

First Name:

Grant

Last Name: *

Ruffell

Organisation:

MG Solutions

On behalf of:

Postal Address:

7 Hardley Street

Suburb:

Whitiora

City:

Hamilton

Country:

New Zealand

PostCode:

3240

eMail: *

grant@mgsi.co.nz

Preferred method of contact

 Email Postal

Daytime Phone:

078391335

Mobile:

0274549051

Would you like to present your submission in person at a hearing?

 Yes I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Additional requirements for hearing:

Consultation Document Submissions

Section C Rules > Chapter 22: Rural Zone > 22.4 Subdivision > 22.4.1 > 22.4.1.2 General subdivision

 Support Oppose Neutral/Amend

Decision Requested

Additional subdivision rule relating to Records of Title containing no high class soil.

Reason for Decision Requested

We believe that there are some rural sites that could benefit from an additional rule providing greater flexibility where currently no high class soils exist.

Section C Rules > Chapter 22: Rural Zone > 22.4 Subdivision > 22.4.1 > 22.4.1.6 Conservation lot subdivision

- Support
- Oppose
- Neutral/Amend

Decision Requested

Amended rule relating to subdivision of Significant Natural Areas to increase the minimum lot size and to remove the maximum lot size where the Records of Title either do or do not contain high class soil.

Reason for Decision Requested

To increase future potential for rural activities to be undertaken on land designated as Significant Natural Area.

Attached Documents

File
Plan Change Submission - Chapter 22 - Subdivision - Rural Zone - WDC
Proposed District Plan Notified July 2018

To submit electronically please go to: www.waikatodistrict.govt.nz/pdp

Closing date for submissions: 5pm on Tuesday 9 October 2018

Submitter details: (please note that the (*) are required fields and must be completed)

First name*: Grant	Last name*: Ruffell
Organisation: MG Solutions Ltd	
On behalf of:	
Postal address*: c/o - MGSL - PO Box 9739	
Suburb: 7 Hardley Street	Town/City*: Whitiara, Hamilton
Country: New Zealand	Postal code*: 3240
Daytime phone: 078391335	Mobile: 0274549051
Email address*: grant@mgsi.co.nz	
Please tick your preferred method of contact*	
<input checked="" type="checkbox"/> Email <input type="checkbox"/> Postal	
Correspondence to*	
<input type="checkbox"/> Submitter <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Both	
Trade competition and adverse effects:*	
<input type="checkbox"/> I could <input checked="" type="checkbox"/> I could not gain an advantage in trade competition through this submission.	
Note:	
If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part I of Schedule I of the Resource Management Act 1991.	
Would you like to present your submission in person at a hearing?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> I do NOT wish to speak in support of my submission and ask that this submission be fully considered.	
If others make a similar submission I will consider presenting a joint case with them at the hearing (do not tick if you would not consider a joint case).	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Please complete the following for every submission point:
Provision number (e.g. 22.4.1.2 P2(a)): Chapter 22 Rural Zone (22.4 - Subdivision)
Physical address of the property concerned (if relevant to your submission):
Do you: <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose <input type="checkbox"/> Neutral

The decision I would like is:
To recommend amendments to the proposed Waikato District Plan to allow more flexibility where allotments only contain ' low class soils' rather than ' high class soils' in the rural zone. We are also submitting on the proposed Conservation Lot rule for subdivision. While our Client's application relates to rural zoned land, we specifically note that the proposed District Plan intends to remove the current Coastal Zone and therefore all proposed changes below would relate equally in cases of rural and coastal zoned land should that zone change not proceed (i.e. the proposed changes we believe should apply to both zones). Please see the attached submission report for further details.

My reasons for the above are:
Please refer to the MGSL Plan Change Submission Report as attached for the reasons of the decision requested.

Electronic version will be submitted as part of this plan
Signed: change submission Date: 09/10/2018
(A signature is not required if you make your submission by electronic means)

PRIVACY ACT NOTE: Please note that all information provided in your submission will be used to progress the process for this proposed district plan, and may be made publicly available.

9th October, 2018

The Chief Executive
Waikato District Council
Private Bag 544
Ngaruawahia 3742



Dear Sir/Madam,

RE: RESOURCE MANAGEMENT ACT 1991 – SUBMISSION FOR AMENDMENTS TO THE PROPOSED WAIKATO DISTRICT PLAN – WDC PLAN – CHAPTER 22.4 – SUBDIVISION (RURAL ZONE)

Introduction: We are pleased to present on behalf of our Client, a submission for the proposed Waikato District Plan Review. The submission recommends amendments to the proposed Waikato District Plan to allow more flexibility where allotments only contain 'low class soils' rather than 'high class soils' in the rural zone. We are also submitting on the proposed Conservation Lot rule for subdivision. While our Client's application relates to rural zoned land, we specifically note that the proposed District Plan intends to remove the current Coastal Zone and therefore all proposed changes below would relate equally in cases of rural and coastal zoned land should that zone change not proceed (i.e. the proposed changes we believe should apply to both zones). Please see the following submission and reasoning below for further details.

Location: Rural Zone, Waikato District

Submission: Amended proposed Waikato District Plan – Chapter 22.4 – Subdivision (Rural Zone)

Rule 22.4.1.2 – General Subdivision

The current Proposed District Plan wording for this rule is as follows.

RD1	(a) Subdivision must comply with all of the following conditions: <ul style="list-style-type: none">(i) The Record of Title to be subdivided must have issued prior to 6 December 1997;(ii) The Record of Title to be subdivided must be at least 20 hectares in area;(iii) The proposed subdivision must create no more than one additional lot, excluding an access allotment;(iv) The additional lot must have a proposed area of between 8,000m² and 1.6ha;(v) Land containing high class soil (as determined by a Land Use Capability Assessment prepared by a suitably qualified person) must be contained within the boundaries of two lots as follows:<ul style="list-style-type: none">A. One lot must contain a minimum of 80% of the high class soil; andB. The other lot may contain up to 20% of high class soil.
	(b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none">(i) Subdivision layout and design including dimensions, shape and orientation of the proposed lot;(ii) Effects on rural character and amenity values;(iii) Effects on landscape values;(iv) Potential for reverse sensitivity effects;(v) Extent of earthworks including earthworks for the location of building platforms and accessways.
NC1	General subdivision that does not comply with Rule 22.4.1.2 RD1.

We believe that there are many cases where there are rural sites that do not contain high class soils that could be potentially subdivided down to smaller sizes without compromising productivity or the character and amenity of the rural zone. We believe this could be achieved by making a much larger minimum Lot size (with no maximum) and providing a one-time only provision to ensure that subdivision retains rural character and amenity, and ensures Lot sizes are sufficiently sized to form of potential productive use.

Your Ref:

Address: 7 Hardley Street • PO Box 9379 • Hamilton 3240 • Phone: (07) 839 1335 • Email: grant@mgsi.co.nz • Website: www.mgsi.co.nz

Recommended Change:

22.4.1.2 – General Subdivision:

RD1	<p>A1 – Record of Title containing High Class Soil:</p> <p>(a) Subdivision must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) The Record of Title to be subdivided must have issued prior to 6 December 1997; (ii) The Record of Title to be subdivided must be at least 20 hectares in area; (iii) The proposed subdivision must create no more than one additional lot, excluding an access allotment; (iv) The additional lot must have a proposed area of between 8,000m² and 1.6ha; (v) Land containing high class soil (as determined by a Land Use Capability Assessment prepared by a suitably qualified person) must be contained within the boundaries of two lots as follows: <ul style="list-style-type: none"> A. One lot must contain a minimum of 80% of the high class soil; and B. The other lot may contain up to 20% of high class soil.
RD2	<p>A2 – Record of Title containing no High Class Soil:</p> <p>(a) Subdivision must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) The Record of Title to be subdivided must not have previously been used to gain an additional subdivision entitlement under this Rule (Note: A consent notice will be required on new Titles created under this Rule confirming no further subdivision under this Rule may be made); (ii) The Record of Title to be subdivided must be at least 20 hectares in area; (iii) The proposed subdivision must create no more than one additional lot, excluding an access allotment; (iv) The additional lot must have a minimum lot area of 4ha; <p>(b) Council’s discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Subdivision layout and design including dimensions, shape and orientation of the proposed lot; (ii) Effects on rural character and amenity values; (iii) Effects on landscape values; (iv) Potential for reverse sensitivity effects; (v) Extent of earthworks including earthworks for the location of building platforms and accessways.
NC1	General subdivision that does not comply with Rule 22.4.1.2 RD1.

Rule 22.4.1.6 – Conservation lot subdivision

The current Proposed District Plan wording for this rule is as follows.

RD1	<p>(a) The subdivision must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) The lots must contain a contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist in accordance with the table below: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Contiguous area to be legally protected (ha)</th> <th>Maximum number of new Records of Title</th> </tr> </thead> <tbody> <tr> <td>Between 1ha and 2ha in area within the Hamilton Basin</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Less than 2ha in all other areas</td> <td style="text-align: center;">0</td> </tr> <tr> <td>2ha to less than 5ha</td> <td style="text-align: center;">1</td> </tr> <tr> <td>5ha to less than 10ha</td> <td style="text-align: center;">2</td> </tr> <tr> <td>10ha or more</td> <td style="text-align: center;">3</td> </tr> </tbody> </table> (ii) The area of Significant Natural Area is assessed by a suitably-qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of 	Contiguous area to be legally protected (ha)	Maximum number of new Records of Title	Between 1ha and 2ha in area within the Hamilton Basin	1	Less than 2ha in all other areas	0	2ha to less than 5ha	1	5ha to less than 10ha	2	10ha or more	3
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	<p>Indigenous Biodiversity);</p> <p>(iii) The Significant Natural Area is not already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977;</p> <p>(iv) The subdivision proposes to legally protect all areas of Significant Natural Area by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977;</p> <p>(v) An ecological management plan is prepared to address ongoing management of the covenant to ensure that the Significant Natural Area is self-sustaining and that plan:</p> <p style="padding-left: 40px;">A. Addresses fencing requirements for the covenant area;</p> <p style="padding-left: 40px;">B. Addresses ongoing pest plant and animal control;</p> <p style="padding-left: 40px;">C. Identifies any enhancement or edge planting required within the covenant area;</p> <p>(vi) All proposed lots are a minimum size of 8,000m²;</p> <p>(vii) All proposed lots excluding the balance lot, must each have a maximum area of 1.6ha;</p> <p>(viii) The rule or its equivalent in a previous District Plan has not previously been used to gain an additional subdivision entitlement;</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p style="padding-left: 40px;">(i) Subdivision layout and proximity of building platforms to Significant Natural Area;</p> <p style="padding-left: 40px;">(ii) Matters contained in an ecological management plan for the covenant area;</p> <p style="padding-left: 40px;">(iii) Effects of the subdivision on rural character and amenity values;</p> <p style="padding-left: 40px;">(iv) Extent of earthworks including earthworks for the location of building platforms and access ways.</p>
NC1	A conservation lot subdivision that does not comply with Rule 22.4.1.6 RD1.

We believe that the current requirement for both contiguous areas of Significance and the minimum Lot area requirements are too restrictive. These requirements provide no incentive for potential protection for future generations in cases where the current area is less than the minimums or segregated by some feature but still containing Significant Natural Areas (SNA). For example, where a neighbouring property has already covenanted a SNA and a portion additional bush is adjoining but under two hectares, it would seem to make sense to promote completing the covenant area around the whole of the physical SNA. Council would still maintain Discretion for areas less than two hectares would ensure that subdivision under this proposed amended Rule is not taken advantage of. In addition, by removing the requirements for the areas to be 'contiguous', Council may find that proposals could be made to reinstate (replant for example) land between non-contiguous areas as part of possible future SNA zones. Finally, where this rule is utilised, we believe there should be different Lot sizes for areas of land do or don't contain high class soils (better matching our first submission point under Rule 22.4.1.2.

Recommended Change:

RD1	<p>(a) The subdivision must comply with all of the following conditions:</p> <p>(i) The lots must contain an contiguous contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist in accordance with the table below:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Contiguous Area to be legally protected (ha)</th> <th>Maximum number of new Records of Title</th> </tr> </thead> <tbody> <tr> <td>Between 1ha and 2ha in area within the Hamilton Basin</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Less than 2ha in all other areas</td> <td style="text-align: center;">1 0</td> </tr> <tr> <td>2ha to less than 5ha</td> <td style="text-align: center;">2 1</td> </tr> <tr> <td>5ha or more to less than 10ha</td> <td style="text-align: center;">3 2</td> </tr> <tr> <td>10ha or more</td> <td style="text-align: center;">3</td> </tr> </tbody> </table> <p>(ii) The area of Significant Natural Area is assessed by a suitably-qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);</p> <p>(iii) The Significant Natural Area is not already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977;</p> <p>(iv) The subdivision proposes to legally protect all areas of Significant Natural Area by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977;</p>	Contiguous Area to be legally protected (ha)	Maximum number of new Records of Title	Between 1ha and 2ha in area within the Hamilton Basin	1	Less than 2ha in all other areas	1 0	2ha to less than 5ha	2 1	5ha or more to less than 10ha	3 2	10ha or more	3
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	<p>II National Trust Act 1977;</p> <p>(v) An ecological management plan is prepared to address ongoing management of the covenant to ensure that the Significant Natural Area is self-sustaining and that plan:</p> <p style="margin-left: 40px;">A. Addresses fencing requirements for the covenant area;</p> <p style="margin-left: 40px;">B. Addresses ongoing pest plant and animal control;</p> <p style="margin-left: 40px;">C. Identifies any enhancement or edge planting required within the covenant area;</p> <p>(vi) All proposed lots are a minimum size of 8,000m²;</p> <p>(vii) In cases where high class soils exist onsite, and exist within the parent Title, all proposed lots excluding the balance lot, must each have a maximum area of 1.6ha;</p> <p>(viii) In cases where no high class soils exist onsite, or exist within the parent Title, all proposed lots excluding the balance lot, there is no maximum lot size;</p> <p>(ix) The rule or its equivalent in a previous District Plan has not previously been used to gain an additional subdivision entitlement;</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p style="margin-left: 40px;">(i) Subdivision layout and proximity of building platforms to Significant Natural Area;</p> <p style="margin-left: 40px;">(ii) Matters contained in an ecological management plan for the covenant area;</p> <p style="margin-left: 40px;">(iii) Effects of the subdivision on rural character and amenity values;</p> <p style="margin-left: 40px;">(iv) Extent of earthworks including earthworks for the location of building platforms and access ways.</p>
NC1	A conservation lot subdivision that does not comply with Rule 22.4.1.6 RD1.

Note: In addition, we are aware of allotments are covered their entirety by the Significant Natural Area Overlay and on that basis, we would also like Council to consider introducing the ability to transfer development rights to other properties (given the proposal to make that non-complying for splitting Significant Natural Area by subdivision).

Conclusions:

To summarise, we believe that the proposed amendments are still generally consistent with the Objectives and Policies under the current Proposed District Plan. We would look forward to Council considering the proposed plan changes accordingly.

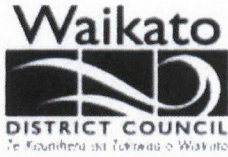
Should any further information be required, please do not hesitate to contact the writer.

Yours faithfully,
 MG Solutions Ltd.
 On Behalf of Delta Property Group,

On Behalf of Grant Ruffell,
 Registered Professional Surveyor


 Care of – Stephen Goodwin
 Senior Planner


 Per: Sam Shears
 Student Planner



Proposed Waikato District Plan
Submission form

ECM Project: DPRPh5-03
ECM #
Submission #
Customer # 150897
Property # N/A

RMA Form 5

RECEIVED
9 OCT 2018
email SC

To submit electronically please go to: www.waikatodistrict.govt.nz/pdp

Closing date for submissions: 5pm on Tuesday 9 October 2018

ANNEXED
381 NO

Submitter details: (please note that the (*) are required fields and must be completed)

Form with fields for: First name*, Last name*, Organisation, On behalf of, Postal address*, Suburb, Town/City*, Country, Postal code*, Daytime phone, Mobile, Email address*, Preferred method of contact, Correspondence to*, Trade competition and adverse effects*, Note, and presentation preferences.

Please complete the following for every submission point:

Provision number (e.g. 22.4.1.2 P2(a)): Chapter 22 Rural Zone (22.4 - Subdivision)

Physical address of the property concerned (if relevant to your submission):

Do you:

Support Oppose Neutral

The decision I would like is:

To recommend amendments to the proposed Waikato District Plan to allow more flexibility where allotments only contain ' low class soils' rather than ' high class soils' in the rural zone. We are also submitting on the proposed Conservation Lot rule for subdivision. While our Client's application relates to rural zoned land, we specifically note that the proposed District Plan intends to remove the current Coastal Zone and therefore all proposed changes below would relate equally in cases of rural and coastal zoned land should that zone change not proceed (i.e. the proposed changes we believe should apply to both zones). Please see the attached submission report for further details.

My reasons for the above are:

Please refer to the MGSL Plan Change Submission Report as attached for the reasons of the decision requested.

Electronic version will be submitted as part of this plan
Signed: change submission Date: 09/10/2018
(A signature is not required if you make your submission by electronic means)

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9th October, 2018

The Chief Executive
Waikato District Council
Private Bag 544
Ngaruawahia 3742



Dear Sir/Madam,

RE: RESOURCE MANAGEMENT ACT 1991 – SUBMISSION FOR AMENDMENTS TO THE PROPOSED WAIKATO DISTRICT PLAN – WDC PLAN – CHAPTER 22.4 – SUBDIVISION (RURAL ZONE)

Introduction: We are pleased to present on behalf of our Client, a submission for the proposed Waikato District Plan Review. The submission recommends amendments to the proposed Waikato District Plan to allow more flexibility where allotments only contain 'low class soils' rather than 'high class soils' in the rural zone. We are also submitting on the proposed Conservation Lot rule for subdivision. While our Client's application relates to rural zoned land, we specifically note that the proposed District Plan intends to remove the current Coastal Zone and therefore all proposed changes below would relate equally in cases of rural and coastal zoned land should that zone change not proceed (i.e. the proposed changes we believe should apply to both zones). Please see the following submission and reasoning below for further details.

Location: Rural Zone, Waikato District

Submission: Amended proposed Waikato District Plan – Chapter 22.4 – Subdivision (Rural Zone)

Rule 22.4.1.2 – General Subdivision

The current Proposed District Plan wording for this rule is as follows.

RD1	(a) Subdivision must comply with all of the following conditions: <ul style="list-style-type: none">(i) The Record of Title to be subdivided must have issued prior to 6 December 1997;(ii) The Record of Title to be subdivided must be at least 20 hectares in area;(iii) The proposed subdivision must create no more than one additional lot, excluding an access allotment;(iv) The additional lot must have a proposed area of between 8,000m² and 1.6ha;(v) Land containing high class soil (as determined by a Land Use Capability Assessment prepared by a suitably qualified person) must be contained within the boundaries of two lots as follows:<ul style="list-style-type: none">A. One lot must contain a minimum of 80% of the high class soil; andB. The other lot may contain up to 20% of high class soil.
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NC1	General subdivision that does not comply with Rule 22.4.1.2 RD1.

We believe that there are many cases where there are rural sites that do not contain high class soils that could be potentially subdivided down to smaller sizes without compromising productivity or the character and amenity of the rural zone. We believe this could be achieved by making a much larger minimum Lot size (with no maximum) and providing a one-time only provision to ensure that subdivision retains rural character and amenity, and ensures Lot sizes are sufficiently sized to form of potential productive use.

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Recommended Change:

22.4.1.2 – General Subdivision:

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RD2	<p>A2 – Record of Title containing no High Class Soil:</p> <p>(a) Subdivision must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) The Record of Title to be subdivided must not have previously been used to gain an additional subdivision entitlement under this Rule (Note: A consent notice will be required on new Titles created under this Rule confirming no further subdivision under this Rule may be made); (ii) The Record of Title to be subdivided must be at least 20 hectares in area; (iii) The proposed subdivision must create no more than one additional lot, excluding an access allotment; (iv) The additional lot must have a minimum lot area of 4ha; <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Subdivision layout and design including dimensions, shape and orientation of the proposed lot; (ii) Effects on rural character and amenity values; (iii) Effects on landscape values; (iv) Potential for reverse sensitivity effects; (v) Extent of earthworks including earthworks for the location of building platforms and accessways.
NC1	General subdivision that does not comply with Rule 22.4.1.2 RD1.

Rule 22.4.1.6 – Conservation lot subdivision

The current Proposed District Plan wording for this rule is as follows.

RD1	<p>(a) The subdivision must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) The lots must contain a contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist in accordance with the table below: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Contiguous area to be legally protected (ha)</th> <th>Maximum number of new Records of Title</th> </tr> </thead> <tbody> <tr> <td>Between 1ha and 2ha in area within the Hamilton Basin</td> <td>1</td> </tr> <tr> <td>Less than 2ha in all other areas</td> <td>0</td> </tr> <tr> <td>2ha to less than 5ha</td> <td>1</td> </tr> <tr> <td>5ha to less than 10ha</td> <td>2</td> </tr> <tr> <td>10ha or more</td> <td>3</td> </tr> </tbody> </table> (ii) The area of Significant Natural Area is assessed by a suitably-qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of 	Contiguous area to be legally protected (ha)	Maximum number of new Records of Title	Between 1ha and 2ha in area within the Hamilton Basin	1	Less than 2ha in all other areas	0	2ha to less than 5ha	1	5ha to less than 10ha	2	10ha or more	3
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NC1	A conservation lot subdivision that does not comply with Rule 22.4.1.6 RD1.

We believe that the current requirement for both contiguous areas of Significance and the minimum Lot area requirements are too restrictive. These requirements provide no incentive for potential protection for future generations in cases where the current area is less than the minimums or segregated by some feature but still containing Significant Natural Areas (SNA). For example, where a neighbouring property has already covenanted a SNA and a portion additional bush is adjoining but under two hectares, it would seem to make sense to promote completing the covenant area around the whole of the physical SNA. Council would still maintain Discretion for areas less than two hectares would ensure that subdivision under this proposed amended Rule is not taken advantage of. In addition, by removing the requirements for the areas to be 'contiguous', Council may find that proposals could be made to reinstate (replant for example) land between non-contiguous areas as part of possible future SNA zones. Finally, where this rule is utilised, we believe there should be different Lot sizes for areas of land do or don't contain high class soils (better matching our first submission point under Rule 22.4.1.2.

Recommended Change:

RD1	<p>(a) The subdivision must comply with all of the following conditions:</p> <p>(i) The lots must contain an contiguous area of existing Significant Natural Area either as shown on the planning maps or as determined by an experienced and suitably qualified ecologist in accordance with the table below:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Contiguous Area to be legally protected (ha)</th> <th>Maximum number of new Records of Title</th> </tr> </thead> <tbody> <tr> <td>Between 1ha and 2ha in area within the Hamilton Basin</td> <td style="text-align: center;">4</td> </tr> <tr> <td>Less than 2ha in all other areas</td> <td style="text-align: center;">1 0</td> </tr> <tr> <td>2ha to less than 5ha</td> <td style="text-align: center;">2 4</td> </tr> <tr> <td>5ha or more to less than 10ha</td> <td style="text-align: center;">3 2</td> </tr> <tr> <td>10ha or more</td> <td style="text-align: center;">3</td> </tr> </tbody> </table> <p>(ii) The area of Significant Natural Area is assessed by a suitably-qualified person as satisfying at least one criteria in Appendix 2 (Criteria for Determining Significance of Indigenous Biodiversity);</p> <p>(iii) The Significant Natural Area is not already subject to a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977;</p> <p>(iv) The subdivision proposes to legally protect all areas of Significant Natural Area by way of a conservation covenant pursuant to the Reserves Act 1977 or the Queen Elizabeth II National Trust Act 1977;</p>	Contiguous Area to be legally protected (ha)	Maximum number of new Records of Title	Between 1ha and 2ha in area within the Hamilton Basin	4	Less than 2ha in all other areas	1 0	2ha to less than 5ha	2 4	5ha or more to less than 10ha	3 2	10ha or more	3
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	<p>II National Trust Act 1977;</p> <p>(v) An ecological management plan is prepared to address ongoing management of the covenant to ensure that the Significant Natural Area is self-sustaining and that plan:</p> <p style="padding-left: 40px;">A. Addresses fencing requirements for the covenant area;</p> <p style="padding-left: 40px;">B. Addresses ongoing pest plant and animal control;</p> <p style="padding-left: 40px;">C. Identifies any enhancement or edge planting required within the covenant area;</p> <p>(vi) All proposed lots are a minimum size of 8,000m²;</p> <p>(vii) In cases where high class soils exist onsite, and exist within the parent Title, all proposed lots excluding the balance lot, must each have a maximum area of 1.6ha;</p> <p>(viii) In cases where no high class soils exist onsite, or exist within the parent Title, all proposed lots excluding the balance lot, there is no maximum lot size;</p> <p>(ix) The rule or its equivalent in a previous District Plan has not previously been used to gain an additional subdivision entitlement;</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p style="padding-left: 40px;">(i) Subdivision layout and proximity of building platforms to Significant Natural Area;</p> <p style="padding-left: 40px;">(ii) Matters contained in an ecological management plan for the covenant area;</p> <p style="padding-left: 40px;">(iii) Effects of the subdivision on rural character and amenity values;</p> <p style="padding-left: 40px;">(iv) Extent of earthworks including earthworks for the location of building platforms and access ways.</p>
NC1	A conservation lot subdivision that does not comply with Rule 22.4.1.6 RD1.

Note: In addition, we are aware of allotments are covered their entirety by the Significant Natural Area Overlay and on that basis, we would also like Council to consider introducing the ability to transfer development rights to other properties (given the proposal to make that non-complying for splitting Significant Natural Area by subdivision).


Conclusions:

To summarise, we believe that the proposed amendments are still generally consistent with the Objectives and Policies under the current Proposed District Plan. We would look forward to Council considering the proposed plan changes accordingly.

Should any further information be required, please do not hesitate to contact the writer.

Yours faithfully,
 MG Solutions Ltd.
 On Behalf of Delta Property Group,

On Behalf of Grant Ruffell,
 Registered Professional Surveyor


 Care of - Stephen Goodwin
 Senior Planner


 Per: Sam Shears
 Student Planner