1.9 as follows and make any consequential changes needed to give effect to this relief:</p> <p>7.1.9 Policy – Tree maintenance</p> <p>(a) Enable the maintenance and management of a notable tree for the purposes of:</p> <p>(i) Ensuring the continuing health, structural integrity and amenity value of the tree; <u>OR</u> and</p> <p>(ii) The reasonable use and enjoyment of the property and surrounds.</p>	FFNZ broadly support the intention of the policy however we consider that the two purposes are not mutually inclusive. The reasonable use and enjoyment of private property and surrounds is important in and of itself, the amendment is required to acknowledge and recognise that.

CHAPTER EIGHT: RESERVES

3	8.1.3 Policies - Esplanade reserves and walkways	Oppose in part	<p>Amend Policy 8.1.3 as follows and make any consequential changes needed to give effect to this relief:</p> <p>8.1.3 Policies - Esplanade reserves and walkways</p> <p>(a) <u>With the exception of subdivision in the Rural Zone, to Acquire</u> esplanade reserves or strips along coasts, rivers, lakes and wetlands during subdivision to enable the creation of trails and public access, particularly in identified high priority areas in Appendix 4.</p> <p>(b) During subdivision, provide for the acquisition and development of walkways/cycle ways/bridle ways identified</p>	<p>FFNZ are opposed to creation of esplanade reserves or strips where land is being subdivided for the purposes of facilitating farming in the Rural Zone.</p> <p>The disadvantages far outweigh the benefits. Any given member of the public might visit such waterway margins once in their lifetimes, if at all, while farmers have to put up with theft and nuisance on a continual basis. Creation of public access alongside farmland encourages all sorts of problems for farmers, including theft of farm property and stock, and harassment/harm of farm animals by careless dog owners.</p> <p>In addition, unless any such esplanade reserves that are acquired can be responsibly managed for pests and weeds (and unwanted excess vegetation growth blocking waterways), then provision of esplanade reserves ultimately results in land flooding problems</p>
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Page	Reference	Support/oppose	Decision sought	Reasons
			<p>on the planning maps, structure plans or in Council's Trails Strategy by:</p> <ul style="list-style-type: none"> (i) having convenient and practical public access to and along the route; (ii) incorporating safety and security for neighbours and walkway users; (iii) integrating with the wider transport network; (iv) protecting and restoring natural values. 	<p>for farmers in the vicinity. Where nuisance plants like tobacco weed get established on riparian margins, this can cause adverse effects on water quality through exposing riparian areas to soil erosion when the tobacco weed etc gets swept away in big flood events</p> <p>Moreover, due to the pattern of existing land fragmentation, any reliance on a requirement to provide esplanade reserves upon subdivision of land almost certainly never results in continuous esplanade access along any given river or stream margin. Any access that might otherwise result alongside rivers and streams from such subdivision, ends up at best being intermittent due to the ad-hoc and infrequent timing of rural subdivision.</p> <p>Furthermore, farmers should not have to provide esplanade reserves or strips where they are only seeking boundary relocation or boundary adjustment to enable better practical management of farmland.</p> <p>Any requirement to acquire esplanade reserves or strips should be accompanied by a strategy which identifies waterways where acquisition of esplanade reserves is a priority for the purposes listed in section 229 and 230 of the RMA, in which all the management issues associated with esplanade reserves (such as enabling safe and practical public access, or pest and weed control etc) are provided for in a comprehensive manner in a way that also sits outside the district plan amongst the Council's other functions under the Local Government Act 2002 and the Reserves Act 1977.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
CHAPTER TEN: HAZARDOUS SUBSTANCES AND CONTAMINATED LAND				
	Chapter ten as it applies to Hazardous Substances	Oppose	<p>Delete Chapter Ten - Hazardous substances provisions as notified and replace with an advice note which states that it is no longer a district council function to control any actual or potential effects of the use, development, or protection of land, for the purpose of the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances.</p> <p>Hazardous substances are adequately managed by the Hazardous Substances and New Organisms Act 1996 (“HSNO”) and there is no need for further regulation in the Waikato District Plan.</p> <p>Make any consequential changes needed to give effect to this relief.</p>	<p>Federated Farmers is strongly opposed to these hazardous substance provisions and recommends they be replaced with a framework that recognises hazardous substances are already adequately managed by the Hazardous Substances and New Organisms Act 1996 (“HSNO”) and there is no need for further regulation in the District Plan.</p> <p>HSNO already provides a comprehensive and far reaching regulatory framework for managing hazardous substances. The Health and Safety at Work Act 2015 also provides regulatory controls that users and handlers of hazardous substances must be appropriately trained and certified. The Council is unnecessarily duplicating existing regulation for no additional benefit, there is also a risk that Council regulation will be inconsistent.</p> <p>FFNZ has provided alternative relief sought in response to the notified Objective and policies below. However, this is in the interests of being thorough rather than accepting of the ultra vires approach.</p>
3	10.1.1 Objective – Effects of hazardous substances	Oppose	<p>Amend Objective 10.1.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>(a) Residual risk associated with the storage, use, or disposal of hazardous substances is managed to ensure that the effects on people, property and the environment are acceptable, while recognising the benefits of facilities using hazardous substances.</p>	<p>The risk management approach of the Objective is supported. Primary producers rely on a number of hazardous substances for everyday operations and as such it is vital that farming and horticulture can continue to use and store necessary hazardous substances without being captured by unnecessary land use controls.</p> <p>However, it is considered the proposed Objective is inappropriately focused on the benefit of the ‘facilities’ rather than the benefits of using hazardous</p>

Page	Reference	Support/oppose	Decision sought	Reasons
				<p>substances.</p> <p>There is also some concern with the proposed definition of Hazardous Facility. A separate submission point will address this issue under Chapter 13.</p>
3	10.1.2 Policy – Location of new hazardous facilities	Oppose	<p>Amend Policy 10.1.2 as follows and make any consequential changes needed to give effect to this relief:</p> <p>(a) New hazardous facilities minimise the risk to the environment (including people and property) to acceptable levels by:</p> <p>(i) Siting new hazardous facilities in appropriate locations that are separated from incompatible activities <u>such as sensitive land use and infrastructure.</u> and environment;</p> <p>(ii) Avoid locating near to sensitive land use activities and infrastructure</p> <p>(iii) Designing, constructing and operating hazardous facilities in a manner that ensures the adverse effects of the operation or an accidental event involving hazardous substances can be <u>avoided, remedied or mitigated</u> a contained within the site; and</p> <p>(iv) Disposing hazardous wastes to authorised disposal or treatment facilities that have appropriate management systems in place.</p>	<p>The intention of this policy is understood, however there appears to be unnecessary duplication in parts and it needs to be re-phrased to be clearer and more precise.</p> <p>Issues with the definition of Hazardous Facility will be addressed in a submission point related specifically to the definitions chapter.</p>
3	10.1.3 Policy – Residual risks of	Oppose	Retain 10.1.3 Policy as per notified plan if the definition of Hazardous facility is	FFNZ considers the all-encompassing nature of the <i>Hazardous Facility</i> definition renders this policy

Page	Reference	Support/oppose	Decision sought	Reasons
	hazardous substances		<p>amended as per FFNZ recommended changes in a separate submission point, OR amend Policy 10.1.3 as follows and make any consequential changes needed to give effect to this relief:</p> <p>a) Facilities for the use, storage, or disposal of hazardous substances shall identify and assess potential adverse effects (including cumulative risks and potential effects of identified natural hazards) to prevent unacceptable levels of risk to human health, safety, property and the natural environment. <u>Promote better understanding of the potential adverse effects of the use, storage or disposal of hazardous substances, and the methods and controls for avoiding remedying or mitigating such effects.</u></p> <p>b) <u>Establish thresholds of acceptable risks from the use, storage, transportation and disposal of hazardous substances on the health and safety of people, and the environment.</u></p> <p>c) <u>To provide for the manufacture, storage, use, disposal and transportation of hazardous substances in accordance with industry protocols and regulations established under the Hazardous Substances and New Organisms Act 1996.</u></p>	<p>ineffective and inappropriate. A garden shed or storage cupboard in the laundry or garage would meet the definition of <i>hazardous facility</i> and as such trigger the requirement for a user of garden sprays to identify and assess adverse effects to prevent unacceptable levels of risk to human health, safety, property and the natural environment. We know from the Section 32 report that this is not WDC's intention, and seek the suggested amendments to remedy the presumed drafting error.</p> <p>The Section 32 report lists on page 3 the additional situations where supplementary controls over and above those imposed by the HSNO Act or other statutes may be necessary including managing the effects of hazardous facilities on sensitive land uses and cumulative effects from multiple facilities. The purpose of the proposed policy in this suite is to manage adverse effects and risks but it has a significantly wider reach than that and is unmanageable in its present form. The proposed new policy 10.1.3 (b) provides the necessary policy support for the activity list approach for Rule 22.2.4.</p>
3	10.1.4 Policy – Reverse sensitivity effects	Support in part	Amend 10.1.4 Policy as follows and make any consequential changes needed to give effect to this relief:	The purpose of proposed Policy 10.1.4 is to meet reverse sensitivity effects, however in Federated Farmers view (b) is already addressed by Policy

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(a) Separate sensitive land use activities from lawfully- established hazardous facilities;</p> <p>(b) Separate new hazardous facilities from existing sensitive land use activities;</p> <p>and</p> <p>(c) Avoid the storage, processing or disposal of hazardous waste in sensitive environments.</p>	10.1.2 (a)(i) and includes risk management issues which would be addressed under Policy 10.1.3.
3	10.2.1 Objective – Contaminated land	Support in part	<p>Amend 10.2.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>Contaminated land</p> <p>(a) The subdivision, use and development of contaminated land is managed to protect human health and the environment <u>from unacceptable risk.</u></p>	It is important for the Objective to be clear about the issue which is trying to be addressed and what the plan seeks to achieve. In this case it is about protecting human health and the environment from unacceptable risk of harm caused by the subdivision, use and development of contaminated land.
3	10.2.2 Policy – Managing the use of contaminated land	Support in part	<p>Amend 10.2.2 as follows and make any consequential changes needed to give effect to this relief:</p> <p>Managing the use of contaminated land</p> <p>(a) Contaminated land is managed or remediated to ensure that contaminants are at a level acceptable for the proposed land use.</p> <p>(b) Disposal of contaminated soil must be carried out in a manner that avoids further adverse effects on human health or on the environment.</p>	<p>Federated Farmers understands the purpose and intent of this policy and considers the planning approach which is predicated on land use change is appropriate.</p> <p>Soil tests upon sub-division and the already existing food standards testing allow for the identification of contaminated land when it has an effect on the public and as such there is no need for additional rules proposing tighter regulations for contaminated land or suspected contaminated land without there being a demonstrable effects-based need for these higher standards.</p> <p>It is not cost effective to deal with potential sites</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(c) Use or development of contaminated land must not damage or destroy any contaminant containment works, unless comparable or better containment is provided, or monitoring demonstrates that the containment is no longer required.</p> <p>(d) Ensure that the use, subdivision and development of contaminated land management approaches include:</p> <p>(i) undertaking a site investigation of any land identified as actually or potentially contaminated, prior to any new subdivision or change of use of land, that could result in an increase in any adverse effects from the contamination of a piece of land;</p> <p>(ii) remedial action plans;</p> <p>(iii) site validation reports,</p> <p>(iv) site management plans as appropriate for identifying, monitoring and managing contaminated land</p> <p><u>Advice note: The status of some activities will be determined by the requirements of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011. Reference should be made to the Ministry of Environment website for a copy of these regulations, a user's guide, and documents incorporated by reference in these regulations.</u></p>	<p>proactively, especially if there is no identified need, through either the food chain or land use change.</p> <p>For these reasons Federated Farmers also supports the planning approach which seeks to avoid unnecessary duplication with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 ('NES'). This approach is consistent with Implementation Method 14.4.1 of the WRPS.</p> <p>However, whilst the alignment approach is supported amendments are required to better 'signpost' this alignment within the chapter. This will ensure plan users are better informed and understand the rules framework which applies.</p> <p>.</p>

CHAPTER THIRTEEN: DEFINITIONS

Page	Reference	Support/oppose	Decision sought	Reasons
3-30	Agricultural and horticultural research activities	Support	<p>Retain definition as notified:</p> <p>Agricultural and horticultural research activities</p> <p>Means all activities associated with agricultural and horticultural research and innovation including, but not limited to: agritechnology, food technology, biotechnology, bioengineering reproductive technology, information technology, biological pest control, weed and pest management strategies, vaccine development, soil, plant and fibre analysis, fertiliser and pesticide formulation and application, animal and plant health and disease control, control of fungal and plant toxins, processing of animal and horticultural products and by-products, research abattoirs, waste management systems, animal behaviour and welfare, farm sustainability, grazing, confined animal farming, soil, air and water research and the development, manufacture and commercial application of such activities.</p>	FFNZ supports this definition
3-30	Ancillary rural earthworks	Support in part	<p>Amend definition as follows and make any consequential amendments needed to give effect to this relief:</p> <p>Ancillary rural earthworks</p> <p>(a) Means any earthworks or disturbance of soil associated with: cultivation, land preparation (including establishment of sediment and erosion control measures), for planting and growing operations <u>of crops and pasture</u>;</p>	<p>FFNZ submit that the definition of <i>Ancillary Rural Earthworks</i> should be congruent with a resource management policy framework which seeks to enable primary production in rural areas, and that it should be as clear as possible. The following activities should clearly be contemplated, including within any related definition;</p> <ul style="list-style-type: none"> • tilling or cultivation of soil for the establishment and maintenance of crops and pasture; • harvesting of crops; • planting trees;

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(b) harvesting of agricultural and horticultural crops (farming) and forests (forestry); and <u>planting trees, removing trees and horticultural root ripping</u></p> <p>(c) maintenance and construction of facilities typically associated with farming and forestry activities, including, but not limited to, farm/forestry tracks, roads, <u>vehicle manoeuvring areas</u> and landings, <u>stock marshalling yards</u>, stock races, silage pits, <u>offal pits</u>, <u>burying dead stock and plat waste</u> farm drains, farm effluent ponds, feeding pads, <u>digging post holes</u>, fencing and sediment control measures, <u>drilling bores</u>, <u>installing and maintaining services such as water pipes and troughs</u>, <u>off-stream farm water storage dams</u>, <u>hard stand areas for stock</u>, <u>fertiliser storage pads</u>, <u>airstrips and helipads</u>.</p> <p>(d) <u>Farm quarries where quarry winnings are only used within the farm site</u></p>	<ul style="list-style-type: none"> removing trees; horticultural root ripping; digging offal pits burying dead stock and plant waste; digging post holes; drilling bores; installing and maintaining services such as water pipes and troughs; farm quarries where excavated material is not removed from the farm site. <p>Off-stream farm water storage dams for stock and domestic water storage are commonplace on many farms.</p> <p>Farm quarries are certainly part of normal day to day farming operation and shouldn't need resource consent. Other district plans make allowance for permitted farm quarries at a scale which is appropriate in the context of the wide open spaces of the rural environment.</p>
4-30	Animal feed lot	Support	<p>Retain as notified:</p> <p>Animal feed lot</p> <p>Means a covered or uncovered hard standing area used for the purpose of intensively feeding animals. It does not include the concentrated but temporary wintering of stock numbers normally present on a property in areas such as feed stalls or feed pads.</p>	FFNZ supports this definition and exemptions
4-30	Boarding, breeding	Support in part	Amend definition as follows and make any	FFNZ support the exemptions included in this

Page	Reference	Support/oppose	Decision sought	Reasons
	or animal training establishment		<p>consequential amendments needed to give effect to this relief:</p> <p>Boarding, breeding or animal training establishment</p> <p>Means an activity carried out on land or within buildings where board and lodging, breeding and training is provided or intended to be provided for more than five animals (excluding offspring up to 3 months of age). This does not include dog kennels, calf rearing sheds, stables, and <u>or</u> similar <u>activities shelters</u> for private farming uses, and <u>activities defined as Agricultural and horticultural research activities and Agricultural research centres.</u></p>	definition but considers the amendment is necessary to ensure there is no confusion or uncertainty created when the rules framework is applied.
	Insert New definition – Boundary adjustment		<p>Insert the following definition for Boundary Adjustment, and make any consequential changes needed to give effect to this relief:</p> <p>Boundary adjustment – means a subdivision of adjoining allotments to adjust the position of boundaries, in a manner that produces the same number of allotments.</p>	FFNZ seek a definition of <i>Boundary Adjustment</i> , in recognition that this is a valid form of reorganisation of land parcels, which is useful for supporting rationalisation of farm management.
9-30	Earthworks	Support in part	<p>Amend the definition as follows, and make any consequential amendments needed to give effect to this relief:</p> <p>Earthworks</p> <p>Means modification of land surfaces by blading, contouring, ripping, moving, removing, placing</p>	FFNZ submit that the definition of <i>Earthworks</i> should clearly exclude <i>Ancillary Rural Earthworks</i> , lest the latter get needlessly caught up in a resource consent process which is triggered by the former.

Page	Reference	Support/oppose	Decision sought	Reasons
			or replacing soil or earth, or by excavation, or by cutting or filling operations, <u>but does not include Ancillary Rural Earthworks.</u>	
9-30	Energy corridor	Neutral	Ensure the definition of Energy corridor is the same regardless of which format of the plan is being used.	Note the definition of <i>Energy Corridor</i> is different on the two different formats of the plan uploaded on the Council website. It is assumed the electronic plan version contains an incorrect drafting error as it applies to <i>emergency generator</i> .
9-30	Extractive industry	Support in part	<p>Amend the definition as follows, and make any consequential amendments needed to give effect to this relief:</p> <p>Extractive industry</p> <p>Means taking, winning or extracting by whatever means, the naturally-occurring minerals (including but not limited to coal, rock, sand, and gravel) and peat from under or on the land surface, <u>but does not include a Farm Quarry.</u></p> <p>The term includes the processing by such means as screening, crushing, or chemical separation of minerals at or near the site, where the minerals have been taken, won or excavated.</p> <p>The term also includes the removal, stockpiling and filling of overburden sourced from the same site.</p> <p>It includes all activities and structures associated with underground coal gasification, including pilot and commercial plants and the distribution of gas. It excludes prospecting and exploration activities.</p>	FFNZ submit that farm quarries should be excluded from the definition of <i>Extractive Industry</i> , consistent with our relief sought in relation to the definition of <i>Ancillary Rural Earthworks</i>

Page	Reference	Support/oppose	Decision sought	Reasons
9-30	Farming	Support in part	<p>Amend the definition as follows, and make any consequential amendments needed to give effect to this relief:</p> <p>Farming</p> <p>Means an agricultural, horticultural or apicultural activity having as its primary purpose the production of any livestock or crop using the in-situ soil, water and air as the medium for production.</p> <p>It includes:</p> <ul style="list-style-type: none"> (a) Ancillary produce stalls; (b) Processing of farm produce grown on the land, such as cutting, cleaning, grading, chilling, freezing, packaging and storage. (c) <u>Ancillary Rural Earthworks</u> 	FFNZ submit that <i>Ancillary Rural Earthworks</i> should be included in the list of activities included in the definition of <i>Farming</i> , consistent with our relief sought in relation to the definition of <i>Ancillary Rural Earthworks</i>
9-30	Farming noise	Support	<p>Retain as notified:</p> <p>Farming noise</p> <p>Means noise generated by agricultural vehicles, any aircraft used for aerial spraying, agricultural machinery or equipment and farm animals, including farm dogs. It does not include bird scaring devices and frost fans.</p>	FFNZ supports the definition
9-30	Farm quarry	Support	<p>Retain as notified:</p> <p>Farm quarry</p> <p>Means the extraction of minerals taken for use ancillary to farming and horticulture, and only used within the property of extraction. No</p>	FFNZ support this definition

Page	Reference	Support/oppose	Decision sought	Reasons
			extracted material (including any aggregate) shall be exported or removed from the property of origin and there shall be no retail or other sales of such material. For example, farm quarries include the extraction of material for farm and forestry tracks, access ways and hardstand areas on the property of origin.	
10-30	Functional need	Conditional support	<p>Amend definition as follows and make consequential changes needed to give effect to this relief:</p> <p>Functional need</p> <p>Means for Chapter 14 Infrastructure and Energy, the need for a proposal or activity to traverse, locate or operate in a particular environment because it can only occur in that environment <u>for any number of reasons.</u></p>	<p>FFNZ conditionally support this definition provided that the effect of this definition doesn't override the prerogative of landowners to refuse access to any member if the public or any network utility operator over private farmland.</p> <p>FFNZ also considers the definition has wider application than just Chapter 14 and may apply in certain circumstances to rural activities in and around waterbodies for example.</p>
12-30	Homestay	Support in part	<p>Amend the definition as follows and make consequential changes needed to give effect to this relief;</p> <p>Homestay</p> <p>Means accommodation provided to guests who pay a daily tariff to stay in accommodation <u>where it is ancillary to the residential and farming activity on the site and where the host is a permanent resident on the site. This could be in a home with the permanent occupants of the household or in a separate building.</u></p>	FFNZ considers the definition needs to be amended to better reflect current homestay trends and the nature of this activity. It provides for small scale diverse business opportunities within the rural zone which can help to sustain a vibrant rural community.
10-30	Hazardous facility	Oppose	Amend the definition as follows, and make any consequential amendments needed to give effect to this relief:	FFNZ considers the definition as currently worded has the potential to capture a range of activities inappropriately.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>Hazardous facility</p> <p>Means activities involving hazardous substances and premises at which these substances are used, stored or disposed of. Storage includes vehicles for their transport located at a facility for more than short periods of time. <u>A Hazardous facility does not include:</u></p> <ul style="list-style-type: none"> (a) <u>The incidental use and storage of Hazardous substances in domestic quantities; and</u> (b) <u>Fuel contained in tanks of motor vehicles, agricultural and forestry equipment, boats and small engines; and,</u> (c) <u>On farm milk and farm effluent storage and disposal; and</u> (d) <u>Storage of superphosphate or lime or similar fertiliser in the Rural Zone; and</u> (e) <u>Use and storage of agrichemicals covered by, and in accordance with New Zealand Standard 8409:2004 Management of Agrichemicals.</u> 	
10-30	Hazardous substance	Oppose	<p>Amend as follows and make consequential changes needed to give effect to this relief:</p> <p>Hazardous substance</p> <p>Means any substance with hazardous properties, including radioactivity, high BOD (Biological Oxygen Demand) and those properties defined as hazardous for the purpose of the Hazardous Substances and New Organisms Act 1996.</p>	The definition should be consistent with the HSNO Act, any variation has the ability to cause confusion and unnecessary duplication.

Page	Reference	Support/oppose	Decision sought	Reasons
12-30	Heritage item	Support	Retain as notified: Heritage item Means a heritage item listed in Appendix 30.1 (Historic Heritage Items) and shown on the planning maps	Support is extended to the reference to Appendix 30.1, it is important that these items are identified and scheduled accordingly.
12-30	High class soils	Support	Retain as notified: High class soils Means those soils in Land Use Capability Classes I and II (excluding peat soils) and soils in Land Use Capability Class IIle1 and IIle5, classified as Allophanic Soils, using the New Zealand Soil Classification.	This is accepted that this definition describes what is commonly known as 'high class soils'
12-30	High Natural Character Area	Oppose	Delete the definition and make any consequential amendments needed to give effect to this relief: High Natural Character Area Means an area identified as High Natural Character Area on the planning maps.	FFNZ submit that this definition provides no purpose as there is no <i>High Natural Character Area</i> layer identified on the planning maps.
12-30	Indigenous vegetation	Support in part	Amend the definition as follows, and make any consequential amendments needed to give effect to this relief: Indigenous vegetation Means vegetation that occurs naturally in New Zealand or arrived in New Zealand without human assistance. For the purposes of this	FFNZ submit that as notified, the definition of indigenous vegetation needs to include more exemptions. This will ensure it is reasonable and practical in the context of the proposed rules framework.

Page	Reference	Support/oppose	Decision sought	Reasons
			plan, domestic or ornamental / landscaping planting, or planted shelter belts comprising indigenous species are not included. <u>or forestry undergrowth, or planted indigenous forestry are excluded from the definition of 'indigenous vegetation'.</u>	
14-30	Intensive farming	Oppose	<p>Delete the proposed definition and replace with the following, make any consequential amendments needed to give effect to this relief:</p> <p>Intensive farming</p> <p><u>Means the commercial raising and keeping of plants or animals permanently contained in buildings or outdoor enclosures, that occurs independent of the soil fertility on the site, is dependent on a high input of food or fertiliser from beyond the site, and may (but not necessarily) involve artificially controlled growing conditions and includes boarding kennels or catteries, but does not include the sheltered rearing and weaning of calves, lambs or goats undertaken indoors as part of a farming activity nor the use of wintering barns, stabling of horses, feed pads and stand-off pads where stock are not held on a permanent basis.</u> Means farming which is not dependent on the fertility of the soils on which it is located and which may be under cover or within an outdoor enclosure, and be dependent on supplies of food produced on and/or off the land where the operation is located.</p>	FFNZ has serious concerns with the proposed definition, it is overly complicated and has potential to extend the meaning of 'intensive' farming beyond usual definitions and capture normal farming activity (such as calf or lamb rearing and weaning in shelters, or feeding stock on standoff pads or in temporary feedlots, or break-feeding) within an onerous resource consent process for little or no environmental benefit

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>It includes:</p> <ul style="list-style-type: none"> (a) intensive pig farming undertaken wholly or principally in sheds or other shelters or buildings; (b) free-range pig farming; (c) poultry or game bird farming undertaken wholly or principally within sheds or other shelters or buildings; (d) free-range poultry or game bird farming; (e) mushroom farming; and (f) intensive goat farming. <p>It excludes the following, provided the building is used for the purpose for which it was built:</p> <ul style="list-style-type: none"> (a) woolsheds; (b) dairy sheds; (c) calf pens or wintering accommodation for less than 30 stock (except where stock are being reared for the replacement of breeding stock to be used on the same property); and (d) glasshouse production or nurseries. 	
14-30	Landscape Restoration Area	Oppose	<p>Delete the definition and make any consequential amendments needed to give effect to this relief:</p> <p>Landscape Restoration Area</p> <p>Means an area shown on the planning maps, within the Rangitahi Peninsula Zone, where existing native vegetation is to be complemented by additional landscape</p>	FFNZ consider this definition to be unnecessary and inappropriate. The active management approach outlined in this definition is more appropriately addressed, if required, as resource consent conditions when a land use activity within the Rangitahi Peninsula triggers the need for one.

Page	Reference	Support/oppose	Decision sought	Reasons
			restoration planting. The purpose of the area is to promote stabilisation of steep slopes, encourage ecological and habitat linkages and enhance landscape amenity, particularly in and near coastal areas and on visually prominent landforms.	
15-30	Maaori Areas of Significance	Support	Retain as notified Maaori Areas of Significance Means an area of significance to Maaori listed in Appendix 30.4 (Maaori Areas of Significance) and shown on the planning maps.	Support is extended to the scheduling approach taken.
15-30	Maaori Sites of Significance	Support	Retain as notified: Maaori Sites of Significance Means Sites of Significance to Maaori listed in Appendix 30.3 (Maaori Sites of Significance), and as shown on the planning maps.	Support is extended to the scheduling approach taken.
16-30	Minor upgrading of existing infrastructure	Support in part	Retain as notified: Minor upgrading of existing infrastructure Means an increase in the capacity, efficiency or security of existing infrastructure where this utilises existing structures and networks and/or structures and networks of a similar scale and	Support to the extent that this definition is consistent with the NPSET and NESET

Page	Reference	Support/oppose	Decision sought	Reasons
			character.	
17-30	National grid yard	Support in part	<p>Retain as notified:</p> <p>National grid yard</p> <p>Means the area measured either side of the centre line of any above-ground electricity transmission line as follows:</p> <ul style="list-style-type: none"> (a) 14m for the 110kV national grid lines on single poles; (b) 16m for the 110kV national grid lines on pi poles; (c) 32m for 110kV national grid lines on towers; and (d) 37m for the 220kV transmission lines. <p>Refer to the diagram in the definition for 'National grid corridor'.</p>	Support to the extent that this definition is consistent with the NPSET and NESET
18-30	National grid corridor	Support in part	<p>Retain as notified:</p> <p>National grid corridor</p> <p>Means the area located:</p> <ul style="list-style-type: none"> (a) 12 metres in any direction from the outer edge of a national grid support structure; and (b) 10 metres either side of the centre line of any above-ground 110kV national grid line on single poles; and (c) 12 metres either side of the centre line of any above-ground national grid line 	Support to the extent that this definition is consistent with the NPSET and NESET

Page	Reference	Support/oppose	Decision sought	Reasons
			on towers.	
20-30	Outstanding Natural Feature	Conditional support	<p>Amend definition as follows and make any consequential changes needed to give effect to this relief:</p> <p>Outstanding Natural Feature</p> <p>Means a feature identified as an Outstanding Natural Feature on the planning maps, <u>listed in Appendix XX and described in the individual assessment sheet.</u></p>	Conditional support is extended to this definition. FFNZ supports the principle of identifying these areas, listing them on a schedule, which summaries the associated values, and including the overlay on planning maps.
20-30	Outstanding Natural Character Area	Oppose	<p>Delete the definition and make any consequential amendments needed to give effect to this relief:</p> <p>Outstanding Natural Character Area</p> <p>Means an area identified as an Outstanding Natural Character Area on the planning maps.</p>	FFNZ submit that this definition provides no purpose as there is no Outstanding Natural Character Area layer identified on the planning maps.
20-30	Outstanding Natural Landscape	Conditional Support	<p>Amend definition as follows and make any consequential changes needed to give effect to this relief:</p> <p>Outstanding Natural Landscape</p> <p>Means a landscape identified as an Outstanding Natural Landscape on the planning maps, <u>listed in Appendix XX and described in the individual assessment sheet.</u></p>	Conditional support is extended to this definition. FFNZ supports the principle of identifying these areas, listing them on a schedule, which summaries the associated values, and including the overlay on planning maps.
23-30	Rural ancillary earthworks	Support	Retain as notified:	FFNZ supports the definition

Page	Reference	Support/oppose	Decision sought	Reasons
			Rural ancillary earthworks Means the disturbance of soil associated with cultivation, land preparation (including of sediment and erosion control measures), for planting and growing operations and harvesting of agricultural and horticultural crops and forests; and maintenance and construction of facilities typically associated with farming and forestry activities, including but not limited to farm/forestry tracks, roads and landings, stock races, silage pits, farm drains, farm effluent ponds, and fencing and sediment control measures.	
N/A	New definition	Support	Include a new definition for Rural contractor's depots and make any consequential amendments needed to give effect to this relief: Rural contractors' depots Means offices, storage buildings, plant and machinery used for the purposes of agricultural contracting, including ancillary activities and transport depots relating to the transportation of agricultural and horticultural produce, including livestock. Agricultural contractors' depots include the repair, servicing and maintenance of rural-based vehicles or machinery.	FFNZ considers a definition for this activity is required and subsequent new rule. The activity is different from both rural industry and farming. It is an important activity which must be enabled within the rural zone. .
23-30	Rural industry	Support	Retain as Rural Industry as notified: Rural industry Means an industry that involves the direct handling or processing to the first stage of manufacture of any raw produce harvested	FFNZ considers that rural contractors' depots need to be defined separately. It is clear from this definition of <i>rural industry</i> that WDC is making a distinction between the activities and this is supported.

Page	Reference	Support/oppose	Decision sought	Reasons
			from farming, rural contractors' depots, or any other land-related agricultural activity, but excludes waste disposal, extractive industries and electricity generation	
24-30	Sensitive land use	Oppose in part	<p>Amend the definition and make any consequential changes needed to give effect to this relief:</p> <p>Sensitive land use</p> <p>Means an education facility including a childcare facility, waananga and koohanga reo, a residential activity, papakaainga building, rest home, retirement village, travellers' accommodation, home stay, health facility or hospital.</p>	FFNZ understands the purpose and intent of this definition however considers that homestays and residential activity, as defined in the plan do not need to be elevated to this status and subject to the associated planning response.
24-30	Significant Amenity Landscape	Oppose	<p>Delete the following definition and make any consequential changes needed to give effect to this relief:</p> <p>Significant Amenity Landscape</p> <p>Means an area identified as Significant Amenity Landscape on the planning maps.</p>	<p>FFNZ understands the purpose of the definition and subsequent policy framework is to give effect to the WRPS. However, we consider the PDP has not implemented the WRPS direction appropriately and identified rural productive areas as SALs unnecessarily.</p> <p>Our primary concern is with the use of the SAL overlays affecting everyday farming operations in the Rural Zone by triggering an onerous and unnecessary requirement for farmers to have to seek and obtain resource consent for any practical development of farms for farming, for what amounts to little or no environmental benefit.</p> <p>Farming is part of the landscape character of rural areas, and farming should not be subject to onerous requirements for resource consent to develop their farms for farming purposes.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
24-30	Significant Natural Area	Conditional support	<p>Amend definition as follows and make any consequential changes needed to give effect to this relief:</p> <p>Significant Natural Area</p> <p>Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area on the planning maps <u>and listed in Appendix XX and described in the individual assessment sheet</u></p>	Conditional support is extended to this definition. FFNZ supports the principle of identifying these areas, listing them on a schedule, which summaries the associated values, and including the overlay on planning maps.
25-30	Significant feature of interest	Conditional support	<p>Retain as notified:</p> <p>Significant feature of interest</p> <p>Means those parts of a historic heritage building, which is shown on the planning maps and listed in Appendix 30.1, that are described in the individual heritage item sheet.</p>	Conditional support is extended to this definition. FFNZ supports the principle of identifying these areas, listing them on a schedule, which summaries the associated values, and including the overlay on planning maps.
26-30	Travellers' accommodation	Oppose in part	<p>Amend definition as follows and make consequential changes needed to give effect to this relief:</p> <p>Travellers' accommodation</p> <p>Means land and buildings for transient residential accommodation for a person, family or group of persons, which is offered at a daily tariff, where the occupiers will not generally refer to it as their home or permanent address. It may include some centralised services or facilities such as food preparation, dining and sanitary facilities and conference and recreation facilities for the use of the guests staying at the</p>	This is a consequential amendment required to give effect to the relief sought under Homestay submission point.

Page	Reference	Support/oppose	Decision sought	Reasons
			site. It includes hotels, motels, camping grounds and tourist cabins, studios and apartments, but excludes the accommodation used by the permanent resident. <u>Provided that Travellers accommodation does not include activities defined in this Plan as Homestay activities.</u>	
26-30	Vegetation clearance	Support in part	<p>Amend definition as follows and make any consequential changes needed to give effect to this relief:</p> <p>Vegetation clearance</p> <p>Includes the modification, burning, cutting, crushing, spraying and removal by physical, mechanical, chemical or other means, of all forms of vegetation, including indigenous, and may include exotic plants.</p> <p>It does not include vegetation clearance relating to routine cultivation or grazing, <u>which is ancillary to Farming, such as:</u></p> <ul style="list-style-type: none"> (a) <u>clearance for the purpose of maintaining rural fire breaks,</u> (b) <u>pasture maintenance</u> (c) <u>clearance of airstrips, helipads, vehicle entranceways, accessways and driveways, farm tracks and stock crossings of waterways,</u> (d) <u>clearance around farm buildings and farm infrastructure, water supply dams, pipelines and troughs,</u> (e) <u>pest plant/weed management, including clearance of pest plants including: thistles, ring ferns, carpet ferns, rushes,</u> 	<p>FFNZ submit that this definition be amended to specifically exclude vegetation clearance undertaken in association with day-to-day farming.</p> <p>In particular, we are concerned that the definition will still catch many instances of ordinary pastoral farming practice in which vegetation clearance may have to be undertaken on a day-to-day basis, and trigger the requirement for resource consent unnecessarily.</p> <p>Examples of such vegetation clearance include: clearance for the purpose of maintaining rural fire breaks, pasture maintenance, clearance of airstrips, helipads, vehicle entranceways, access ways and driveways, farm tracks and stock crossings of waterways, clearance around farm buildings and farm infrastructure, water supply dams, pipelines and troughs, and pest plant/weed management, cultivation, forestry harvesting, pruning and thinning, clearance or disturbance by animals including grazing, activities undertaken for the purpose of establishing a fence line, maintaining shelterbelts (including cutting of shelterbelt roots, activities associated with fruit tree or fruit vine plantations, clearance of vegetation that is fallen or dead, activities undertaken within the boundaries of any area of land, clearance of pest plants including: thistles, ring ferns, carpet ferns, rushes, ink weed, briar rose, barberry, introduced pampas grass (other</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>ink weed, briar rose, barberry, introduced pampas grass (other than toetoe), mingimingi, wilding pinus species, etc</u></p> <p>(f) <u>cultivation,</u></p> <p>(g) <u>forestry harvesting, pruning and thinning,</u></p> <p>(h) <u>clearance or disturbance by animals including grazing,</u></p> <p>(i) <u>activities undertaken for the purpose of establishing a fence line,</u></p> <p>(j) <u>maintaining shelterbelts (including cutting of shelterbelt roots,</u></p> <p>(k) <u>activities associated with fruit tree or fruit vine plantations,</u></p> <p>(l) <u>clearance of vegetation that is fallen or dead,</u></p>	<p>than toetoe), mingimingi, wilding pinus species, etc.</p> <p>Farmers should not have to incur unnecessary delay and cost for routine vegetation clearance which will result in no more than minor adverse environmental effects.</p>
26-30	Waste management	Support in part	<p>Amend definition as follows and make consequential changes needed to give effect to this relief:</p> <p>Waste management</p> <p>Means <u>industrial or commercial</u> activities relating to the minimisation or reduction of waste material and reuse, recycling, recovery, treatment, storage and disposal processes.</p>	FFNZ considers the amendment is required to add clarification and certainty to the proposed definition
27-30	Wetland	Support	<p>Retain as notified:</p> <p>Wetland</p> <p>Has the meaning in the Resource Management</p>	Support is extended to keeping the same meaning of wetland as is defined in the RMA.

Page	Reference	Support/oppose	Decision sought	Reasons
			Act 1991.	
CHAPTER FOURTEEN: INFRASTRUCTURE AND ENERGY RULES				
4-74	Rule 14.1 Introduction - new paragraph	Support in Part	<p>Amend 14.1 to include a new paragraph, and make any consequential changes needed to give effect to this relief:</p> <p><u>Rural land uses, such as farming, do not present the same threats to the efficient functioning of infrastructure networks that urban patterns of development present. Rural land use is characterised by low density development and low population density, with wide open spaces and relative sparsity of built form. Many aspects of farming activity, such as pasture maintenance, animal grazing, land cultivation, pest and weed control, maintenance of farm access and farm infrastructure such as fences, stock bridges and culverts, water pipelines, troughs and stock drinking water storage tanks are not sensitive to network utility and energy infrastructure operation. Where such land use is not incompatible with infrastructure networks, then it presents an efficient use of resources to enable their coexistence in order to maximise benefits and minimise costs. Such activity should be provided for in order to ensure efficient allocation of resources in a way that ensures farmers and rural communities can provide for their social, cultural and economic well-being, without adversely impacting on the functioning of infrastructure networks.</u></p>	FFNZ conditionally support this introductory statement, provided it is amended to take rural land use into consideration when analysing resource management issues for infrastructure services and networks. FFNZ submit that the compatibility of many aspects of rural land use, particularly as these relate to farming, should be recognised in the introductory statement.

Page	Reference	Support/oppose	Decision sought	Reasons
5-74	Rule 14.2.1 Permitted Activities (applying to all infrastructure)	Support in Part	<p>Amend Rule 14.2.1 as follows, and make any consequential amendments needed to give effect to this relief:</p> <p>(a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply to all infrastructure throughout the district.</p> <p>P1 New infrastructure</p> <p>Activity-specific conditions 14.2.1.1</p> <p>(1) Any new infrastructure activity and associated structures listed as a permitted activity within Chapter 14 must meet all of the following conditions <u>except within the Rural Zone</u>:</p> <p>(a) ...</p> <p>(2) The conditions in Rule 14.2.1.1(1) do not apply to:</p> <p>(a) ...</p> <p><u>(e) Any infrastructure within the Rural Zone</u></p> <p>...</p>	<p>FFNZ conditionally support Rule 14.2.1, provided that it is amended to reflect our relief sought in respect of the introductory statement in 14.1</p> <p>It is not appropriate to limit infrastructure activity and structures within the Rural Zone with the same scale of restriction that applies to urban areas. Rural areas encompass wide open spaces with relatively low development and population density and sparse built form, which can easily absorb visual and amenity impacts of above ground infrastructure and associated structures which have larger bulk and height characteristics than in urban areas.</p> <p>Furthermore, the cost of undergrounding infrastructure in rural areas makes the imposition of underground facilities hugely prohibitive and is an inefficient allocation of resources.</p> <p>To apply the same restrictions in rural areas would trigger unnecessary cost and delay burdens to obtain resource consent, for little or no environmental benefit. This would place an onerous burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure used on farms.</p> <p>FFNZ submit that provision be made for appropriate infrastructure requirements within the Rural Zone that reflect these opportunities and constraints, and that infrastructure within the Rural Zone be exempt from compliance with stricter requirements that apply to urban areas, because such restrictions are inappropriate within rural areas.</p>
6-74	Rule 14.2.2 – Restricted	Support in part	<p>Amend Rule 14.2.2 as follows and make any consequential amendments needed to give</p>	<p>FFNZ conditionally support Rule 14.2.2 provided that whatever permitted activity conditions may be</p>

Page	Reference	Support/oppose	Decision sought	Reasons
	Discretionary Activities (applying to all infrastructure)		<p>effect to this relief:</p> <p>(a) The activities listed below are restricted discretionary activities.</p> <p>RD1 New infrastructure that does not comply with one or more of the conditions of Rule 14.2.1.1</p> <p>Discretion is restricted to:</p> <p>(a) The functional and operational needs of, and benefits derived from, the infrastructure;</p> <p>(b) Visual, landscape, streetscape and amenity effects <u>except within the Rural Zone</u>;</p> <p>(c) Noise levels</p> <p>...</p>	<p>imposed on infrastructure in rural areas do not inappropriately trigger resource consent for <i>Discretionary Activity</i> or <i>Non-Complying Activity</i>, as there would be little or no environmental benefit in doing so.</p> <p>FFNZ submit that visual, landscape, streetscape and amenity effects that may be of concern in relation to infrastructure within urban areas, are not appropriate as a basis for consideration within rural areas, and that infrastructure within the Rural Zone should be exempt from any such assessment requirement where <i>Restricted Discretionary Activity</i> status is triggered.</p>
6-74	Rule 14.2.3 Discretionary Activities (applying to all infrastructure)	Oppose	<p>Amend Rule 14.2.3 as follows and make any consequential amendments needed to give effect to this relief:</p> <p>(a) The activities listed below are discretionary activities.</p> <p>D1 Any infrastructure not specifically listed within Chapter 14, including associated earthworks, not located within an Identified Area <u>except within the Rural Zone</u>.</p>	<p>FFNZ oppose Rule 14.2.3.</p> <p>Identified Areas within the Infrastructure and Energy chapter covers the following areas and items identified within the proposed plan:</p> <ul style="list-style-type: none"> Urban Expansion Area Significant Natural Area Landscape and Natural Character Areas Outstanding Natural Feature Outstanding Natural Landscape Significant Amenity Landscape Outstanding Natural Character High Natural Character Heritage Item Heritage Precinct Maaori Site of Significance Maaori Area of Significance Notable Tree

Page	Reference	Support/oppose	Decision sought	Reasons
				<p>Such Identified Areas affect many farms and result in a cost and delay burden for unnecessary resource consent applications for little or no environmental benefit where infrastructure has to be supplied to develop use or subdivision land in the Rural Zone.</p> <p>FFNZ submit that it is not appropriate to require infrastructure within any <i>Identified Area</i> that is within the Rural Zone to have to seek resource consent for a <i>Discretionary Activity</i> where district plan activity-specific conditions for permitted activities are not complied with.</p> <p>This is hugely inefficient and presents a highly onerous and inappropriate burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure, including associated earthworks, where these are within an <i>Identified Area</i>, in order to develop, use or subdivide farms.</p> <p>FFNZ submit that farm activity should be a <i>Permitted Activity</i> with appropriate activity-specific conditions, and subdivision in the Rural Zone should be a controlled activity with appropriate activity-specific conditions and matters of control, with a <i>Restricted Discretionary Activity</i> pathway for situations where permitted activity or controlled activity conditions are not met.</p>
7-74	Rule 14.2.3 Non-Complying Activities (applying to all infrastructure)	Oppose	<p>Amend Rule 14.2.3 as follows and make any consequential amendments needed to give effect to this relief:</p> <p>(a) The activities listed below are non-complying activities.</p> <p>...</p>	<p>FFNZ oppose Rule 14.2.3 Non-complying Activities, and suggest that it be renumbered as 'Rule 14.2.4' to avoid confusion with Rule 14.2.3 Discretionary Activities.</p> <p>FFNZ submit that it is not appropriate to require infrastructure within the Rural Zone, or within any</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			NC3 Any infrastructure not specifically listed within Chapter 14, including associated earthworks, located within an Identified Area, <u>except within the Rural Zone.</u>	<p>Identified Area that is within the Rural Zone, to have to seek resource consent for a <i>Non-Complying Activity</i> where district plan activity-specific conditions for permitted activities are not complied with. FFNZ submit that restricted discretionary activity status would be more appropriate in such situations.</p> <p>FFNZ seek that the Rural Zone be exempt from requirement to seek resource consent for a <i>Non-Complying Activity</i> for any infrastructure not specifically listed within Chapter 14, including associated earthworks, located within an Identified Area within the Rural Zone. To do otherwise would trigger unnecessary cost and delay burden to obtain resource consent, for little or no environmental benefit. This would place an onerous burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure used on farms, including undertaking any associated earthworks, that is not listed in Chapter 14.</p>
7to 10 - 74	Rule 14.3.1 Permitted Activities – General Infrastructure	Support in part	<p>Amend the Activity-Specific Conditions in for Permitted Activities in 14.3.1.1 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>P2 Minor upgrading of existing infrastructure Activity -specific conditions 14.3.1.1</p> <p>(1) The realignment, configuration, relocation or replacement of infrastructure and associated structures that meet all of the following conditions:</p> <p>(a) Are within 5m of the existing alignment or location;</p> <p>(b) Do not increase the height of any</p>	<p>FFNZ conditionally support Rule 14.3.1 provided that appropriate provision is made to reflect infrastructure requirements within the Rural Zone, and/or exemption from urban scale standards within this rule,</p> <p>FFNZ further submit that any ‘minor upgrading’ to network utilities should either be contained within an appropriate easement, or if related to the National Grid, within the existing National Grid Yard. Farmers often experience disruption to farming activities from activities associated with maintenance, upgrading or replacement of network utilities. FFNZ is concerned to ensure that certain parameters are provided around ability to undertake such upgrading, in order to limit disruptions associated with incremental</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>existing pole or support structure by more than 15%;</p> <p>(c) Do not increase the diameter (width) of any existing pole or support structure by more than 15%;</p> <p>(d) Do not increase the diameter of any existing aboveground pipe by more than 15%; and</p> <p>(e) Do not increase the area of any existing aboveground structure by more than 15%; <u>and</u></p> <p>(f) <u>Shall be contained within an appropriate infrastructure easement or, if part of the National Grid, within the National Grid Yard</u></p> <p>...</p> <p>P12 Service connections for subdivision <u>except within the Rural Zone</u></p> <p>Activity -specific conditions</p> <p>14.3.1.8</p> <p>(1) All new lots created as part of a subdivision other than a utility allotment, access allotment or reserve allotment, must be designed and located so that provision is made for access and service connections up to the boundary of the lot for:</p> <p>(a) Wastewater, <u>except within the Rural Zone</u>;</p> <p>(b) <u>Except within the Rural Zone, a water supply connection</u>;</p> <p>(c) <u>Except within the Rural Zone, a stormwater (a management system that complies with Rule 14.11.1.1),</u></p> <p>(d) <u>Except where unavailable adjacent to the lot boundary within the Rural</u></p>	<p>creeping of intrusion on landowners' ability to manage their farms arising from network utilities seeking allowances for upgrades. Amongst other things, farmers are concerned about occupational health and safety implications of incremental infrastructure upgrading activity intruding in private farmland and farming operations such as droving, lambing, calving, fodder cropping, irrigator/effluent disperser operation, and land cultivation.</p> <p>Having noted that, rural land uses, such as farming, do not present the same issues vis-à-vis infrastructure provision, that urban patterns of development present. Rural land use is characterised by low density development and population density, with wide open spaces and relative sparsity of built form. Infrastructure in these areas should be enabled by appropriate standards that reflect rural amenity character, intensity and scale, whilst being limited in order to avoid disruption to farming landowners.</p> <p>Rural subdivision should not have to have connections to a public water supply, wastewater collection system, electricity connection, telecommunications connection, if no such services are available adjacent to the lot boundary. Rural landowners may get their water supply from a dam, bore or other form of water collection, such as roof-water collection, and have to have fire-fighting water tank capacity with connected building sprinkler systems, and have on-site wastewater treatment and disposal. They may also have to generate their own electricity, and may be unfortunate enough not to have broadband telecommunications connections in the vicinity. There is typically sufficient land within the wide open space of rural areas not to have any</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>Zone, an electricity supply connection;</u></p> <p>(e) <u>Except where unavailable adjacent to the lot boundary within the Rural, a telecommunications connection</u> that is hardwired or wireless; and</p> <p>(f) Vehicle access that complies with Rule 14.12.1.1.</p> <p>...</p>	<p>concern about managing stormwater runoff. So requirements for these services are unnecessary and there is little or no environmental benefit to be derived.</p>
12 to 15-74	Rule 14.4.1 Permitted Activities - National Grid	Support in part	<p>Amend the Activity-Specific Standards in Rule 14.4.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>(a) The following activities are permitted activities within the National Grid Yard if they meet the activity specific conditions set out in this table. These rules apply throughout the District.</p> <p>(inter alia)</p> <p>P2 Buildings, structures and sensitive land use within the National Grid Yard in all other zones as of 18 July 2018</p> <p>Activity-Specific Standards 14.4.1.2</p> <p>(1) Within the National Grid Yard in the Business, Industrial, Country Living, Heavy Industrial, Rural, Town Centre Business, Hampton Downs Motorsport and Recreation, Tamahere Business, Te Kowhai Airpark, or Reserves Zone:</p> <p>(a) Building alterations and additions to an</p>	<p>FFNZ conditionally support this rule, provided that the list of exempted farming activities is expanded to reflect a more comprehensive list of activities that are not sensitive to the operation of the national grid, including: pasture maintenance, animal grazing, land cultivation, pest and weed control, maintenance of farm access and farm infrastructure such as fences, stock bridges and culverts, water pipelines, troughs, stock drinking water storage tanks.</p> <p>Where such land use is not incompatible with infrastructure networks, then it presents an efficient use of resources to enable their coexistence in order to maximise benefits and minimise costs.</p> <p>Where activity-specific conditions are not able to be complied with, appropriate consideration could be given via a consent pathway which triggers to Restricted Discretionary Activity status, with appropriate discretion around the benefits to be had from the National Grid, and the benefits to be had from enabling minor farming activity, and the effects of non-compliance with the relevant specified permitted activity standard.</p> <p>Please also refer to our relief sought in respect of Rule 14.4.4.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>existing building or structure that does not involve an increase in the building height or footprint; or</p> <p>(b) Infrastructure (other than for the reticulation and storage of water for irrigation purposes) undertaken by a network utility operator as defined in the Resource Management Act 1991; or</p> <p>(c) Non-habitable buildings or structures for farming activities in rural zones (but not including any intensive farming buildings, commercial greenhouses and milking/dairy sheds); or</p> <p>(d) Yards for milking/dairy sheds; or</p> <p>(e) Artificial crop protection and support structures.</p> <p>(f) <u>Minor structures associated with farming activity that are not situated within 6m of the outer visible foundation of any National Grid tower, including: fences, gates, stock exclusion structures, cattle-stops, stock underpasses, stock bridges and culvert crossings, and drinking water supply pipelines, troughs, and water storage tanks.</u></p> <p>...</p> <p>P3 Earthworks activities within the National Grid Yard</p> <p>Activity Specific Standards 14.4.1.3</p> <p>...</p> <p>(3) The following earthworks activities are</p>	

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>exempt from Rules 14.4.1.3(1) and (2):</p> <p>...</p> <p>(b) Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing, or resealing of a road, footpath, driveway or farm track, <u>maintaining non-habitable farm buildings, drinking water pipelines, tanks or troughs, fences, gates or other stock exclusion structures:</u> ...</p>	
	New Rule sought controlled activity subdivision on land containing the National Grid	New rule	<p>Insert new controlled subdivision rule '14.4.X.X' as follows, and make any consequential changes elsewhere in the plan to give effect to this relief:</p> <p><u>CX Subdivision that is otherwise a controlled subdivision in the Rural Zone that is within a lot containing the National Grid</u></p> <p><u>Activity specific conditions</u></p> <p><u>14.4.X.X</u></p> <p>(1) <u>Any new lot boundary shall be situated outside the National Grid Corridor; and</u></p> <p>(2) <u>Shall comply with controlled subdivision standards and terms of the Rural Zone.</u></p> <p><u>Matters of control</u></p> <p><u>Control is reserved over:</u></p> <p>(a) <u>The adequacy of the allotment for its</u></p>	<p>FFNZ are opposed to Rule 14.4.2 RD4 and submit that a more pragmatic approach would be to provide for controlled activity subdivision of land containing the National Grid (at least in the Rural Zone).</p> <p>In particular, farmers may have need for boundary adjustments and boundary relocations, where no additional lots are being created, and where there is no overall increase in land use intensity, in order to enable more efficient management and utilisation of the productive rural land resource.</p> <p>Controlled subdivision standards (or activity-specific conditions) could apply, and matters of control could be set forth that require new lot boundaries to be outside the National Grid Corridor, and control of ensuring existing legal and physical vehicular access to the National Grid Corridor.</p> <p>There is no need to manage this via a <i>restricted discretionary activity</i> rule. Please refer also to our appeal on Rule 14.4.2.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>intended use;</u></p> <p>(b) <u>maintenance of existing physical and legal vehicular access to the National Grid Corridor.</u></p>	
15-74	Rule 14.4.2 Restricted Discretionary Activities – National Grid	Oppose	<p>Amend Rule 14.4.2 in accordance with our relief sought for a new controlled activity subdivision rule ('14.X.X') as follows, and make any consequential changes elsewhere in the plan to give effect to this relief:</p> <p>(a) The activities listed below are restricted discretionary activities.</p> <p>(b) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.</p> <p>(inter alia)</p> <p>...</p> <p>RD4 14.4.2.1</p> <p><u>Except for subdivision in the Rural Zone provided for as a Controlled Activity under Rule 14.4.x.x, t</u>The subdivision of land in any zone within the National Grid Corridor that complies with all of the following conditions:</p> <p>(a) All allotments intended to contain a sensitive land use must provide a building platform for the likely principal building(s) and any building(s) for a sensitive land use to be located outside of the National Grid Yard, other than where the allotment are for roads, access ways or infrastructure; or</p> <p>(b) The layout of allotments and any enabling</p>	<p>FFNZ are opposed to Rule 14.4.2 RD4 and submit that a more pragmatic approach would be to provide for controlled subdivision of land containing the National Grid, with a back-up default to restricted discretionary activity status for subdivision that does not meet our suggested controlled activity rule conditions, whereby discretion could be reserved over ensuring existing legal and physical vehicular access to the National Grid Corridor.</p> <p>There is no need to manage all subdivision via a restricted discretionary activity status.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotment, including any balance area.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> (a) The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of the National Grid; (b) The ability to provide a complying building platform outside of the National Grid Yard; (c) The risk of electrical hazards affecting public or individual safety, and the risk of property damage; (d) The nature and location of any vegetation to be planted in the vicinity of National Grid transmission lines. <p><u>RDX Subdivision in the Rural Zone which does not comply with activity specific standards for Controlled Activity subdivision in Rule CX 14.4.X.X:</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> (a) <u>The functional and operational needs of, and benefits derived from, the infrastructure</u> (b) <u>The functional and operational needs of, and benefits derived from, the subdivision</u> (c) <u>Maintenance of legal and physical vehicular access to the infrastructure</u> 	
16-74	Rule 14.4.4 Non-complying Activities	Oppose	Amend Rule 14.4.4 as follows, and make any consequential changes needed to give	FFNZ are opposed to the requirement in Rule 14.4.4 for activity-specific conditions that are not met in Rule

Page	Reference	Support/oppose	Decision sought	Reasons
	– National Grid		<p>effect to this relief:</p> <p>(a) The activities listed below are non-complying activities.</p> <p>NC1 Above-ground transmission lines associated with the National Grid located within identified areas</p> <p>NC2 Transformers, substations and switching stations associated with the National Grid located within identified areas.</p> <p>NC3 <u>Except within the Rural Zone, a</u>Any activity within the National Grid Yard that does not comply with one or more of the conditions of Rule 14.4.1.1</p> <p>NC4 <u>Except within the Rural Zone, a</u>Any activity within the National Grid Yard that does not comply with one or more of the conditions of Rule 14.4.1.2</p> <p>NC5 Any new building for a sensitive land use within the National Grid Yard</p> <p>NC6 Any change of use of an existing building to a sensitive land use within the National Grid Yard</p> <p>NC7 The establishment of any new sensitive land use within the National Grid Yard</p> <p>NC8 Any new hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centre line of a National Grid Transmission Line.</p> <p>NC9 Dairy/milking sheds or buildings for</p>	<p>14.4.1 or 14.4.2 to default to a non-complying activity status within the Rural Zone.</p> <p>It is not necessary to trigger a default to non-complying activity status, in this situation. Enabling farming activity should be afforded a higher priority in the Rural Zone, in order to provide for efficient utilisation of the productive rural land resource. In this regard, a restricted discretionary activity status would appropriate to ensure sufficient consideration of the relative priorities to be afforded to farming, versus management of the National Grid. There is little or no environmental benefit in triggering non-complying activity status, yet the pathway to granting consent is much more burdensome for the applicant. Farmers should not be presented with potentially insurmountable consent hurdles in seeking to manage their farms.</p> <p>Where activity-specific conditions are not able to be complied with, appropriate consideration could be given via a consent pathway which triggers to <i>Restricted Discretionary Activity</i> status, with appropriate discretion restricted to the benefits to be had from the National Grid, and the benefits to be had from enabling minor farming activity, and the effects of non-compliance with the relevant specified permitted activity or controlled activity standard(s). Please refer to our relief sought in respect of Rules 14.4.1 and 14.4.2</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>intensive farming within the National Grid Yard</p> <p>NC10 <u>Except within the Rural Zone, a</u>Any subdivision of land in any zone within the National Grid Corridor that does not comply with one or more of the conditions of Rule 14.4.2.1.</p>	
17-74	Rule 14.5.1 Permitted Activities - Electrical Distribution	Oppose in part	<p>Amend Rule 14.5.1 as follows, and make any necessary consequential amendments needed to give effect to this relief:</p> <p>(a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply throughout the district.</p> <p>(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.</p> <p>...</p> <p>P2 Overhead distribution lines and support structures within the Rural Zone</p> <p>P3 Overhead distribution lines and support structures within road or unformed road located adjacent to the Rural Zone</p> <p>Activity-specific conditions</p> <p>14.5.1.1</p> <p>(a) Overhead distribution lines and support structures that comply with the following:</p> <p>(i) Do not exceed a voltage up to and including 110kV; and</p>	<p>FFNZ oppose parts of Rule 14.5.1 and conditionally support other parts of it. FFNZ submit that in the Rural Zone, there should be few restrictions on overhead electricity distribution lines. In rural areas, it is inefficient to require undergrounding of electricity and other lines services, because of the greater distances involved compared to urban areas. If the Council is minded to permit co-located overhead lines at a permitted height of 30 metres, FFNZ submits that there is practically no visual difference between co-located lines and non-co-located lines mounted on poles up to 30 metres height, and therefore the maximum permitted height should be simplified to 30 metres.</p> <p>Identified Areas within the Infrastructure and Energy chapter covers the following areas and items identified within the proposed plan:</p> <ul style="list-style-type: none"> Urban Expansion Area Significant Natural Area Landscape and Natural Character Areas Outstanding Natural Feature Outstanding Natural Landscape Significant Amenity Landscape Outstanding Natural Character High Natural Character Heritage Item

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(ii) Do not exceed a maximum height of 25m; or</p> <p>(iii) Do not exceed a maximum height of 30m for colocation of at least two operators; and</p> <p>(iv) Are not located within an Identified Area.</p> <p>...</p> <p>P5 Construction or alteration of a building for a sensitive land use</p> <p>Activity-specific conditions</p> <p>14.5.1.3</p> <p>(a) <u>Except within the Rural Zone, t</u>The construction or alteration of a building for a sensitive land use that complies with all of the following conditions:</p> <p>(i) It is set back a minimum of 10m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of up to 110kV; or</p> <p>(ii) It is set back a minimum of 12m from the centre of line of any electrical distribution or transmission lines, not associated with the National Grid, that operate at a voltage of 110kV or more.</p>	<p>Heritage Precinct</p> <p>Māori Site of Significance</p> <p>Māori Area of Significance</p> <p>Notable Tree</p> <p>Identified Areas overlay many farms and Federated Farmers question the wisdom of restricting farming activity in these areas by imposing extra requirements on infrastructure development. FFNZ doubt that there will be any commensurate environmental benefit from requiring farming activity, and ancillary activity such as construction of electricity distribution lines required to service farms, to trigger resource consent where lines are above-ground. Electricity lines for farms are virtually always characterised by overhead power lines. Agriculture and pastoralism form part of the landscape character of rural areas. The wide open spaces and low intensity of built form means these areas are able to absorb development and land use more easily than urban areas. FFNZ questions the validity of extra layers of amenity analysis to these areas, for what arguably amounts to little or no environmental benefit.</p> <p>FFNZ submit that it is not appropriate to require infrastructure within any <i>Identified Area</i> that is within the Rural Zone to have to seek resource consent for overhead electricity distribution lines. Getting services into rural areas is difficult and costly - even for overhead lines. Requiring underground lines in the wide open spaces of rural areas, even though these might exhibit qualities identified within these 'Identified Areas', is nonsensical. Farmers shouldn't be burdened by unnecessary resource consent requirements aimed at managing visual amenity, landscape, natural character and natural features,</p>

Page	Reference	Support/oppose	Decision sought	Reasons
				<p>such as the Identified Area provisions are aimed at.</p> <p>The trigger for resource consent for such activity is hugely inefficient and presents a highly onerous and inappropriate burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure, including associated earthworks, albeit that these may be within an <i>Identified Area</i>, in order to develop, use or subdivide farms.</p> <p>In addition, FFNZ submit that separation distances for sensitive activities (including 'residential activity') in relation to overhead electricity distribution lines, will result in arguably unnecessary cost and delay burden for farm dwellings in seeking resource consent for building additions to existing dwellings that may be within close proximity to existing power lines, for little or no environmental benefit.</p>
17-74	Rule 14.5.2 Restricted Discretionary Activities – Electrical Distribution	Oppose	<p>Amend Rule 14.5.2 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>(a) The activities listed below are restricted discretionary activities.</p> <p>(b) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.</p> <p>RD1 Except within the Rural Zone, oOverhead distribution lines and support structures not exceeding a voltage up to and including 110kV:</p> <ul style="list-style-type: none"> (i) Not located within the Rural Zone; (ii) Not located within an identified area. 	<p>This is consequential relief sought by FFNZ in relation to our relief sought in respect of Rule 14.5.1</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(a) Discretion is restricted to:</p> <ul style="list-style-type: none"> (i) The functional need and operational need of, and benefits derived from, the infrastructure; (ii) The extent to which alternative technologies and techniques have been considered; (iii) The extent to which colocation of overhead lines is technically, economically and practically reasonable; (iv) The extent to which the proposal is in accordance with relevant industry standards and meets specified clearance requirements for operational and safety reasons; (v) The extent to which the proposal will adversely affect the amenity values of the site and locality; (vi) The extent to which there are difficult ground conditions, topography or obstructions which make undergrounding impractical. <p>RD2 <u>Except within the Rural Zone,</u> <u>c</u>Construction or alteration of a building for a sensitive land use that does not comply with Rule 14.5.1.3</p> <p>(a) Discretion is restricted to:</p> <ul style="list-style-type: none"> (i) Effects on the amenity values of the site; (ii) The risk of electrical hazards affecting the safety of people; (iii) The risk of damage to property; (iv) Effects on the operation, maintenance and upgrading of the 	

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>electrical distribution or transmission lines.</p> <p><u>RD3 Construction of electricity distribution lines in the Rural Zone that do not comply with Rule 14.5.1.1</u></p> <p>(a) <u>Discretion is restricted to:</u></p> <p>(i) <u>Effects on the amenity values from noncompliance with the permitted activity standard:</u></p>	
18-74	Rule 14.5.3 Discretionary Activities – Electrical Distribution	Oppose	<p>Amend Rule 14.5.3 as follows and make any consequential changes needed to give effect to this relief:</p> <p>(a) <u>Except within the Rural Zone,</u> tThe activities listed below are discretionary activities.</p> <p>D1 Overhead distribution lines and support structures exceeding a voltage of 110kV</p> <p>D2 Overhead distribution lines and support structures of any voltage located within an identified area</p> <p>D3 Substations and associated transformers and switching stations that do not comply with one or more conditions of Rule 14.5.1.2</p>	FFNZ oppose Rule 14.5.3. In the Rural Zone, it is unnecessary to require overhead electricity distribution lines to have to obtain resource consent for a Discretionary Activity. In rural areas, it is inefficient to require undergrounding of electricity and other lines services, because of the greater distances involved compared to urban areas. Please refer to our relief sought in relation to Rules 14.5.1 and 14.5.2.
18to 19- 74	Rule 14.6.1 Permitted Activities – Electricity Generation	Oppose in part	<p>Amend Rule 14.6.1 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>(a) The following activities are permitted</p>	FFNZ conditionally support Rule 14.6.1 including the definitions of ‘small-scale’ and ‘community-scale’ electricity generation, provided that the activity-specific restrictions on Identified Areas is removed.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>activities if they meet the activity specific conditions set out in this table. These rules apply throughout the District.</p> <p>(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.</p> <p>P1 Small-scale electricity generation P2 Community-scale electricity generation Activity-specific conditions 14.6.1.1</p> <p>(a) Small scale electricity generation and community scale electricity generation that comply with each of the following conditions, where applicable:</p> <p>(a) Is not located within an Identified Area, <u>except within the Rural Zone, where small scale electricity generation and community scale electricity generation are permitted in any Identified Area;</u></p> <p>(i) ...</p> <p>P3 Research and exploratory-scale investigations for renewable electricity generation activities Activity-specific conditions 14.6.1.2</p> <p>(a) Research and exploratory-scale investigations for renewable electricity generation activities that comply with all of the following:</p> <p>...</p> <p>(v) Is not located within an identified area, <u>except within the Rural Zone, where research and exploratory</u></p>	<p>Identified Areas overlay many farms and Federated Farmers question the wisdom of constraining ability of farms to utilise small-scale and appropriately sized community-scale electricity generation in such areas, especially where this could augment the resilience of farming activity in remoter rural areas. FFNZ doubt that there will be any commensurate environmental benefit from requiring small-scale and appropriately sized community-scale electricity generation, to trigger resource consent where these are proposed to be located within an Identified Area that is within a Rural Zone.</p> <p>In rural areas, FFNZ submit that it is inappropriate to require resource consent for small-scale and community-scale electricity generation where these are within an Identified Area in the Rural Zone. The benefits of small-scale, and appropriately sized community-scale, renewable electricity generation far outweigh any adverse effects on visual amenity and natural character in rural areas.</p> <p>The relative isolation of rural areas in relation to electricity supply and distribution networks, means that farmers will be penalised on amenity and natural character grounds, if they want to install small-scale or community-scale renewable electricity generation facilities to augment electricity supply and increase rural resilience.</p> <p>FFNZ submit that the definitions of these types of electricity generation, which restrict maximum sizes of wind turbines and solar cells, will ensure that any adverse effects on amenity and natural character values of rural areas will be minor, without needing to resort to triggering resource consent applications</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>investigation for renewable electricity generation is permitted in any Identified Area ;</u></p> <p>(vi)</p> <p>...</p>	<p>where these facilities are proposed to be situated within an Identified Area.</p> <p>The relatively low population density of rural areas (compared to urban areas) will ensure that wind turbine noise from small-scale and appropriately sized community-scale wind turbines, will at most, present only minor adverse effects. Any noise effects can be appropriately managed through triggers on permitted noise levels in rural areas.</p> <p>In comparison to urban areas, rural areas have much wider open-space, bigger visual scale and amenity of rural areas, which can absorb development more easily than in urban areas.</p>
20to21-74	Rule 14.7.1 Permitted Activities - Liquid fuels and gas	Oppose in part	<p>Amend Rule 14.7.1 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>(a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply throughout the district.</p> <p>(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.</p> <p>...</p> <p>P2 Below ground pipelines located within an Identified Area</p> <p>Activity-specific conditions 14.7.1.2</p> <p>(a) Below ground pipelines for the conveyance of liquid fuels and gas located within an</p>	<p>FFNZ conditionally support Rule 14.7.1, provided that the activity-specific restrictions on Identified Areas is removed.</p> <p>Identified Areas overlay many farms and Federated Farmers question the wisdom of constraining ability of farms to maintain above-ground fuel storage and gas tanks in such areas. FFNZ doubt that there will be any commensurate environmental benefit from requiring above ground fuel storage and gas tanks, to trigger resource consent where these are proposed to be located within an Identified Area that is within a Rural Zone.</p> <p>The relative isolation of rural areas, means that farmers will be penalised on amenity and natural character grounds, if they want to install above ground tanks.</p> <p>Fuel storage supplies are commonplace on many</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>Identified Area that comply with the following:</p> <ul style="list-style-type: none"> (i) <u>Except within the Rural Zone, there shall be</u> are no aboveground sections of pipeline within the Identified Area; and (ii) Gas pipelines must not exceed a gauge pressure of 2,000 kilopascals. <p>P3 Storage facilities and pump stations for liquid fuels and gas</p> <p>Activity-specific conditions 14.7.1.3</p> <ul style="list-style-type: none"> (a) Storage facilities and pump stations for liquid fuels and gas that comply with all of the following: <ul style="list-style-type: none"> (i) Is not located within an Identified Area, <u>except within the Rural Zone, where above-ground storage facilities and pump stations for liquid fuels and gas are a permitted activity within an Identified Area;</u> and (ii) Is not located on a road, or unformed road. 	<p>farms. Agriculture and pastoralism form part of the landscape character of rural areas. The wide open spaces and low intensity of built form means these areas are able to absorb development and land use more easily than urban areas. FFNZ questions the validity of extra layers of amenity analysis in the form of Identified Areas in rural areas, for what arguably amounts to little or no environmental benefit.</p> <p>FFNZ submit that it is not appropriate to require above-ground fuel storage and gas tanks within any <i>Identified Area</i> that is within the Rural Zone to have to seek resource consent. Farmers shouldn't be burdened by unnecessary resource consent requirements aimed at managing visual amenity, landscape, natural character and natural features, such as the Identified Area provisions are aimed at.</p> <p>The trigger for resource consent for such activity is hugely inefficient and presents a highly onerous and inappropriate burden on farmers who need to install, maintain, repair, replace or upgrade infrastructure, including associated earthworks, albeit that these may be within an <i>Identified Area</i>, in order to develop, use or subdivide farms.</p>
21-74	Rule 14.7.2 Discretionary Activities – Liquid fuels and gas	Support in part	<ul style="list-style-type: none"> (a) The activities listed below are discretionary activities. <p>D1 Pipelines for the conveyance of liquid fuels and gas that do not comply with one or more of the conditions of Rule 14.7.1.1 or 14.7.1.2</p> <p>D2 Storage facilities and pump stations for</p>	FFNZ support Rule 14.7.2 provided that our relief sought in relation to Rule 14.7.1 is granted.

Page	Reference	Support/oppose	Decision sought	Reasons
			liquid fuels and gas that do not comply with one or more of the conditions of Rule 14.7.1.3	
25to28 -74	Rule 14.10.1 Permitted Activities – Telecommunications and radio communications	Support in part	<p>Amend Rule 14.10.1 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>Note: ‘+1’ Means activities not provided as a permitted activity under the Resource Management (National Environmental Standards for Telecommunication Facilities (NESTF) Regulations 2016)</p> <p>(a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply throughout the district.</p> <p>(b) Rule 14.2.1.1 will apply to the activities set out in this table unless there is a specific area, height, location and noise condition listed below.</p> <p>...</p> <p>P4 Antennas and lines attached to retaining walls, tunnels, bridges and other structures located within the road+1</p> <p>Activity-specific conditions</p> <p>14.10.1.3</p> <p>(a) Antennas that comply with all of the following conditions:</p> <p>(i) Do not connect to an area, façade or item specifically listed in Schedule 30.1;</p> <p>(ii) Panel antenna do not exceed 0.7m in width, <u>except within the Rural Zone, where there is no maximum size restriction for panel antenna</u>;</p> <p>(iii) Dish antenna do not exceed 0.6m in</p>	<p>FFNZ conditionally support Rule 14.10.1, provided that restrictions on telecommunication and radio communication equipment in the Rural Zone, that are aimed at managing visual amenity, are appropriate to reflect the wide-open space scale and rural amenity character of rural areas.</p> <p>It is not appropriate to impose the same degree of restriction on masts and aerials and the like in rural areas. In remote rural areas where internet connection is unavailable, farmers typically have need of farm telecommunication and radio communication equipment in order to augment the efficient and safe operation of farms.</p> <p>Imposing the same degree of constraint on masts and aerials in rural areas to that of urban areas, unfairly penalises farmers who have to rely on such equipment, for what amounts to little or no environmental benefit. Efficiency and safety of farm operations can be compromised if farmers are required to have a high regulatory hurdle to overcome in order to be able to install practically-sized functional aerials and masts, which are arbitrarily constrained by way of inappropriately-scaled visual amenity criteria.</p> <p>If the Council is minded to permit co-located poles antennas and headframes at a permitted height of 30 metres in the Rural Zone, FFNZ submits that there is practically no visual difference between co-located devices and non-co-located devices mounted on poles up to 30 metres height in rural areas, and</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>width within the Residential Zone;</p> <p>(iv) Within the Residential Zone the maximum number of antennas per site is 4.</p> <p>(b) Rule 14.10.1.3(1)(a) does not apply a face-mounted panel antenna located within the fascia and below the roof line of an existing building.</p> <p>...</p> <p>P7 Antennas not attached to a building and/or structure Activity-specific conditions 14.10.1.5 (a) Antennas that comply with all of the following conditions:</p> <p>...</p> <p>(iii) Are not located within an Identified Area, <u>except within the Rural Zone, where Antennas not attached to any building or structure are a permitted activity within any Identified Area....</u></p> <p>P8 Small cell units exceeding the permitted volumetric dimension of 0.11m² regulated in the NESTF Activity-specific conditions 14.10.1.6 (a) Small cell units exceeding the permitted volumetric dimension of 0.11m² regulated in the NESTF that comply with all of the following conditions:</p> <p>...</p> <p>(ii) Are not located within an Identified Area, <u>except within the Rural Zone, where small cell units are a permitted</u></p>	therefore the maximum permitted height should be simplified to 30 metres.

Page	Reference	Support/oppose	Decision sought	Reasons								
			<p><u>activity within any Identified Area ;</u> and...</p> <p>P9 Poles, antennas and headframes+1</p> <p>Activity-specific conditions 14.10.1.7</p> <p>(a) Any poles and attached antenna that comply with the following conditions:</p> <p>(i) Are not located within an Identified Area, <u>except within the Rural Zone, where poles, antennas and headframes+1 are</u></p> <table><tr><th>Zone</th><th>Permitted height</th></tr><tr><td>Rural, Country Living</td><td>25m (and 30m for colocation of at least two operators)</td></tr><tr><td>...</td><td></td></tr><tr><td>Road of unformed road</td><td>That of the adjoining zone</td></tr></table> <p><u>a permitted activity within any Identified Area ;</u></p> <p>....</p> <p>(iv) Not exceed the height limits set out in the following table:</p> <p>...</p> <p>P10 Externally-mounted telecommunication satellite dishes and ancillary components</p> <p>Activity-specific conditions 14.10.1.8</p> <p>(a) Externally-mounted telecommunication satellite dishes and ancillary components that comply with the following conditions:</p> <p>...</p> <p>(iv) Are not located within an Identified Area <u>(except within the Rural Zone, where externally mounted telecommunication satellite dishes and</u></p>	Zone	Permitted height	Rural, Country Living	25m (and 30m for colocation of at least two operators)	...		Road of unformed road	That of the adjoining zone	
Zone	Permitted height											
Rural, Country Living	25m (and 30m for colocation of at least two operators)											
...												
Road of unformed road	That of the adjoining zone											

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>earthpeaks are a permitted activity</u>).</p> <p>P14 Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF</p> <p>Activity-specific conditions 14.10.1.12</p> <p>(a) Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF, that comply with all of the following conditions:</p> <p>(i) Do not exceed <u>230m</u> in height; and...</p>	
32-74	Rule 14.10.3 Restricted Discretionary Activities – Telecommunications and radio communications	Oppose	<p>Amend Rule 14.10.3 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>(a) The activities listed below are restricted discretionary activities.</p> <p>(b) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.</p> <p>...</p> <p>RD5 (a)Aerial telecommunication lines and associated support structures, including those not complying with regulations 41-42 of the NESTF, that:</p> <p>(i) Do not comply with one or more conditions of Rule 14.10.1.12; and</p> <p>(ii) Are not located within an Identified Area <u>(except within the Rural Zone, where</u></p>	FFNZ oppose Rule 14.10.3 and submit that aerial telecommunication lines and associated support structures complying with regulations 41-21 of the NESTF should be a permitted activity within Identified Areas in the Rural Zone, for the same reasons as given in relation to our relief sought in respect of Rule 14.10.1

Page	Reference	Support/oppose	Decision sought	Reasons
			<u>aerial telecommunication lines and associated support structures complying with regulations 41-21 of the NESTF are a permitted activity within Identified Areas).</u> ...	
34-74	Rule 14.10.4 Discretionary Activities - Telecommunications and radio communications	Oppose	<p>Amend Rule 14.10.4 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>(a) The activities listed below are discretionary activities.</p> <p>...</p> <p>D3 Antennas attached to a building and/or structure located within an Identified Area, <u>except within the Rural Zone, where antennas attached to a building and/or structure located within an Identified Area are a permitted activity.</u></p> <p>...</p> <p>D8 Aerial telecommunication lines and associated support structures located within an Identified Area, <u>except within the Rural Zone, where these are a permitted activity.</u></p>	FFNZ oppose Rule 14.10.4 and submit that aerial telecommunication lines and associated support structures complying with regulations 41-21 of the NESTF should be a permitted activity within Identified Areas in the Rural Zone, for the same reasons as given in relation to our relief sought in respect of Rule 14.10.1
35to 37-74	Rule 14.11.1 Permitted Activities – Water, wastewater and stormwater	Oppose	<p>Amend Rule 14.11.1 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>(a) The following activities are permitted activities if they meet the activity-specific conditions set out in this table. These rules apply throughout the district.</p> <p>(b) Rule 14.2.1.1 will apply to the activities set</p>	<p>FFNZ oppose Rule 14.11.1 to the extent that it seeks to impose inappropriate regulation on water, wastewater and stormwater management in rural areas.</p> <p>The issues around these services in rural area are quite different to the issues confronted within urban areas for a range of reasons, including different spatial and geographical scale and differences in the natural resource characteristics and opportunities to</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>out in this table unless there is a specific area, height, location and noise condition listed below.</p> <p>P1 Stormwater systems for new development or subdivision</p> <p>Activity-specific conditions 14.11.1.1</p> <p>(a) <u>Except within the Rural Zone, N</u>new development or subdivision must have a stormwater system that complies with all of the following conditions: (i) ...</p> <p>P2 The establishment of <u>impervious surfaces</u> associated with new development or subdivision</p> <p>Activity-specific conditions 14.11.1.2</p> <p>(a) <u>Except within the Rural Zone, t</u>The establishment of impervious surfaces associated with new development or subdivision that complies with the following condition:...</p> <p>P3 Wastewater servicing for new development or subdivision</p> <p>Activity-specific conditions 14.11.1.3</p>	<p>manage these.</p> <p>FFNZ submit that farmers should not have to be unnecessarily burdened with delay and cost in managing their farms on a day-to-day basis from having to be confronted with inappropriate resource consent requirements which will have little or no environmental benefit.</p> <p>For farms in rural areas, the Waikato Regional Plan manages water take and water discharge issues, and there is no need to duplicate that regime with a range of inappropriate regulations aimed at urban-scale 3-water management issues.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(a) <u>Except within the Rural Zone, n</u>New development or subdivision must have a wastewater system that complies with the following conditions:...</p> <p>P4 Below ground pipelines for the conveyance of water, wastewater and stormwater</p> <p>Activity-specific conditions 14.11.1.4</p> <p>(a) <u>Except within the Rural Zone, b</u>Below ground pipelines systems for the conveyance of water, wastewater and stormwater that comply with all of the following: (i)</p> <p>P5 <u>Except within the Rural Zone, b</u>Below ground pipelines for the conveyance of water, wastewater and stormwater located within an Identified Area</p> <p>P6 <u>Except within the Rural Zone, p</u>Pump stations for the conveyance of water, wastewater and stormwater</p> <p>P7 Stormwater treatment, detention and retention facilities or devices</p> <p>Activity-specific conditions 14.11.1.7</p>	

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(a) <u>Except within the Rural Zone,</u> sStormwater treatment, detention and retention facilities or devices that comply with the following: (i)</p> <p>P8 Stormwater ponds or wetlands</p> <p>Activity-specific conditions 14.11.1.8</p> <p>(a) <u>Except within the Rural Zone,</u> sStormwater ponds or wetlands that comply with the following:...</p> <p>P9 Ventilation facilities, drop shafts and manholes</p> <p>Activity-specific conditions 14.11.1.89</p> <p>(a) <u>Except within the Rural Zone,</u> vVentilation facilities, drop shafts and manholes that comply with the following: (i) ...</p> <p>P10 Below ground reservoirs</p> <p>Activity-specific conditions 14.11.1.910</p> <p>(a) <u>Except within the Rural Zone,</u> bBelow ground reservoirs that comply with all of the following:</p>	

Page	Reference	Support/oppose	Decision sought	Reasons
			(i)	
37to 38 - 74	Rule 14.11.2 Restricted Discretionary Activities - Water, wastewater and stormwater	Oppose	<p>Amend Rule 14.11.2 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>(a) The activities listed below are restricted discretionary activities.</p> <p>(b) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.</p> <p>RD1 <u>Except within the Rural Zone,</u> <u>s</u>Stormwater systems for new development or subdivision that does not comply with one or more of the conditions of Rule 14.11.1.1</p> <p>....</p> <p>RD2 <u>Except within the Rural Zone, t</u>The establishment of impervious surfaces associated with new development or subdivision that do not comply with one or more of the conditions of Rule 14.11.1.2</p> <p>...</p> <p>RD3 <u>Except within the Rural Zone,</u> <u>w</u>Wastewater servicing for new development or subdivision that do not comply with one or more of the conditions of Rule 14.11.1.3</p> <p>...</p> <p>RD4 <u>Except within the Rural Zone, b</u>Below ground pipelines that do not comply with one or more of the conditions of</p>	FFNZ oppose Rule 14.11.2 for the same reasons that we oppose Rule 14.11.1, and our relief sought reflects that accordingly

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>Rules 14.11.1.4 and 14.11.1.5</p> <p>RD5 <u>Except within the Rural Zone, p</u>Pump stations for the conveyance of water, wastewater and stormwater located within an Identified Area</p> <p>RD6 <u>Except within the Rural Zone, s</u>Stormwater ponds or wetlands, that serve more than one site, located within:</p> <p>...</p> <p>RD7 <u>Except within the Rural Zone, o</u>Outfall structures located within an Identified Area</p> <p>...</p> <p>RD9 <u>Except within the Rural Zone, b</u>Below ground reservoirs located within an Identified Area or road or unformed road</p> <p>....</p>	
39-74	Rule 14.11.3 Discretionary Activities - Water, wastewater and stormwater	Oppose	<p>Amend Rule 14.11.3 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>(a) The activities listed below are discretionary activities.</p> <p>D1 <u>Except within the Rural Zone, w</u>Water treatment plants not located within road and unformed road or an Identified Area</p> <p>D2 <u>Except within the Rural Zone, w</u>Wastewater treatment plants located within the following:...</p> <p>D3 <u>Except within the Rural Zone, a</u>Above ground reservoirs not located within an Identified Area</p>	FFNZ oppose Rule 14.11.3 for the same reasons that we oppose Rule 14.11.1, and our relief sought reflects that accordingly
39-74	Rule 14.11.4 Non-	Oppose	Amend Rule 14.11.4 as follows, and make	FFNZ oppose Rule 14.11.4 for the same reasons that

Page	Reference	Support/oppose	Decision sought	Reasons
	Complying Activities - Water, wastewater and stormwater		<p>any consequential changes needed to give effect to this relief:</p> <p>(a) The activities listed below are noncomplying activities.</p> <p>NC1 Except within the Rural Zone, wWater treatment plants located within the following:</p> <p>...</p> <p>NC3 Except within the Rural Zone, aAbove ground reservoirs located within an Identified Area</p>	we oppose Rule 14.11.1, and our relief sought reflects that accordingly
45-74	Rule 14.12.1 Permitted Activities - Transportation	Oppose	<p>Amend Rule 14.2.1 as follows, and make any consequential changes needed to give effect to this relief:</p> <p>(a) The following activities are permitted activities if they meet the activity specific conditions set out in this table. These rules apply throughout the district.</p> <p>...</p> <p>P9 Stock underpasses located within:</p> <p>(a) Road and unformed road</p> <p>(b) Rural Zone</p> <p>Activity-specific conditions</p> <p>(1) Stock underpasses in the Rural Zone located in the road and unformed road that comply with all of the following conditions:</p> <p>(a) Any earthworks must comply with Rule 14.3.1.3; and</p> <p>(b) Are not located within an Identified</p>	FFNZ oppose Rule 14.12.1, and submit that restrictions on stock underpasses in the Rural Zone, that are aimed at managing visual amenity, should be appropriate to reflect the wide-open space scale and rural amenity character of rural areas. It is not appropriate to superimpose the same visual amenity values on structures in rural areas as in urban areas. In rural areas, farmers typically have need of stock underpasses to augment the efficient and safe operation of farms. Imposing a requirement to trigger resource consent for stock underpasses in Identified Areas, unfairly penalises farmers who have to rely on such equipment, for what amounts to little or no environmental benefit. Efficiency and safety of farm operations can be compromised if farmers are required to have a high regulatory hurdle to overcome in order to be able to install practically-sized functional stock underpasses, for the sake of unnecessary visual amenity criteria.

Page	Reference	Support/oppose	Decision sought	Reasons
			Area.	
47-74	Rule 14.12.3 – Discretionary Activities - Transportation	Oppose in part	<p>(a) The activities listed below are discretionary activities.</p> <p>D1 Stock underpasses not provided for under Rule 14.12.1.9</p>	FFNZ oppose Rule 14.12.3 in accordance with our relief sought in relation to Rule 14.12.1 regarding removal of any requirement that triggers a need for a resource consent for stock underpasses within an Identified Area in the Rural Zone, and submit that stock underpasses should not need resource consent due to being situated within an Identified Area, and there will be little or no environmental benefit to be obtained, and farmers will be unnecessarily subjected to costs and delays in order to get stock underpasses installed in roads.

CHAPTER 22: RURAL ZONE RULES

5-45	Chapter 22 – Rural Zone	Support in part	<p>Amend information section to include a new advisory note and make any consequential changes needed to give effect to this relief:</p> <p><u>(6) Any activity which is subject to National Environmental Standards are required to comply with the gazetted regulations. Where compliance with permitted activity provisions of those regulations cannot be achieved, resource consent is required to be obtained.</u></p> <p><u>Council is responsible for observing and enforcing the provisions of any gazetted national environmental standard.</u></p> <p><u>Where any activity is not provided for in the following section, the relevant National Environmental Standard needs to be referred to in order to determine whether</u></p>	The informative nature of this section is understood, however it is considered important to include a provision which addresses the interface between national and regional planning instruments such as National Environmental Standards for example.
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Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>resource consent is required.</u></p> <p><u>In carrying out its responsibilities under the Act the Council does not wish to impose any control which would duplicate the controls imposed by the Ministry of Forestry or the Regional Council. The Council will therefore approve a resource consent application for any sustainable harvesting of indigenous vegetation which complies with the provisions of the Forests Act 1949 where any:</u></p> <ul style="list-style-type: none"> (a) <u>habitats of threatened or at risk species are protected; and/or</u> (b) <u>cultural sites, or areas with cultural values are protected; and/or</u> (c) <u>significant indigenous vegetation is identified and protected.</u> 	
6-45	22.1.2 Permitted Activities - P4	Support	<p>Retain 22.1.2 (P4) as read.</p> <p>P4 A home occupation</p> <p>Activity specific conditions:</p> <ul style="list-style-type: none"> (a) It is wholly contained within a building; (b) The storage of materials or machinery associated with the home occupation is wholly contained within a building; (c) No more than 2 people who are not permanent residents of the site are employed at 	Support is given for the permitted, with conditions, nature of this activity. It provides for small scale diverse business opportunities within the rural zone which can help to sustain a vibrant rural community. Potential noise, vehicle and visual adverse effects should be adequately addressed by the conditions.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>any one time;</p> <p>(d) Unloading and loading of vehicles or the receiving of customers or deliveries only occur after 7:30am and before 7:00pm on any day;</p> <p>(e) Machinery may be operated after 7:30am and up to 9pm on any day.</p>	
7-45	22.1.2 Permitted Activities – P6	Support in part	<p>Amend 22.1.2 (P6) as follows and make any consequential changes needed to give effect to this relief:</p> <p>P6 Afforestation not in an Outstanding Landscape Area</p> <p>Activity specific conditions: Nil</p> <p>(a) <u>In accordance with Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017</u></p>	<p>Afforestation in this context means planting and growing plantation forestry trees on land where there is no plantation forestry and where plantation forestry harvesting has not occurred within the last 5 years.</p> <p>Whilst FFNZ understands an enabling approach, planation forestry can cause significant adverse effects on neighbouring properties such as shading and leaf litter and consequential risk of livestock poisoning or disease from some types of trees. Falling trees and branches can also endanger neighbouring properties including damage to fences and other structures.</p> <p>The NES for Planation Forestry Regulations 2017 includes permitted activities conditions which are designed to avoid remedy or mitigate some of these adverse effects.</p> <p>FFNZ submits that P6 should include specific conditions in conjunction with Afforestation activities having permitted activity status.</p>
7-45	22.1.2 Permitted Activities – P7	Support	<p>Retain as notified</p> <p>P7 Farming</p> <p>Activity specific conditions: Nil</p>	<p>The effects arising from legitimate primary production activities need to be recognised in the District Plan as being appropriate and acceptable, ensuring that primary production is protected from reverse sensitivity. There is no other zone where primary</p>

Page	Reference	Support/oppose	Decision sought	Reasons
				production can occur, so it is vital that it is not marginalised from the Rural Zone.
7-45	22.1.2 Permitted Activities – P8	Support in part	<p>Amend 22.1.2 (P8) as follows and make any consequential changes needed to give effect to this relief:</p> <p>P8 Forestry</p> <p>Activity specific conditions: Nil</p> <p>(a) <u>In accordance with Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017</u></p>	<p>Whilst FFNZ understands an enabling approach, planation forestry can cause significant adverse effects on neighbouring properties such as shading and leaf litter and consequential risk of livestock poisoning or disease from some types of trees. Falling trees and branches can also endanger neighbouring properties including damage to fences and other structures.</p> <p>The NES for Planation Forestry Regulations 2017 includes permitted activities conditions which are designed to avoid remedy or mitigate some of these adverse effects.</p> <p>FFNZ submits that P8 should include specific conditions in conjunction with Afforestation activities having permitted activity status.</p>
7-45	22.1.2 Permitted Activities – P9	Support	<p>Retain as notified:</p> <p>P9 Produce stall</p> <p>Activity specific conditions: Nil</p>	<p>Support is given for the permitted nature of this activity with no specific conditions – it is important the district plan does not place unnecessary compliance burdens on these minor and beneficial activities.</p> <p>Produce stalls are an opportunity for consumers to purchase produce that was picked that morning; was grown locally; to meet the grower or farmer; and for a price that does not include packaging, storage or transport. Produce stalls contribute to rural amenity and allow consumers to experience the primary production purpose of the rural zone.</p>
7-45	22.1.2 Permitted Activities – P10	Support	Retain as notified:	Support is given for the permitted nature of this activity. It provides for small scale diverse business

Page	Reference	Support/oppose	Decision sought	Reasons
			P10 Home stay Activity specific conditions: Nil	opportunities within the rural zone which can help to sustain a vibrant rural community and district.
7-45	22.1.2 Permitted Activities – P11	Support	Retain as notified: P11 Equestrian Centre Activity specific conditions: Nil	Support is given for the permitted nature of this activity. It provides for diverse opportunities for businesses reliant on land within the rural zone, which can help to sustain a vibrant rural community and district.
7-45	22.1.2 Permitted Activities – P12	Support	Retain as notified: P12 Horse Training Centre Activity specific conditions: Nil	Support is given for the permitted nature of this activity. It provides for diverse opportunities for businesses reliant on land within the rural zone, which can help to sustain a vibrant rural community and district
	22.1.2 Permitted Activities – PXX	New rule	Insert a new permitted activity rule for farm quarries and make any consequential changes needed to give effect to this relief: <u>PXX Farm quarrying including aggregate excavation and ancillary earthworks</u> <u>Activity specific conditions: Nil</u>	The new rule is considered consequential relief to address issues raised in previous submission points.
	22.1.2 Permitted Activities – PXX	New rule	Insert a new permitted activity rule for rural contractors' depot and make any consequential changes needed to give effect to this relief:	FFNZ consider that rural contractors' depots present a low risk to the management of rural environments and these should be enabled as a permitted activity in the Rural Zone. Rural contractors' depots are relatively benign, from the perspective of effects on amenity values and quality of the rural environment.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>PXX Rural contractors' depot</u></p> <p><u>Activity specific conditions:</u> Nil</p>	<p>They generally present little environmental risk that cannot be managed within an appropriate permitted activity framework.</p> <p>Rural contractors need to co-locate in rural areas where their services are in demand by rural communities. Such facilities augment the social, cultural and economic wellbeing of rural communities. Rural communities tend to be more isolated from access to services than urban communities, and as such should not be subject to additional hardships otherwise caused by intensified isolation if rural contractors depots are discouraged from being able to co-locate in rural areas where their services are in demand.</p>
7-45	22.1.3 Restricted Discretionary Activities	Oppose	<p>Amend RD1 and include a new permitted activity rule and make any consequential changes needed to give effect to this relief:</p> <p><u>PXX Intensive farming with activity specific conditions:</u></p> <p>(a) <u>Not within 300 metres of an existing dwelling that is under separate ownership.</u></p> <p>(b) <u>Not within 50 metres of any boundary</u></p> <p>(c) <u>Meets all of the following conditions:</u></p> <p>(i) <u>Land Use – Effects in Rule 22.2</u></p> <p>(ii) <u>Land Use – Building in Rule 22.3</u></p> <p>(iii) <u>Building coverage does not exceed 3% of the site:</u></p> <p>A. <u>Rule 22.3.6 (Building Coverage) does not apply;</u></p> <p>(iv) <u>Building height does not exceed 15m;</u></p> <p>A. <u>Rule 22.3.4 (Building Height) does</u></p>	<p>FFNZ consider that the proposed setback distances from site boundaries for buildings, pens or areas used for intensive farming are excessive, and will create unnecessary restrictions for land use. The proposed rule is overly complicated and requires a restricted discretionary resource consent as a minimum requirement in every instance. Intensive farming activities are an expected and anticipated activity in the rural zone.</p> <p>In FFNZ's view, setback distances are a blunt planning tool, an enabling approach which is effects based can better meet the dynamic and evolving needs of resource users and planners in the long term.</p> <p>The opportunity to avoid, remedy or mitigate potential adverse effects should be afforded to new intensive farming operations who could utilise any number of ways to internalise effects. A restricted discretionary</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>not apply;</u></p> <p><u>RD1(a) Intensive farming activity that does not comply with Rule 22.1.1 PXX</u></p> <p>Matters of Discretion – retain as written</p> <p>(a) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) traffic effects; (ii) effects on amenity values, including odour, visual impact, landscaping; (iii) location, type and scale of development; and (iv) noise effects. <p>(a) Intensive Farming that meets all of the following conditions:</p> <ul style="list-style-type: none"> (i) Land Use – Effects in Rule 22.2 (ii) Land Use – Building in Rule 22.3 (iii) Building coverage does not exceed 3% of the site: B. Rule 22.3.6 (Building Coverage) does not apply; (iv) Building height does not exceed 15m; A. Rule 22.3.4 (Building Height) does not apply; <p>(b) It is not located in:</p> <ul style="list-style-type: none"> (i) An Outstanding Natural Feature; (ii) An Outstanding Natural Landscape; (iii) A Significant Amenity Landscape; (iv) An Outstanding Natural Character Area; <p>or</p> <ul style="list-style-type: none"> (v) A High Natural Character Area <p>(c) For pig farming, buildings and adjacent yard areas are set back at least:</p>	<p>activity status is appropriate if permitted activity conditions are unable to be met in the first instance. This is a consistent and widely accepted approach which provides some certainty for plan users whilst retaining control when necessary to assess the potential off site effects of an intensive farming operation.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			(i) 300 metres from any site boundary; (ii) From any boundary of a Residential, Village or Country Living: A.1200 metres (500 or less pigs); or B.2000 metres (more than 500 pigs); (d) For free-range poultry farming, buildings and outdoor enclosures are set back at least: (i) 100 metres from any site boundary; and (ii) 500 metres from any boundary of a Residential, Village and Country Living Zone; (e) For housed poultry and all other intensive farming, buildings and adjacent yard areas are set back at least: (i) 300 metres from any site boundary; and (ii) 500 metres from any boundary of a Residential, Village and Country Living Zone.	
8-45	22.1.3 RD2 Rural industry	Oppose in part	<p>Amend 22.1.3 (RD2) as follows and make any consequential changes needed to give effect to this relief:</p> <p>RD2 Rural Industry <u>Depot</u></p> <p>Matters of discretion</p> <p>(a) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) effects on rural character and amenity, (ii) location, type and scale of development; (iii) waste disposal; (iv) nuisance effects including: light spill and glare, odour, dust, noise; (v) traffic effects. 	Rural industry is an integral part of the rural sector, the activities of which are entirely appropriate and consistent with the underlying rural zone. The rule needs to be explicit in the intent which is to manage potential adverse effects of discrete sites or business locations on the surrounding area.

Page	Reference	Support/oppose	Decision sought	Reasons
8-45	22.1.5 (D5) Hazardous waste storage, processing or disposal	Oppose	<p>Amend 22.1.5 (D5) as follows and make any consequential changes needed to give effect to this relief:</p> <p>22.1.4⁵ D5 Hazardous waste storage, processing or disposal <u>excluding chemicals, fuel and other hazardous substances used for farming.</u></p>	<p>FFNZ submit that storage of agrichemicals used for farming should not be subject to this rule. To do so would subject farmers to undue cost and delay in having to seek resource consent for little or no environmental benefit. Farmers regularly use chemicals in pesticides, fungicides and herbicides for pest and weed control, and other chemicals for animal husbandry. They also need to maintain on-site fuel storage for farm machinery and fertiliser storage. The hazardous nature of handling and storage of such chemicals and substances is managed under other legislation and there is no need for the Council to regulate this in the PDP.</p> <p>Note: numbering error 22.1.5 is the rule number for discretionary and non-complying activities</p>
8-45	22.1.5 (D15) Afforestation of any part of an Outstanding Natural Character Area or High Natural Character Area	Oppose	<p>Amend 22.1.5 (D15) as follows and make any consequential changes needed to give effect to this relief:</p> <p>22.1.4⁵ D15 Afforestation of any part of an Outstanding or Natural Character Area or High Natural Character Area.</p>	<p>The notified rule is unnecessarily restrictive for an activity which could provide positive economic and biodiversity outcomes. The rule prioritises amenity over and above these other important values and as such does not strike the right balance. Further the planning maps do not differentiate between high natural character and natural character areas, this creates uncertainty for plan users and has the potential to capture more areas than intended to be controlled in this manner.</p> <p>Note: numbering error 22.1.5 is the rule number for discretionary and non-complying activities.</p>
9-45	22.1.5 (D16)	Conditional support	<p>Retain 22.1.5 (D16) as notified:</p> <p>22.1.4⁵ D16 A boarding, breeding or animal training establishment</p>	<p>Conditional support will be extended to this rule if the definition is amended to incorporate FFNZ relief sought. The exemptions to the definition are strongly supported but it is hard to understand what activities are hoped to be captured and controlled by this rule and for what purpose.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
				Note: numbering error 22.1.5 is the rule number for discretionary and non-complying activities
9-45	NC2 22.1.5 (1) NC2	Oppose	<p>Delete 22.1.5 (NC2) and include a new discretionary rule as follows. Make any consequential changes needed to give effect to this relief:</p> <p><u>New Discretionary activity rule Dxx</u></p> <p>(a) <u>A new extractive industry excluding farm quarries which are permitted under 22.1.2 PXX., located within all or part of any of the following:</u></p> <ul style="list-style-type: none"> (i) <u>Outstanding Natural Feature;</u> (ii) <u>Outstanding Natural Landscape;</u> (iii) High Natural Character Area; (iv) Outstanding Natural Character Area. 	<p>The proposed amendment is required to provide better consistency with the planning approach prescribed in Objective 5.4.1 and Policy 5.4.2. Further the rule contains drafting flaws which render it unworkable. There are no areas identified in the planning map legend as High Natural Character Areas or Outstanding Natural Character Areas.</p> <p>Further FFNZ want to be clear that Farm Quarries are not to subject to triggering resource consent under such provisions.</p>
9-45	NC4	Oppose in part	<p>Delete 22.1.5 (NC4)(a)(i) and (iv) and include a new discretionary rule as follows. Make any consequential changes needed to give effect to this relief:</p> <p><u>New Discretionary activity rule Dxx</u></p> <p>(a) <u>Within the Urban Expansion Area, the following activities;</u></p> <ul style="list-style-type: none"> (i) <u>Intensive farming</u> (ii) <u>Extractive industry</u> 	<p>The proposed amendment is required to provide better consistency with the policy approach prescribed in PDP. Whilst Federated Farmers supports a forward looking plan, priority must be given to activities which can be expected and anticipated within the rural zone and are unable to be located elsewhere. Urban growth pressures must be addressed without an over reliance on ring-fencing and controlling legitimate activities within the rural zone. Federated Farmers urges WDC to contain the sprawling footprint of urban expansion using more innovative and modern planning techniques.</p>
9-45	NC5	Oppose	<p>Delete 22.1.5 NC5</p> <p>Any other activity that is not listed as Prohibited, Permitted, Restricted Discretionary or Discretionary.</p>	<p>Federated Farmers opposes this type of 'catch all' rule which we believe is poor planning practice and inconsistent with a number of RMA provisions.</p> <p>Under RMA section 9 the use of land is presumed to be permitted unless it is restricted by a rule in a plan.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
				<p>We appreciate that not every eventuality can be covered with the use of activity lists, however Section 17(1) establishes that every person has a duty to avoid, remedy or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of that person, whether or not the activity is in accordance with a rule in a plan.</p> <p>This duty to avoid, remedy or mitigate adverse effects along with the enforcement options under Section 17(3) and option to notify a plan change or variation provide council with the appropriate opportunities to deal with unforeseen circumstances which may arise</p>
9-45	22.2.1.1 Land Use Effects Noise – General (P1)	Support	Retain as notified: P1 Farming noise, and noise generated by emergency generators and emergency sirens	Strong support is extended to 22.2.1.1 (P1), the approach is consistent with the intent of Objectives 5.1.1 and 5.3.1 and related Policies, reverse sensitivity 5.3.7 in particular.
9-45	22.2.1.1 Land Use Effects Noise – General (P2)	Support	Retain as notified: P2 (a) Noise measured at the notional boundary on any other site in the Rural Zone must not exceed: (i) 50dB (LAeq), 7am to 7pm every day; (ii) 45dB (LAeq), 7pm to 10pm every day; (iii) 40dB (LAeq) and 65dB (LMax), 10pm to 7am the following day.	Strong support is extended to 22.2.1.1 (P2), the approach is consistent with the intent of Objectives 5.1.1 and 5.3.1 and related Policies, reverse sensitivity 5.3.7 in particular.
9-45	22.2.1.1 Land Use Effects Noise – General (P4)	Support in part	Delete 22.2.1.1(P4) and include new advisory note (4) under 22.2.1. Make any consequential changes needed to give effect to this relief: 22.2.1.1 (P4) 22.2.1 Noise ...	Support is extended to the inclusion of the standards as these help to provide certainty for plan users however Federated Farmers considered the information under P4 would be better placed under the 22.2.1 advisory section, not as a rule in and of itself.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(4) (a) <u>Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics - Measurement of Environmental Sound".</u></p> <p>(b) <u>Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 "Acoustic- Environmental noise".</u></p>	
10-45	22.2.2 Glare and Artificial Light Spill (P1)	Support in part	<p>Amend 22.2.2(P1) as follows and make consequential changes needed to give effect to this relief:</p> <p>P1(a) Illumination from glare and artificial light spill shall not exceed 10 lux measured horizontally and vertically at the notional boundary on any other site in the Rural Zone; at any road boundary or within any other site in the Residential, Village or Country Living Zones;</p> <p>(b) Rule 22.2.2 P1(a) does not apply to vehicles used in farming activities and agricultural equipment;</p> <p>(c) Any artificial lighting from vehicles used in farming activities and agricultural equipment shall be operated so that direct or indirect illumination does not create a nuisance to occupants of adjoining or nearby sites.</p>	<p>Federated Farmers support the intent of Rule P1(b) which is consistent with the stated policy approach and gives effect to reverse sensitivity principles. However, P1(c) is inconsistent with this approach and fails to appreciate the temporary nature of any adverse effects created from vehicles working at night and the necessity of the operation.</p> <p>Federated Farmers accept that where possible unacceptable nuisance effects such as light spill should be contained within the property boundary. However, farming requirements and weather conditions mean that even with the best intention it is not always possible to avoid a level of nuisance effect. In such instances (which are generally intermittent and temporary) it is imperative that the Plan clearly allows for this to ensure the farm business is not unduly impacted upon.</p> <p>An example is harvesting contractors and farmers working through the night to harvest crops due to short weather windows. Federated Farmers consider such effects not unreasonable to expect in a rural area, and therefore this renders Rule 22.2.2P1(c) inappropriate. We consider that it could result in</p>

Page	Reference	Support/oppose	Decision sought	Reasons
				<p>creating unreasonable expectations of the amenity of the Rural Zone, and perpetuate reverse sensitivity issues with people, who are unaccustomed to a rural environment, complaining about normal farming activities and expecting those effects to be avoided or mitigated in every instance.</p> <p>Farming in a rural area should be a permitted activity.</p>
10-45	22.2.3.1 Earthworks General – (P1)	Support in part	<p>Amend 22.2.3.1 P1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>P1 (a) Earthworks for:</p> <ul style="list-style-type: none"> (i) Ancillary rural earthworks; (ii) Farm quarry where the volume of aggregate does not exceed 1000m³ per single consecutive 12-month period; (iii) Construction and/or maintenance of tracks <u>and stock underpasses</u>, fences or drains; (iv) A building platform for a residential activity, including accessory buildings. (v) <u>A building platform for farm buildings and sheds</u> (vi) <u>Land cultivation and pasture maintenance, including horticultural root ripping and shelterbelt maintenance</u> (vii) <u>Water supply lines, troughs, water tanks, off-stream dams,</u> (viii) <u>Constructed wetlands, effluent ponds, stormwater detention ponds, and stormwater bunds.</u> (ix) <u>Rural firebreaks</u> (x) <u>Airstrips, helipads, fertiliser storage areas</u> (xi) <u>Silage pits, and fodder storage hard-</u> 	<p>Strong support is extended to P1, the approach is consistent with the intent of Objectives 5.1.1 and 5.3.1 and related Policies.</p> <p>FFNZ submit that earthworks for farming should be included as a permitted activity as there is little risk to the environment from undertaking such earthworks within the wide open spaces of rural areas. If these aren't provided for explicitly, FFNZ are concerned that these sorts of earthworks could get caught by rules that trigger resource consent for certain types of other earthworks, which would put farmers through undue delay and cost hardship, for little or no environmental benefit.</p> <p>Federated Farmers consider that earthworks associated with creating a building platform for non-residential purposes such as a farm implement shed within the rural zone should be permitted under this rule.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>stand areas</u></p> <p>(xii) <u>Offal pits, burying dead stock and plant waste.</u></p> <p>(xiii) <u>For the purpose of pest and weed control or stock exclusion. This includes maintaining or constructing perimeter fencing and tracks for safe and efficient trap setting and earthworks for culvert crossings and stock bridges</u></p>	
11-45	22.2.3.1 Earthworks General – (P2)	Support in part	<p>Amend 22.2.3.1(P2) as follows and make any consequential changes needed to give effect to this relief:</p> <p>P2 (a) Earthworks within a site, <u>excluding ancillary rural earthworks which are permitted under 22.2.3.1 P1</u>, must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) Do not exceed a volume of more than 1000m³ and an area of more than 2000m² over any single consecutive 12-month period; (ii) The total depth of any excavation or filling does not exceed 3m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal); (iii) Earthworks are setback 1.5m from all boundaries; (iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of 	<p>Federated Farmers support the permitted activity status and accept that conditions may be required to manage potential adverse effects which may arise from certain earthwork activities. However, the conditions need to make sense within the context of the rural zone and fall within the jurisdiction of the district council.</p> <p>The relief Federated Farmers has sought for the <i>earthworks</i> definition will in part address the concerns we have but for the sake of completeness we advise WDC that some of the conditions listed have been set at an inappropriately low threshold and will capture farming activities unnecessarily.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			erosion and sediment controls; (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.	
11-45	22.2.3.1 Earthworks – General (P4)	Support	<p>Amend 22.2.3.1 (P4) as follows and make consequential changes needed to give effect to this relief:</p> <p>P4 (a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material or cleanfill must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) not exceed a total volume of 200m³; (ii) not exceed a depth of 1m; (iii) the slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) fill material is setback 1.5m from all boundaries; (v) areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; (vii) does not divert or change the nature of natural water flows, water bodies or established drainage paths. 	Federated Farmers understand the intention and purpose of this rule however, the conditions need to fall within the jurisdiction of the district council.
11-45	22.2.3.1 Earthworks – General (RD1)	Support	Retain RD1 as notified:	Federated Farmers understand the purpose of Rule RD1 and considers the matters of discretion

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(a) Earthworks that do not comply with Rule 22.2.3.1 P1, P2, P3 or P4.</p> <p>(b) Council's discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> (i) amenity values and landscape effects; (ii) volume, extent and depth of earthworks; (iii) nature of fill material; (iv) contamination of fill material or cleanfill; (v) location of the earthworks to waterways, significant indigenous vegetation and habitat; (vi) compaction of the fill material; (vii) volume and depth of fill material; (viii) protection of the Hauraki Gulf Catchment Area; (ix) geotechnical stability; (x) flood risk, including natural water flows and established drainage paths; (xi) and instability, erosion and sedimentation. 	appropriate.
12-45	22.2.3.2 Earthworks - Maaori sites of Significance (RD1)	Support in part	<p>Amend 22.2.3.2 (RD1) as follows and make any consequential changes needed to give effect to this relief:</p> <p>(a) Earthworks within a Maaori site of significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) location of activity in relation to the site; (ii) effects on heritage and cultural values 	Federated Farmers understand the purpose of the rule however considers that when a site is located within privately owned land which has been legitimately farmed, some consideration needs to be given to the functional need for some farming activities to continue.

Page	Reference	Support/oppose	Decision sought	Reasons
			(iii) <u>the applicant's functional and operational need to undertake the activity in the area.</u>	
12-54	22.2.3.2 Earthworks - Maaori Areas of Significance (RD2)	Support in part	<p>Amend 22.2.3.2 (RD2) as follows and make any consequential changes needed to give effect to this relief:</p> <p>(a) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori areas of Significance) and shown on the planning maps.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) location of activity in relation to the site;</p> <p>(ii) effects on heritage and cultural values</p> <p>(iii) <u>the applicant's functional and operational need to undertake the activity in the area</u></p>	Federated Farmers understand the purpose of the rule however we consider that when a site is located within privately owned land which has been legitimately farmed, some consideration needs to be given to the functional need for some farming activities to continue.
12-45	22.2.3.3 Earthworks – SNA's (P1)	Support in part	<p>Amend 22.2.3.3 (P1) as follows and make any consequential changes needed to give effect to this relief:</p> <p>(a) <u>Earthworks for farming within an identified Significant Natural Area.</u></p> <p><u>Activity Specific Conditions:</u> <u>Nil</u></p> <p>(b) <u>Earthworks, other than for farming, within an identified Significant Natural Area must meet all of the following conditions:</u></p>	<p>FFNZ understand that areas which meet SNA identification criteria can be subject to land use controls for the purposes of managing adverse effects on the biodiversity values of the site.</p> <p>We consider that the District Plan should provide for or enable activities that can support in maintaining or enhancing these areas.</p> <p>This includes maintenance of everyday farming activities like farm tracks, which are necessary for the safe and efficient movement of stock and farm vehicles. If there were a disruption to the functioning of any track, then farmers need the ability to form</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:</p> <p>(i) The earthworks must not exceed a volume of 50m³ in a single consecutive 12-month period;</p> <p>and</p> <p>(ii) The earthworks must not exceed an area of 250m² in a single consecutive 12-month period;</p> <p>(iii) The total depth of any excavation or filling does not exceed 1.5m above or below ground</p> <p>(iv) level with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(v) Earthworks are setback 1.5m from all boundaries;</p> <p>(vi) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(vii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths</p>	<p>alternative safe access to parts of their farm that needs access, including for the purpose of moving stock. A farmer cannot afford to wait four or more weeks to have to obtain resource consent to move stock that are trapped in a part of the farm where existing access has become disrupted or blocked. The welfare of the stock and the economic well-being of the farmers are at stake.</p>
12-45	22.2.3.3 Earthworks - Significant Natural Areas (RD1)	Support in part	<p>Amend 22.2.3.3 (RD1) as follows and make any consequential changes needed to give effect to this relief:</p> <p>(a) Earthworks that do not comply with Rule 22.2.3.3 P1 or P2.</p>	<p>FFNZ consider there to be unnecessary duplication between (i) and (ii). It is the effects of earthworks on the values and integrity of the SNA and purpose of the activity which should be Council's key priorities.</p>

Page	Reference	Support/oppose	Decision sought	Reasons									
			<p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</p> <p>(ii) The effects on the <u>values and integrity of the Significant Natural Area.</u></p> <p>(iv) <u>The purpose and functional need of the earthworks</u></p>										
12to13-45	22.2.3.4 Earthworks – within Landscape and Natural Character Areas (P1)	Oppose in part	<p>Amend 22.2.3.4 P1 as follows and make consequential changes needed to give effect to this relief:</p> <p>(a) Ancillary rural earthworks for are for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area and must meet all of the following conditions:</p> <p>(b) <u>Earthworks for other purposes must meet all of the following conditions:</u></p> <p>(i) The earthworks are undertaken within a single consecutive 12month time period;</p> <p>(ii) The earthworks must not exceed the following areas and volumes within a single consecutive 12month period:</p> <table><tr><th>Landscape or natural character area</th><th>Area (m2)</th><th>Volume (m3)</th></tr><tr><td>Hill Country Significant Amenity Landscape</td><td>4,000</td><td>500</td></tr><tr><td>Significant Amenity Landscape</td><td>500</td><td>500</td></tr></table>	Landscape or natural character area	Area (m2)	Volume (m3)	Hill Country Significant Amenity Landscape	4,000	500	Significant Amenity Landscape	500	500	<p>FFNZ understand that outstanding landscapes and features which meet certain criteria can be subject to land use controls for the purposes of managing adverse effects on the landscape values.</p> <p>FFNZ consider that the District Plan must focus on the values of the features and landscapes to recognise that landscapes across rural areas are changing all the time and that the working nature of the farming activities occurring in that space are part of that values system.</p> <p>To place arbitrary earthworks thresholds as the trigger for consent is a relatively blunt planning technique. We submit that the size of earthworks allowed per site in any 12-month period is far too restrictive to have meaning for farming activities. Earthworks can be required for a number of reasons some of which are outside a farmers control for example to repair slip or flood damage. It is unduly onerous to require resource consent to mitigate damage from a natural event. Earthworks can be required to maintain and construct tracks and fencing which are a vital network through farms.</p> <p>FFNZ appreciate why Councils seek to protect</p>
Landscape or natural character area	Area (m2)	Volume (m3)											
Hill Country Significant Amenity Landscape	4,000	500											
Significant Amenity Landscape	500	500											

Page	Reference	Support/oppose	Decision sought			Reasons
			Waikato River Margins and Lakes			<p>Outstanding Landscapes and understand these standards are being used to implement Chapter 3 Objectives. However, the goals can be achieved with reasonable permitted activity standards for activities which have, in part, contributed to the landscape values.</p> <p>Further we remind Council that the conditions need to fall within the jurisdiction of the district council.</p> <p>FFNZ seek that SALs references be deleted from these rules consistent with other relief sought in relation to SALs in this regard</p>
			Significant Amenity Landscape (SAL) sand dune	50	250	
			High or Outstanding Natural Character area of the coastal environment			
			Outstanding Natural Feature sand dune			
			Outstanding Natural Feature (ONF)			
			Outstanding Natural Landscapes (ONLs)			
			<p>(iii) The height of the resulting cut or batter face in stable ground does not exceed 1.5m;</p> <p>(iv) The maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1m vertical to 2m horizontal);</p> <p>(v) Areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(vi) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) The earthworks do not divert or change natural water flows, water bodies or</p>			

Page	Reference	Support/oppose	Decision sought	Reasons
			established drainage paths.	
13-45	22.2.3.4 Earthworks – within Landscape and Natural Character Areas (D1)	Oppose	<p>Amend 22.2.3.4 D1 as follows and make any consequential changes needed to give effect to this relief:</p> <p>D1 <u>RD1</u></p> <p>(a) Earthworks within an identified Landscape or Natural Character Area that do not comply with Rule 22.2.3.4 P1.</p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(i) <u>Visibility from public place; and</u></p> <p>(ii) <u>Scale of earthworks and effects on the landscape values;</u></p> <p>(iii) <u>The purpose and functional need of the earthworks</u></p>	The leap from permitted activity status with standards to Discretionary is inappropriate for a consenting pathway in this context. A restricted discretionary activity status is more consistent with the PDP rules framework and the matters which Council should focus on are easily defined.
13-45	22.2.4 (P1) Hazardous Substances	Support in part	<p>Amend P1 as follows and make consequential changes needed to give effect to this relief:</p> <p>(a) The use, storage or disposal of any hazardous substances where:</p> <p>(i) The aggregate quantity of hazardous substances of any hazard classification on a site is less than the quantity specified for the Rural Zone in Table 56.1 contained within Appendix 56 (Hazardous Substances), <u>with the exception of:</u></p> <p>(ii) <u>Activities that involve the storage, use, disposal and transportation of agrichemicals, hazardous substances and fuels on land used for primary production that complies with:</u></p>	<p>Whilst Federated Farmers understand the enabling intention of the Activity Table we believe tables of permitted quantities using HSNO classifications, can be very difficult for resource users and council staff to interpret and determine where farm hazardous substances fit in. Agrichemicals and fertilisers can be made up of many substances and the permitted activity status is based on all the substances on the whole property.</p> <p>Federated Farmers are strongly of the mind that where legislative controls or codes of practice exist, that there is no need for a District Council to require resource consent for the same activity.</p> <p>Hazardous substances are already controlled by the Hazardous Substances and New Organisms Act 1996 (HSNO Act) and agrichemicals are managed through NZS8409 and fertilisers in particular under</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>a. <u>NZS8409:2004 Management of Agrichemicals;</u></p> <p>b. <u>The Hazardous Substances and New Organisms Act 1996 (HSNO) and Regulations</u></p> <p>c. <u>The storage and use of Class 3 fuels within the Rural Zone in accordance with the Environmental Protection Agency's Approved Practice Guide for Above Ground Fuel Storage on Farms, September 2010;</u></p> <p>d. <u>The storage and use of fertiliser within the Rural Zone in accordance with the:</u></p> <ul style="list-style-type: none"> • <u>Fertiliser (Corrosive) Group Standard HSR002569, and</u> • <u>Fertiliser (Oxidising) Group Standard HSR002570, and</u> • <u>Fertiliser (Subsidiary Hazard) Group Standard HSR002571, and</u> • <u>Fertiliser (Toxic) Group Standard HSR002572, and</u> • <u>Fert Research's Code of Practice for Nutrient Management 2007</u> 	<p>Fertilisers (Subsidiary Hazard) Group Standards.</p> <p>Federated Farmers and Fert Research were involved in the development of Group Standards for fertilisers and agrichemicals. Group Standards for fertilisers are based on their hazardous substance classification: Corrosive HSR002569; Oxidising HSR002570; Subsidiary Hazard HSR002571; and Toxic 6.1 HSR002572. This demonstrates that fertilisers are already being appropriately managed, and this should be a consideration when any district plan provisions are developed.</p> <p>Federated Farmers are seriously concerned that the proposed rule may trigger a discretionary resource consent for fertiliser use, storage or disposal. Under Table 5.1 Rule 1 - Use, storage and disposal of hazardous substance sub-classes 1.4, 1.5, 1.6, 6.1D, 6.1E, 6.3, 6.4, 6.5, 9.1D, 9.2D, and 9.3 are exempt from this table. We ask then how is the use, storage or disposal of those exempt hazardous substances enabled when there is no ability to meet the permitted conditions of 22.2.4 P1 (a)(i).</p> <p>In Federated Farmers' view the most appropriate way to achieve a clear and concise planning system is to include exemptions to the rule.</p> <p>Please also note the incorrect Appendix is referenced within proposed Rule P1.</p>
15-45	22.2.6.1 Signs – General	Support in part	<p>Amend 22.2.6.1(P1) as follows and make consequential changes needed to give effect to this relief:</p> <p>(a) A public information sign erected by a government agency</p>	<p>Federated Farmers submit that signs required by other legislation such as under the HSNO Act 1996, the Health and Safety in Employment Acts, The Biosecurity Act 1993, both on private property and on public land are also permitted.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			(b) <u>Signs required for legislative purposes</u>	
16-45	22.2.7 Indigenous vegetation clearance inside an SNA (P1)	Support in part	<p>Amend 22.2.7 (P1) as follows and make any consequential changes needed to give effect to this relief:</p> <p>(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</p> <ul style="list-style-type: none"> (i) Removing vegetation that endangers human life or existing buildings or structures <u>or to manage fire risk;</u> (ii) <u>Construction of conservation</u> fencing to exclude stock <u>and tracks for pest management;</u> (iii) Maintaining existing farm drains; (iv) Maintaining existing tracks and fences; or (v) Gathering plants in accordance with Maaori customs and values (vi) <u>The removal of broken branches, deadwood or diseased vegetation;</u> (vii) <u>To give effect to a Sustainable Forest Management Plan or Permit as approved under the Forests Act 1949 prior to 16 September 2010;</u> (viii) <u>Activities are carried out subject to and in accordance with any specific covenants or other legal agreements entered into with the District Council, or Waikato Regional Council, or Department of Conservation, or QEII</u> 	Federated Farmers contend that additional uses must be provided for as permitted activities. We consider the proposed additions are practical, provide more certainty and ensure Council continues to meet RMA obligations.

Page	Reference	Support/oppose	Decision sought	Reasons
			<u>Trust;</u>	
16-45	22.2.7 Indigenous vegetation clearance inside an SNA (P2)	Oppose in part	<p>Amend 22.2.7 (P2) as follows and make any consequential changes needed to give effect to this relief:</p> <p>Removal of up to <u>205m³</u> of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12-month period per property for domestic firewood purposes and arts or crafts. provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.</p>	Federated Farmers understand the intent of the rule however the 5m3 threshold is far too restrictive and the requirement for the removal to not directly result in the death, destruction or irreparable damage of any other tree, bush or plant is a nonsense. The literal interpretation of this provision extends this protection to both indigenous and exotic vegetation, including pest plants.
16-45	22.2.7 Indigenous vegetation clearance inside an SNA (P3)	Support in part	<p>Amend 22.2.7 (P3) as follows and make any consequential changes needed to give effect to this relief:</p> <p>(a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions:</p> <p>(i) There is no alternative development area on the site outside the Significant Natural Area; and</p> <p>(ii) The total indigenous vegetation clearance does not exceed 250m² <u>500m² per building, including areas associated with access, parking and manoeuvring</u></p>	Support is extended to the enabling intent of this rule however Federated Farmers are unsure why land title is a factor in determining the permitted clearance thresholds for building and associated access purposes. Federated Farmers submits that this issue is about adverse effects and if WDC accepts that 500m ² can be cleared per dwelling on Maaori Freehold Land or Maaori Customary land then that level of effects should also be accepted on fee simple land.
17-45	22.2.7 Indigenous	Support in part	Amend 22.2.7 (P6) as follows and make any	Federated Farmers understands the intent of the rule

Page	Reference	Support/oppose	Decision sought	Reasons
	vegetation clearance inside an SNA (P6)		<p>consequential changes needed to give effect to this relief:</p> <p>Removal of up to 50m³ of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12-month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.</p>	however the 5m ³ threshold is far too restrictive and we are unsure why a distinction is made between vegetation which may be inside or outside the Coastal Environment (P2 v P6) when the clearance threshold is the same. Further the requirement for the removal to not directly result in the death, destruction or irreparable damage of any other tree, bush or plant is a nonsense. The literal interpretation of this provision extends this protection to both indigenous and exotic vegetation, including pest plants.
17-45	22.2.7 Indigenous vegetation clearance inside an SNA (D1)	Oppose	<p>Amend 22.2.7 (D1) as follows and make any consequential changes needed to give effect to this relief:</p> <p>D4 <u>RD1</u></p> <p>(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rule 22.2.7 P1, P2, P3, P4, P5 or P6.</p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(i) <u>The measures to avoid, remedy or mitigate any adverse effects to the significant indigenous vegetation and significant habitats of indigenous fauna, including species relocation, offset and restorative planting;</u></p> <p>(ii) <u>Any cumulative effects arising from the proposed activity;</u></p>	Federated Farmers consider the leap from permitted activity status with standards to discretionary is inappropriate for a consenting pathway in this context. A restricted discretionary activity status is more consistent with the PDP rules framework and the matters which Council should focus on are easily defined.

Page	Reference	Support/oppose	Decision sought	Reasons
17-45	22.2.8 Indigenous vegetation clearance outside a Significant Natural Area – P1	Oppose in part	<p>Amend 22.2.8 (P1) as follows and make any consequential changes needed to give effect to this relief:</p> <ul style="list-style-type: none"> (a) Indigenous vegetation clearance outside a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must be for the following purposes: <ul style="list-style-type: none"> (i) Removing vegetation that endangers human life or existing buildings or structures; (ii) Maintaining <u>or reinstating</u> productive pasture through the removal of up to 1000m² per single consecutive 12month period of manuka and/or kanuka that is more than 10m from a waterbody, and less than 4m in height; (iii) <u>Constructing and</u> maintaining existing tracks and fences; (iv) <u>Constructing and</u> maintaining existing farm drains; (v) Conservation Activities to fencing to exclude <u>manage</u> stock or pests <u>such as installing a bait station network or undertaking plant pest management activities.</u> (vi) Gathering of plants in accordance with Maaori custom and values; or (vii) A building platform and associated access, parking and manoeuvring up to a total of <u>1,000m²</u> 500m² clearance of indigenous vegetation. (viii) <u>To create and maintain firebreaks</u> (ix) <u>The clearance or modification of indigenous vegetation that has been</u> 	<p>Federated Farmers submits that additional uses must be provided for as permitted activities. We consider the proposed amendments are practical, provide more certainty, avoid duplication and ensure the Council continues to meet RMA obligations.</p> <p>Federated Farmers members have strongly expressed their concern that the thresholds will have a limiting effect on farming practice. It will potentially prevent further development of useful rural resources and trigger the need for resource consent for anticipated and expected activities with the rural zone which is contradictory to a number of objectives and policies within the Plan.</p> <p>The restriction on all indigenous vegetation clearance within 10 metres of a waterbody is problematic and potentially unduly onerous given the term 'waterbody' is not defined within the plan. This also makes it difficult to understand how the rule will be accurately monitored.</p> <p>Clearance for activities such as formation of fences, firebreaks, crossings, tracks and pest management should be expected to occur on farms and rural areas and Federated Farmers strongly urges Council to include provision for these activities within the permitted activity framework.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>planted and managed specifically for commercial production forestry, horticulture or agriculture purposes.</u></p> <p>(ix) <u>To give effect to a Sustainable Forest Management Plan or Permit as approved under the Forests Act 1949 prior to 16 September 2010;</u></p> <p>(x) <u>Activities are carried out subject to and in accordance with any specific covenants or other legal agreements entered into with the District Council, or Waikato Regional Council, or Department of Conservation, or QEII Trust;</u></p>	
17-45	22.2.8 Indigenous vegetation clearance - outside a Significant Natural Area (RD1)	Support in part	<p>Amend 22.2.8 (RD1) as follows and make consequential changes needed to give effect to this relief:</p> <p>(a) Indigenous Vegetation clearance outside a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions of Rule 22.2.8 P1, P2 or P3.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) the extent to which the clearance will result in the fragmentation and isolation of indigenous ecosystems and habitats, including the loss of corridors or connections that link indigenous ecosystems and habitat and the loss of buffering of indigenous ecosystems;</p> <p>(ii) the extent to which the clearance will</p>	Federated Farmers understand the intent of this rule is to give effect to the WRPS. The matters of discretion are broadly accepted with the exception of RD1(b)(iv) which we do not consider is appropriate to apply to land which is in private ownership.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>result in loss, damage or disruption to ecological processes, functions and ecological integrity, including ecosystem services;</p> <p>(iii) the extent to which cumulative effects have been considered and addressed;</p> <p>(iv) the extent to which the <u>clearance on Maaori Freehold Land or Maaori Customary Land</u> affects Tangata Whenua relationships with indigenous biodiversity on the site;</p> <p>(v) the extent to which the indigenous biodiversity contributes to natural character and landscape values, including in areas of outstanding natural character, outstanding natural features, outstanding natural landscapes and significant amenity landscapes</p>	
18-45	22.3.1 Number of dwellings within a lot (P1)	Oppose in part	<p>Amend 22.3.1 as follows and make any consequential changes needed to give effect to this relief:</p> <p><u>(a)</u> One dwelling within a lot containing less than 40 <u>20</u>ha,</p> <p><u>(b)</u> No more than two dwellings within a lot containing between 20 ha to 40ha or more;</p> <p><u>(c)</u> <u>No more than three dwellings within a lot containing over 40 ha or more</u></p> <p><u>(d)</u> Any dwelling(s) under Rule 22.3.1 P1 (a), (b) and <u>(c)</u> must not be located within any:</p>	<p>Federated Farmers understand the intent of this provision with regards to P1(c)(i) and (ii), however the rule should not apply to areas which do not meet RMA Section 6(b) status.</p> <p>Federated Farmers supports the graduated approach to the number of dwellings on a site, however considers that the proposed numbers are currently overly restrictive for rural purposes. Many farms have extra dwellings as accommodation for farm managers, employees, or retired parents. Allowing for more than two dwellings per site on larger properties will enable the social well-being of rural communities.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<ul style="list-style-type: none"> (i) Outstanding Natural Feature; (ii) Outstanding Natural Landscape; (iii) Outstanding Natural Character Area; (iv) High Natural Character Area. 	
18-45	22.3.2 Minor dwelling (P1)	Support	<p>Amend 22.3.2 (P1) as follows and make any consequential changes needed to give effect to this relief:</p> <ul style="list-style-type: none"> (a) One minor dwelling not exceeding 70m² gross floor area within a lot. (b) Where there is an existing dwelling located within a lot: <ul style="list-style-type: none"> (i) The minor dwelling must be located within <u>320m</u> of the dwelling; (ii) The minor dwelling must share a single driveway access with the existing dwelling. (iii) <u>The number of existing dwellings does not already exceed that permitted under Rule 22.3.1(P1)</u> 	Federated Farmers supports the intent of this provision but considers the setback of 20m is unnecessarily restrictive. The addition of the new provision is appropriate as a consequential change resulting of the relief sought under 22.3.1 (P1).
18-45	22.3.3 Buildings and structures in Landscape and Natural Character Areas (D1)	Oppose	<p>Amend 22.3.3 (D1) including a new permitted activity rule as follows and make any consequential changes needed to give effect to this relief:</p> <p>Federated Farmers submits that only natural features and natural landscapes that have demonstrable outstanding natural qualities are identified and mapped as Outstanding Landscapes or Features are subject to this Rule.</p>	<p>FFNZ has serious concerns with the proposed planning approach. It is overly restrictive and will inappropriately capture farming relating buildings and structures such as stock yards. A permitted activity response with associated restricted discretionary activity rule is more consistent with the PDP rules framework and the matters which Council should focus on are easily defined.</p> <p>Federated Farmers understand the purpose of the rule is to manage the adverse effects of buildings and structures on ONF's and ONL's, however we remind Council that the proposed rule makes no distinction</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>D4 <u>RD1</u></p> <p>(a) Building or structures located within any:</p> <ul style="list-style-type: none"> (i) Outstanding Natural Feature; (ii) Outstanding Natural Landscape; (iii) Outstanding Natural Character Area; (iv) High Natural Character Area <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <ul style="list-style-type: none"> (i) <u>The extent to which the building or structure adversely affects the stated landscape or feature values, and in particular whether the activity is prominent when viewed from the road or other public land.</u> (ii) <u>The functional or operational need of the building or structure to locate within the identified area.</u> 	<p>between development which is appropriate and that which may have inappropriate effects on the values of the ONFs and ONLs.</p> <p>The district's landscapes are inhabited by people and subject to human activity and change; they have never been static. The rural landscape in particular has been shaped by the activity of people and more recently farming activities over several generations, and will continue to be in future. FFNZ supports the development of workable solutions for the management of ONFs and ONLs across the district. But there is no reason for normal rural activities such as construction of farm buildings and structures or placement of large tanks to be subject to the expense and time delays associated with discretionary resource consents.</p> <p>As previously discussed, FFNZ have considerable concerns with both the use of the term 'Outstanding Natural Character' Area and 'High Natural Character Area' and the lack of consultation through which they have been incorporated into the proposed plan. Federated Farmers submits they must be deleted from the rules framework.</p> <p>We submit that only natural features and natural landscapes that have demonstrable outstanding natural qualities are identified and mapped as Outstanding Landscapes or Features are therefore subject to this Rule.</p>
18-45	<u>22.3.3 Buildings and structures in Landscape and Natural Character</u>	New Rule	New permitted activity rule 22.3.3 (P1) as follows and make any consequential changes needed to give effect to this relief:	This relief is required to give effect to submission points raised in relation to Rule 22.3.3 D1

Page	Reference	Support/oppose	Decision sought	Reasons
	<u>Areas (P1)</u>		<p>P1</p> <p>(a) <u>Maintenance and replacement of existing buildings, or structures within an identified outstanding natural feature or landscape.</u></p> <p>(b) <u>New buildings and structures ancillary to agricultural production activities within pastoral landscapes that form part of an Outstanding Natural Feature and Landscape that:</u></p> <p>(i) <u>When visible from a road or other public place does not extend above any ridgeline and does not have a backdrop of a lake or sky;</u></p> <p>(ii) <u>That the maximum floor area is 600m², and</u></p> <p>(iii) <u>That the maximum height is 10 metres.</u></p>	
18-45	22.3.4.1 Height - Building General (P1)	Support	<p>Retain 22.3.4.1 (P1) as notified:</p> <p>22.3.4.1 Height - Building General</p> <p>The maximum height of any building must not exceed 10m</p>	FFNZ supports this rule
18-45	22.3.4.1 Height - Building General (P2)	Oppose	<p>Delete 22.3.4.1 (P2):</p> <p>22.3.4.1 Height - Building General</p> <p>P2 The height of any dwelling or building must not exceed 7.5m in a Significant Amenity</p>	This relief is required to give effect to submission points raised in relation to Policy 3.4.3.

Page	Reference	Support/oppose	Decision sought	Reasons
			Landscape.	
19-45	22.3.6 Building coverage	Support in part	<p>Amend 22.3.6 P1 as follows and make consequential changes needed to give effect to this relief:</p> <p>22.3.6 Building coverage (<u>excluding buildings ancillary to farming purposes</u>)</p> <p>(a) The total building coverage must not exceed the larger of:</p> <p>(i) 2% of the site area; or</p> <p>(ii) 500m².</p>	<p>FFNZ understands the intent of this rule but considers the amendment is necessary for clarity sake and to increase certainty.</p> <p>FFNZ would be concerned if covered yards, woolsheds, implement sheds or milking platforms were interpreted as being subject to this rule.</p>
20-45	22.3.7.1 Building Setbacks – All boundaries	Support	<p>Retain 22.3.7.1 as notified:</p> <p>22.3.7.1 Building Setbacks – All boundaries</p> <p>P1, P2, P3, P4, RD1</p>	FFNZ understands the intent of these rules and is supportive of the planning approach taken.
20-45	22.3.7.2 Building setback - sensitive land use	Conditional support	<p>Retain 22.3.7.2 as notified or in the alternative delete (P1 (a)(vii)) from the rule:</p> <p>22.3.7.2 Building setback sensitive land use</p> <p>P1, D1</p>	FFNZ understands the intent of these rules and extends conditional support if the definition of sensitive land use is amended as per our relief sought. The current definition captures homestay activities which we consider is unduly onerous and unnecessary given the nature of that activity.
21-40	22.3.7.5 Building setback – water bodies (P1)	Support in part	<p>Amend 22.3.7.5 P1 as follows and make consequential changes needed to give effect to this relief:</p> <p>22.3.7.5 Building setback – water bodies</p> <p>P1 (a) Any building (<u>unless there is a functional or operational need to be closer</u>) must be set</p>	FFNZ understands the intent of the rule however the all-encompassing nature of the building definition could capture buildings with an operational or function need to be closer, such as pump sheds for example.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>back a minimum of:</p> <ul style="list-style-type: none"> (i) 32m from the margin of any; <ul style="list-style-type: none"> A. Lake; and B. Wetland; (ii) 23m from the bank of any river (other than the Waikato River and Waipa River); (iii) 28m from the banks of the Waikato River and Waipa River; and (iv) 23m from mean high water springs. 	
21-45	22.3.7.6 Building setback – Environmental Protection Area (P1)	Oppose	<p>Delete 22.3.7.6 (P1) and as a consequential amendment delete Environmental Protection Areas from the planning maps.</p> <p>Any building must be set back a minimum of 3m from an Environmental Protection Area identified on the planning maps.</p>	FFNZ is unsure what <i>Environmental Protection Areas</i> are and what the purpose of identifying them is. There is no mention of these areas within the policy framework and no definition provided in Chapter 13. Without knowing how they have been identified and what the purpose is we are unable to assess the merits or otherwise of this proposed rule.
22-45	22.3.7.6 Building setback – Environmental Protection Area (D1)	Oppose	<p>Delete 22.3.7.6 (D1)</p> <p>Any building that does not comply with Rule 22.3.7.6 P1</p>	This is a consequential amendment as related to the concerns raised under Rule 22.3.7.6 (P1).
23-45	22.4.1.1 Prohibited subdivision PR1 to PR4	Oppose	<p>Change to the prohibited status of Rule 22.4.1.1 to Discretionary activity status</p>	FFNZ is opposed to the use of prohibited activity status in this regard. The absolute nature of this approach is unnecessary and unduly restrictive.
	New Rule 22.4.1.X	Insert new controlled subdivision rule for boundary adjustments	<p>Insert the following rule in Chapter 22 and make any consequential changes needed to give effect to this relief:</p> <p><u>Subdivision to adjust a common boundary –</u> <u>Controlled activity</u></p> <p><u>Despite rule 22.4.1.2, subdivision is a controlled</u></p>	FFNZ submit that subdivision to create a boundary adjustment should be a controlled activity as there is little or no risk of adverse effect that cannot be appropriately managed by matters of control

Page	Reference	Support/oppose	Decision sought	Reasons
			<p><u>activity if:</u></p> <ol style="list-style-type: none"> 1. <u>the result of the subdivision is to adjust a common boundary between two viable certificates of title, and</u> 2. <u>no additional certificates of title are created, and</u> 3. <u>the subdivision creates certificates of title having substantially the same area, shape, location and access as before the subdivision, and</u> 4. <u>no additional potential for permitted activity dwellings and no additional subdivision potential is created beyond that which already existed prior to the subdivision occurring.</u> <p><u>Control is reserved over</u></p> <ul style="list-style-type: none"> • <u>area and shape of certificates of title</u> • <u>easements</u> 	
24-45	22.4.1.2 General subdivision RD1	Oppose in part	<p>Amend rule to make subdivision of lots with a minimum area of 20ha a controlled activity in the Rural Zone with appropriate matters of control, and make any consequential changes needed to give effect to this relief:</p> <p>22.4.1.2 General subdivision RD1</p> <p>(a) Subdivision must comply with all of the following conditions:</p> <p>(i) The Record of Title to be subdivided must have issued prior to 6 December 1997;</p>	<p>FFNZ seek that lots which are a minimum of 20ha in area should be a <i>controlled activity</i> in the Rural Zone, with a controlled activity standard that requires all lots to be a minimum size of 20 ha (in addition to other appropriate matters of control).</p> <p>FFNZ submit that there is little or no risk of adverse effects to the environment from such subdivision that cannot be managed by appropriate matters of control, or where subdivision raises other issues, such as natural hazard risk, traffic safety risk, or management of environmentally sensitive areas, etc through more careful consideration of effects through an alternative activity pathway whereby discretion is reserved to some restricted extent.</p>

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>(ii) The Record of Title to be subdivided must be at least 20 hectares in area;</p> <p>(iii) The proposed subdivision must create no more than one additional lot, excluding an access allotment.</p> <p>(iv) The additional lot must have a proposed area of between 8,000m² and 1.6 ha;</p> <p>(v) Land containing high class soil (as determined by a Land Use Capability Assessment prepared by a suitably qualified person) must be contained within the boundaries of only two lots as follows:</p> <p>A. one lot must contain a minimum of 80% of the high class soil; and</p> <p>B. the other lot may contain up to 20% of high class soil.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) subdivision layout and design including dimensions, shape and orientation of the proposed lot;</p> <p>(ii) effects on rural character and amenity values;</p> <p>(iii) effects on landscape values;</p> <p>(iv) potential for reverse sensitivity effects;</p> <p>(v) extent of earthworks including earthworks for the location of building platforms and access ways</p>	<p>Nevertheless, subdivision of lots which are a minimum of 20ha in area should otherwise be provided for as a controlled activity in the Rural Zone. Lots which are 20ha minimum are a practical size for land management for various sorts of farming activity including grazing for dry stock and dairy standoff. If these can be acquired by farmers with relative certainty, this would enable farming communities to more efficiently provide for their social and economic wellbeing</p> <p>Where subdivision cannot achieve a standard of minimum 20ha lot area, FFNZ submit the subdivision could trigger to a <i>restricted discretionary activity</i> status provided that any lot is at least 8,000m² in area, and the Council's suggested criteria for high class soil can also apply.</p>
24-45	22.4.1.2 General subdivision NC1	Oppose	Change the Non-complying activity status of 22.4.1.2 NC1 to Discretionary activity status	FFNZ is opposed to the use of non-complying activity status in this regard. The approach is unnecessary

Page	Reference	Support/oppose	Decision sought	Reasons
				and unduly restrictive.
24-45	22.4.1.4 Boundary relocation RD1	Oppose	<p>Amend rule to make subdivision for boundary relocation a controlled activity in the Rural Zone and make consequential changes needed to give effect to this relief</p> <p>(a) The boundary relocation must:</p> <ul style="list-style-type: none"> (i) Relocate a common boundary or boundaries between two existing Records of Title that existed prior to 18 July 2018; (ii) The Records of Title must form a continuous landholding; (iii) Not result in any additional lot; (iv) Create one lot of at least 8000m² in area. <p>(b) Council's discretion is restricted <u>reserves control over</u> to the following matters:</p> <ul style="list-style-type: none"> (i) <u>Amalgamation of land subdivision layout and design including dimension, shape and orientation of the proposed lots;</u> (ii) <u>Any change in vehicle access from a road as a result of the proposed new lot boundaries effects on rural character and amenity values;</u> (iii) <u>Easements effects on landscape values; and</u> (iv) <u>potential for reverse sensitivity effects</u> 	<p>There is a continuing need to provide for subdivision such as boundary adjustments and amalgamations, in order to provide for efficient property management.</p> <p>FFNZ submit that the risk to the environment from subdivision for boundary relocation is low because no new lots are being created and there is no overall intensification of land use. Therefore, there is no need to manage boundary relocation as a restricted discretionary activity, and that boundary relocation can, and should be, dealt with via controlled activity status and appropriate matters of control.</p>
25-45	22.4.1.5 Rural Hamlet Subdivision	Support	Retain 22.4.1.5 as notified	Support is extended to the planning approach being taken.

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>22.4.1.5 Rural Hamlet Subdivision</p> <p>(a) Subdivision to create a Rural Hamlet must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) It results in 3 to 5 proposed lots being clustered together; (ii) All existing Records of Title form one continuous landholding; (iii) Each proposed lot has a minimum area of 8,000m². (iv) Each proposed lot has a maximum area of 1.6ha; (v) The proposed balance lot has a minimum area of 20ha; and (vi) It does not create any additional lots beyond the number of existing Records of Title. <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) subdivision layout and design including dimension, shape and orientation of the proposed lots; (ii) effects on rural character and amenity values; (iii) effects on landscape values; (iv) potential for reverse sensitivity effects; (v) extent of earthworks including earthworks for the location of building platforms and access ways 	
25-45	22.4.1.6	Support in part	Amend 22.4.1.6 as follows and make	Support intention with the exception of (iii) why

Page	Reference	Support/oppose	Decision sought	Reasons												
	Conservation lot subdivision		<p>consequential changes needed to give effect to this relief:</p> <p>22.4.1.6 Conservation lot subdivision</p> <p>(a) The subdivision must comply with all of the following conditions:</p> <p>(i) The lot must contain a contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist in accordance with the table below:</p> <table><tr><th>Contiguous area to be legally protected (hectares)</th><th>Maximum number of new Records of Title</th></tr><tr><td>Between 1ha and 2ha in area within the Hamilton Basin</td><td>1</td></tr><tr><td>Less than 2ha in all other areas</td><td>0</td></tr><tr><td>2ha to less than 5ha</td><td>1</td></tr><tr><td>5ha to less than 10ha</td><td>2</td></tr><tr><td>10ha or more</td><td>3</td></tr></table> <p>(ii) The area of Significant Natural Area is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);</p> <p>(iii) The Significant Natural Area is not</p>	Contiguous area to be legally protected (hectares)	Maximum number of new Records of Title	Between 1ha and 2ha in area within the Hamilton Basin	1	Less than 2ha in all other areas	0	2ha to less than 5ha	1	5ha to less than 10ha	2	10ha or more	3	<p>penalise those who have been proactive. The conservation lot subdivision can be retrospective as provision (viii) makes sure there is no double dipping which is understandable.</p> <p>In some cases, farmers may have previously set up conservation covenants such as QE2 etc on worthy natural features within their farmland, but have not had the advantage of being able to subdivide a conservation lot in exchange for that past undertaking. In FFNZ's view, where a farmer has previously sought to protect a natural feature through such conservation covenant, the ability to subdivide one or more qualifying conservation lots should be recognised.</p> <p>FFNZ submit that the protection of suitable natural features can be encouraged through incentives such as additional subdivision rights that can be transferred to another location, if the locality where the natural feature in question is situated, is too sensitive to allow conservation lots in that location. In such cases, FFNZ submit that it should be feasible to enable some form of Transferable Development Right to create one or more qualifying conservation lots elsewhere in exchange for the protection of a natural feature, by way of a restricted discretionary activity.</p>
Contiguous area to be legally protected (hectares)	Maximum number of new Records of Title															
Between 1ha and 2ha in area within the Hamilton Basin	1															
Less than 2ha in all other areas	0															
2ha to less than 5ha	1															
5ha to less than 10ha	2															
10ha or more	3															

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977, <u>unless the landowner who set up the covenant (or their successors in title) had not previously subdivided an equivalent qualifying conservation lot in exchange for such protection covenant(s);</u></p> <p>(iv) The subdivision proposes to legally protect all areas of Significant Natural Area by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977;</p> <p>(v) An ecological management plan is prepared to address ongoing management of the covenant area to ensure that the Significant Natural Area is self-sustaining and that plan:</p> <p>A. Addresses fencing requirements for the covenant area;</p> <p>B. Addresses ongoing pest plant and animal control;</p> <p>C. Identifies any enhancement or edge planting required within the covenant area;</p> <p>(vi) All proposed lots are a minimum size of 8,000m²;</p> <p>(vi) All proposed lots excluding the balance lot, must each have a maximum area of 1.6ha;</p> <p>(vii) This rule or its equivalent in a previous district plan has not previously been used to gain an additional subdivision entitlement;</p>	

Page	Reference	Support/oppose	Decision sought	Reasons
			<p>b) <u>Where subdivision to create a conservation lot may be inappropriate due to the sensitive nature of the location, or unsuitability due to natural hazard risk or traffic safety hazard risk or inability to service the lot with on-site potable water and fire-fighting water supply or on-site domestic sewage treatment and disposal, landowners may apply to transfer an entitlement for a qualifying conservation lot to more appropriate location.</u></p> <p>c) (b) Council's discretion is restricted to the following matters:</p> <p>(i) Subdivision layout and proximity of building platforms to Significant Natural Area;</p> <p>(ii) Matters contained in an ecological management plan for the covenant area;</p> <p>(iii) Effects of the subdivision on rural character and amenity values;</p> <p>(iv) Extent of earthworks including earthworks for the location of building platforms and access ways</p>	
26-45	22.4.2 Title boundaries – natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities, aggregate extraction	Support in part	<p>Amend 22.4.2 as follows and make consequential changes needed to give effect to this relief:</p> <p>RD1 (a) Subdivision of land containing any natural hazard area, contaminated land, Significant Amenity Landscape, notable trees, intensive farming activities or Aggregate Extraction Areas must comply with all of the</p>	Amendment is required to give effect to relief sought with regards to Policy 3.4.3

Page	Reference	Support/oppose	Decision sought	Reasons
	areas		<p>following conditions:</p> <p>...</p> <p>(iii) The boundaries of every proposed lot must not divide any of the following:</p> <ul style="list-style-type: none"> A. A natural hazard area; B. Contaminated land; C. Significant Amenity Landscape; D. Notable trees. <p>(b) Council's discretion is res is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) landscape values; (ii) amenity values and character; (iii) reverse sensitivity effects; (iv) effects on existing buildings; (v) effects on natural hazard areas; (vi) effects on contaminated land; (vii) effects on any notable trees; (viii) effects on an intensive farming activity; (ix) effects on any Aggregate Extraction Area (<u>not including Farm Quarries</u>). 	
27-45	22.4.3 Title boundaries – Significant Natural Areas, heritage items, Maaori sites of significance and Maaori areas of significance (RD1)	Conditional support	Retain 22.4.3 RD1 as notified:	Conditional support is extended to this planning approach once the issues relating to the identification process has been addressed.
27-45	22.4.3 Title boundaries – Significant Natural Areas, heritage items, Maaori sites	Oppose	<p>Amend 22.4.3 from non-complying activity status to discretionary activity status as follows:</p> <p>22.4.3 Title boundaries – Significant Natural</p>	FFNZ considers discretionary activity status to be more appropriate than non-complying.

Page	Reference	Support/oppose	Decision sought	Reasons
	of significance and Maaori areas of significance (NC1)		Areas, heritage items, Maaori sites of significance and Maaori areas of significance NC1- D1 Subdivision that does not comply with Rule 22.4.3 RD1.	
27-45	22.4.5 Subdivision within identified areas (D1)	Oppose	Amend 22.4.5 D1 as follows and make consequential changes needed to give effect to this relief: 22.4.5 Subdivision within identified areas D1 (a) Subdivision of any land containing any of the following areas: (i) High Natural Character Area; (ii) Outstanding Natural Character Area; (iii) Outstanding Natural Landscape; (iv) Outstanding Natural Feature; (v) Significant Amenity Landscape dune; (vi) Coal Mining Area; (vii) Aggregate Resource Area; (viii) Aggregate Extraction Area.	FFNZ understand the principle but seeks deletion of the application to areas (i-v) until there is some confidence in the areas which have been identified.
28-45	22.4.6 Subdivision of land containing all or part of an Environmental Protection Area RD1 and D1	Oppose	Delete 22.4.6 (RD1) and (D1)	FFNZ is unsure what Environmental Protection Areas are and what the purpose of identifying them is. There is no mention of these areas within the policy framework and no definition provided in Chapter 13. Without knowing how they have been identified and what the purpose is we are unable to assess the merits or otherwise of this proposed rule.
28-45	22.4.7 Esplanade reserves and esplanade strips (RD1)	Oppose in part	Amend 22.4.7 (RD1)(a) as follows and make any consequential changes needed to give effect to this relief: RD1 (a) An esplanade reserve or esplanade strip 20m wide (or such other width stated in Appendix 4 (Esplanade Priority Areas)) is	The amendment is required to address the concerns raised under Policy 8.1.3.

Page	Reference	Support/oppose	Decision sought	Reasons
			required to be created and vested in Council from every subdivision where the land being subdivided is <u>within 20m of any water body identified in Appendix 4 (Esplanade Priority Areas)</u> :	
28-50	22.4.9 Subdivision - Building platform	Oppose in part	<p>Amend 22.4.9 RD1 as follows and make consequential changes needed to give effect to this relief:</p> <p>22.4.9 Subdivision - Building platform</p> <p>RD1 (a) Subdivision, other than an access, or utility allotment <u>or boundary adjustment or boundary relocation</u>, must provide a building platform on the proposed lot that: ...</p>	FFNZ has concerns this building platform requirement may be triggered in every instance where boundary adjustment or relocation is being undertaken. Amendment is required for clarity sake, to avoid any confusion and provide increased certainty.
30-45	22.5 Specific Area – Agriculture Research Centres	Support	<p>Retain Section 22.5 as notified:</p> <p>22.5 Specific Area – Agriculture Research Centres</p> <p>22.5.1, 22.5.2, 22.5.3</p>	Support is extended to the planning approach taken.
	Chapter 23: Country Living Zone	Consequential relief	FFNZ seeks relative relief sought for any issues addressed under Chapter 22 Rural Zone that have application to areas of existing farmland that may be captured within the Chapter 23: Country Living Zone.	This relief sought is required as consequential amendments to address the issues which have been raised throughout this submission.
N/A	Planning maps	Oppose in part	Delete all notified overlays on the Proposed District Plan planning maps which are identified over private land. The relief sought specifically relates to the overlays listed on the Waikato Proposed Plan Legend as:	This relief sought is required as a consequential amendment to address the serious concerns which have been raised throughout this submission. The process used to identify and map these overlays onto private land has not been sufficiently robust to have any confidence in the accuracy of the data which has been mapped. This is particularly important to get right given the degree of regulation proposed to be

Page	Reference	Support/oppose	Decision sought	Reasons
			<ul style="list-style-type: none"> • Natural character • Environmental Protection Area • Significant Amenity Landscapes • Significant Natural Area • Outstanding Natural Landscapes • Outstanding Natural Feature • Walkway Cycleway Bridleway • Maaori Site of Significance • Maaori Area of Significance 	<p>applied over these respective areas.</p> <p>FFNZ supports the principle of a planning approach that seeks to identify areas of national importance and consider that a targeted planning response is more appropriate than general catch all rules. However, it appears WDC has notified this plan prematurely before essential quality control work has been undertaken.</p> <p>Further frustrations relate to the consultation process. It is FFNZ understanding that many affected parties are either not aware nor understand the implications of these overlays being mapped onto their properties. WDC has not been particularly proactive during the consultation process and it can be argued that affected parties will be disheartened that the pre notification consultation ended up being ineffective.</p>
	Appendix 6	Support	Retain Appendix 6: Biodiversity Offsetting as read.	FFNZ understands the purpose and intent of Appendix 6.

SUBMISSION ENDS

