

**Submitter: Gwyneth and Barrie Smith**

**Submission number: 332**

| Submission number | Further submitter name           | Further submitter oppose/support | Summary of decision requested   | Decision       | Decision report where this subject matter is addressed |
|-------------------|----------------------------------|----------------------------------|---|----------------|--|
| 332.1             |                                  |                                  | Retain Policy 3.2.8 Incentivise subdivision, except for the amendments sought below<br>AND Add a new clause to Policy 3.2.8 Incentivise subdivision, as follows: (b) <u>Incentivise subdivision in the Rural Zone when there is the enhancement and/or restoration of biodiversity, legal and physical protection of areas that are of a suitable size and meet the Criteria for Determining Significance of Indigenous Biodiversity.</u> | Reject         | Decision Report 9: Significant Natural Areas           |
| FS1386.456        | Mercury NZ Limited for Mercury C | Oppose                           |   | Accept         |  |
| 332.2             |                                  |                                  | Retain Objective 5.1.1 The rural environment.   | Accept in part | Decision Report 22: Rural Zone                         |
| FS1386.457        | Mercury NZ Limited for Mercury C | Oppose                           |   | Accept in part |  |
| 332.3             |                                  |                                  | Retain Objective 5.2.1 Rural resources, except for the amendment sought below<br>AND Amend Objective 5.2.1 Rural resources as follows: (a) Maintain or enhance the: (i) Inherent life-supporting capacity, <u>accessibility</u>   | Reject         | Decision Report 22: Rural Zone                         |

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|                   |   |                                  | and versatility of soils, in particular high class soils;   |                |  |
| FS1138.18         | Glenn Michael Soroka and Louise Claire Mered as Trustees of the Pakau Trust | Support                          |   | Reject         |  |
| FS1386.458        | Mercury NZ Limited for Mercury C  | Oppose                           |   | Accept         |  |
| 332.4             |   |                                  | Retain Policy 5.2.2 High class soils.   | Accept in Part | Decision Report 22: Rural Zone                         |
| 332.5             |   |                                  | Retain Policy 5.2.3 Effects of subdivision and development on soils, except for the amendment sought below AND Amend Policy 5.2.3 Effects of subdivision and development on soils as follows: (b) Subdivision which provides a range of lifestyle options is directed away from high class soils and/or where indigenous biodiversity is being protected, enhanced, and/or restored (with plantings). | Accept in Part | Decision Report 22: Rural Zone                         |
| FS1386.459        | Mercury NZ Limited for Mercury C  | Oppose                           |   | Accept in Part |  |
| 332.6             |   |                                  | Retain Objective 5.3.1 Rural character and amenity, except for the amendment sought below AND Amend Objective 5.3.1 Rural   | Accept in Part | Decision Report 22: Rural Zone                         |

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|                   |                        |                                  | character and amenity, as follows: (a) <i>Rural character and amenity are maintained <u>while recognising the localised character of different parts of the District.</u></i>  |                |  |
| 332.7             |                        |                                  | Retain Policy 5.3.8 Effects on rural character and amenity from rural subdivision, except for the amendments sought below AND Amend Policy 5.3.8 Effects on rural character and amenity from rural subdivision as follows: (b) <i>Ensure development does not compromise the predominant open space, character and amenity of rural areas. ... (d) Rural hamlet subdivision and boundary relocations ensure the following: (i) Protection of rural land for productive purposes; (ii) Maintenance of the <u>localised</u> rural character and amenity of the surrounding rural environment; (iii) Minimisation of cumulative effects. (e) Subdivision, use and development opportunities ensure that <u>localised</u> rural character and amenity values are maintained. ...</i> | Accept in Part | Decision Report 22: Rural Zone                         |
| 332.8             |                        |                                  | Retain the definition of Significant Natural Area in Chapter 13: Definitions, except for the amendment sought below AND Amend the definition of Significant Natural Area in Chapter 13: Definitions as follows: <i>Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area on the planning maps. <u>or has been assessed as meeting one or more of the Criteria for Determining</u></i>  | Accept         | Decision Report 9: Significant Natural Areas           |

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|                   |                                  |                                  | <u>Significance of Indigenous Biodiversity (Appendix 2) by a suitably qualified Ecologist.</u>  |                |  |
| FS1377.53         | Havelock Village Limited         | Support                          |   | Reject         |  |
| 332.9             |                                  |                                  | Amend Rule 22.4.1.1 Prohibited subdivision, to change the activity status for PR1, PR2, PR3 and PR4 from prohibited to non-complying AND Amend all references to "lot" with the term "Record of Title".   | Accept in Part | Decision Report 22: Rural Zone                         |
| FS1131.9          | The Village Church Trust         | Support                          |   | Accept in Part |  |
| FS1129.43         | Auckland Council                 | Oppose                           |   | Accept in Part |  |
| FS1287.13         | Blue Wallace Surveyors Ltd       | Support                          |   | Accept in Part |  |
| FS1386.460        | Mercury NZ Limited for Mercury C | Oppose                           |   | Accept in Part |  |
| 332.10            |                                  |                                  | Retain Rule 22.4.1.4 Boundary relocation, except for the amendments sought below AND Amend Rule 22.4.1.4 Boundary Relocation as follows: RDI (a) <i>The boundary relocation must: (i) Relocate a common boundary or boundaries between two or more existing Records of Title or consented lots that existed prior to 18 July 2018; ... (b) Council's discretion is restricted to the following matters: ... (v) effects</i> | Accept in Part | Decision Report 22: Rural Zone                         |

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|                   |                                  |                                  | <u>on high class soils, farm management and productivity.</u>   |                |  |
| FS1379.86         | Hamilton City Council            | Oppose                           |   | Accept in Part |  |
| 332.11            |                                  |                                  | Retain Appendix 2.  | Accept         | Decision Report 9: Significant Natural Areas           |
| 332.12            |                                  |                                  | Retain Rule 22.4.1.2(a)(i)-(iii) General subdivision.   | Accept in Part | Decision Report 22: Rural Zone                         |
| 332.13            |                                  |                                  | Retain Rule 22.4.1.2 General subdivision, except for the amendments sought below<br>AND Amend Rule 22.4.1.2 General subdivision to include a discretionary activity rule as follows: D1 <u>(a) General subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.2(iv) RDI. (b) General subdivision around established rural activities that does not comply with Rule 22.4.1.2(iv) RDI. ...</u> | Reject         | Decision Report 22: Rural Zone                         |
| FS1386.461        | Mercury NZ Limited for Mercury C | Oppose                           |   | Accept         |  |
| 332.14            |                                  |                                  | Delete Rule 22.4.1.2(a)(v) General subdivision<br>AND Amend Rule 22.4.1.2(b)(vi) General subdivision as follows: RDI (a) <u>Subdivision must comply with all of the following conditions: ... (v) Land containing high class soil (as</u>   | Accept in Part | Decision Report 22: Rural Zone                         |

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|                   |                                  |                                  | <p><del>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; A. one lot must contain a minimum of 90% of the high class soil; and B. the other lot may contain up to 20% of high class soil.-(b) Council's discretion is restricted to the following matters: ... (vi) <u>Effects on rural productivity and fragmentation of high class soils. ... "</u></del></p>  |                |  |
| FS1386.462        | Mercury NZ Limited for Mercury C | Oppose                           |   | Accept in Part |  |
| 332.15            |                                  |                                  | <p>Retain Rule 22.4.1.6 Conservation lot subdivision, except for the amendments sought below AND Amend Rule 22.4.1.6 Conservation lot subdivision as follows: <i>RD1</i><br/> <i>(a) The subdivision must comply with all of the following conditions: (i) The lot must contain: A. 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 which meets; or B. <u>a contiguous area, to be enhanced and/or restored; in accordance with the table below: ... (ii) The area of Significant Natural Area, or area to be enhanced and/or restored, is assessed by a suitably qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity); (iii) The Significant Natural Area or area to be restored is</u></i></p> | Reject         | Decision Report 22: Rural Zone                         |

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|                   |                        |                                  | <p><del>not already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act legal protection.</del></p> <p>(iv) The subdivision proposes to legally protect all areas of Significant Natural Area <u>or area to be restored by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth Natural Trust Act.(v) An ecological management plan is prepared to address the ongoing management of the <del>covenant protected</del> <u>protected</u> area to ensure that the <del>Significant Natural Area</del> <u>area to be protected</u> is a self-sustaining and that plan: A. Addresses fencing requirement for the <del>covenant protected</del> <u>protected</u> area; B. Addresses ongoing pest plan and animal control; C. Identifies any enhancement <u>and/or restoration or edge planting</u> required within the <del>covenant</del> <u>protected</u> area to be protected. ... (b) Council's discretion is restricted to the following matters: (i) Subdivision layout and proximity of building platforms to <del>Significant Natural Area</del> <u>the area to be protected</u>; (ii) Matters contained in an ecological management plan for the <del>covenant protected</del> <u>protected</u> area; (iii) Effects of the subdivision on <u>localised</u> rural character and amenity values; (iv) Extent of earthworks including earthworks for the location of building platform and access ways; (v) <u>Mechanism of legal protection for the area to be protected.</u> D1 (a) <u>Conservation lot subdivision around an existing dwelling and associated curtilage that does not comply with Rule 22.4.1.6(vi-vii) RDI.</u> (b)</u></p> |          |  |

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|                   |                        |                                  | <u>Conservation lot subdivision around established rural activities that does not comply with Rule 22.4.1.6(vi-vii) RD1. ...</u>  |                |  |
| 332.16            |                        |                                  | Retain Rule 22.4.1.5 Rural Hamlet Subdivision, except for the amendments sought below<br>AND Amend Rule 22.4.1.5 Rural Hamlet Subdivision to allow relocation of consented lots to allow clustering of General lots in a hamlet and reduce lot size requirements as follows: RD1 (a) Subdivision to create a Rural Hamlet must comply with all of the following conditions: (i) it results in 3 to 5 proposed lots being clustered together; (ii) All existing Records of Title <u>and/or consented lots</u> form one continuous landholding; (iii) Each proposed lot has a maximum area of 85,000m <sup>2</sup> ; (iv) Each proposed lot has a maximum area of 1.60ha; (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. (b) Council's discretion is restricted to the following matters: (i) subdivision layout and design including dimension, shape and orientation of the proposed lots and <u>specified building areas</u> ; (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 | Accept in Part | Decision Report 22: Rural Zone                         |



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|                   |                        |                                  | platforms and access ways.; <u>(vi) effects on rural productivity and fragmentation of high class soils.</u> |                |  |
| FS1129.69         | Auckland Council       | Oppose                           |  | Accept in Part |  |
| FS1379.87         | Hamilton City Council  | Oppose                           |  | Accept in Part |  |