

Part 21 Objectives, Policies and Methods: Other

21.1 and 21.2 [Deleted]

21.3 Objective - Major Isolated Sites

To manage the effects of established, site-specific 'business' activities in rural and coastal locations in ways which recognise:

- the contribution these activities make to the district economy;
- their potential to adversely affect rural and coastal areas;
- the significant role of the Regional Council in its environmental management; and
- the appropriateness of a consultative, policy approach to achieving desired environmental outcomes.

21.3 Policies

1. That the plan continues with the special zoning and site-specific controls that have applied to the following activities:

- the Maioro sand mining operation at Waikato North Head;
- the timber processing operation on State Highway 2, Mangatawhiri.

2. to 4. [Deleted]

MAIORO SAND MINE

5. That no new controls be put into the plan at this time but that the sand mining activity be subject to the following 'general duty' policies:

- that all necessary precautions be taken to ensure that sites of known or suspected significance to Maaori are kept free from damage and only modified with consent from all affected parties and in terms of the relevant provisions of the Heritage New Zealand Pouhere Taonga Act 2014.
- that all practicable steps be taken to see that mined land is not overly conspicuous from surrounding areas and is restored as quickly as possible; that the managers investigate the permanent establishment of a band of trees around those parts of the site which would achieve a beneficial visual screen, including the screening of lighting at night.
- that all practicable steps be taken to ensure that night lighting does not adversely affect surrounding areas by appearing too intense from a distance, or causing direct light spill or illumination for nearby properties.

TIMBER MILL

6. That the managers of the timber processing site at Mangatawhiri be encouraged to continue to improve on the environmental performance of the activity, notwithstanding compliance with the original conditions of consent, so as to minimise or avoid any present or future adverse effects; that the following 'general duties' apply:

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- that the boundary planting of the site continue, to achieve a high degree of visual screening for the site when viewed from the road or adjacent sites;
 - that all practicable steps be taken to ensure that there is no contamination of soil from timber preservatives, drying processes, or vehicle wastes;
 - that all practicable steps be taken to ensure that noise and dust are kept to a minimum;
 - that all waste products be disposed of in the most appropriate manner given their toxicity or potential to damage natural resources.
7. Any change of use or new development at the site must be accompanied by an assessment of the risk and nature of any possible contamination of soil or other natural resources of the site or nearby land or water body. All practicable steps must be taken to avoid such contamination and the Council may require a contribution to address any direct or cumulative effect including a contribution of works or money to cover the total restoration of contaminated land or soil to recognised standards.

21.3 Methods of Implementation of Policies

1. Zoning map notation and rules specifying the Permitted activities and related controls.

2. to 4. [Deleted]

5, 6. The Council could act on these policies in a number of ways, depending on the circumstances, including inviting

the managers to report at intervals on progress with these matters (where they are not already doing so by

some other means). For the meantime the existence of this policy in the plan should be sufficient notice of the

main concerns over which the Council may take further action.

7. This policy will apply to any change of use requiring consent.

21.3 Reasons and Explanation for Objective, Policies and Methods

The objective and policies indicate a desire to move away from reliance on rules to achieve desired environmental outcomes. The Council considers that the use of rules, or tougher standards in existing rules, should be a last resort while site managers can show a willingness to cooperate with a policy approach and demonstrate their own understanding of the new principles of resource management.

This approach also recognises that the former plan provisions have created a broad range of 'existing use' rights for the use and development of these sites, such that new rules or tougher standards are unlikely to achieve as much as might be hoped, and would be very costly to enforce. Accordingly a consultative approach which relies on information sharing and a common understanding of what is achievable (concerning avoiding or mitigating adverse effects) is considered to be a more positive, constructive and cost-effective approach. Section 21 of the plan outlines the significant roles that the Regional Council plays in terms of the effects of the "industrial" activities occurring on these sites (mainly through resource consent conditions). This plan should not duplicate or conflict with any regional requirements.

(Policy 1) The provisions of the former plan have been carried over with minor changes. The site-specific zones enable any rules to be 'tailor-made' for the activities. The zones otherwise serve to clearly show people looking at the plan that an extraordinary use exists (or will develop) on the site.

(Policies 2 to 4) [Deleted]

(Policies 5 and 6) These policies outline the District Council's main concerns and gives notice of what it wants achieved at these sites, but through a cooperative approach rather than a regulatory one. This approach relies on the channels of communication being kept open and site management acting proactively rather than waiting for the Council to step in. In the circumstances of these sites, a non-regulatory method is considered the most appropriate and cost-effective way to work towards desirable ends.

(Policy 7) All steps and every opportunity must be taken to ensure that natural resources are not

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affected, or left (should the use cease to exist), in a harmful way, or such that other 'rural' uses could not make reasonable use of the land in the future.

21.3 Anticipated Results

- Ongoing dialogue and cooperation with the managers of these significant activities towards ensuring appropriate environmental outcomes both for the present and for the future;
- Improved environmental performance from these activities notwithstanding compliance with current consent conditions or zone requirements;
- Avoidance or remediation of contamination of land, soils or water, or other unacceptable loss of natural resource quality.

21.5 Objective - Urban Stormwater / Water Resources

To sustain the natural character and functioning of waterways in and around urban areas including rural and coastal settlements and safeguard or improve the quality and life-supporting capacity of water passing through them, and wherever practicable obviate the need for highly engineered solutions to urban drainage systems.

21.5 Policies

1. Activities will be required to demonstrate that any risk of high or detrimental sediment loading arising from overland stormwater runoff is effectively managed at all stages of development or operation.
2. Urban uses or developments that do not set aside full-width esplanade reserves or strips must demonstrate that this will not cause or increase the potential for natural water quality deterioration, and/or that the nature of the activities intended or likely on the site, or other methods or proposals will effectively avoid, remedy or mitigate any adverse effects on natural water quality.
3. Activities, particularly those of an industrial nature and using substances or materials which are readily mixed with or carried by water, will ensure that for all foreseeable conditions, the best practicable option is being used or is available to avoid or minimise the risk of direct or indirect groundwater or stormwater contamination.
4. Any large areas (generally over one hectare) which are to be subdivided or developed, must at the time of rezoning or application for consent demonstrate that the natural character and functioning of any stream, water body or water course in, near, or immediately downstream from the site will be:
 - (a) protected from any physical modification of more than a minor nature; and/or
 - (b) enhanced by landscaping or other works to mitigate any stormwater runoff effects of future activities on the subject land and arising from, or accentuated by, activities on immediately upstream areas; and/or
 - (c) safeguarded from future urban uses or developments in the vicinity which would necessitate costly or inappropriate engineering works; and/or
 - (d) safeguarded from significant increases in rates or peaks of stormwater flow; that smaller areas of hilly or broken terrain or of special habitat quality be similarly assessed.

21.5 Methods of Implementation of Policies

Conditions of consent will be applied as appropriate to subdivisions affecting larger areas of land, or land which is steep or broken, and to land use consents for activities involving earthworks, including 'network utilities' and road works (see subdivision rules and Part 15). Permitted activities will in some cases be subject to performance standards (see the Business Zone), and will always be subject to 'general duties' to avoid adverse effects and obtain discharge consents in terms of any Regional requirements. Conditions of consent may include the installation of detention ponds or 'wetlands' as appropriate to the circumstances of the site or development. Subdivisions may also be subject to consent notices under section 221 of the Act to achieve on-site 'soakage' or detention of stormwater.

21.5 Reasons and Explanation for Objective, Policies and Methods

This objective relates to a number of resource management functions which tend to overlap with Regional responsibilities for water quality. Often the adverse effect of water quality deterioration occurs incrementally and unintentionally because of a lack of appreciation of the force of rainfall and stormwater on unstable or exposed land. Land developments and some 'industrial' activities need to be considered with particular attention to the impact of heavy rainfall and overland flows, and/or the proximity of natural water courses.

All subdivision requires a resource consent and conditions of consent are an appropriate method for ensuring that the particular circumstances of a site or development are addressed. Where regional rules are applicable, or a discharge consent is required, such matters will be expected to be addressed at the same time. Ideally the plan would have clear standards for all activity types so that resource consents were not required, but this is not always possible. Therefore some impacts must be dealt with on a discretionary basis at the time of consent (including discharges), and these policies will guide and 'authorise' conditions required to avoid, remedy or mitigate for adverse effects on natural waterways and 'urban' water quality.

21.5 Anticipated Results

- Early consideration in the urban growth process of the wide range of possible adverse effects, on natural water quality and stream environments, attributable to urban development;
- Certainty and clarity in the requirements imposed on subdividers, land developers and land users towards achieving the above objective and policies.

21.6 Objectives - Mineral Resources

21.6.1 Objective - Providing for Mineral Resources

To ensure district and regional need for MINERAL resources continues to be met and that the significant MINERAL resources within the district are not unnecessarily compromised or rendered unusable.

21.6.2 Objective - Managing Mineral Resources

To avoid, remedy or mitigate the adverse effects of MINERAL EXTRACTION AND PROCESSING the environment and community by ensuring that the extraction and processing of MINERAL resources occurs in such a manner that the amenity of the rural and coastal environments and the life supporting capacity of air, water and soil resources are safeguarded.

21.6.1 Policies

1. To provide for MINERAL EXTRACTION AND PROCESSING throughout the Rural Zone subject to appropriate measures to avoid, mitigate or remedy any adverse effects.
2. That the presence of MINERAL resources is included as a relevant consideration in making resource management decisions about activities whose effects may render such resources unusable.
3. That the plan prevents the establishment or expansion of urban centres and rural 'settlements' on or within land of close proximity to known areas of significant MINERAL resources with a potential to be commercially utilised, unless there are no alternative directions for such expansion.
4. To facilitate the continued operation of established mineral extraction and processing activities and to sustainably manage substantial mineral resources through suitable plan provisions subject to the management of environmental impacts.

21.6.1 Methods of Implementation of Policies

1. MINERAL EXTRACTION AND PROCESSING will be a Discretionary Activity throughout the Rural Zone and specified environmental performance standards and criteria will be required to be satisfied.
2. To provide for MINERAL PROSPECTING and EXPLORATION, and small-scale FARM QUARRY, as a Permitted Activity subject to defined specified performance measures.
3. That within a defined buffer area around Aggregate Extraction and Processing Zones, the presence of significant MINERAL resources is included as a relevant consideration in making resource management decisions on activities sensitive to such activities that may render such MINERAL resources unusable.
4. Growth areas and zones providing for the growth of urban, rural and coastal settlements are not sited on or within close proximity of existing known significant MINERAL resources.
5. The Aggregate Extraction and Processing Zone will be applied to established quarries and identified areas of substantial mineral resources where appropriate.

21.6.1 Reasons and Explanation for Objectives, Policies and Methods

MINERAL resources are finite in nature and fixed in their location. They are also limited in their ability to be extracted and by proximity of access to major transport routes. The district's industrial aggregate MINERAL resources have the ability to provide accessible material essential for the infrastructural and industrial development of the Auckland and Waikato Regions.

EXPLORATION and PROSPECTING of these resources are necessary to obtain information on their extent, quality and location, which also enables the community to better manage these resources.

It is recognised that small scale on-site extraction of MINERALS (FARM QUARRY) is an important complementary activity to farming and forestry operations. Such activities are therefore provided for throughout the Rural Zone and to a limited extent in the Coastal Zone, subject to limitations on size and scale to avoid potential adverse effects.

MINERAL resources may be prevented from being used by the encroachment of urban development or the intensification of rural areas for rural residential or residential purposes. Where such activities and increased intensification is located within close proximity to existing or known MINERAL extraction resources or operations, there is the potential for a greater level of complaint and likely affected parties that may restrict the ongoing or future use of such resources. This is commonly referred to as 'reverse sensitivity'.

It is considered appropriate that buffer areas are applied around those existing or approved extraction activity sites. This serves to warn future purchasers of the potential effects arising from any sensitive activities located in close proximity to extraction and processing activities and ensures that potential reverse sensitivity matters arising are addressed.

21.6.1 Anticipated Result

- That extraction of significant MINERAL resources is appropriately provided for and not rendered unusable by the effects of competing land uses.
- That the intensification and urbanisation of areas within close proximity to or on areas of known significant MINERAL resources are avoided.

21.6.2 Policies

1. Impose controls in the rural areas that are necessary to address adverse environmental effects of activities and likely conflicts between incompatible activities.
2. The effects of MINERAL EXTRACTION AND PROCESSING activities on air, water, soil resources, habitats, rural landscape and the community will be assessed through Discretionary resource consent applications (refer to [Rule 23A](#)).
3. That generally consent will not be granted for any night-time MINERAL EXTRACTION AND PROCESSING activity which is likely to create adverse noise effects upon the surrounding community.
4. That significant MINERAL EXTRACTION AND PROCESSING will be avoided in sensitive coastal environments.
5. [Deleted]

21.6.2 Methods of Implementation of Policies

1. MINERAL PROSPECTING and EXPLORATION activities will be required to meet minimum environmental performance standards in order for them to be treated as Permitted Activities (refer to [Rule 14.5](#) and [Part 23](#)).
2. That MINERAL extraction activities shall be a Discretionary Activity throughout the Rural Zone and shall be non-complying in the Coastal Zone.
3. The effects of MINERAL extraction activities on air, water, soil resources and habitats will be assessed through Discretionary resource consent applications (refer to [Rule 23](#)) with reference to specific criteria to address the adverse effects of such activities on the environment and surrounding community.

21.6.2 Reasons and Explanations for Objectives, Policies and Methods

MINERAL extraction activities, and PROSPECTING or EXPLORATION, which is outside 'bottom-line' standards, can have significant adverse effects on natural and physical resources. Where such effects cannot be avoided, remedied or mitigated through the imposition of resource consent conditions, the District Council needs to be able to refuse consent to the (Discretionary) activity.

It is recognised that large MINERAL extraction and processing activities have the propensity to cause significant adverse environmental effects upon the surrounding environment and communities through noise, dust from the operations and the transporting of material and impacts on the visual and rural landscapes. In addition, such activities have the potential to result in pollutants to water resources of streams and aquifers and their eco-systems, and impact upon soil resources and farming activities.

Generally EXPLORATION and PROSPECTING has a relatively low potential for adverse effects and can be readily controlled to prevent any substantial adverse effects. The plan change therefore provides for MINERAL EXPLORATION throughout the Rural Zone.

In the Rural Zone, MINERAL extraction activities are Discretionary Activities and are required to meet specific criteria to mitigate or avoid such adverse effects. In particular, limitations are imposed upon the effects of night-time activities to avoid conflicts with the surrounding communities. In the Coastal Zone, MINERAL extraction activities and MINERAL EXPLORATION and PROSPECTING are non-complying.

MINERAL extraction and processing is provided as a Discretionary Activity in the rural zone, where it is clearly demonstrated that adverse effects can be addressed and where they are not in conflict with the objectives and policies of the Management Areas.

It is considered that large-scale extraction and processing activities have considerable potential to adversely impact upon sensitive Coastal Management Areas, particularly where coastal hazards occur and necessitate an appropriate coastal buffer zone, and throughout Hunua Forest Management Area.

In these locations, Council considers that large scale MINERAL extraction and operations are generally inappropriate. If extensive MINERAL resources are identified in these locations, it is more

appropriate that their accessibility and extraction is addressed through the introduction of a plan change. This will provide the opportunity to examine both the broader objectives and policies of the particular management area, and to develop particular objectives and policies suited to such a location, while clearly addressing potential adverse effects upon the sensitive features or environmental quality of such areas.

21.6.2 Anticipated Results

- Air, water and soil resources and amenities are not significantly adversely affected by MINERAL PROSPECTING, EXPLORATION AND EXTRACTION activities;
- The life supporting capacity of air, water and soil resources is safeguarded.