

## D12A 14.12A Indicative roads and Trails

This report section is D12A of Part D Submissions Analysis of the section 42A report on the Infrastructure and Energy topic, Proposed Waikato District Plan. The report provides the consideration of submissions on indicative trails and indicative roads.

### I Introduction

1. The main themes in submissions on indicative roads and trails are:
  - a. Adding new cycle/walkways that are in Council's walking, cycling and bridle trails strategies to the planning maps
  - b. Deleting the walkway/cycleway/bridleway overlay on specific properties
  - c. Either deleting or retaining certain indicative roads shown on the planning maps.
2. The indicative trails are shown on the planning maps. Some are existing trails but many are indicative locations of future trails. There are some excerpts of those mapped trails through this section of the report. They do not, in all places, align with the Trails Strategy trails. The Trails Strategy was consulted on and adopted in 2016, and set out an extensive network of high, medium and low priority trails across the district. Attachment A to this section of the report shows the high priority Trails Strategy trails in red dashed lines and the PWDP indicative trails in yellow black dotted lines, so that the extent of alignment can be seen.
3. The provisions that apply to the indicative trails are in relation to subdivision, and particularly esplanade reserves. As land is subdivided or developed, any esplanade reserve or other reserve contribution can include the sections of the indicative trails across that land. Other means of creating the trails include easements or landowner agreements, and acquisition of land for the trails.
4. Indicative roads are shown on the planning maps as red dashed lines. There are some excerpts of those mapped indicative roads through this section of the report in relation to submissions on the topic. The principal function of indicative roads is to show how access can be gained to future subdivisions, so that land does not become land-locked and unable to be subdivided. They are one way that access can be gained, and a resource consent is required at subdivision stage if an alternative access is to be provided. Some of the indicative roads were proposed within structure plans, such as at Te Kauwhata, and are primarily to demonstrate the need for accessibility and a highly-connected future street network. They are not road designations, and are expected to occur as part of subdivision development.

## 2 Walkway Cycleway Bridleway - General

| Submission point  | Submitter                                | Decision requested  |
|-------------------|--|---|
| 697.334           | Waikato District Council                 | Amend any walkway, cycleway and bridleway locations on the District Plan Maps to align with Council's strategies. |
| 825.36;<br>780.36 | John Lawson;<br>Whaingaroa Environmental | Add provision for new cycle/walkways  |

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|           | Defence Incorporated Society                   |  |
| FS1281.50 | Pokeno Village Holdings Limited                | Opposes 825.36   |
| 435.24    | Jade Hyslop                                    | Add provision for new cycle/walkways to implement Council's Walking, Cycling and Bridle Trails Strategy, not only in major new developments.                   |
| FS1348.10 | Perry International Trading Group Limited      | Supports 435.24  |
| 830.18    | Linda Silvester                                | Add all the tracks shown in the Waikato District Council's Walking, Cycling and Bridle Trails Strategy.  |
| FS1276.59 | Whaingaroa Environmental Defence Inc. Society  | Supports 830.18  |
| 524.29    | Anna Noakes                                    | Amend planning maps to remove indicative walkway cycleways unless the underlying land has been earmarked for residential or commercial/industrial development. |
| 546.11    | Lynne Adrienne                                 | Add a network of cycleways and walking routes in the District.   |
| 724.19    | Sue Robertson for Tamahere Community Committee | Retain the walkways and trails identified on the planning maps.  |
| 724.20    | Sue Robertson for Tamahere Community Committee | Retain subdivision rules requiring identified off-road walkways be vested and that land is proactively sought while required.                                  |

## 2.1 Analysis

5. Five submitters sought to add more trails to better implement the Trails Strategy and support an increase in active transport modes, whereas one submitter sought to retain the notified trails. One submitter sought to remove the trails unless the underlying land was earmarked for urban development, due to effects on property rights.
6. **Waikato District Council** [697.334] seeks to amend any walkway, cycleway and bridleway locations on the District Plan maps to align with Council's strategies. The reasons provided by the submission are to ensure all walkways, cycleways and bridleways are in their correct locations and align with Council's strategies.
7. **John Lawson** [825.36]; **Whaingaroa Environmental Defence Incorporated Society** [780.36]; **Jade Hyslop** [435.24]; **Linda Silvester** [830.18] all seek to add provision for new cycle/walkways to implement Council's Walking, Cycling and Bridle Trails Strategy, not only in major new developments. The submitters are concerned that although Section 1.10.2.3 of the PWDP includes the Strategy as a relevant document, there is no timeframe for implementation of the Strategy, and without support from the District Plan, it is unlikely that most of the Strategy will be achieved. The submitters state that although Chapter 4 Urban Development Policy 4.1.8 Integration and connectivity recognises the need to provide "good access to facilities and services by a range of transport modes through the provision of integrated networks of roads, public transport, cycle and pedestrian routes", and other place-specific policies in Chapter 4 mention walking and cycling provision, the means to provide these routes and locations of them are unclear. The submitters note that Policy 4.1.18 - Raglan is the only town policy not to mention cycling and walking, despite its large pedestrian and cycle use. A concern raised by submitters is

the lack of progress indicating that opportunities are not taken with subdivisions and that more detail needs to be included in the District Plan. The submitters state that Section 4.2.2 identifies that parts of State Highway 1 will offer opportunities for some town centre improvements and cycle/walkways; however, nowhere in the PWDP is it indicated where these might be.

8. *FS1348.10 Perry International Trading Group Limited supports submission 435.24, because they support greater enabling of cycle paths throughout the Rural Zone i.e. linking rural communities such as Te Kowhai to the Waikato River Te Awa River Ride. The further submitter recognises the benefit of rural recreational opportunities and its ability to promote tourism enterprises along these cycle paths.*
9. *FS1276.59 Whaingaroa Environmental Defence Inc. Society supports submission 830.18 because new cycle/walkways are supported by the Blueprint and Raglan Naturally. They will help improve health and reduce parking and congestion problems.*
10. *FS1281.50 Pokeno Village Holdings Limited opposes 825.36, because it is not clear from the provisions how these would be implemented.*
11. **Anna Noakes** [524.29] seeks to amend the planning maps to remove indicative walkway cycleways unless the underlying land has been earmarked for residential or commercial/industrial development. While the submitter supports pedestrian and off-road cycleways, she states that the identification and location of such should not impact on property rights without Council designating land for such purposes.
12. **Sue Robertson for Tamahere Community Committee** [724.19; 724.20] seeks the retention of the walkways and trails identified on the planning maps and the subdivision rules requiring identified off-road walkways be vested, and that land is proactively sought, where required.
13. The Council's Trails Strategy was developed under the LGA special consultative procedure and adopted in 2016. The Trails Strategy identifies future trails that are both priority and non-priority projects, and maps these by area. The PWDP maps identify indicative walkways, cycleways, bridleways (trails) that are identified as high, medium and low priority projects<sup>1</sup> in the Trails Strategy. The Trails Strategy focus is on high priority projects - "Priority projects are track upgrades, expansions and/or connections that have been strategically identified as priorities through the formulation of this strategy. As a result, these are the projects which Council will allocate funding towards as budgets allow via Long Term Plan processes. Generally, Council will be responsible for the planning, physical works and ongoing maintenance of priority projects."
14. In reviewing the indicative trails on the notified PWDP maps, a number of issues have been identified, including:
  - a. Trails do not line up or have missing segments or vice versa
  - b. Trails pass through zones or areas not appropriate for development, i.e. Maaori Land
  - c. Some trails have been completed or are in the construction phase, but are still shown as indicative
  - d. Trails include low and medium priority trails and do not include all high priority trails.
15. Rules for indicative off-road trails are included in the Residential (Rule 16.4.15), Country Living (Rule 23.4.10), Village (Rule 24.4.13), and Rangitahi Peninsula (Rule 28.4.9) zones, requiring any subdivision of land containing mapped off-road walkways, cycleways and bridleways to provide

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<sup>1</sup> Trails Strategy, 2016, Prioritisation of Future Trails, pages 25-29.

these trails as a restricted discretionary activity. As a restricted discretionary activity, the following conditions must be achieved or a discretionary activity resource consent is triggered:

- a. The walkway is at least 3 metres wide and is designed and constructed for shared pedestrian and cycle use, as per Rule 14.12.1 P8 (Transportation);
  - b. The walkway is generally in accordance with the walkway route shown on the planning maps;
  - c. The walkway is shown on the plan of subdivision and vested in the Council.
16. The Residential, Country Living, Village and Rangitahi Peninsula zones incorporate land that is suitable for some level of development, and reflect the fact that subdivision is an important tool for implementing the indicative trails. Accordingly, only the indicative trails mapped within these zones have subdivision provisions that require implementation. Some indicative trails are mapped within other zones that do not have a corresponding subdivision requirement. However, subdivision in rural zones where land is less than 4ha may be required to provide esplanade reserves that would align with indicative trails.
17. Policy 6.5.2(a)(iv) promotes the provision of pedestrian and cycleways, including off-road facilities and connections, supporting the mapping of indicative trails, recognising that these may be implemented by other methods. It is therefore appropriate to retain indicative trails across all zones to reflect the comprehensive nature of trails and ensure the connections and linkages are identified to support the Trails Strategy.
18. The Trails Strategy identifies trails that are low and medium priority, which is not a focus for the Council, who will instead continue to provide support to the community to implement these using other methods. Some of these lower priority trails can be acquired as a reserve contribution or esplanade reserve at the time of subdivision, but are unlikely to warrant priority funding. Low and medium priority does not mean the trails are unimportant or not desired, merely that they are unlikely to justify direct funding and would need to wait for subdivision or other means of public access.
19. Two options have been considered to address the Council's submission to align the PWDP indicative trails with the Trails Strategy:
- a. Option 1: Include additional high priority trails and delete medium and low priority trails
  - b. Option 2: Retain notified trails and only delete trails in response to submissions.
20. Option 1 would require 13 additional high priority trails identified in the Trails Strategy to be included in the PWDP maps. Maps of these additional trails are provided in **Attachment A** to this D12A section, to identify their locations. The high priority trails from the Trails Strategy 2016 are shown as thick red dashed lines and the PWDP notified Indicative Trails are shown as black and yellow dotted lines. It can therefore be seen where they coincide, where the PWDP notified trails are not high priority in the Trails Strategy, and where the high priority trails have not been included in the notified PWDP. An estimated total of 1000 properties would be potentially affected (defined as within 30m of the new trail location). However some of these indicative trails are within the road reserve. In addition, this option could seek the deletion of 31 indicative trails that are identified as low or medium priority in the Trails Strategy.
21. Although Option 1 would align with the Trails Strategy, the consultation undertaken at the time that the strategy was developed did not include District Plan implications. There is therefore a natural justice issue with including additional indicative trails in the PWDP when affected

landowners have not had an opportunity to make a submission. While arguably anybody could make a further submission on the primary submissions to the PWDP seeking inclusion of additional trails derived from the Trails Strategy, these submissions were not specific in their geographic location and there was no certainty as to their relief sought. The Waikato District Council submission point on indicative trails would not have had a high profile which would then alert landowners affected by the potential additional trails. The other submissions requesting the Trails Strategy be implemented or additional trails mapped would also not have alerted affected landowners. Instead, it would be more appropriate for additional indicative trails to be included in the District Plan as either a variation or plan change in the future to enable more effective engagement with landowners and the community. Walkway and cycleway trails within the road reserve can be constructed as a permitted activity.

22. In response to the natural justice issue, Option 2 retains the indicative trails as notified, because affected landowners have had the opportunity to make submissions. A number of submissions support the retention of the indicative trails. Where submissions seek that specific indicative trails be deleted, these will be assessed in the context of the Trails Strategy and whether they are identified as high, medium or low priority. Where they are a high priority they should be retained, but where they are medium or low priority, they may, in some cases, be deleted to align with the Trails Strategy approach to focus on high priority projects. Specific trails are addressed in this report under the relevant area. I recommend Option 2 be implemented, and the above submissions be accepted or rejected accordingly.

## 2.2 Recommendations

23. For the reasons above I recommend the Hearings Panel:
- a. Accept in part Waikato District Council [697.334]
  - b. Reject John Lawson [825.36]; Whaingaroa Environmental Defence Incorporated Society [780.36]; accept *FS1281.50 Pokeno Village Holdings Limited*
  - c. Reject Jade Hyslop [435.24]; *FS1348.10 Perry International Trading Group Limited*
  - d. Reject Linda Silvester [830.18]; *FS1276.59 Whaingaroa Environmental Defence Inc. Society*
  - e. Reject Anna Noakes [524.29]
  - f. Reject Lynne Adrienne [546.11]
  - g. Accept in part Sue Robertson for Tamahere Community Committee [724.19]
  - h. Accept Sue Robertson for Tamahere Community Committee [724.20]

## 2.3 Recommended amendments

24. No amendments are recommended in response to these submission points.

# 3 Walkway Cycleway Bridleway – Raglan / Port Waikato

| Submission point | Submitter     | Decision requested  |
|------------------|---------------|---|
| 499.17           | Adrian Morton | Add the following to the planning maps: <ul style="list-style-type: none"> <li>• The planned Wainui Road to Te Hutewai Road walk/cycle track</li> <li>• All unformed roads not shown on the maps</li> <li>• All the tracks shown on the Strategy maps.</li> </ul> |

|                   |   |   |
|-------------------|---|---|
|                   |   | <ul style="list-style-type: none"> <li>• Walk ways through the residential zones linking Lorenzen Bay with Kaitoke Walkway.</li> <li>• A cycle track from Wallis Street to Violet Street, Raglan.</li> <li>• Circular walk around Raglan</li> <li>• A link from Raglan to the Te Araroa walkway using paper roads via Karioi and Bridal Veil Falls.</li> <li>• Walkway/cycleway/bridle way maps to include walkways, and where possible cycleways, along the whole coast.</li> <li>• A track from Raglan to the summit of Karioi using esplanades, reserves and paper roads.</li> <li>• A link along Wainui Stream from Wainui Reserve to Bryant Reserve.</li> </ul>  |
| FS1276.63         | Whaingaroa Environmental Defence Inc. Society                         | Supports 499.17   |
| 825.37;<br>780.37 | John Lawson;<br>Whaingaroa Environmental Defence Incorporated Society | <p>Add the following to the planning maps:</p> <ul style="list-style-type: none"> <li>• The planned Wainui Rd to Te Hutewai Rd walk/cycle track.</li> <li>• All the tracks shown on the Strategy maps and walkways through the residential zones linking Lorenzen Bay with Kaitoke Walkway, allowing a circular walk around Raglan.</li> <li>• A cycle track from Wallis St to Violet St.</li> <li>• A link to the national Te Araroa walkway using paper roads, etc (via Karioi, Bridal Veil).</li> <li>• Walkways (and where possible cycleways) along the whole coast.</li> <li>• A track from Raglan to the summit of Karioi using esplanades, reserves and unformed roads.</li> <li>• A link along Wainui Stream from Wainui Reserve to Bryant Reserve.</li> </ul> |
| FS1258.71         | Meridian Energy   | Opposes 780.37  |
| 831.79            | Gabrielle Parson on behalf of Raglan Naturally                        | <p>Add all the tracks shown in the Waikato District Council's Walking, Cycling and Bridle Trails Strategy through the residential zones, including:</p> <ol style="list-style-type: none"> <li>a. A linkage of Lorenzen Bay with Kaitoke walkway</li> <li>b. Allowing a circular walk around Raglan</li> <li>c. A cycle track from Wallis to Violet Street</li> <li>d. A link to the national Te Araroa walkway using paper roads, etc (via Karioi, Bridal Veil), walkways and, where possible, walkways, along the whole coast</li> <li>e. A track from Raglan to the summit of Karioi using esplanades, reserves and unformed roads</li> <li>f. A link along Wainui Stream from Wainui Reserve to Bryant Reserve.</li> </ol>  |
| FS1307.9          | New Zealand Walking Access Commission                                 | Supports 831.79   |
| FS1276.62         | Whaingaroa Environmental Defence Inc. Society                         | Supports 831.79   |
| 757.10            | Karen White   | Add to the maps all tracks shown on the Strategy maps and   |

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|------------|--|---|
|            |  | <ul style="list-style-type: none"> <li>• walkways through the residential zones linking Lorenzen Bay with Kaitoke Walkway</li> <li>• allowing a circular walk around Raglan</li> <li>• a cycle track from Wallis Street to Violet Street</li> <li>• a link to the national Te Araroa walkway using paper roads etc. (via Karioi, Bridal Veil), walkways (and where possible cycle ways) along the whole coast</li> <li>• a track from Raglan to the summit of Karioi using esplanades, reserves and paper roads; and</li> <li>• a link along Wainui Stream from Wainui reserves to Bryant Reserve.</li> </ul> |
| FS1276.64  | Whaingaroa Environmental Defence Inc. Society  | Supports 757.10   |
| 830.17     | Linda Silvester                                | Add a Walkway/Cycle way/Bridle way trail on the maps to indicate the planned track from Wainui Road to Te Hutewai.  |
| 831.78     | Gabrielle Parson on behalf of Raglan Naturally | Add a walkway/cycleway/bridleway to the planning maps to indicate the planned track from Wainui Road to Te Hutewai.   |
| FS1307.8   | New Zealand Walking Access Commission          | Supports 831.78   |
| FS1276.61  | Whaingaroa Environmental Defence Inc. Society  | Supports 831.78   |
| 757.18     | Karen White                                    | Add to the maps the planned Wainui Road to Te Hutewai Road walk/cycle track and other unformed roads not shown on the maps.   |
| FS1276.65  | Whaingaroa Environmental Defence Inc. Society  | Supports 757.18   |
| 189.1      | Kane Ongley                                    | Amend Map 23.4 to realign the walkway/cycleway/bridleway adjacent to 31 Bay View Road, Raglan to avoid the cliff area.  |
| FS1276.267 | Whaingaroa Environmental Defence Inc. Society  | Supports 189.1  |
| 942.83     | Tainui o Tainui                                | No specific decision sought, but submission opposes the Walkway, Cycleway and Bridleway overlay up the coast where the routes travel over waahi tapu areas on the Raglan Coast - Map 23.  |
| FS1276.161 | Whaingaroa Environmental Defence Inc. Society  | Supports 942.83   |
| 728.1      | Seumas MacDonald                               | Delete the walkway/cycleway/bridleway from the property located at 658 Te Akau South Road, Te Akau.   |

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| 704.1 | Margaret Millard for The C. Alma Baker Trust | Delete the 'Walkway/Cycleway/Bridleway' overlay from the Limestone Downs property located at 1340 Port Waikato-Waikaretu Road, Port Waikato. |
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### 3.1 Analysis

25. Eight submitters supported adding additional trails, taken from the Trails Strategy and Raglan Naturally (community strategy), to the Raglan area. Four other submissions were in opposition to specific trail sections on individual properties, due to cultural effects, property impacts and safety concerns.
26. **Adrian Morton** [499.17]; **Linda Silvester** [830.17]; **Gabrielle Parson on behalf of Raglan Naturally** [831.78], and **Karen White** [757.18] seek a walkway/cycleway/bridleway be added to the planning maps to indicate the planned track from Wainui Road to Te Hutewai Road.
27. Several submitters have sought additional tracks be included in the PWDP at Raglan. Additional trails sought at Raglan are:
- a. Linkage of Lorenzen Bay with Kaitoke walkway
  - b. Allowing a circular walk around Raglan
  - c. A cycle track from Wallis to Violet Street
  - d. A link to the national Te Araroa walkway using paper roads, etc (via Karioi, Bridal Veil), walkways and, where possible, walkways along the whole coast
  - e. A track from Raglan to the summit of Karioi using esplanades, reserves and unformed roads
  - f. A link along Wainui Stream from Wainui Reserve to Bryant Reserve
  - g. Wainui Road to Te Hutewai Road
28. *FS1307.8 New Zealand Walking Access Commission supports 831.78. FS1276.61; FS1276.65 Whaingaroa Environmental Defence Inc. Society supports 831.78; 757.18, 499.17: New cycle/walkways are supported by the Blueprint and Raglan Naturally. They will help improve health and reduce parking and congestion problems.*
29. *FS1258.71 Meridian Energy Limited opposes 780.37 because the submission point lacks the detail to enable identification of the precise routes referred to. In the absence of this detail, Meridian opposes the submission point.*
30. Additional tracks sought by submitters include a combination of those identified in the Trails Strategy along with others from the Blueprint and Raglan Naturally. I do not consider it appropriate to include indicative trails identified through the Blueprint or Raglan Naturally due to these having not been through a special consultative procedure and having not been included in the PWDP, because they were not completed by that time of notification. I agree with Meridian Energy that there is insufficient information provided to support these requests, and it may be possible to give some further consideration in response to evidence from submitters. However, the indicative trails trigger a subdivision consent and as such any additional trails must be considered against this requirement. Introducing new indicative trails to the PWDP without the opportunity for affected persons to make submissions would be against natural justice and therefore is not supported. It would be appropriate to include supported additional trails within



a plan change, as that would be notified directly to affected landowners. I therefore recommend that submissions seeking additional trails be rejected.

31. **Kane Ongley** [189.1] seeks to amend Map 23.4 to realign the walkway/cycleway/bridleway adjacent to 31 Bay View Road, Raglan to avoid the cliff area. The submitter considers the route shown on Map 23.4 is impracticable, as the cliff top is unstable and dangerous, and suggests a better route would be a board walk along the base of the cliff.
32. *FS1276.267 Whaingaroa Environmental Defence Inc. Society supports 189.1: The proposed trail on the map goes up and down the cliff and would be very expensive to build and maintain. Either a boardwalk, or a seawall would be a better solution. The latter would also help reduce the cliff erosion. Furthermore, this proposed walkway is part of track 206, as shown on page 102 of WDC's Trails Strategy 2016. The lower map below is copied from that Strategy. It is apparent from submission point 189.1 and from a comparison with the trails shown on the Proposed District Plan maps, that application of the Strategy to the Plan is flawed. Therefore, submitter further submits that the Plan maps be amended to add all the missing trails and place those and trail 206 in locations which are practicable. In the Raglan area, the missing trails are number 202, 203, 204, 206 (part), 207, 208, 209, 211 and 602 in the 2016 Strategy. The Plan map omits the walking/cycling tracks on Rangitahi, showing only the indicative roads there. That too should be corrected.*
33. Submission 189.1 relates to track 206 identified as high priority in the Trails Strategy, which extends along the coast from Raglan Harbour to Nikau Park and traverses a number of residential sites including 31 Bay View Road. Although concerns are raised regarding the alignment in relation to the cliff area, this alignment is only indicative and further investigation will be required at the time of subdivision to determine the appropriate location. Placing the trail at the bottom of the cliff would locate it in the coastal marine area and beyond the District Plan's jurisdiction. I therefore consider it appropriate to retain this indicative trail as notified and recommend rejecting Kane Ongley [189.1].
34. **Tainui o Tainui** [942.83] opposes the Walkway, Cycleway and Bridleway overlay where the routes travel over waahi tapu areas on the Raglan Coast - Map 23. **Seumas MacDonald** [728.1] at 658 Te Akau South Road, Te Akau also seeks the removal of this track from their site.
35. *FS1276.161 Whaingaroa Environmental Defence Inc. Society supports 942.83: Waahi tapu areas should be protected by the heritage legislation.*
36. Tainui concerns relate to the coastal tracks identified as 951 and 952 in the Trails Strategy, which are both identified as medium priority. I accept the concerns raised by submitters, in particular that there appear to be significant effects on waahi tapu along the coastline, and recommend that these indicative trails be removed from the PWDP. Access to and along the coastline and coastal public open space is a priority of the NZCPS, and the trails may be able to follow alternative routes without impacting cultural and heritage values.
37. **Margaret Millard for The C. Alma Baker Trust** [704.1] seeks that the indicative trail is removed from their property at 1340 Port Waikato-Waikaretu Road, Port Waikato or deferred until the details of access, timing and cost are discussed with landowners.
38. This submission relates to the coastal track identified as 955 in the Trails Strategy as medium priority. As per the general approach discussed above, I accept the submitter's concerns that there is no mechanism or resourcing for acquiring the trails, and recommend this trail be removed to focus on high priority projects only within the PWDP at this stage.

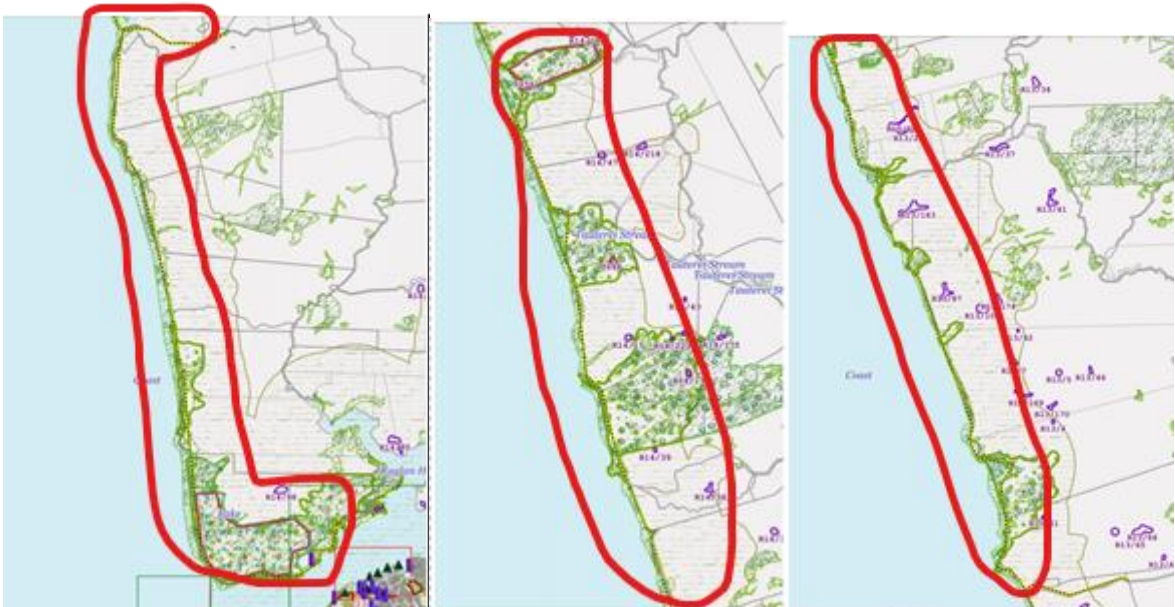
### 3.2 Recommendations

39. For the reasons above I recommend:

- a. Reject Adrian Morton [499.17]; *FSI 276.63 Whaingaroa Environmental Defence Inc. Society*
- b. Reject John Lawson [825.37]; *Whaingaroa Environmental Defence Incorporated Society [780.37]*; accept *FSI 258.71 Meridian Energy*
- c. Reject Gabrielle Parson on behalf of Raglan Naturally [831.79]; *FSI 307.9 New Zealand Walking Access Commission*; *FSI 276.62 Whaingaroa Environmental Defence Inc. Society*
- d. Reject Karen White [757.10]; *FSI 276.64 Whaingaroa Environmental Defence Inc. Society*
- e. Reject Linda Silvester [830.17]; Gabrielle Parson on behalf of Raglan Naturally [831.78]; *FSI 307.8 New Zealand Walking Access Commission*; *FSI 276.61 Whaingaroa Environmental Defence Inc. Society*; Karen White [757.18]; *FSI 276.65 Whaingaroa Environmental Defence Inc. Society*
- f. Reject Kane Ongley [189.1]; *FSI 276.267 Whaingaroa Environmental Defence Inc. Society*
- g. Accept Tainui o Tainui [942.83]; *FSI 276.161 Whaingaroa Environmental Defence Inc. Society*
- h. Accept Seumas MacDonald [728.1]
- i. Accept Margaret Millard for The C. Alma Baker Trust [704.1].

### 3.3 Recommended amendments

40. Delete indicative trails 951, 952 and 955 along the northern coastline from Raglan and towards Port Waikato as roughly indicated in red circles on the figures below.



**Map 23 excerpt**  
**[Tainui o Tainui**  
**942.83]**

**Map 17 excerpt**  
**[Seumas MacDonald**  
**728.1]**

**Map 11 excerpt**  
**[Margaret Millard for**  
**The C. Alma Baker**  
**Trust 704.1]**

### 3.4 Section 32AA evaluation

41. Retaining or deleting the specific sections of indicative trails are the two principal options, although a more nuanced approach would be deletion with further work on route alternatives and trail resourcing. Deleting the indicative trail (951 and 952) along the northern coastline from

Raglan is a section 6 matter and would recognise and provide for the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, by avoiding waahi tapu sites. As a medium priority trail in the Trails Strategy, it could be implemented utilising alternative methods, and engagement with Mana Whenua would be required to ensure waahi tapu could be avoided. The deletion of the trails and engagement to explore alternatives would better meet the objectives of the Taangata Whenua chapter of the PWDP, and be more effective and efficient than seeking to confirm the indicative trails as notified. There are social costs of not achieving the walkways, but substantial cultural costs if they are not amended. There is sufficient information on the proposed routes and their potential impacts to identify that the risk lies in not deleting the indicative trails. The amendment, to delete the indicative trails, is considered to be more appropriate in achieving the purpose of the RMA, in protecting s.6 matters of national importance, and in meeting the Taangata Whenua objectives of the PWDP.

42. Retention of trails 951, 952 and 955 is not consistent with the Council's Trails Strategy focus on high priority projects. Focusing on high priority projects is the most efficient way to achieve objective 6.5.1 ("An integrated land transport network where: all transport modes are accessible, safe and efficient..."), and there are also alternative, reasonably practicable options for implementing medium and low priority trails. The trails are also within the Rural Zone, which does not contain rules requiring their implementation. As such they do not achieve Policy 6.5.2(a)(iv). There is a risk, in not deleting the indicative trails (where there is insufficient information about resourcing and avoiding or mitigating environmental and cultural impacts), that the trails are not able to be implemented and the planning maps show a network that cannot be achieved.

## 4 Walkway Cycleway Bridleway – Te Kauwhata

| Submission point | Submitter   | Decision requested  |
|------------------|---|---|
| 238.1            | Christine Willats                                 | Delete walkway/cycleway/ bridleway from Waikare Golf Course at 66 Waerenga Road, Te Kauwhata. |
| 236.1            | Colin Willats                                     |   |
| 230.1            | Patricia Gutry on behalf of Waikare Golf Club Inc |   |
| 275.1            | Tim Foy for Waikare Golf Club (Te Kauwhata) Inc   |   |
| 193.1            | Neil Goode  |   |
| 192.1            | Ngarita Goode                                     |   |
| 190.1            | John Brannan                                      |   |
| 191.1            | Neil Fredricson                                   |   |
| 218.1            | Keith Gutry on behalf of Waikare Golf Club        |   |
| 239.1            | Les and Leonie Higgins for Waikare Golf Club      |   |

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|------------------|-----------------------|--|
| 199.1            | Noeleen Darby         |  |
| 56.1             | Riaan Jonker          | Amend the 'Walkway Cycleway Bridleway' between the Te Kauwhata Golf Course and properties on Awanui Avenue to be located instead on 25A Awanui Avenue.                 |
| 579.87           | Lakeside2017          | No specific decision sought, but submission supports the identification of the walkway along the edge of the property at Lakeside, Te Kauwhata adjoining Lake Waikare. |
| 368.36           | Ian McAlley           | Delete the Walkway/Cycleway on the Planning Maps located on near 24 Wayside Road, Te Kauwhata.   |
| <i>FS1061.16</i> | <i>Campbell Tyson</i> | <i>Supports 368.36</i>   |
| 374.1            | Judy Garrick          | Delete the cycle-way through the property at 17 Scott Road, Te Kauwhata AND Amend the District Plan Maps to include a cycleway in the Lakeside development exit road.  |
| <i>FS1371.5</i>  | <i>Lakeside2017</i>   | <i>Opposes 374.1</i>   |
| 687.3            | Campbell Tyson        | Delete the indicative Walkway, Cycleway, Bridleway from 4 Wayside Road, Te Kauwhata.   |

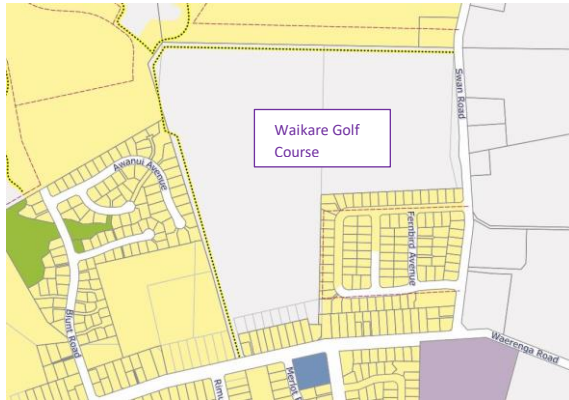
#### 4.1 Analysis

43. 12 submissions were received in opposition to the trail shown around Waikare Golf Course. Two submissions were in relation to the trails associated with Lakeside development, and another was opposing a trail at Wayside Road.
44. **Tim Foy for Waikare Golf Club (Te Kauwhata) Inc** [275.1]; **Neil Goode** [193.1]; **John Brannan** [190.1]; **Neil Fredricson** [191.1]; **Keith Gutry on behalf of Waikare Golf Club** [218.1]; **Les and Leonie Higgins for Waikare Golf Club** [239.1]; **Christine Willats** [238.1]; **Colin Willats** [236.1]; **Patricia Gutry on behalf of Waikare Golf Club Inc** [230.1]; **Noeleen Darby** [199.1]; **Ngarita Goode** [192.1] all seek to delete the proposed walkway shown on the planning maps at Waikare Golf Club, 66 Waerenga Road, Te Kauwhata. The reasons cited by the submitters include that the walkway poses a significant health and safety risk to people, horses etc. from flying golf balls, and would open the club to damage by bikes, dogs and vehicles. The submitters consider that any access would likely need to be totally enclosed, would be costly, visually detrimental to the amenity of the course, and affect the current properties on Awanui Avenue, Blunt Road and Swan Road developments. The submitters further state that there will be a substantial cost to purchase this land for a walkway; and the current board will not recommend to their members the sale of such land for the purpose of exercise facilities. Other reasons given are that the walkway is not feasible, as the land surrounding the course will be developed for housing, so there will only be access to the golf course, not the wetlands. The submitters consider that there is insufficient room to create a walkway; and noted that the walkway goes through the golf course car park, compromises the driveway and at least three fairways; and to realign the golf course would be too costly. The submitters further say the only alternative parking would be around the school gates on Waerenga Road, which is a health and safety issue for students.
45. **Riaan Jonker** [56.1] seeks that the indicative trail between the Te Kauwhata Golf Course and properties on Awanui Avenue be located on 25A Awanui Avenue instead, because it will create an 'iron cage fence' between Awanui Avenue properties and the golf course to protect the users, which will negatively affect Awanui Avenue properties, which are designed to take advantage of the views of the golf course. The submitter suggests that the 'Walkway Cycleway Bridleway' could be redirected through 25A Awanui Avenue (currently a publicly accessible green space), which contains a public access gate to the golf course. The submitter considers that this will ensure the

continuation of enjoyment by the existing properties bordering the golf course, while providing the ability to integrate a 'Walkway Cycleway Bridleway' into and around the golf course.

46. An indicative trail is identified along the western and northern boundaries of the Waikare golf course on the PWDP maps. The western extent reflects the Trails Strategy (Track 4) with the intention that it link up to Magnolia Close further to the west (see Figures 1 and 2 below).

**Figure 1: PWDP map Track 4**



**Figure 2: Trails Strategy map Track 4**

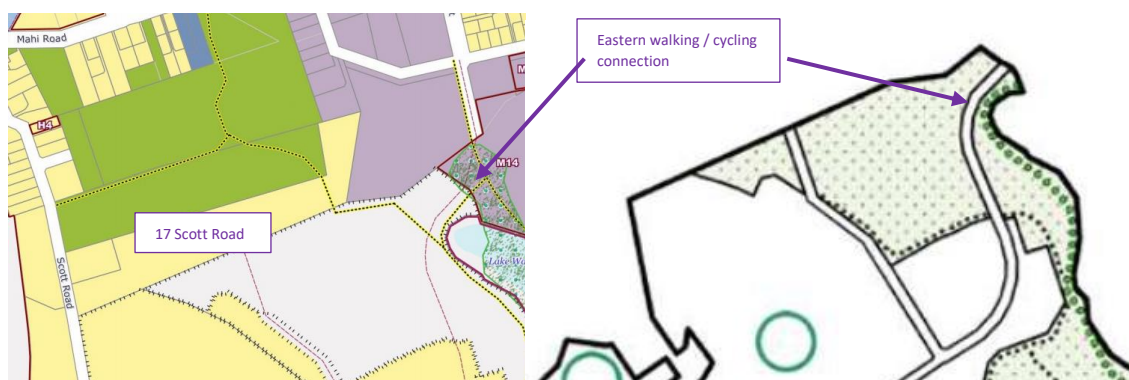


47. It is unclear why the trail has been extended along the northern boundary of the golf course in the PWDP. The indicative trail adjacent to the golf course is identified as a high priority in the Trails Strategy. It is important to note that the alignment of the walkway is 'indicative' only, demonstrating the need to link two places together. The exact alignment would be determined at the time of subdivision or through acquisition by the Council. Accordingly, I consider it appropriate to retain the indicative trail along the western boundary of the golf course, but delete the indicative trail from the northern boundary, to be consistent with the Trails Strategy. I therefore recommend accepting the submissions in part.
48. **Lakeside2017 [579.87]:** Although no specific decision is sought, the submission supports the identification of the walkway along the edge of the property at Lakeside, Te Kauwhata adjoining Lake Waikare. The submission considers that the walkway has been well established and well supported by a range of parties, including the community through the Plan Change 20 process.
49. I recommend accepting Lakeside2017 [579.87], in particular for those parts of the walkway network that have been implemented, and noting support for the walkway. The walkways achieve substantial social and environmental benefits.
50. **Ian McAlley [368.36]** seeks to delete the Walkway/Cycleway on the Planning Maps located on/near 24 Wayside Road, Te Kauwhata, as there is no apparent connection to the indicative roading pattern within 24 Wayside Road.
51. *FS1061.16 Campbell Tyson supports 368.36: Do not consider it appropriate for Council to stipulate the road layout when there is no analysis in the s32 regarding this relevance or practicality of their proposal.*
52. The indicative trail at 24 Wayside Road was previously included in the Operative District Plan and relates to the indicative roading layout for this area as determined by the Te Kauwhata Structure Plan. It appears to provide a linkage between the anticipated roading network and a proposed public reserve. However, it appears that this roading layout and the location of the

reserve may have been superseded by subsequent subdivision. I therefore consider it is appropriate to delete this indicative trail, because the context has changed, and recommend accepting Ian McAlley [368.36]; *FS1061.16 Campbell Tyson*.

53. **Judy Garrick [374.1]** seeks deleting the cycleway through the property at 17 Scott Road, Te Kauwhata and amending the District Plan Maps to include a cycleway in the Lakeside development exit road. The submitter states that this is private land, and Health and Safety laws state that all persons using private land are the responsibility of the 'land owner' (if an incident or injury occurred as a result of work being conducted on or near the public land, then there would be liability under the Health and Safety at Work Act 2015). The submitter also states that the proposed cycleway through this land will cut off the end paddock and there will be no legal access for the submitter's stock, creating another health and safety issue when the submitter needs to move them. Furthermore, the drain running along this land poses a serious health and safety issue to anyone using this cycleway, and that creating a cycleway through the property will jeopardise any future development plans for this land (essentially splitting the title in two).
54. *FS1371.5 Lakeside Development Limited opposes 374.1: It will require the proposed exit to the cycleway currently provided on Rata Street to be altered in a manner which is not consistent with the Lakeside Te Kauwhata Precinct provisions. It will not promote the sustainable management of resources and will not achieve the purpose of the RMA 1991. It will not enable the well-being of the community in that it will reduce the cycle-way network which the Council is trying to establish. It will miss out on an opportunity to create complementary linkages to those cycleway connections being put in as a part of the Lakeside development.*
55. The trail at 17 Scott Road is not included in the Trails Strategy and does not connect to a walkway/cycleway shown on the Lakeside Precinct Plan. While the trail would have benefits in providing a connection between the lakeside and a future high priority trail around Te Kauwhata Domain open space, there is insufficient information supporting the location shown. The location of the trail could be considered in future, should the site be subdivided. The Council's focus for the PWDP is on implementing high priority trails. I note there is an alternative walking/cycling connection shown further to the east, from the Lakeside development to the town centre, which does match the Lakeside Precinct Plan (see Figure 3 below).

**Figure 3: Notified trails vs Lakeside Precinct PI**



56. I recommend submission 374.1 be accepted in part, to the extent that the trail through 17 Scott Road be deleted but no amendment is made to include a cycleway in the Lakeside development exit road (the alternative route already seems to follow the exit road to Rata Street). I therefore recommend accepting *FS1371.5*, as a Rata Street cycleway exit would not be affected by the deletion of the portion of the trail.

## 4.2 Recommendations

57. For the reasons above I recommend the Hearings Panel:

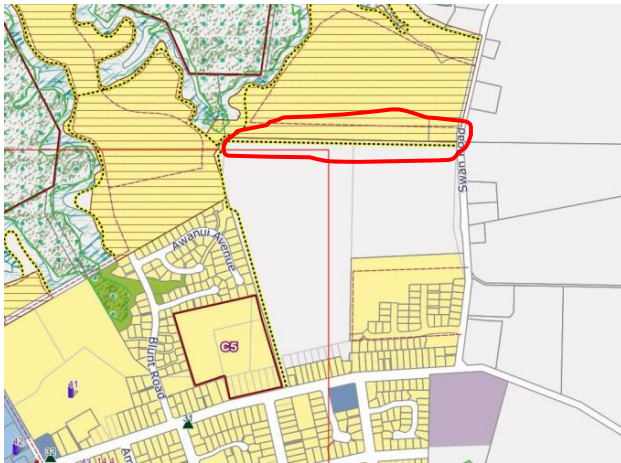
- a. Accept in part Tim Foy for Waikare Golf Club (Te Kauwhata) Inc [275.1]; Neil Goode [193.1]; John Brannan [190.1]; Neil Fredricson [191.1]; Keith Gutry on behalf of Waikare Golf Club [218.1]; Les and Leonie Higgins for Waikare Golf Club [239.1]; Christine Willats [238.1]; Colin Willats [236.1]; Patricia Gutry on behalf of Waikare Golf Club Inc [230.1]; Noeleen Darby [199.1]; Ngarita Goode [192.1] to the extent that the northern extent of the indicative trail is removed
- b. Reject Riaan Jonker [56.1]
- c. Accept Lakeside2017 [579.87]
- d. Accept Ian McAlley [368.36]; *FS1061.16 Campbell Tyson*
- e. Accept in part Judy Garrick [374.1]; accept *FS1371.5 Lakeside2017*
- f. Accept Campbell Tyson [687.3].

## 4.3 Recommended amendments

58. I recommend deleting the following indicative trails as outlined in red on the figures below:

- a. Along the northern boundary of the Waikare Golf Course
- b. At 24 Wayside Drive
- c. At 17 Scott Road

**Map 14.2 excerpt [275.1; 193.1; 190.1; 191.1; 218.1; 239.1; 238.1; 236.1; 230.1; 199.1; 192.1]**



**Map 14.1 excerpt [Ian McAlley 368.36]**



**Map 14.4 excerpt [Judy Garrick 374.1]**



#### **4.4 Section 32AA evaluation**

59. The principal, and reasonably practicable, options are retaining or deleting the sections of indicative trail. These options need to be realistic as to whether the indicative trails are still relevant or useful. It is not effective or efficient to have indicative trails that are not supported by strategic route and origin/destination information, or that have been overtaken by development and subdivision. Indicative trails at Te Kauwhata that are recommended to be deleted from the PDWP maps are inconsistent with the Trails Strategy and there is insufficient information to support their retention. Focusing on high priority projects from the Trails Strategy is the most efficient way to achieve objective 6.5.1 (“An integrated land transport network where: all transport modes are accessible, safe and efficient...”). While the trails are within urban areas, where Objective 4.1.1 and Policy 4.1.8 support integration and connectivity between new and existing developments, the deleted trails are not considered necessary to achieve this and the remaining trails maintain adequate connectivity. Opportunities for connecting trail sections can be taken up at time of subdivision.
60. The costs of deleting the walkway sections include potential failure or difficulty in achieving a connected network if it cannot be achieved by other means. Highly-connected walkway and



cycleway networks will provide significant benefits to the community, including residents of new subdivisions. The risk of acting (deleting these trails without sufficient information) is that the subdivision rule for off-road walkways would not be triggered and linkages would need to be determined at that time without the support of that rule. The amendment recognises that there is insufficient strategic and efficient linkage information to support these sections of indicative trail. Deletion is considered to be more appropriate in achieving the objectives for integration of land use, transportation and infrastructure.

## 5 Walkway Cycleway Bridleway – Tamahere

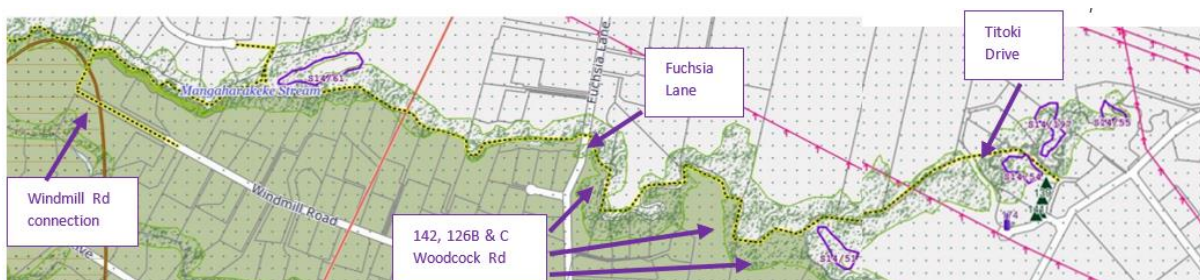
| Submission point | Submitter                     | Decision requested   |
|------------------|-------------------------------|--|
| 75.3             | Mark Emms                     | Delete the walkway/cycleway/bridleway from Fuchsia Lane to Titoki Lane, Tamahere.  |
| <i>FS1051.3</i>  | <i>Colette Shona Hanrahan</i> | <i>Supports 75.3</i>   |
| 75.2             | Mark Emms                     | Delete the walkway/cycleway/bridleway from the property at 126C Woodcock Road, Tamahere.   |
| <i>FS1051.2</i>  | <i>Colette Shona Hanrahan</i> | <i>Supports 75.2</i>   |
| 331.2            | Roderick MacRae               | Delete the Walkway Cycleway Bridleway overlay from the property at 142 Woodcock Road, Tamahere.  |
| <i>FS1059.10</i> | <i>Mark Townsend Emms</i>     | <i>Supports 331.2</i>  |
| <i>FS1051.14</i> | <i>Colette Shona Hanrahan</i> | <i>Supports 331.2</i>  |
| 77.1             | Colette Hanrahan              | Delete the walkway/cycleway/bridleway from the property at 126B Woodcock Road, Tamahere.   |
| <i>FS1051.4</i>  | <i>Colette Shona Hanrahan</i> | <i>Supports 77.1</i>   |
| <i>FS1059.1</i>  | <i>Mark Townsend Emms</i>     | <i>Supports 77.1</i>   |
| 327.2            | Jon Harris                    | Delete the walkway / cycle-way / bridleway from Fuchsia Lane to Titoki Drive, Tamahere.  |
| <i>FS1051.12</i> | <i>Colette Shona Hanrahan</i> | <i>Supports 327.2</i>  |
| <i>FS1059.5</i>  | <i>Mark Townsend Emms</i>     | <i>Supports 327.2</i>  |
| 282.3            | Diane Emms                    | Delete the Walkway/cycleway/bridleway from Fuchsia Lane to Titoki Lane, Tamahere.  |
| <i>FS1059.8</i>  | <i>Mark Townsend Emms</i>     | <i>Supports 282.3</i>  |
| <i>FS1051.10</i> | <i>Colette Shona Hanrahan</i> | <i>Supports 282.3</i>  |
| 282.2            | Diane Emms                    | Delete the Walkway/cycleway/bridleway from 126c Woodcock Road, Tamahere.   |
| <i>FS1051.9</i>  | <i>Colette Shona Hanrahan</i> | <i>Supports 282.2</i>  |
| <i>FS1059.7</i>  | <i>Mark Townsend Emms</i>     | <i>Supports 282.2</i>  |
| 77.2             | Colette Hanrahan              | Delete the walkway/cycleway/bridleway from Fuchsia Lane to Titoki Lane, Tamahere.  |
| <i>FS1051.5</i>  | <i>Colette Shona Hanrahan</i> | <i>Supports 77.2</i>   |
| <i>FS1059.2</i>  | <i>Mark Townsend Emms</i>     | <i>Supports 77.2</i>   |
| 712.2            | Bettley-Stamef Partnership    | Add a walkway/cycle way/bridleway notation along the western side of the Waikato Expressway; all 25 lots comprising the subject site on Matangi Road and Yumelody Lane from Matangi Road through to the walkway/cycle way/ bridleway in the Gully of the Mangaonua Stream. |
| <i>FS1010.2</i>  | <i>Peter McKenzie</i>         | <i>Supports 712.2</i>  |
| <i>FS1016.4</i>  | <i>Zane Bettley</i>           | <i>Supports 712.2</i>  |
| <i>FS1021.3</i>  | <i>Ying-Peng Yu</i>           | <i>Supports 712.2</i>  |
| <i>FS1021.6</i>  | <i>Ying-Peng Yu</i>           | <i>Supports 712.2</i>  |

|          |                 |  |
|----------|-----------------|--|
| FS1018.3 | Keir Bettley    | Supports 712.2   |
| 845.7    | Grace M Wilcock | Delete walkway at the end of Windmill Road, Hamilton and across the private paddock and creek. |

## 5.1 Analysis

61. Nine submission points from six different submitters sought to delete certain portions of the indicative trail along Mangaharakeke Stream, and Windmill Road, Tamahere, citing numerous implementation and private property issues. Another submission suggested a new trail along the western side of the Waikato Expressway near Matangi Road.
62. **Mark Emms** [75.3]; **Jon Harris** [327.2]; **Diane Emms** [282.3]; and **Colette Hanrahan** [77.2] seek to delete the walkway/cycleway/bridleway from Fuchsia Lane to Titoki Drive, Tamahere. **Mark Emms** [75.2] seeks to delete the walkway/cycleway/bridleway from the property at 126C Woodcock Road, Tamahere; **Roderick MacRae** [331.2] seeks to delete the Walkway Cycleway Bridleway overlay from the property at 142 Woodcock Road, Tamahere; **Colette Hanrahan** [77.1] seeks to delete the walkway/cycleway/bridleway from the property at 126B Woodcock Road, Tamahere; **Diane Emms** [282.2] seeks to delete the Walkway/cycleway/bridleway from 126c Woodcock Road, Tamahere. Figure 4 below shows the general locations referred to.

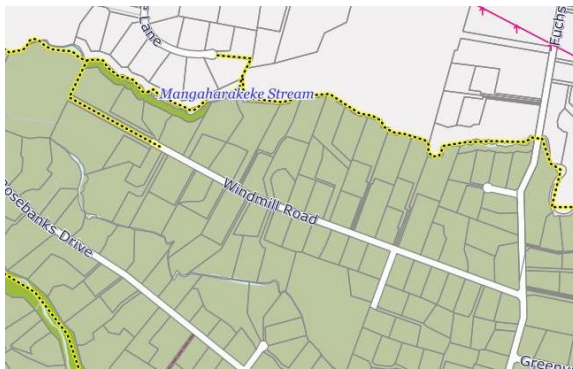
**Figure 4: Mangaharakeke Stream Trail 900**



63. *FS1051.3; FS1051.2; FS1051.12; FS1051.14; FS1051.4; FS1051.5; FS1051.10* Colette Shona Hanrahan supports 75.3; 75.2; 327.2; 331.2; 77.1; 77.2; 282.3: The gully which council has designated as a walkway/cycleway/bridleway is extremely steep, and overridden with pest species. The eradication of these pest species needs to undertaken extremely carefully, as the soil is easily subject to erosion. There are also a lot of Pine and Tasmanian Blackwood trees at the top of the gully, and from time to time, one topples over and crashes down into the gully, making it a severe safety hazard were there to be a public thorough fare at the bottom of the gully. In addition, the bottom of the gully floods to a huge extent when there is heavy rainfall. As such the entire bottom of the gully is either under water, or extremely boggy. It would be outrageously expensive and hazardous undertaking to create a public thoroughfare in this area, let alone the safety issues for any users and for the owners of the land and their stock, assets. The fact that council never discussed or made any overtures to the owners of property regarding its proposal of this walkway/cycleway/bridleway is extremely upsetting. Council has also not outlined anything about safety to landowners, privacy, safety to stock, fencing, trespassing, financial reimbursement, etc. In addition, it seems crazy that land on the other side of the gully's Mangaharakeke stream is QEII covenanted, and yet council has not even thought to put a walkway/cycleway/bridleway on that land, on what would be deemed a Significant Natural Area.
64. The PWDP maps an indicative trail that extends along the Mangaharakeke Stream from Titoki Lane in the east connecting to the Mangaone Stream in the west and further along to the Mangaonua Stream. This indicative trail is identified as track 900 in the Trails Strategy and is a

medium priority. Although the trail is considered to provide an important link it is anticipated that this could be achieved by an alternative method such as esplanade reserves at the time of subdivision. I therefore consider it appropriate to delete this indicative trail from the PWDP maps and recommend accepting the above submissions.

65. **Grace M Wilcock [845.7]** seeks to delete the walkway at the end of Windmill Road, Hamilton and across the private paddock and creek. The submitter states that this walkway serves no purpose as the terrain, once leaving the paddock, is extremely steep, and only experienced hikers would attempt to scale the sides of this gully. The submission explains that the creek area floods frequently and so the gully floor is then inaccessible, making this walkway even more impractical. The submitter considers the imposed Significant Natural Area further compromises the submitter's rights.



**Figure 5: PDWP map excerpt Windmill Rd**

**Figure 6: Tamahere Cycle Strategy**

66. The indicative trail at the end of Windmill Road relates to the Tier I Existing on or off-road/facility along Windmill Road identified in the Tamahere Cycle Strategy 2016 (Figure 6). However, in the strategy the cycleway does not extend beyond the end of the road to link up to the Mangaharakeke Stream as identified in the PWDP maps. It is unclear on what basis the indicative trail was identified and I therefore do not consider it appropriate to retain it. I recommend accepting submission 845.7.
67. **Bettley-Stamef Partnership [712.2]** seeks to add a walkway/cycle way/bridleway notation along the western side of the Waikato Expressway, with all 25 lots comprising the subject site on Matangi Road and Yumelody Lane from Matangi Road through to the walkway/cycleway/bridleway in the Gully of the Mangaonua Stream. The submitter considers this is an opportunity to extend the 'walkway/cycleway/bridleway' along the western side of the expressway and/or over a portion of the subject land.
68. *FS1010.2 Peter McKenzie; FS1016.4 Zane Bettley; FS1021.3 and FS1021.6 Ying-Peng Yu; FS1018.3 Keir Bettley support 712.2: A walking/cycle track adds to community enjoyment.*

**Figure 7: PDWP map Matangi Road area**



69. Submission 712.2 seeks an additional indicative trail to be included in the PWDP maps linking from Matangi Road through to the walkway/cycleway/bridleway in the gully of the Mangaone Stream (see Figure 7 for currently mapped trails in vicinity). This suggested trail is not identified in the Trails Strategy and although I acknowledge it would provide additional linkages, it would duplicate, in part, the indicative trail on the eastern side of the Waikato expressway. I consider it appropriate for additional trails to be considered as part of a review of the Trails Strategy; and therefore recommend rejecting Bettley-Stamef Partnership [712.2].

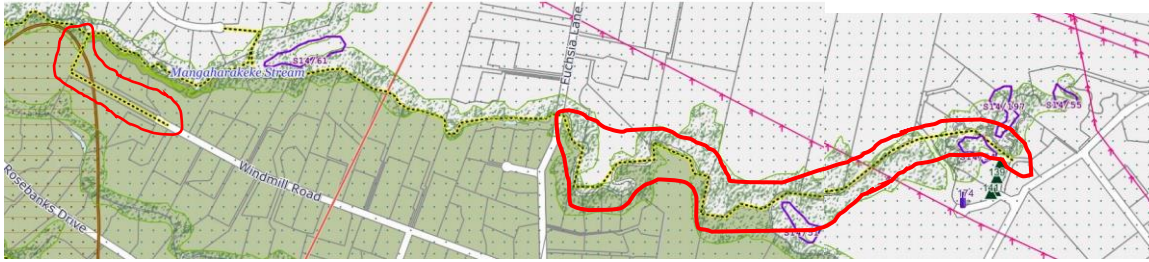
## 5.2 Recommendations

70. For the reasons above I recommend the Hearings Panel:

- a. Accept Mark Emms [75.3]; FS1051.3 Colette Shona Hanrahan; Jon Harris [327.2]; FS1051.12 Colette Shona Hanrahan; FS1059.5 Mark Townsend Emms; Diane Emms [282.3]; FS1051.10 Colette Shona Hanrahan; FS1059.8 Mark Townsend Emms; Colette Hanrahan [77.2]; FS1051.5 Colette Shona Hanrahan; FS1059.2 Mark Townsend Emms;
- b. Accept Mark Emms [75.2]; FS1051.2 Colette Shona Hanrahan
- c. Accept Roderick MacRae [331.2]; FS1051.14 Colette Shona Hanrahan; FS1059.10 Mark Townsend Emms
- d. Accept Colette Hanrahan [77.1]; FS1051.4 Colette Shona Hanrahan; FS1059.1 Mark Townsend Emms
- e. Accept Diane Emms [282.2]; FS1051.9 Colette Shona Hanrahan; FS1059.7 Mark Townsend Emms
- f. Reject Bettley-Stamef Partnership [712.2]; FS1010.2 Peter McKenzie; FS1016.4 Zane Bettley; FS1021.3; FS1021.6 Ying-Peng Yu; FS1018.3 Keir Bettley
- g. Accept Grace M Wilcock [845.7].

## 5.3 Recommended amendments

71. I recommend amending the PWDP maps to delete the indicative trail at the end of Windmill Road and Trail 900 along the Mangaharakeke Stream between Titoki Drive to Fuchsia Lane, as indicated by the red outlines on the figure below.



**Map 27.3 and 27.4 excerpts [Grace M Wilcock 845.7; Mark Emms 75.3 and 75.2; Jon Harris 327.2; Diane Emms 282.3 and 282.2; 77.1 and 77.2 Colette Hanrahan; Roderick MacRae 331.2]**

#### 5.4 Section 32AA evaluation

72. There is insufficient information to support the retention of the indicative trail at Windmill Road and it is therefore not the most appropriate or efficient and effective way of achieving the objectives for integration of land use, transportation and infrastructure (Objective 6.1.1 “Infrastructure is developed, operated and maintained to benefit the social, economic, cultural and environmental well-being of the district” and Objective 6.5.1 “An integrated land transport network where: all transport modes are accessible, safe and efficient...”). The principal options considered are retention or deletion of the section of indicative trail.
73. Retention of trail 900 between Fuchsia Lane and Titoki Drive is not consistent with the Council Trails Strategy’s focus on high priority projects. Focusing on high priority projects is the most efficient way to achieve objective 6.5.1 (“An integrated land transport network where: all transport modes are accessible, safe and efficient...”), and there are also alternative, reasonably practicable options for implementing medium and low priority trails. More than half of the track is within the rural zone, which does not contain rules requiring its implementation. As such it does not achieve Policy 6.5.2(a)(iv).
74. There are social costs of not achieving walkways and linking the sections to form a network, but the proposed action of deleting the indicative trail is only removing that method of achieving trails, given its priority. The risk of acting (deleting the trail without sufficient information) is that the subdivision rule for off-road walkways would not be triggered (in the Country Living Zone – there is no such rule in the Rural zone) and linkages would need to be determined at that time without the support of a specific rule. I understand that is the practice of the Subdivision and Reserves planners. In addition, the esplanade reserve rule would still apply to trail 900 as the sites adjoin the Mangaharakeke Stream. Deletion of the indicative trail sections is considered to be more appropriate in achieving the objectives.

## 6 Walkway Cycleway Bridleway – Tuakau / Pokeno / Mercer

| Submission point | Submitter                                    | Decision requested  |
|------------------|--|---|
| 117.2            | Navin Makan                                  | Consider the most appropriate location for the walkway/cycleway/bridleway identified on 2346A Buckland Road.  |
| 119.2            | Dheru Makan on behalf of Makan Daya & Co Ltd | Amend the location of the walkway/cycle way/bridleway near 2356 and 2364 Buckland Road, Tuakau.   |
| 751.40           | Chanel Hargrave and Travis Miller            | Amend the location of the Walkway, Cycleway, Bridleway from the property at 33 Kowhai Street, Tuakau to be contained within the reserve to the southeast of the site. |

|           |   |  |
|-----------|---|--|
| 486.1     | Louise Whyte  | Add a proposed cycleway around 35 Buckland Road, Tuakau to access the Waikato River via the river stop banks;<br>AND<br>Purchase the land contained within the Waikato River stop banks near Buckland Road, Tuakau by for parkland (see the maps attached to the submission for further detail). |
| 568.1     | Joon Young Moon   | Amend the planning maps for Tuakau, near Geraghtys Road and Buckland Road, so that the cycleway/walkway is extended to access the Waikato River along the stop banks (refer to submission for maps of the location of the cycleway/walkway).   |
| 652.1     | Kenneth Whyte   | Amend the proposed cycleway to be extended from Buckland Road, Tuakau to access the Waikato River via the river stop banks (see maps attached to the submission for further details).  |
| 663.1     | Graham Halsey   | Amend the proposed cycleway to be extended from Buckland Road, Tuakau, to access the Waikato River via the river stop banks (see maps attached to the submission for further details).   |
| 572.1     | Litania Liava'a   | Amend the planning maps for Tuakau near Geraghtys Road and Buckland Road, so that the cycleway/walkway is extended to access the Waikato River along the stop banks (refer to submission for maps of the location of the cycleway/walkway).  |
| 34.1      | Brett Titchmarsh  | Amend the planning maps to include a walkway/cycleway for Tuakau as shown on the map attached to the submission.   |
| 386.14    | Pokeno Village Holdings Limited                                   | Delete the proposed walkway/cycle way/bridleway that goes through 152 Hitchen Road, 201 Hitchen Road and Munro Road, Pokeno from the planning maps.  |
| 750.2     | Matthew Dean on behalf of Mangatawhiri River Catchment Care Group | Add to Planning Map 7.8 a walkway/cycleway/bridleway along the route of the Te Araroa Walkway in the vicinity of Pioneer Road, Mercer.   |
| FS1035.92 | Pareoranga Te Kata  | Supports 750.2   |

## 6.1 Analysis

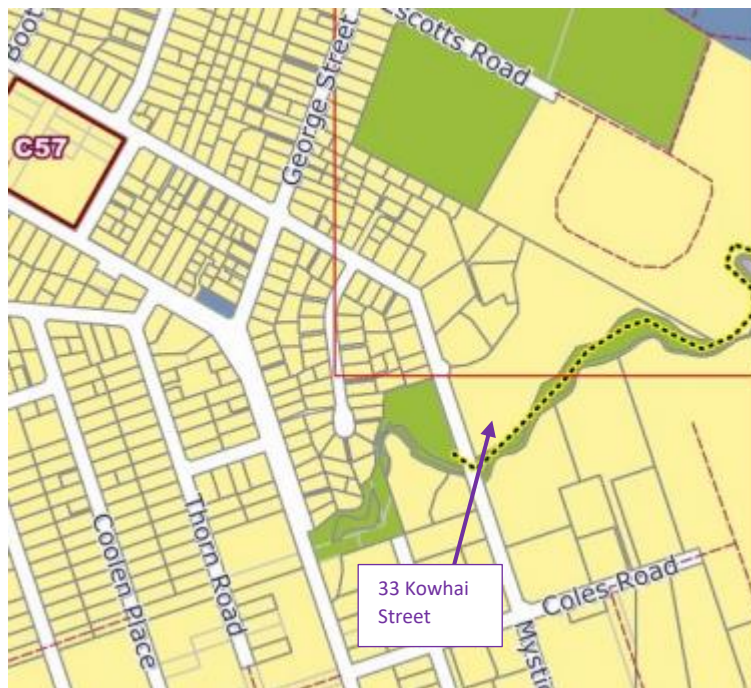
75. Nine submissions were received in relation to Tuakau trails, six of these supporting a new cycleway along the stopbanks, and three opposing trails on specific private properties. One submitter opposed a Pokeno trail and another supported a new trail in Mercer.
76. **Navin Makan** [117.2]; **Dheru Makan on behalf of Makan Daya & Co Ltd** [119.2] seek to amend the location of the walkway/cycleway/bridleway identified on 2346A Buckland Road and near 2356 and 2364 Buckland Road. The submitters explain that the walkway is in low land wetland in places (swamp).
77. The indicative trail in proximity to Buckland Road is identified as Track 305 in the Trails Strategy, which is identified as a low priority project. I therefore consider it appropriate to delete this trail from the PWDP and recommend that the submissions be accepted on the basis that it does not align with the Council's strategy to focus on high priority projects. As the land zoning allows subdivision and the indicative trail mainly follows the stream, esplanade reserves may, in time,

deliver the walkway, with the final connection back to Buckland Road possibly via subdivision road.

78. **Louise Whyte** [486.1] seeks to add a proposed cycleway around 35 Buckland Road, Tuakau, to access the Waikato River via the river stop banks and purchase the land contained within the Waikato River stop banks near Buckland Road, Tuakau, for parkland. **Joon Young Moon** [568.1]; **Kenneth Whyte** [652.1]; **Graham Halsey** [663.1]; **Litania Liava'a** [572.1]; **Brett Titchmarsh** [34.1] all seek to amend the planning maps for Tuakau, near Geraghtys Road and Buckland Road, so that the cycleway/walkway is extended to access the Waikato River along the stop banks (refer to submissions for maps of the location of the cycleway/walkway).
79. Reasons included in the submissions are:
- a. The Plan allows a unique opportunity to gain land for River access, leisure activities and possibly a park;
  - b. The proposed extension to the cycleway/walkway would enable future connection via another walkway/cycleway to the reserve accessed from River Road;
  - c. The River is stunning at this location; it could become a major attraction to the town, enabling a positive future for its residents;
  - d. Access to this land will become difficult if the land up to Buckland Road becomes Residential;
  - e. The Proposed District Plan cuts off the land where the cycleways are proposed from land proposed for rezoning, and the land itself is marginal;
  - f. The Council-owned stop banks are wide enough to accommodate cycleway/walkway; land adjacent to the Waikato River is 20.12m wide and is public land;
  - g. Currently the only access to the Waikato River is by way of River Road which is hazardous for cyclists and pedestrians due to heavy traffic; and
  - h. The proposed cycleway/walkway has been suggested at consultation days/workshops; placing this route on the maps will enable the community and WDC to start working towards completion of this route.
80. I acknowledge that the proposed extension sought by submitters would enhance access to the Waikato River. However, the proposed trail is not identified in the Trails Strategy and the Council does not generally encourage use of stop-banks, which may, in any case, be Waikato Regional Council flood protection assets. In addition, the PWDP does not include a mechanism for implementing indicative trails in land zoned Rural, except as part of subdivision reserves contribution. Therefore, there would be no benefit in including the proposed extension in the PWDP. Additional trails should be identified through the review of the Trails Strategy, and include resolving a policy approach to the recreational use of stop-banks. I do not support these submissions and recommend that the submissions be rejected.
81. **Chanel Hargrave and Travis Miller** [751.40] seek to amend the location of the Walkway, Cycleway, Bridleway from the property at 33 Kowhai Street, Tuakau to be contained within the reserve to the southeast of the site.

82. The indicative trail at 33 Kowhai Street relates to Track 300 identified in the Trails Strategy as a high priority project (see Figure 8 below). The PWDP identifies the trail as indicative and the exact location is to be determined at the time of subdivision. I note that there is an existing reserve alongside the stream and that the indicative trail appears to be intended to align with the edge of this. I do not consider it necessary to amend the location of the indicative trail because it is indicative only, and therefore recommend rejecting Chanel Hargrave and Travis Miller [751.40].

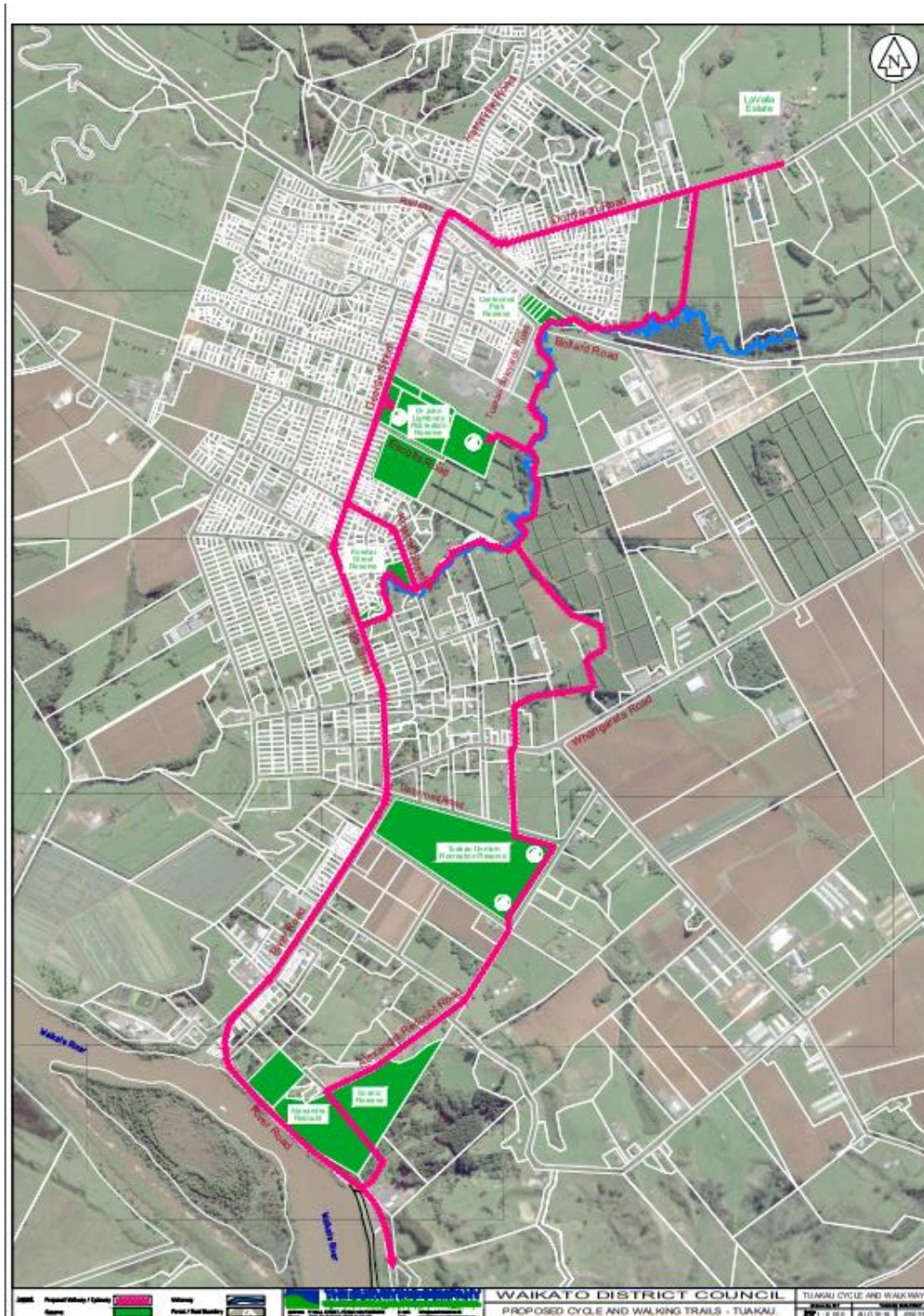
**Figure 8: 33 Kowhai Street – excerpt of Map 7.1**



83. **Brett Titchmarsh** [34.1] seeks the planning maps be amended to include a walkway/cycleway for Tuakau as shown on the map attached to the submission (see Figure 9). Submission 34.1 seeks a series of additional walkway/cycleways, some of which align with the Trails Strategy. Other than Track 300, which is already included in the PWDP, those identified by the submitter are medium and low priority projects as well as some additional linkages between these trails. I do not support additional indicative trails because they were not included in the notified PWDP or the Trails Strategy and therefore have not had adequate consultation. The appropriate process for identifying new or additional trails is through the next iteration of the Trails Strategy and an implementing plan change. I therefore recommend rejecting Brett Titchmarsh [34.1].



**Figure 9: Tuakau Trail proposed by submission Bruce Titchmarsh [34.1] (attached to submission)**



84. **Pokeno Village Holdings Limited [386.14]** seeks to delete the proposed walkway/cycle way/bridleway that goes through 152 Hitchen Road, 201 Hitchen Road and Munro Road, Pokeno, from the planning maps. The submission states that the proposal has never been discussed with the landowner and it is unclear how this proposal will be achieved.
85. The indicative trail at Hitchen Road relates to Track 303 identified in the Trails Strategy as a high priority project. As discussed previously, the Trails Strategy went through the special consultative

procedure and was adopted by the Council in 2016. The trail as identified in the PWDP is indicative and the exact alignment will be determined at the time of subdivision. I therefore support retention of the indicative trail and recommend rejecting Pokeno Village Holdings Limited [386.14].

86. **Matthew Dean on behalf of Mangatawhiri River Catchment Care Group** [750.2] seeks to add a walkway/cycleway/bridleway along the route of the Te Araroa Walkway in the vicinity of Pioneer Road, Mercer, to Planning Map 7.8. The reasons provided by the submission include that the site is a significant historic place and is registered with Heritage New Zealand. The submission states that the site is an eyesore and riverbanks are overgrown with exotic willow and weed species, and explains that a catchment care group has been formed in the area to improve water quality.
87. *FS1035.92 Pareoranga Te Kata supports 750.2: Heritage item and map 7.8 walkway/cycle way/bridleway along the route of the Te Araroa walkway in Pioneer Road, Mercer Mangatawhiri River.*
88. Within the vicinity of Pioneer Road, Track 183 is identified in the Trails Strategy as a medium priority project. I do not support including this track in the PWDP because it does not align with the Council's strategy to focus on high priority projects. The indicative trails are primarily shown on the planning maps to indicate where new trails are intended to be created, rather than to record the existing network. Both functions could be covered by a revised trails strategy and plan change, and that would assist with recognition of the connections needed to complete parts of the network. The indicative trail in Track 180 is mapped in the PWDP and provides a link between Tuakau and Mercer connecting to the Te Araroa Trail. I therefore recommend rejecting Matthew Dean on behalf of Mangatawhiri River Catchment Care Group [750.2]; *FS1035.92 Pareoranga Te Kata*.

## 6.2 Recommendations

89. For the reasons above, I recommend the Hearings Panel:
- a. Accept Navin Makan [117.2]; Dheru Makan on behalf of Makan Daya & Co Ltd [119.2]
  - b. Reject Louise Whyte [486.1]
  - c. Reject JoonYoung Moon [568.1]; Kenneth Whyte [652.1]; Graham Halsey [663.1]; Litania Liava'a [572.1]; Brett Titchmarsh [34.1]
  - d. Reject Chanel Hargrave and Travis Miller [751.40]
  - e. Reject Brett Titchmarsh [34.1]
  - f. Reject Pokeno Village Holdings Limited [386.14]
  - g. Reject Matthew Dean on behalf of Mangatawhiri River Catchment Care Group [750.2]; *FS1035.92 Pareoranga Te Kata*

## 6.3 Recommended amendments

90. I recommend amending the PWDP maps to delete indicative trail 305 near Buckland Road as indicated in the red outline on the figure below.

**Map 7 excerpt [Navin Makan 117.2; Dheru Makan on behalf of Makan Daya & Co Ltd 119.2]**



#### 6.4 Section 32AA evaluation

91. Retention of Track 305 is not consistent with the Council Trails Strategy’s focus on high priority projects. Focusing on high priority projects is the most efficient and effective way to achieve objective 6.5.1 (“An integrated land transport network where: all transport modes are accessible, safe and efficient...”), and there are also alternative, reasonably practicable options for implementing medium and low priority trails. For example, the esplanade reserve rule is likely to still apply to some of trail 305 where it adjoins Tutaenui Stream. The land has considerable subdivision potential and linkages between the esplanade reserve trail, and the road can be identified at a later date, if not achieved by subdivision road. The principal options considered were retention or deletion of the section of indicative trail. There is a high likelihood that the trail will be able to be achieved in the long-term by subdivision and esplanade reserves.
92. There are social costs of not achieving walkways and linking the sections to form a network, but the proposed action of deleting the indicative trail is only removing that method of achieving trails, given its priority. The risk of acting (deleting the trail without sufficient information) is that the subdivision rule for off-road walkways would not be triggered and linkages would need to be determined at that time without the support of a specific rule. I understand that is the practice of the Subdivision and Reserves planners. The amendment is considered to be more appropriate in achieving the objective of an integrated land transport network.

## 7 Walkway Cycleway Bridleway – Ngaruawahia / Taupiri / Te Kowhai

| Submission point | Submitter                              | Decision requested  |
|------------------|--|---|
| 268.6            | Warwick Cheyne                         | Delete the walkway/cycleway/bridleway from property number 1003679 until proper consultation and benefits have been discussed and terms agreed to. The submission suggests a lease option and/or transferable title per kilometre of track. |
| 234.1            | Gaynor & Colm Tierney for Glendine Ltd | Delete walkway/cycleway/bridleway along the Waipa River.  |

|           |   |   |
|-----------|---|---|
| 941.1     | Graham McBride on behalf of Te Kowhai Community Group | Retain the Walkway, Cycleway and Bridleway on the planning maps, located on the true right of the Te Otamanui Lagoon, Te Kowhai, as notified. |
| FS1348.30 | Perry International Trading Group Limited             | Supports 941.1  |
| 357.1     | Colin John Wood                                       | Remove walkway from the property located at 493 Old Taupiri Road, Hopuhopu.   |

## 7.1 Analysis

93. Four submissions were received in relation to Ngaruawahia, Taupiri and Te Kowhai trails, three seeking deletion of specific sections of trail and one supporting the indicative trail on the Te Otamanui Lagoon, Te Kowhai.
94. **Warwick Cheyne** [268.6] seeks to delete the walkway/cycleway/bridleway from property number 1003679 (648 Waipuna Road, Waerenga) until proper consultation and benefits have been discussed and terms agreed to. The submission suggests a lease option and/or transferable title per kilometre of track.
95. This submission relates to Track 720 identified in the Trails Strategy as a low priority project. The site is in the Rural Zone and, as such, the indicative trail does not trigger any rules. As the landowner does not support it and it is not a high priority project for the Council, I do not consider it appropriate to retain it in the PWDP. I support the deletion of the trail from the PWDP and recommend accepting Warwick Cheyne [268.6].
96. **Gaynor & Colm Tierney for Glendine Ltd** [234.1] seek to delete the walkway/cycleway/bridleway along the Waipa River. The submitter states that this entire area floods at least 4-5 times per year, and the water from the Waipa River goes over the flood banks and completely submerges all three farms that encompass the area for the walkway proposed. The submission considers this is completely impractical and will require constant upkeep of the walkways and constant closures.
97. This submission refers to Track 744 identified in the Trails Strategy as a low priority project. As the landowner does not support it and it is not a high priority project for the Council, I do not consider it appropriate to retain it in the PWDP. I support the deletion of the trail from the PWDP and recommend accepting Gaynor & Colm Tierney for Glendine Ltd [234.1]. That means the indicative trail will be deleted from the planning maps, but not necessarily that there should be no trail along the Waipa River in future.
98. **Graham McBride on behalf of Te Kowhai Community Group** [941.1] seeks to retain the Walkway, Cycleway and Bridleway on the planning maps, located on the true right of the Te Otamanui Lagoon, Te Kowhai, as notified. The submitter states this route is an essential link in the vision of creating a public walkway from Te Kowhai village, along the Te Otamanui Stream (completed), the Te Otamanui Lagoon (half completed) to the proposed 'Waipa' river-bank trail to Waingarō Road.
99. *FS1348.30 Perry International Trading Group Limited supports 941.1: supports greater enabling of cycle paths throughout the Rural Zone i.e. linking rural communities such as Te Kowhai to the Waikato River*

*Te Awa River Ride. Further, the submitter recognises the benefit of rural recreational opportunities and its ability to promote tourism enterprises along these cycle paths.*

100. This submission relates to Track 601 identified in the Trails Strategy as a high priority. I therefore support its retention and recommend accepting Graham McBride on behalf of Te Kowhai Community Group [941.1]; *FSI 348.30 Perry International Trading Group Limited*.

101. **Colin John Wood** [357.1] seeks to remove the walkway from the property located at 493 Old Taupiri Road, Hopuhopu. The submitter states that a lot of money was spent on the River Bank when it slipped a few years ago.

102. This submission relates to Track 659 in the Trails Strategy identified as a high priority project. I therefore do not support the deletion of this trail from the PWDP and recommend rejecting Colin John Wood [357.1].

## 7.2 Recommendations

103. For the reasons above, I recommend the Hearings Panel:

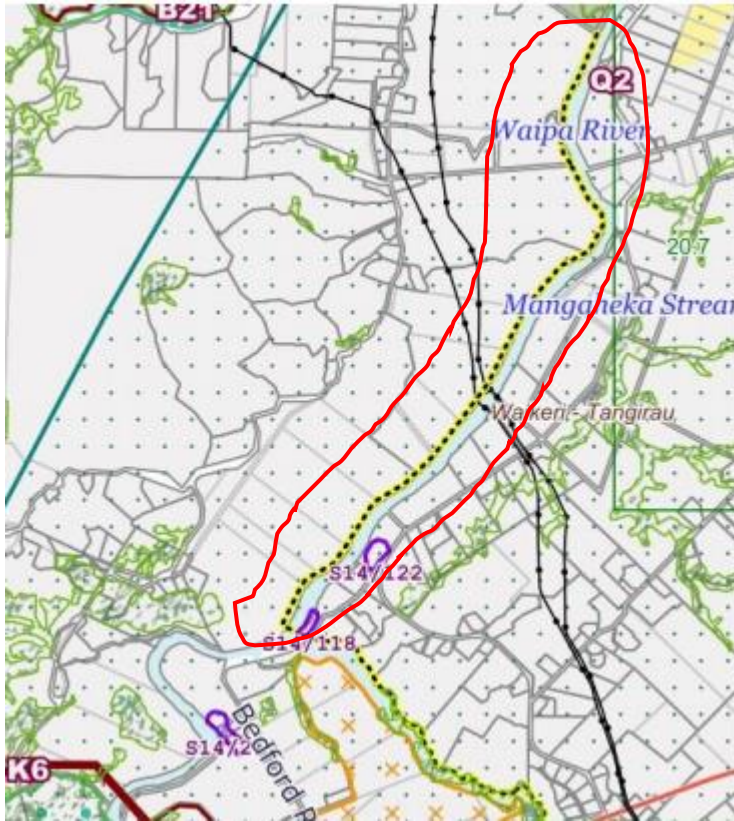
- a. Accept Warwick Cheyne [268.6]
- b. Accept Gaynor & Colm Tierney for Glendine Ltd [234.1]
- c. Accept Graham McBride on behalf of Te Kowhai Community Group [941.1]; *FSI 348.30 Perry International Trading Group Limited*
- d. Reject Colin John Wood [357.1].

## 7.3 Recommended amendments

104. I recommend amending the PWDP maps to delete indicative trail 720 at Waerenga and indicative trail 744 along Waipa River as indicated by the red outline on the figures below.

***Maps 15 and 16 excerpt [Warwick Cheyne 268.6]***





#### 7.4 Section 32AA evaluation

105. Retention of the trails is not consistent with the Council Trails Strategy's focus on high priority projects. Focusing on high priority projects is the most efficient way to achieve objective 6.5.1 ("An integrated land transport network where: all transport modes are accessible, safe and efficient..."). There are also other reasonably practicable options for implementing medium and low priority trails, including esplanade reserve rules upon subdivision of sites adjacent to streams. The principal options considered were retention or deletion of the sections of indicative trail.
106. There are social costs of not achieving walkways and linking the sections to form a network, but the proposed action of deleting the indicative trail is only removing that method of achieving trails, given its priority. The risk of acting (deleting the trail without sufficient information) is that the subdivision rule for off-road walkways would not be triggered and linkages would need to be determined at that time without the support of a specific rule. I understand that is the practice of the Subdivision and Reserves planners. The amendment is considered to be more appropriate in achieving the objective of an integrated land transport network.
107. The sites where the indicative trails are recommended for deletion are in the Rural Zone and therefore the indicative trails do not trigger any rules along any part of the trail. As such they do not achieve Policy 6.5.2(a)(iv). Esplanade reserve trails are only achieved in the Rural Zone by subdivision of lots smaller than 4 hectares, or by agreement/easement/acquisition of the land.

## 8 Indicative Roads

| Submission point | Submitter  | Decision requested  |
|------------------|--|---|
| 697.335          | Waikato District Council                                       | Amend indicative roads so they are clearly defined on the planning maps to ensure measurements can be relatively accurate when reviewing building conditions.   |
| 724.21           | Sue Robertson for Tamahere Community Committee                 | Retain the removal of indicative roads that are no longer required in the Country Living Zone.  |
| 687.4            | Campbell Tyson   | Delete the indicative roads at 4 Wayside Road, Te Kauwhata, as indicated in Figure 3 in the submission, specifically the slip land running parallel to Te Kauwhata Road and the road proposed to run parallel to the northern boundary. |
| 368.37           | Ian McAlley  | Retain the indicative roading pattern, for 24 Wayside Road, Te Kauwhata AND Delete the proposed connection shown to 62 D Wayside Road (CTSA62B/833).  |
| <i>FS1061.17</i> | <i>Campbell Tyson</i>  | <i>Not Stated 368.37</i>  |
| 943.38           | McCracken Surveys Limited                                      | Delete the indicative roads on the planning maps for the property at 75 Te Kauwhata Road, Te Kauwhata (1003295).  |
| 679.2            | Greenways Orchards Limited                                     | Retain the mapped indicative roading layout in the vicinity of the property at 16 and 24 Wayside Road, Te Kauwhata if the property remains Residential Zone.  |
| 943.56           | McCracken Surveys Limited                                      | Retain on the planning maps, the indicative road connecting Horotiu Road and Te Kowhai Road, Te Kowhai, as notified.  |
| 834.2            | Marshall & Kristine Stead                                      | Retain the indicative road that will provide a connection from 697 Horotiu Road through 689 Te Kowhai Road; AND Amend the Proposed District Plan to enable some flexibility to shape and position for the connecting road.              |
| 694.1            | Brendhan Greaney on behalf of Multi-Party Submission           | Delete the indicative road of Redwood Grove, Tamahere, from the Proposed District Plan.   |
| <i>FS1013.1</i>  | <i>Chantelle Berry</i>   | <i>Opposes 694.1</i>  |
| <i>FS1151.1</i>  | <i>Sue Robertson on behalf of Tamahere Community Committee</i> | <i>Supports 694.1</i>   |
| <i>FS1011.1</i>  | <i>Mong Oon Yeow</i>   | <i>Opposes 694.1</i>  |

### 8.1 Analysis

108. Indicative roads are shown on the planning maps as red dashed lines. There are some excerpts of those mapped indicative roads through this section of the report in relation to submissions on the topic. The principal function of indicative roads is to show how access can be gained to future subdivisions, so that land does not become land-locked and unable to be subdivided. A resource consent is required at subdivision stage if an alternative access is to be provided. Some of the indicative roads were proposed within structure plans, such as at Te Kauwhata, and are primarily to demonstrate the need for accessibility and a highly-connected future street network. They are not road designations, and are expected to occur as part of subdivision development.

109. There were nine submissions on indicative roads, including one multi-party submission on the indicative road off Redwood Grove. Each submission relates to an individual section of indicative road and its retention, deletion or amendment. Four of these relate to a growth area in the Te Kauwhata Structure Plan, near Wayside Road – two in support of the indicative roads, two in opposition. One multi-party submission representing 15 landowners was made opposing the inclusion of an indicative road off Redwood Grove, Tamahere. Two submissions supported an indicative road in Te Kowhai. Two more general submissions were received on indicative roads; one sought to delete roads not needed and one sought to amend indicative roads' positions to make them more accurate.
110. **Waikato District Council [697.335]** seeks to amend indicative roads so they are clearly defined on the planning maps to ensure measurements can be relatively accurate when reviewing building conditions. The submission explains that this is to ensure indicative roads are clearly able to be identified and that measurements from them are relatively accurate in order to determine setbacks, location etc. The submitter considers this will assist the plan user to easily determine setbacks and location.
111. The indicative roading layer in the PWDP maps reflects structure planning in specific areas. Although I consider it appropriate to retain indicative roads, I do not support the Waikato District Council submission to make these more accurate for measurement. The intention is to demonstrate required connections rather than the specific alignment. The PWDP transport rule 14.12.1 provides for new roads, including those identified as indicative, as a permitted activity subject to conditions that do not specify the need to align with the indicative roads identified in the PWDP maps. The width of a new road is also dependent on the number of properties it will serve. Therefore, I do not consider further accuracy necessary or possible given that further detailed investigation and assessment will be required at the time of subdivision. I therefore recommend that Waikato District Council [697.335] be rejected.
112. **Campbell Tyson [687.4]** seeks to delete the indicative roads at 4 Wayside Road, Te Kauwhata, as indicated in Figure 3 in the submission, specifically the slip lane running parallel to Te Kauwhata Road and the road proposed to run parallel to the northern boundary. The submitter states that the slip lane is irrelevant and serves no purpose, that the plan indicates the segregation strip off Te Kauwhata Road and a subdivision layout can be created using these entrances without the need for the slip lane alongside Te Kauwhata Road. The submitter states that the requirement for the slip lane creates inconsistencies within the Plan Rule 14.12.1.1(1)(d) which states that no access, access leg, or right-of-way shall run parallel to any road within 30m, and the requirement for the slip lane should be removed as this creates a non-compliance with the transportation section of the Plan. In addition, the submitter considers that the slip lane may result in effects from headlights on cars on the slip lane to cars on Te Kauwhata Road. Te Kauwhata Road is an Arterial Road with the primary function of linking the Town Centre to SH1 and it is not desirable for the on-site amenity of residents to have dwellings facing an arterial road. The submitter suggests an alternative option would be to bund along Te Kauwhata Road and have dwellings fronting an internal road, as bunding, landscaping and fencing the length of the Te Kauwhata Road frontage would reduce the effects of arterial traffic on the future residents and reinforce the strategic need to prioritise the through traffic function over and above the property access function. The submitter states that the internal indicative road to the north does not align with the contour of the land and an improved response would be to work with the contour of the land rather than imposing a grid layout over it, so that the internal indicative road should follow the contour of the existing gully, therefore maintaining the natural storm water runoff patterns and ensuring houses are elevated above the road to have 'eyes on the street.'



113. I recommend retention of the indicative roads through and around 4 Wayside Road with the final alignment, and any changes to be resolved as part of the subdivision design and consenting process. It is important in my opinion to ensure a highly connected road layout, and also to ensure that arterial roads provide frontage addresses to properties rather than present a back fence. I therefore recommend rejecting Campbell Tyson [687.4].
114. **Greenways Orchards Limited** [679.2] seeks to retain the mapped indicative roading layout in the vicinity of the property at 16 and 24 Wayside Road, Te Kauwhata, if the property remains Residential Zone. In the event that the requested rezoning to Business is not accepted, the submitter supports the indicative roading layout that enters their property from the north. I recommend retaining the mapped indicative roading layout for 16 and 24 Wayside Road, as it depicts accessibility and connectivity that will need to be achieved as part of the subdivision consenting process. I therefore recommend accepting Greenways Orchards Limited [679.2].
115. **Ian McAlley** [368.37] seeks to retain the indicative roading pattern, for 24 Wayside Road, Te Kauwhata and delete the proposed connection shown to 62D Wayside Road (CTSA62B/833). The submitter states the indicative roading pattern will enable appropriate servicing of the site with connection to the surrounding established and proposed roading pattern. The submitter considers a connection to 62D Wayside Road is not considered necessary, as a segregation strip has been applied to the common boundary between 24 Wayside Road and the adjoining land zoned Country Living.
116. *FS1061.17 Campbell Tyson Not Stated 368.37: Have no concerns with the indicative roading within 24 Wayside Road. However, the indicative road within 4 Wayside Road (connecting to 24 Wayside Road) will not be able to comply with the required separation distance from the intersection of Wayside Road and Te Kauwhata Road. A Traffic Impact Assessment by a suitably qualified person is required to determine the location of the road connection into 4 Wayside Road from Te Kauwhata Road. There is no analysis in the s32 regarding this relevance or practicality of the indicative roading layout.*
117. The indicative roading pattern can be retained for 24 Wayside Road. The connection to the rear of 62D Wayside Road is a connectivity indication to enable access if 62D Wayside Road is further subdivided, so it is surprising that a segregation strip has been applied preventing that access from occurring. I understand segregation strips are favoured by the Council and can be amended or opened if necessary, so I recommend the indicative road to the rear of 62D Wayside Road be retained until the surrounding land is subdivided and a final layout confirmed. A final decision can be made on whether it is needed or not, at that time. I recommend the indicative slip lane road access to 4 Wayside Road be retained until the subdivision design and consent confirm or provide a suitable alternative. I recommend accepting in part Ian McAlley [368.37]; *FS1061.17 Campbell Tyson*, to the extent that the indicative roading patterns are retained for 24 Wayside Road and for 4 Wayside Road, and for rear access to 62D Wayside Road, with the final road layouts to be confirmed or changed through the subdivision consenting process.
118. **McCracken Surveys Limited** [943.38] seeks to delete the indicative roads on the planning maps for the property at 75 Te Kauwhata Road, Te Kauwhata. The reasons given are that the rezoning to Residential opens the potential for various road layouts, the current locations fail to support proposed Rule 16.4.3 Subdivision - Te Kauwhata West Residential Area (a)(iv) where roads are to be vested in Council, they are to follow a grid layout, and the indicative roads serve no obvious reasonable purpose.

**Figure 6: PWDP map Te Kauwhata and Wayside Roads**



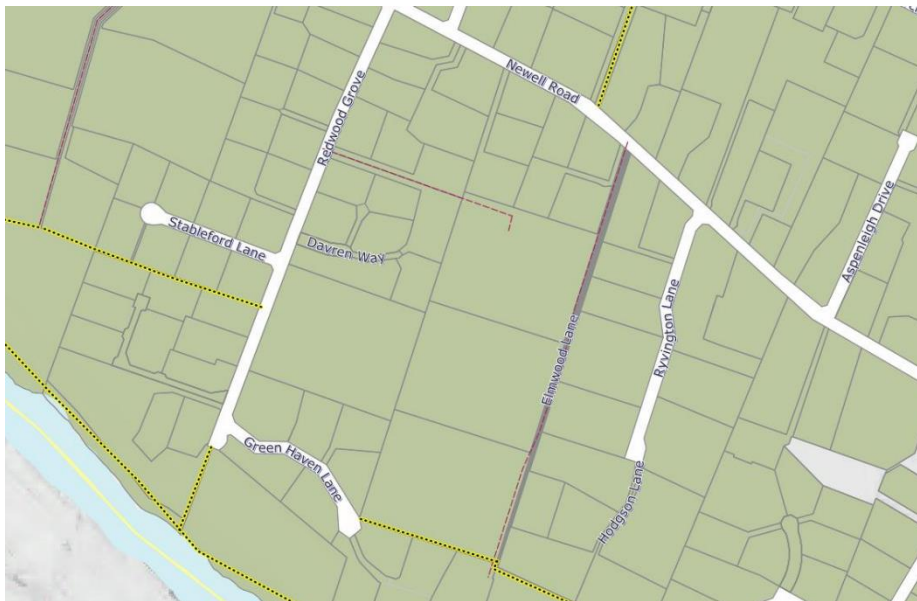
- I 19. The indicative roads at Te Kauwhata (see Figure 6 above) reflect the Te Kauwhata Structure Plan and were also included in the Operative District Plan. I note that the indicative roads in the Wayside Road area are different to those that were originally in the Operative District Plan. However, on 75 Te Kauwhata Road the indicative roads appear to be consistent with the Operative District Plan.
- I 20. In response to submitter 943.38, I acknowledge that the indicative road layout appears to be inconsistent with the PWDP subdivision provision requiring a grid layout, although it is a connected layout. However, only the key roads are identified and at the time of subdivision there remains opportunity to provide a highly connected layout linking to these main roads. I therefore recommend rejecting McCracken Surveys Limited [943.38].
- I 21. **McCracken Surveys Limited** [943.56] seeks to retain on the planning maps, the indicative road connecting Horotiu Road and Te Kowhai Road, Te Kowhai, as notified. I support retaining the indicative road, and recommend accepting McCracken Surveys Limited [943.56].
- I 22. **Marshall & Kristine Stead** [834.2] seek to retain the indicative road that will provide a connection from 697 Horotiu Road through 689 Te Kowhai Road and amend the Proposed District Plan to enable some flexibility to the shape and position of the connecting road. The submitter states that the land on either side of the indicative road would be ideal for the growth of the Village Zone and keep Te Kowhai Village in a good shape. They further support keeping the village appeal and character, terrain of the properties and giving ability to show consideration of existing neighbours. The submitter notes that all five property owners have discussed and support this as all are too small to be high-producing farmland.
- I 23. I recommend accepting 943.56 and accepting in part 834.2, as these submissions are both in support of the notified provisions, but no amendment is considered necessary to enable flexibility to position the road because the PWDP subdivision rules already allow for this (as discussed earlier). This decision would only be to retain the indicative road on the planning maps, and is not a re-zoning of land.

124. **Sue Robertson for Tamahere Community Committee** [724.21] supports the removal of indicative roads that are no longer required in the Country Living Zone.

125. No specific indicative roads have been referred to and it is unclear whether the submission represents support for the notified maps or whether a change is sought. I recommend accepting in part 724.21, as any indicative roads from the PWDP maps confirmed as no longer required because they have been implemented or changed, can be removed if a submission has been made on them. This should not be a broad removal of all indicative roads from Tamahere or other Country Living Zones, and should not apply to the indicative roads Elmwood Lane and off Redwood Grove.

126. **Brendhan Greaney on behalf of Multi-Party Submission** [694.1] seeks to delete the indicative road off Redwood Grove, Tamahere, from the Proposed District Plan. The submitter group is comprised of the owners of 14 properties on Redwood Grove and the owners of 256 Newell Road. The reasons given include that the intention of the Redwood Grove indicative road was to provide access to the block of land on 264 Newell Road. The submitters explain that this property has subsequently subdivided with access provided to each of its lots off Newell Road, making the original purpose of the Redwood Grove indicative road redundant.

**Figure 7: PWDP map Redwood Grove**



127. The submitter identifies that the properties bordering the Redwood Grove indicative road were purchased with the knowledge of the indicative road, as it is drawn on the current Operative Plan; the submitters explain that the properties were purchased and further developed on the basis that the indicative road would be removed from the District Plan at the next review (commencing 2017) for at least the following reasons:

- a. Its purpose to provide access to 264 Newell Road has been achieved by another means, making it redundant. This is consistent with the notation of the Redwood Grove indicative road as "Intention Important, Location Unimportant" in the Operative District Plan.

- b. The undeveloped lot of 286A Newell Road, that the indicative road has been extended into, in the Notified Draft plan, is legally accessed off Elmwood Lane and so doesn't require access from Redwood Grove.
- c. There was never an intention for the Redwood Grove indicative road to be extended to access the undeveloped lot (or lots) legally accessed off Elmwood Lane. The proposed extension of the indicative road is therefore an extension of purpose after the original purpose has been achieved.
- d. As there are already 9 properties accessed off Elmwood Lane, it is already above the threshold in District Plan Rule 21 in Appendix A which requires that access to 8 or more properties is to be by public road. This is consistent with the notation of Elmwood Lane in the District Plan as "Indicative Road, Location Important", providing the property owners with the clear intent of Elmwood Lane as the logical continued access to Elmwood Lane properties
- e. The existing Elmwood Lane (location important designation) would continue to be used to access the 4ha lot(s) in preference to establishing a new road to access the same properties.
- f. Utilizing existing Elmwood Lane to access the three undeveloped 4ha lots in the event they are developed would have minimal impact on the existing residential properties accessed from Elmwood Lane.
- g. The Redwood Grove indicative road, as included in the current Operative Plan and extended in the Notified Draft District Plan, does not provide any additional access utility, or additional utility generally, to the connected lot (286A Newell Road) or the other two undeveloped lots if the indicative road is subsequently extended, beyond the existing or alternative access options from Elmwood Lane.
- h. Between release of the Proposed Draft Indicative Plan and the Notified Draft District Plan, there has been further exploration of the options for optimally accessing Newell Road lots 286A, 286B, 286C, currently accessed from Elmwood Lane, in the event they are developed. The most logical option remains as per the earlier submission on Proposed Plan Change 3 attached as Appendix One in Submission. Essentially, a widening of the beginning of Elmwood Lane, separating off the Elmwood Lane indicative road into lot 286A, and further extending through to lot 286C.
- i. Removing established trees along the Redwood Grove indicative road (200 plus 10 metre trees and 30 plus 30 metre trees, including Blackwood and Totara) would add substantial incremental cost over utilising or further developing the already legally established access from Elmwood Lane.
- j. It would be recognized that removing the established trees to enable the Redwood Grove indicative road would be detrimental to environmental sustainability and visual impact.
- k. Establishment of the Redwood Grove indicative road would have a direct detrimental impact on the value of at least nine existing properties estimated to be well in excess of \$1,000,000.
- l. Developing the Redwood Grove indicative road would unnecessarily increase impervious land cover, creating a detrimental environmental outcome.
- m. Establishment of the Redwood Grove indicative road would create an inferior traffic outcome creating an additional intersection onto Redwood Grove itself, with very poor line of sight for turning traffic.
- n. The owners of the undeveloped lots currently accessed by Elmwood Lane support the use of Elmwood Lane for current and future developed access as the most logical and lowest cost option.

- o. Most importantly, that a logical and pragmatic decision to utilize an existing road would prevail.

128. A subdivision concept plan for the development of the undeveloped lots accessed from Elmwood Lane has been prepared and supplied to Council that the submitters consider has relatively high utility, is visually logical, and also enables the Redwood Grove indicative road to be removed from the District Plan. The submitter has since supplied an updated report confirming that the subdivision has been approved. The submitters state the logic is that the developers of the undeveloped lots will not be financially disadvantaged versus Redwood Grove indicative road access, and the broader issues highlighted relating to the indicative road will be avoided.

129. *FS1013.1 Chantelle Berry opposes 694.1: Unless the development of Elmwood Lane into a public road can be assured to us by the Council. The attached report supports access to Elmwood lane as a public road. FS1011.1 Mong Oon Yeow opposes 694.1.* The further submitter Ms Berry identifies that her 4 hectare property and the adjacent 8 hectare property would both rely on the Redwood Grove indicative road to provide access for their future subdivisions if Elmwood Lane does not become a public road.

130. *FS1151.1 Sue Robertson on behalf of Tamahere Community Committee supports 694.1: It makes practical, economic and environmental sense.*

131. The scope provided by the PWDP and the submissions is only to retain or delete all or part of the indicative road off Redwood Grove. Resolution of the need for the indicative road from Redwood Grove into future subdivisions appears to depend on all or part of Elmwood Lane becoming public road, or some other alternative form of access. I could support the removal of the indicative road off Redwood Grove (as shown on Figure 7 above), if the matter can be resolved by Council accepting vesting of Elmwood Lane as public road, with all properties enabled access. Advice from Council roading engineers is that Elmwood Road is not yet designed to public road standards. Therefore, access to this road for the future properties in the area is not yet secured. I note that there appears to be substantial additional subdivision potential down Elmwood Lane, all the way through to the river. The owners of properties accessed via Elmwood Lane own individual rights-of-way easements to access their properties, and those easements would need to be acquired or surrendered to create a public road. If Elmwood Lane is upgraded and vested/acquired as public road in future, I would expect the indicative road will not need to be provided through future subdivision processes. If the road and future access can be determined then the indicative roads can be removed from the planning maps. The Panel may wish to provide a direction to the Council that a solution to the road access must be confirmed by a specified date (say 21 June 2021) before the release of the decision on the PWDP, to allow an alternative decision to the indicative roads remaining on the planning maps. Unless the road access can be agreed before the PWDP decision is made, I recommend rejecting Brendhan Greaney on behalf of Multi-Party Submission 694.1; *FS1151.1 Sue Robertson on behalf of Tamahere Community Committee, accepting FS1013.1 Chantelle Berry; FS1011.1 Mong Oon Yeow.*

## 8.2 Recommendations

132. For the reasons above, I recommend the Hearings Panel:

- a. Reject Waikato District Council [697.335]
- b. Reject Campbell Tyson [687.4]
- c. Accept Greenways Orchards Limited [679.2]
- d. Accept in part Ian McAlley [368.37]; *FS1061.17 Campbell Tyson*

- e. Reject McCracken Surveys Limited [943.38]
- f. Accept McCracken Surveys Limited [943.56]
- g. Accept in part Marshall & Kristine Stead [834.2]
- h. Accept in part Sue Robertson for Tamahere Community Committee [724.21]
- i. Reject Brendhan Greaney on behalf of Multi-Party Submission [694.1]; *FS1151.1 Sue Robertson on behalf of Tamahere Community Committee*; accept *FS1013.1 Chantelle Berry*; *FS1011.1 Mong Oon Yeow*.

### **8.3 Recommended amendments**

133. There are no amendments recommended to indicative roads, unless road access can be resolved to support future subdivision at Elmwood Lane and off Redwood Grove.

### **8.4 Section 32AA evaluation**

134. As I have not recommended any amendments, a s.32AA evaluation is not required.

# Attachment A to D12A

## Maps showing High Priority Trails

Legend:



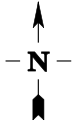
High Priority Trail from Trails Strategy



Walkway Cycleway Bridleway as mapped on notified PWDP maps

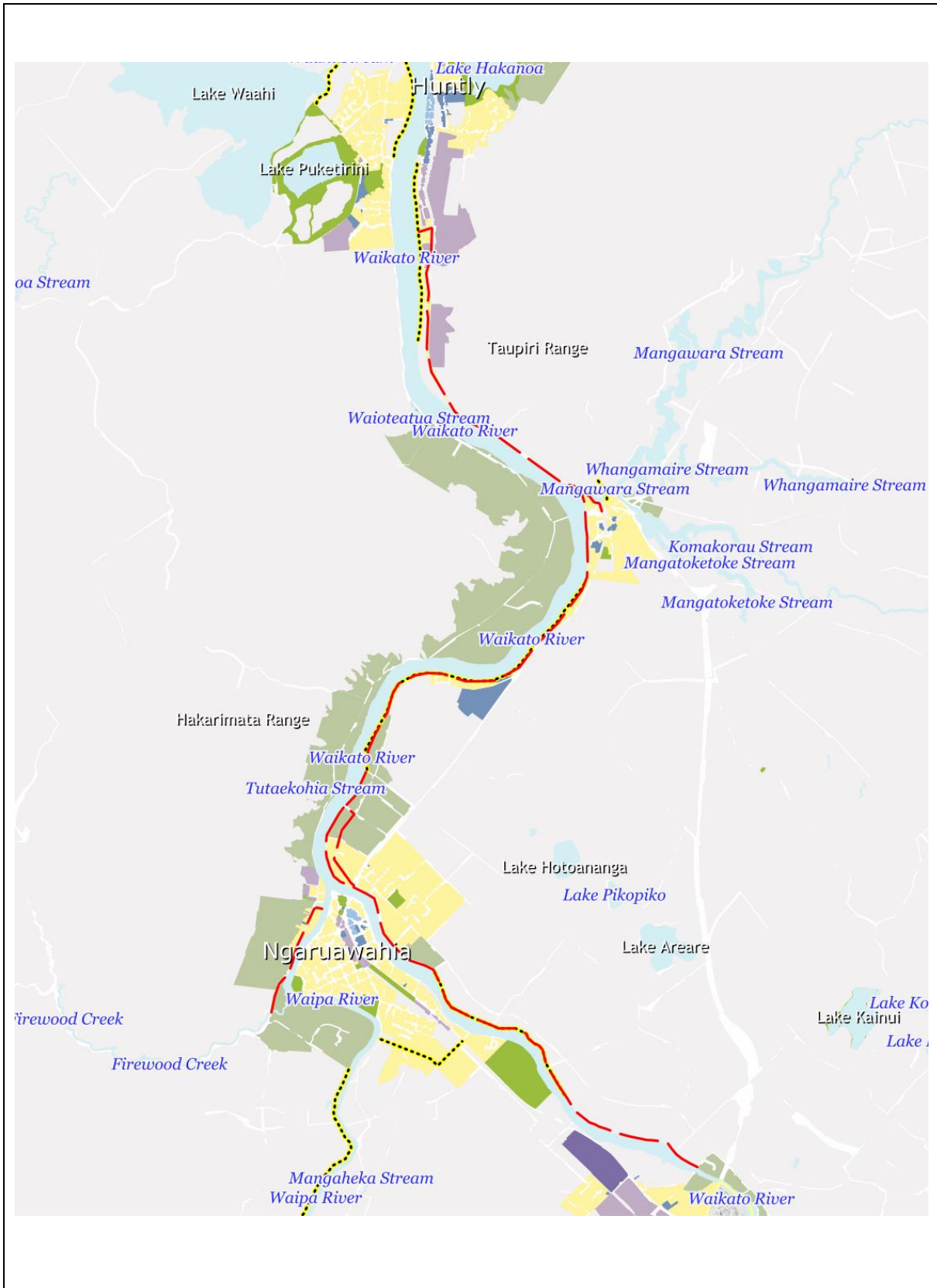
Legend for other zones and features:

|  |  |
|--|--|
| <p><b>Notified Overlays</b></p> <p><b>Legal Effect Overlays</b></p> <ul style="list-style-type: none"> <li> Heritage Item</li> <li> Maaori Area of Significance</li> <li> Maaori Site of Significance</li> <li> Significant Natural Area (SNA)</li> <li> Designation</li> </ul> <p><b>Heritage</b></p> <ul style="list-style-type: none"> <li> Battlefield View Shaft</li> <li> Heritage Precinct</li> <li> Notable Tree</li> </ul> <p><b>Tangata Whenua</b></p> <ul style="list-style-type: none"> <li> Waikato River Catchment</li> </ul> <p><b>Infrastructure</b></p> <ul style="list-style-type: none"> <li> Walkway Cycleway Bridleway</li> <li> National Grid</li> <li> Indicative Road</li> <li> Segregation Strip</li> <li> Raglan Navigation Beacon</li> <li> Gas Line</li> </ul> <p><b>Built Environment</b></p> <ul style="list-style-type: none"> <li> Airport Noise Outer Control Boundary</li> <li> Airport Subdivision Control Boundary</li> <li> Airport Noise SEL95 Boundary</li> <li> Airport Obstacle Limitation Surface</li> <li> Noise Control Boundary (Waikato Gun Club)</li> <li> Airpark Noise Buffer (Te Kowhai)</li> <li> Acoustic Area (Horotiu)</li> <li> Airside Overlay</li> <li> Urban Expansion Area</li> <li> Specific Area/Activity</li> <li> Residential West Te Kauwhata</li> <li> Residential Ecological Te Kauwhata</li> <li> Development Precinct</li> </ul> | <p><b>Commercial</b></p> <ul style="list-style-type: none"> <li> Tamahere Commercial Area</li> <li> Business Overlay Area</li> <li> Verandah</li> </ul> <p><b>Mining &amp; Minerals</b></p> <ul style="list-style-type: none"> <li> Coal Mining Area</li> <li> Aggregate Extraction Area</li> <li> Aggregate Resource Area</li> </ul> <p><b>Natural Environment</b></p> <ul style="list-style-type: none"> <li> Urban Allotment</li> <li> Outstanding Natural Features</li> <li> Coastal Environment</li> <li> Outstanding Natural Landscapes</li> <li> Natural Character</li> <li> Environmental Protection Area</li> <li> Significant Amenity Landscapes</li> <li> Hamilton Basin Ecological Management Area</li> </ul> <p><b>Notified Zone</b></p> <ul style="list-style-type: none"> <li> Residential</li> <li> Rangitahi Peninsula</li> <li> Village</li> <li> Country Living</li> <li> Rural</li> <li> Business</li> <li> Business Town Centre</li> <li> Business Tamahere</li> <li> Industrial</li> <li> Heavy Industrial</li> <li> Reserve</li> <li> Te Kowhai Airpark</li> <li> Motorsport and Recreation</li> <li> Road</li> </ul> |
|--|--|

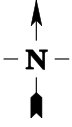


# Proposed High Priority Walkways/Cycleways/Bridleways

Ngaruawahia/Huntly

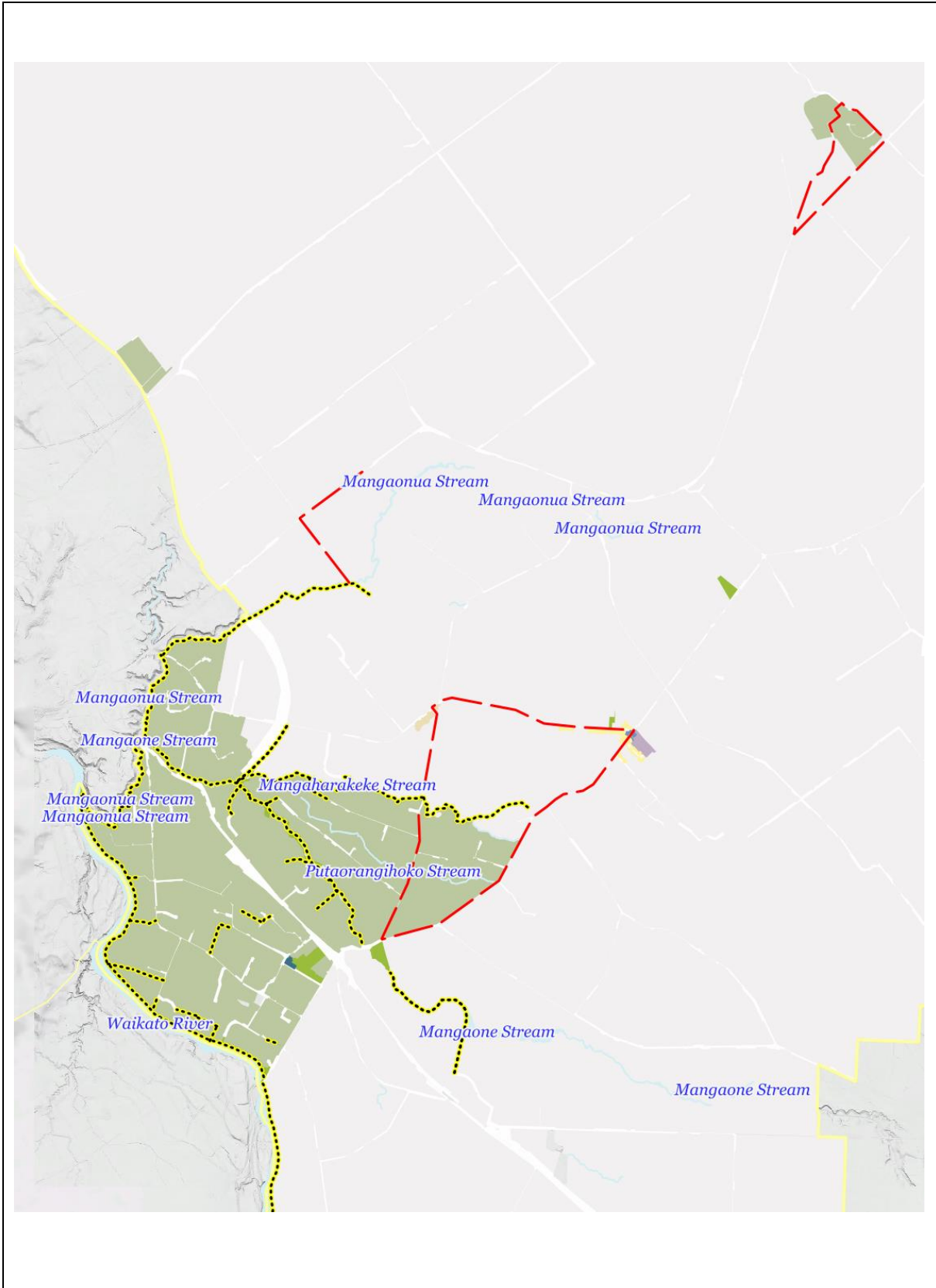


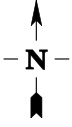




# Proposed High Priority Walkways/Cycleways/Bridleways

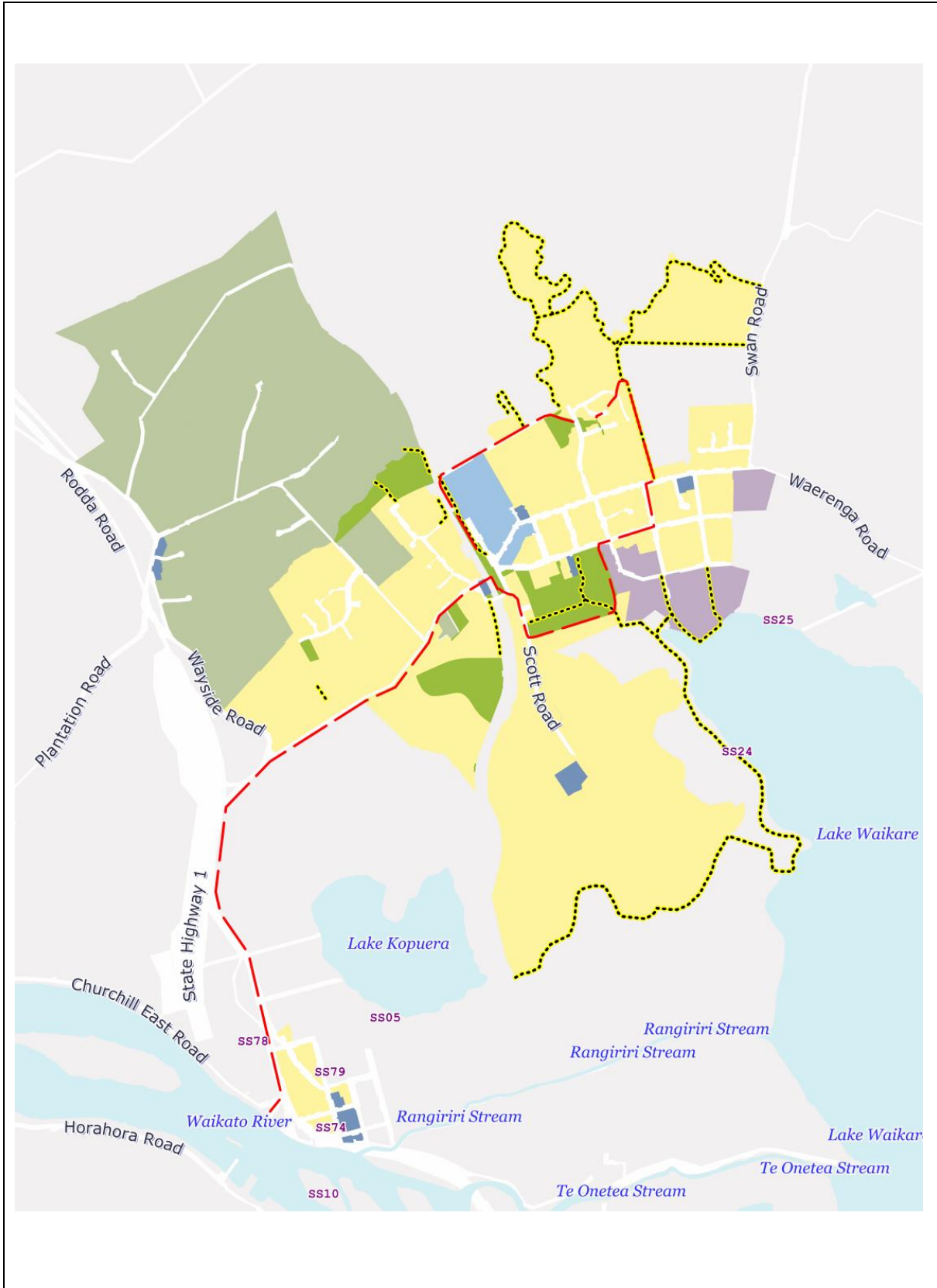
Tamahere

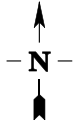




# Proposed High Priority Walkways/Cycleways/Bridleways

Te Kauwhata

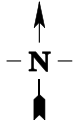




# Proposed High Priority Walkways/Cycleways/Bridleways

Port Waikato

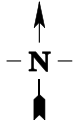




# Proposed High Priority Walkways/Cycleways/Bridleways

Raglan

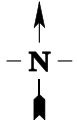




# Proposed High Priority Walkways/Cycleways/Bridleways

Te Kowhai





# Proposed High Priority Walkways/Cycleways/Bridleways

Tuakau

