

Plan Change 21

Recommended Amendments to the Waikato District Plan – Franklin Section – Hearing Version

Throughout this document, text in [blue](#) identifies changes to the plan as notified. Text in [red](#) identifies recommended changes to the text as a result of submissions. Text in [green](#) identifies changes proposed by Council as a result of the hearing.

Plan Provision Number	Recommended New Text
Add: 19.7.1	<u>19.7.1 Indigenous Vegetation and Habitats of Indigenous Fauna within the Graham Block of the Pokeno Structure Plan Area</u>
Add: 19.7.1.1 Explanation	<u>19.7.1.1 Explanation</u> <u>The following objective and policies apply to the Graham Block within the Pokeno Structure Plan Area (Appendix 54.15A) only.</u>
Add: 19.7.1.2 Objective	<u>19.7.1.2 Objective</u> <u>(a) Indigenous biodiversity values and indigenous ecosystems are maintained or enhanced.</u>
Add: 19.7.1.3 Policies	<u>19.7.1.3 Policies</u> <u>(a) Avoid the loss or degradation of the characteristics that contribute to the significance of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna to the greatest extent practicable.</u>
	<u>(b) Where the avoidance of the loss or degradation of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna is demonstrated to be not practicable the remediation, or mitigation of adverse effects shall be undertaken to achieve no overall net loss of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna values to the greatest extent practicable.</u>
	<u>(c) Where remediation or mitigation cannot achieve no net-loss of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna offsetting of adverse effects shall be undertaken to achieve no overall net loss of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna.</u>

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	(d) <u>Recognise that in some instances, remediation and mitigation of the adverse effects on Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna may be inappropriate when:</u> i. <u>The remediation, mitigation and offsetting proposed is not of equal or greater value than that indigenous biodiversity lost at the impact site</u> ii. <u>Indigenous biodiversity is rare, at risk, threatened or irreplaceable</u> iii. <u>The success of the remediation, mitigation or offsetting cannot be adequately demonstrated.</u> (e) <u>Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna should be managed in a way that protects long-term ecological functioning and indigenous biodiversity value.</u> (f) <u>Require no overall net-loss of indigenous vegetation and habitats of indigenous fauna.</u>
Amend: 26.4A Assessment of Restricted Discretionary Activities	26.4A.1 For subdivision consent applications provided for in Rule 26.2A the Council has restricted its discretion to the consideration of the following matters (refer 2. below for assessment criteria), and may impose conditions of consent in relation to these: (a) Servicing (b) Density in the Residential 2 Zone <u>outside of a Large Lot Overlay</u> (c) Design and Layout (d) A Structure Plan (refer to Part 54) (e) Stormwater management and riparian planting (f) Geotechnical matters (g) [Intentionally blank] (h) Proximity to national grid transmission lines (refer to planning maps) (i) Maintenance of opportunity for NEIGHBOURHOOD CENTRES (as identified by Part 54, planning maps or Part 29D.1). (j) EARTHWORKS, silt and sediment control. (k) Retention of appropriate vegetation (l) Noise attenuation 2. Applications for Restricted Discretionary Activity resource consent for subdivision will be assessed against the following criteria unless the matters are specified as not applicable to that zone. (a) Servicing (i) Whether sites can be adequately serviced for stormwater, wastewater, water supply water supply for fire fighting purposes and utilities. (ii) (ii) The effects on the public services the Council is responsible for in the locality or district and which the residents or occupants of the subdivided or

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	developed area would make use of, generate a need for, or have an impact on (and for which financial contributions may be required to offset adverse effects). (iii) The undergrounding of any utility lines within or outside the site being subdivided. (iv) Whether subdivision provides appropriate infrastructure in a coordinated manner, ensuring that subdivision, development and the provision of infrastructure keep pace with each other. (b) Density Whether residential subdivision in the Residential 2 Zone (inclusive of any lots created for future MEDIUM DENSITY HOUSING*) achieves an average minimum density of: - Pokeno Structure Plan Area: 10 DWELLING HOUSES per gross hectare**. This criteria does not apply to the Large Lot Overlay. ...
Add: Rule 27A.1.10 (new permitted activity)	27A.1.10 Indigenous Vegetation Clearance within the Graham Block in the Pokeno Structure Plan Area.
Add: Rule 27A.2.5 (new restricted discretionary activity)	27A.2.5 Indigenous vegetation clearance in the Graham Block in the Pokeno Structure Plan Area that does not comply with the Permitted Activity standards.
Add: Rule 27A.5.14 (development standards)	27A.5.14 INDIGENOUS VEGETATION CLEARANCE WITHIN THE GRAHAM BLOCK IN THE POKENO STRUCTURE PLAN AREA Indigenous Vegetation Clearance within the Graham Block in the Pokeno Structure Plan Area is permitted if: 1. it is for the following purposes: a) removing vegetation that endangers human life or existing buildings or structures, or b) maintaining tracks and fences, or c) maintaining existing farm drains, or d) conservation fencing to exclude stock or pests, or e) gathering of plants in accordance with Maaori custom and values.
Amend: Rule 27A.8.1 (matters of discretion)	27A.8.1 Other than Indigenous Vegetation Clearance within the Graham Block in the Pokeno Structure Plan Area, Activities which are otherwise Permitted that infringe no more than one of the standards listed in Part 27A.5.
Add: Rule 27A.8.5 (matters of discretion)	27A.8.5 Indigenous Vegetation Clearance within Wetlands 1 and 2 in the Pokeno Structure Plan Area that does not meet the Permitted Standards of Rule 27A.5.14: 1. Whether the proposal has adequately demonstrated that the avoidance of the loss,

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	<u>fragmentation, isolation or degradation of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna is not practicable having regard to:</u> a) <u>The degree of significance of the indigenous vegetation and habitats of indigenous fauna.</u> b) <u>Whether consideration of alternative options that could result in reduced loss, fragmentation, isolation or degradation of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna has been undertaken.</u> c) <u>The functional need of activities to result in the loss, fragmentation, isolation or degradation of areas of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna.</u> d) <u>Whether the proposal promotes the efficient use of resources.</u> e) <u>Any positive effects of the proposed activities.</u> 2. <u>Whether measures have been adopted to minimise the loss, fragmentation, isolation or degradation of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna value to the greatest extent practicable. Measures to achieve this may include:</u> a) <u>Using existing cleared areas that are suitable to accommodate development in the first instance.</u> b) <u>Using any practicable alternative locations and methods that would reduce the need for vegetation removal.</u> c) <u>Retaining indigenous vegetation and natural features which contribute to the ecological significance of a site where appropriate.</u> 3. <u>Whether measures proposed to remedy, mitigate or offset adverse effects will achieve no net loss of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna. Measures may include:</u> a) <u>Animal and pest plant control.</u> b) <u>Enhancement and restoration planting with pioneer indigenous species.</u> c) <u>Restoration and infill planting of indigenous species in degraded areas.</u> d) <u>Removal of exotic species.</u> e) <u>Adding woody debris in outer edges of bush areas.</u> f) <u>The planting of areas between existing habitat creating improved connectivity and habitat integrity.</u> g) <u>Extending the width of buffer areas.</u> h) <u>Removal of livestock.</u> i) <u>Removing fish migration barriers such as culverts and ponds.</u>

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	j) <u>Protection from sediment inflow and improved hydrology.</u>
Add: Rule 27A.8.6 (matters of discretion)	<u>27A.8.6 Indigenous Vegetation Clearance:</u> a) <u>Within the Graham Block in the Pokeno Structure Plan Area; but</u> b) <u>Not within Wetlands 1 and 2; and</u> c) <u>that does not meet the Permitted Standards of Rule 27A.5.14:</u> <u>1. Whether measures proposed to remedy, mitigate or offset adverse effects will achieve no net loss of Indigenous Biodiversity. Measures may include:</u> a) <u>Animal and pest plant control.</u> b) <u>Enhancement and restoration planting with pioneer indigenous species.</u> c) <u>Restoration and infill planting of indigenous species in degraded areas.</u> d) <u>Removal of exotic species.</u> e) <u>Adding woody debris in outer edges of bush areas.</u> f) <u>The planting of areas between existing habitat creating improved connectivity and habitat integrity.</u> g) <u>Extending the width of buffer areas.</u> h) <u>Removal of livestock.</u> i) <u>Removing fish migration barriers such as culverts and ponds.</u> j) <u>Protection from sediment inflow and improved hydrology</u>
Add definition to Section 50	<u>Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna means areas of indigenous biodiversity that meet one or more of the criteria of Section 11A of the Waikato Regional Policy Statement, 2016.</u>
Amend 54.15.1 (context)	54.15.1 Context The Pokeno Structure Plan Document (October 2008) sets out a vision for the Pokeno Structure Plan Area which is <u>informed by FutureProof and the Waikato Regional Policy Statement and is</u> based on Council's aspirations, community feedback and technical studies to provide a comprehensive framework for the staged growth of the village into a town. Although situated along State Highway 1, Pokeno is located within a rural setting. The green backdrop and ridgelines that surround the village provide it with a distinctly rural feel. The Pokeno Structure Plan Document envisages growth within this rural setting, contained within clear boundaries and having strong physical and visual connections to the surrounding rural environment. The Structure Plan Document envisages that this growth will be guided by the following general principles: 1. That growth of Pokeno should be compact and contained within legible boundaries. 2. That Pokeno should provide a mix of residential densities and housing types, employment, commercial, services, social infrastructure and recreational

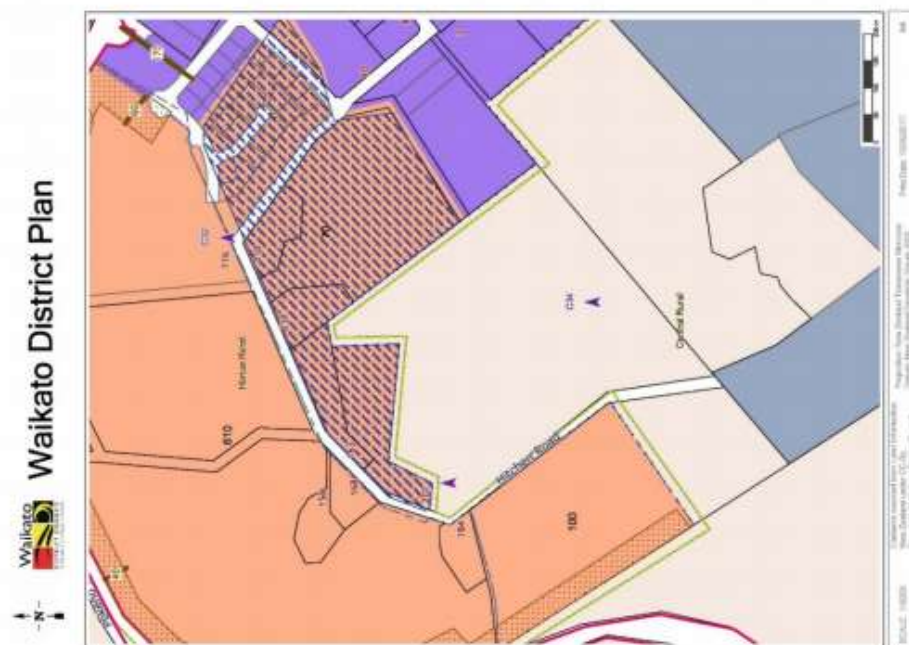
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	opportunities to support a sustainable community. 3. That Pokeno should provide opportunities for urban infrastructure whilst retaining its rural setting. 4. That Pokeno should develop in an integrated manner, particularly with respect to land use and transport to support a multimodal (private vehicles, public transport, walking and cycling) transport system. The provisions of this section of the PLAN are intended to apply these principles.
Amend: 54.15.2.2.1 (Issue)	54.15.2.2.1 Explanation ...The Pokeno Structure Plan Area contains some locally significant landforms, <u>wetlands</u>, vegetation and watercourses which are sensitive to development and warrant protection, conservation or a limitation on development. Development can enhance existing watercourses in the Pokeno Structure Plan Area, introducing open space elements to the urban form of Pokeno, enhancing ecological resources and restoring degraded ecosystems. The Pokeno Structure Plan and adopted Stormwater Catchment Management Plan for the Pokeno Structure Plan Area identifies the main perennial stems of the Tanitewhiora and Helenslee Streams in particular <u>as well as two wetlands that are considered areas of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna</u>.
Amend: 54.15.2.2.2 (Objective)	2. Objective To achieve development which maintains locally significant landforms, wetlands and vegetation and maintains or enhances water quality and identified watercourses <u>and wetlands</u>.
Amend: 54.15.2.2.3 (Policy)	54.15.2.2.3 Policy Subdivision and development should avoid, remedy or mitigate the effects of urban development by: a) having regard to the adopted Pokeno Stormwater Catchment Management Plan (and/or approved discharge consent); b) establishing the open space and stormwater reserves and the stormwater infrastructure (quality and detention) in an appropriate and timely manner; c) protecting, maintaining and enhancing significant vegetation and landforms; d) protecting, maintaining and enhancing watercourses <u>and wetlands</u> identified on the Pokeno Structure Plan; e) maintaining water quality and managing earthworks to avoid siltation and sedimentation of watercourses and adjoining properties; and f) appropriately managing earthworks during subdivision to avoid, as far as practicable, the need for further significant earthworks and retaining during the development of buildings.
Amend: 54.15.2.2.4 (Explanation)	54.15.2.2.4 Explanation The Pokeno Structure Plan Area is relatively unconstrained in environmental terms, and can accommodate the level of subdivision and development proposed within the Pokeno Structure Plan Area. However, it contains some areas of locally significant vegetation, <u>two wetlands</u>, landforms and two locally significant watercourses. Downstream are the Mangatawhiri Wetlands which are recognised as a Site of Special Wildlife Interest in the Plan. The protection and enhancement of streams can maintain and enhance water quality within them. The protection of streams and vegetation also has the potential to provide ecological linkages and improve habitat quality, and will contribute to the green spacious

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	character of the area. Development also has the potential to adversely affect water quality (and ultimately to damage downstream ecology) through sediment run-off during development and pollutant run-off from impervious surfaces. Development can enhance existing watercourses in the Pokeno Structure Plan Area, introducing open space elements to the urban form of Pokeno, enhancing ecological resources and restoring degraded ecosystems. Water quality and riparian areas will be safeguarded through the incorporation of stormwater treatment mechanisms in the structure plan area through the subdivision consent process, through the requirement for detention devices, for riparian enhancement of identified streams (perennial), through appropriate building setbacks and through the avoidance of earthworks in these areas. Areas of locally significant vegetation will be protected through the requirements to retain them at subdivision stage, and through the addition of these to the Council's protected tree schedule (Schedule 8A). Subdivision and development should have regard to the recommendations of the adopted Stormwater Catchment Management Plan and/or discharge consent for the area which includes measures to avoid or mitigate the potential for flooding. The Pokeno Structure Plan anticipates modification of ephemeral streams to allow development.
Amend: 54.15.2.5.3 Residential Density	54.15.2.5.3 Policy Subdivision and development should: (a) Achieve an average gross density of ten dwelling houses per hectare in residential areas excluding the Large Lot Overlay; (b) Provide a range of lot sizes and urban densities; (c) Provide larger low density lots to provide a buffer between the Light Industry Zone and urban residential areas. (d) Provide for higher housing densities in locations where it is supportive of pedestrian, cycle and public transport and the viability and vibrancy of the town centre. (e) Provide for higher housing densities within walkable catchments of proposed neighbourhood centres and neighbourhood parks. (f) Generally limit the spatial extent of development with higher housing densities to identified areas so as to maintain a variety of urban densities and housing choice across the structure plan area. Additional areas of medium density housing development (to a density no greater than 1:300m²) may be appropriate in smaller pockets adjacent to or across the road from the reserve network.
Amend: 54.15.2.6 Interface with Aggregate Extraction and Processing Zone	54.15.2.6.4 Explanation Reverse sensitivity issues can arise where new residential development or other sensitive business and community activities are located in close proximity to quarrying activities. Residents and occupants may suffer adverse health, safety and amenity effects (particularly noise effects) and there is potential for the operational efficiency of the quarry activity to be adversely affected by residents seeking to resolve these effects.

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	The approach taken by the Plan is to ensure adequate separation between the Aggregate Extraction and Processing Zone and the Pokeno Residential Zone, the establishment of a Large Lot Overlay Area on Hitchen Road discouragement of residential activities and limitation of sensitive community, educational or medical activities in the Industrial 2 and Light Industrial Zones. Some provision is made for more sensitive education and medical facilities in the Light Industrial Zone, but in a location that is well separated from the Aggregate Extraction and Processing Zone.	
Amend: Planning Maps	• Rezone NA75C/4I from Rural to Residential 2 • Identify Wetlands 1 and 2 on the Pokeno Structure Plan (Appendix 54.15A). • <u>Identify the “Graham Block” on the Pokeno Structure Plan (Appendix 54.15A).</u>	
Remove: Item C.33: Appendix 2 Inventory of Historic Buildings, Structures, Trees and Areas Group C: Trees	<u>ITEM C.33</u> <u>Type:</u> <u>Location</u> <u>Valuation Number</u> <u>Legal Description</u> <u>Description</u>	<u>Name: Taraire Trees—indigenous</u> <u>Taraire—INDIGENOUS</u> <u>201 Hitchen Road, Pokeno Vineyard</u> <u>03800/104.00</u> <u>Pt Allotment 16, Parish of Mangatawhiri 03800-10400</u> <u>Mature trees in good health and form</u>
Add: C.33 Appendix 2 Inventory of Historic Buildings, Structures, Trees and Areas Group C: Trees	<u>ITEM C.33</u> <u>Type:</u> <u>Location:</u> <u>Valuation Number:</u> <u>Legal Description:</u> <u>Description:</u>	<u>Name: 1 Taraire Tree and 1 Rewarewa Tree –</u> <u>INDIGENOUS</u> <u>Taraire Tree and Rewarewa Tree and associated native bush</u> <u>-INDIGENOUS</u> <u>201 Hitchen Road, Pokeno</u> <u>03910/510.00 and 03800/10400</u> <u>Pt Allotment 16, Parish of Mangatawhiri</u> <u>1 Taraire and 1 Rewarewa and the fenced area of native bush</u> <u>surrounding the trees</u>

Recommended Zoning Amendments

Current Zoning in Waikato District Plan (Franklin Section)



Proposed Mapping Changes (Refer to Appendix B for a survey accurate map of the Large Lot Overlay)



Current Pokeno Structure Plan Area Map



Proposed Changes to Pokeno Structure Plan Area Map

