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**Form 6: Further submission in support of, or in opposition to,  
submission on notified proposed policy statement or plan, change or  
variation**

*Pursuant to clause 8 of the First Schedule of the Resource Management Act 1991*

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**To:** Waitomo District Council

**Name of submitter:** Penny Nelson, Director-General of Conservation (**D-G**)

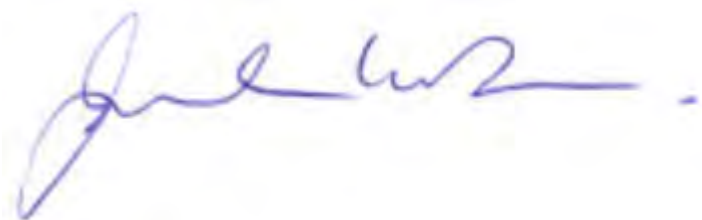
1. This is a further submission in support of (or in opposition to) a submission on the Proposed Waitomo District Plan (the **PDP**):
  
2. The **Director-General** represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public. The Director-General has all the powers reasonably necessary to enable the Department of Conservation (**DOC**) to perform its functions<sup>1</sup>. The Conservation Act 1987 (the **CA**) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage<sup>2</sup>. Section 2 of the CA defines 'conservation' to mean *'the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations'*.
  
3. I have outlined my views on specific submissions in a table on the **attached** table in the required format.
  
4. I wish to be heard in support of my further submission.
  
5. If others make a similar submission, I will consider presenting a joint case with them at a hearing.

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<sup>1</sup> Refer section 53 Conservation Act 1987.

<sup>2</sup> Conservation Act 1987, section 6.

6. A copy of this submission has been served on the original submitters.



28/07/2023

Graham Kimber

Waitomo Operations Manager

Waitomo District

Acting pursuant to delegated authority on behalf of Penny Nelson, Director-General of Conservation

Date: 28 July 2023

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

**Address for service:**

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Department of Conservation

Hamilton

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
04.01	New Zealand Agriculture Aviation Association	N/A	9. Definitions	New definition: agricultural aviation activities	Add a new definition for <u>Agricultural aviation activities</u> :  <u>Agricultural aviation activities; means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities, and; conservation activities for biosecurity, or biodiversity purposes; including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's).</u>	Support  The D-G supports the proposed definition.	Allow
04.02	NZAAA	N/A	9. Definitions	New definition: aircraft	Add a new definition for aircraft:  <u>Aircraft; means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth</u>	Support  The D-G supports the proposed definition. This definition is consistent with the definition of "aircraft" as set out in s 2 of the Civil Aviation Act 1990.	Allow
04.03	NZAAA	Support in part	9. Definitions	New definition: Agricultural, pastoral and horticultural activities.	Amend the definition of agricultural, pastoral and horticultural activities by deleting: Farm airstrips and farm helipads and add: <u>Agricultural aviation activities</u>	Support  The D-G supports the relief to the extent it is consistent with her submission.	Allow
04.04	NZAAA	Support in part	9. Definitions	Conservation activities	Retain the definition and add:  <u>(j) weed and pest control and the intermittent use of aircraft for conservation purposes.</u>	Support  The D-G supports the proposed addition to the definition.	Allow
04.06	NZAAA	N/A	9. Definitions	Helicopter landing area	Add a new definition:  <u>Helicopter landing area; means any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing</u>	Support  The D-G supports the proposed definition.	Allow
08.01	Manulife Forest Management New Zealand Limited	Amend	9. Definitions	Cultivation	Amend the definition to exclude plantation forestry.	Oppose  The D-G seeks the definition of cultivation be	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
	(MFMNZL)					retained as notified.	
08.12	MFMNZL	Amend	26. Ecosystems and indigenous biodiversity	Whole Chapter	MFMNZL appears to be requesting that the chapter be amended once the NPSIB comes into force.	Support  The D-G supports the relief to the extent it is consistent with her primary submission.	Allow
09.05	Chorus New Zealand Limited, Connexa Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited (Chorus et al)	Oppose in part	19. Network utilities	NU-P8	Amend Policy NU-P8 as follows or a change of like effect:  Enable clearance of indigenous vegetation outside of overlays, scheduled sites and features, cave entrances and sinkholes, coastal and water body margins, and <u>manage indigenous vegetation clearance in other locations to minimise adverse effects on the values and attributes of these more sensitive environments.</u>	Oppose  The D-G opposes the relief on the grounds that is inconsistent with the Council's function under RMA section 31(1)(b)(iii).	Disallow
9.27	Chorus et al.	Oppose in part	26. Ecosystems and indigenous biodiversity	Policy ECO-P3	Amend Policy ECO-P3 by adding the following additional matter to the list of activities covered by the policy:  <u>10. Limited indigenous vegetation removal to establish, operate, maintain and remove network utilities.</u>	Oppose in part  Providing for indigenous vegetation removal to <u>establish</u> network utilities is contrary to the intent of ECO-P3 the objectives in the Ecosystems & Indigenous Biodiversity (ECO) Chapter. The policies need to implement the objectives. It is also inconsistent with the D-G's submission.	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
09.28	Chorus et al.	Oppose	28. Natural features and landscapes	NFL-P1	Amend Policy NFL-P1 as follows: ..... 2. Ensuring the location, scale, materials, design, colour and grouping of buildings, <del>and structures and infrastructure</del> avoid adverse effects on the values and character of outstanding natural features and landscapes; and ..... <u>11. Network utilities are managed in accordance with Policies NU-P11 and NU-P12.</u>	Oppose  The relief is contrary to section 6(b) RMA.  The NZCPS, WRPS and inconsistent with the D-G's primary submission.	Disallow
10.02	Waikato Regional Council (WRC)	Amend	9. Definitions	New definition – Maara kai	Add a definition for “maara kai.”	Support.  Adds clarity for plan users.	Allow
10.03	WRC	Support in part	9. Definitions	Conservation activities	Amend using the following wording (or similar): (i) Ecosystem protection, rehabilitation or restoration works including removing plant pests for <u>the management of a nuisance plant or animal species that is impacting on the values of a site or area as identified in</u>	Support in part.  Support the intent of the relief which focuses the subclause on maintaining and enhancing the values of the significant site or area. Wording should be refined.	Allow
10.06	WRC	Amend	15. Mana whenua	General comment	Update the PWDP to incorporate the Maniapoto Claims Settlement Act 2022.	Support  The D-G supports incorporation of the Maniapoto Claims Settlement Act 2022.	Allow
10.14	WRC	Support with amendments	16. Strategic direction, urban form, and development	SD-O26	Amend the objective to state “avoids ribbon development along coastal margins <u>and areas of natural hazard risk</u> and ensures planned, cohesive, compact growth.”	Support  The relief is consistent with the NZCPS 2010 and WRPS.	Allow
10.16	WRC	Amend	19. Network Utilities	General Comment	Remove identical or near identical duplicates from different chapters. (e.g., Rule NU-R8 regarding electric vehicle charging, Rule NU-R9 regarding new public walkways and cycleways, and Rule NU-R10 regarding new stock underpasses).	Support.  The D-G supports the removal of unnecessary duplication throughout to	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
						improve plan clarity.	
10.22	WRC	Oppose	19. Network Utilities	NU-P8	<p>Reword rewording the policy to, “<u>Manage/restrict</u> clearance of indigenous vegetation <u>within/near</u> overlays, scheduled sites ...”.</p> <p>And in line with other submission points, WRC recommends moving NU-P8 to the natural environment section of the plan.</p>	<p>Support in part</p> <p>The D-G supports the moving of NU-P8 to the natural environment section of the plan to as the policy addresses indigenous vegetation removal.</p>	Allow
10.23	WRC	Amend	19. Network Utilities	General comment on NU-P4 to NU-P8.	Relocate policies NU-O4, NU-O5, NU-O7, NU-O7 and NU-O8 to the chapters that they more directly relate to e.g., Signs, Earthworks and Indigenous Vegetation.	<p>Support in part</p> <p>The D-G supports the rationalization of the PDP by relocating provisions to the chapter that they more directly relate to.</p>	Allow
10.24	WRC	Amend	19. Network Utilities	NU-P9	Amend the wording of the policy as follows: “ <del>For roads in all locations and all land located outside of overlays, scheduled sites and features, manage the adverse effects of network utilities whilst taking into account their functional and operational needs, by:</del> <u>Manage the adverse effects of network utilities in roads and other land outside of overlays, by...</u> ”.	<p>Support</p> <p>Narrowing the scope of the policy is appropriate. Functional and operational need aren’t determinative factors in providing for clauses i - iii.</p>	Allow
10.25 and 10.27	WRC	Amend	19. Network utilities	NU-R4, NU-R12, NU-R15, NU-R19 and NU- R23	<p>Provide an explanation regarding the difference in activity status levels or amend these rules so that the activity status levels are consistent.</p> <p>Further, we suggest adding a heading for column 4 of the table in NU- R12.</p>	<p>Support</p> <p>The D-G supports the relief to the extent it is consistent with her submission.</p> <p>Inconsistent activity status is also noted</p>	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
						by the D-G. The differing activity status has not been adequately assessed in terms of section 32 of the RMA.	
10.26	WRC	Amend	19. Network utilities	NU-R4, NU-R8 to NU-R10, NU-R13.	Reassess the rules and delete if appropriate.	Support  The D-G supports the relief to the extent it is consistent with her submission.	Allow
10.73	WRC	Oppose	26. Ecosystems and indigenous biodiversity	ECO-01	Reword the objective to: <u>“Maintain, enhance and where possible restore district-wide indigenous biodiversity.”</u>	Support to the extent the relief is consistent with the D-G’s submission	Allow
10.74	WRC	Oppose	26. Ecosystems and indigenous biodiversity	ECO-03	Reword the objective to “Provide for identified permitted activities which have been assessed as having no <del>more than minor</del> adverse effects on the values of <del>significant natural areas</del> indigenous biodiversity.”	Support to the extent the relief is consistent with the D-G’s submission	Allow
10.75	WRC	Oppose	26. Ecosystems and indigenous biodiversity	ECO-P2.1 and ECO-P2.2	Remove clause ECO-P2.1. Or alternatively, amalgamate ECO-P2.1 and ECO-P2.2 and reword the policies to: <u>“Limiting the removal of indigenous vegetation in significant natural areas, and where this is not possible only allowing removal of indigenous vegetation in sustainable quantities and in limited circumstances”</u> or words to a similar effect.  Further, it is recommended that WDC provide a definition for ‘sustainable quantities’ and ‘limited circumstances.’ This is essential for achieving the purpose of the policy.  We also recommend including an additional clause that promotes the enhancement of degraded SNAs.	Support to the extent the relief is consistent with the D-G’s submission	Allow
10.76	WRC	Amend	26. Ecosystems and indigenous biodiversity	ECO-P2.4	Reword the policy to “Protecting the health and functionality of significant natural areas, <del>including, that are wetlands and other habitats of indigenous fauna or include part of a wetland,</del> by avoiding inappropriate land use practices, subdivision and development.	Support to the extent the relief is consistent with the D-G’s submission.	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
10.77	WRC	Oppose	26. Ecosystems and indigenous biodiversity	ECO-P3.3	Review and update the provisions for indigenous vegetation clearance in SNAs to achieve better alignment with WRPS APP11 – Development Principles (k), as well as Policy 3.2.1 and Rule 16.2.1 of the Waikato Regional Coastal Plan.	Support  The D-G considers the indigenous vegetation clearance provisions need to be reworded to better aligned with the WRPS and Regional Coastal Plan provisions cited.	Allow
10.81	WRC	Oppose	26. Ecosystems and indigenous biodiversity	ECO-P3(iv)	Reword this clause to: “(iv) <u>The proposed activity addresses an unacceptable risk to public health and safety.</u> <del>Consideration is given to the positive benefits of the activity in respect of people’s health and wellbeing.</del> ”	Support to the extent the relief is consistent with the D-G’s submission.	Allow
10.82	WRC	Amend	26. Ecosystems and indigenous biodiversity	ECO-P5	Add the following clause: “11. Whether the area contains indigenous ecosystems or native fauna habitat that are threatened by climate change factors, such as sea level rise, fire or pathogen diseases...”	Support  The D-G supports the relief as it aligns with NPS-IB, NZCPS and the WRPS.	Allow
10.83	WRC	Amend	26. Ecosystems and indigenous biodiversity	ECO-P5.1	Reword this clause to: 1. Whether the area contains nationally significant examples of indigenous community types and indigenous ecosystems and/or vegetation types that are threatened <del>in the coastal environment</del> , or are naturally rare; and  As previously expressed, WRC recommends that a definition for ‘limited circumstances’ is provided.	Support to the extent the relief is consistent with the D-G’s submission.	Allow
10.84	WRC	Oppose	26. Ecosystems and indigenous biodiversity	ECO-P4 and ECO- R16	Amend ECO-R16 to classify large scale clearances as non-complying.  As previously expressed, WRC also recommends providing a definition for ‘limited circumstances.’  WRC also recommends providing a definition for ‘larger scale.’	Support  The D-G considers non-complying activity status is appropriate for large scale indigenous vegetation clearance in Significant Natural Areas.	Allow



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10.86	WRC	Oppose	26. Ecosystems and indigenous biodiversity	ECO-R10, ECO-R14	Reduce the vegetation clearance limits and set an appropriate time limit between removals.  In addition, amend and reduce the length of the sentences used for ECO-R14.1 and ECO-R14.2 so that they are easier to interpret.	Support to the extent the relief is consistent with the D-G's submission.	Allow
10.87	WRC	Oppose	26. Ecosystems and indigenous biodiversity	ECO-R12	Include the following clause (or similar) as the first clause in the rule: <u>"1. There are no other suitable sites for the proposed activity."</u>		
10.89	WRC	Oppose	26. Ecosystems and indigenous biodiversity	ECO-R16	Change the activity status from Discretionary to Non-complying.  Amend the wording of 3. to: A report from <del>an experienced</del> <u>a suitability qualified and reputable</u> ecologist is submitted at the time of application which demonstrates that the site is not vegetation or habitat that is currently a naturally uncommon or significantly underrepresented ecosystem or habitat for indigenous species or associations of indigenous species that are classified as threatened or at risk, endemic to the Waikato region or at the limit of their natural range. <u>The report must be informed by a ground-truthing assessment in accordance with the Department of Conservation (DOC) standard operating procedures and must be peer - reviewed.</u> <sup>3</sup>	Support in part  The D-G considers non-complying activity status is appropriate for large scale indigenous Reference to DOC guidance in the PDP will need to be more specific than 'standard operating procedures. This reference is not sufficiently clear, particularly if the intention incorporate DOC guidance by reference in the PDP.	Allow in part


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10.90	WRC	Amend	26. Ecosystems and indigenous biodiversity	ECO - Table 1 – Activities rules	<p><u>All Zones Activity status: PER Where vegetation disturbance, including indigenous vegetation, is necessary for:</u></p> <ul style="list-style-type: none"> <li>• <u>conservation activities;</u></li> <li>• <u>customary activities;</u></li> <li>• <u>the operation, maintenance or repair of existing pasture, fences, drains, structures, including existing roads or tracks (including walking or cycling tracks);</u></li> <li>• <u>the operation, maintenance, repair or upgrading of existing network utilities;</u></li> <li>• <u>for flood protection and erosion control purposes;</u></li> <li>• <u>the purposes of emergency response by Fire and Emergency New Zealand;</u></li> <li>• <u>Compliance with the Waitomo District Council Reserve Management Plan; or</u></li> <li>• <u>the avoidance or loss of life, injury or serious damage to property.</u></li> </ul> <p><u>Where the clearance is not for the purpose of those activities identified in ECO-R11 and ECO-R12 and the extent of indigenous vegetation disturbed and/or cleared per site does not exceed an area of 500m<sup>2</sup> in area in any five-year period.</u></p> <p><u>Activity status where compliance not achieved: DIS</u></p>	<p>Support to the extent the relief is consistent with the D-G's submission.</p> <p>The D-G supports the rationalization of the permitted activity rule applying across zones. The D-G prefers the clearance thresholds recommended in her primary submission.</p>	Allow in part
10.91	WRC	Amend	26. Ecosystems and indigenous biodiversity	General comment – vegetation clearance setback from water bodies	<p>Include a rule that addresses setbacks for vegetation clearance from water bodies. WRC recommends that exceptions to this rule are made and should include:</p> <ul style="list-style-type: none"> <li>• conservation activities;</li> <li>• customary activities;</li> <li>• the operation, maintenance or repair of existing pasture, fences, drains, structures, including existing roads or tracks (including walking or cycling tracks);</li> <li>• the operation, maintenance, repair or upgrading of existing network utilities;</li> </ul>	Support to the extent the relief is consistent with the D-G's primary submission.	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
					<ul style="list-style-type: none"> <li>• for flood protection and erosion control purposes;</li> <li>• the purposes of emergency response by Fire and Emergency New Zealand;</li> <li>• compliance with the Waitomo District Council Reserve Management Plan; or</li> <li>• the avoidance or loss of life, injury or serious damage to property.</li> </ul>		
10.92	WRC	Amend	26. Ecosystems and indigenous biodiversity	General comment – kauri dieback provisions	Include provisions relating to the prevention of the spread of kauri dieback disease. Guidance can be taken from the Thames-Coromandel District Plan, which includes provisions relating to the prevention of kauri dieback disease. For example, see section 6 - policy 1a(c) and policy 1c(c), the kauri dieback advice notes included in the earthworks standards, and the recognition of the kauri root zone throughout the plan.	Support  The D-G supports incorporation of provisions to prevent kauri dieback disease in the PDP and considers the Thames-Coromandel District Plan provisions cited to be appropriate examples.	Allow
10.93	WRC	Amend	27. Natural Character	NATC-P1.7 and NATC- P2.6	Reword these policies to: “Providing for the continued operation of lawfully established farming activities and recreational hunting, <u>only where the ensuing the operations do not adversely affect the qualities and values of wetlands, and lakes and rivers and their margins</u> ” or words to a similar effect.	Support  To the extent the relief is consistent with the D-G’s submission.	Allow
10.94	WRC	Amend	27. Natural Character	NATC-P1 X	Add the following clause (or similar) to the policy: <u>“Promoting the enhancement, restoration, and rehabilitation of the natural character of wetlands and lakes and rivers and their margins, giving special regard to areas where the natural character of wetlands and lakes and rivers and their margins were compromised.”</u>	Support  To the extent the relief is consistent with the D-G’s submission	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
10.95	WRC	Amend	27. Natural Character	NATC-P1 X	Add the following clause (or similar) to the policy: <u>"Safeguarding the life-supporting capacity of the freshwater habitats and maintaining or enhancing indigenous biodiversity and the functioning of its ecosystems."</u>	Support  To the extent the relief is consistent with the D-G's primary submission.	Allow
10.96	WRC	Amend	27. Natural Character	NATC-P2.5	Amend the wording of this policy to: <u>"Ensuring that activities are carried out in a way that maintains or enhances water quality and ecosystems of indigenous biodiversity"</u> or words to similar effect.	Support  To the extent the relief is consistent with the D-G's primary submission.	Allow
10.97	WRC	Amend	28. Natural features and landscapes	NFL-P1.10	Amend the wording to: "10. Providing for the continued operation of lawfully established farming activities, <u>as long as the associated adverse effects in outstanding natural features and landscapes are avoided</u> " or words to a similar effect.	Support  To the extent the relief is consistent with the D-G's primary submission.	Allow
10.98	WRC	Amend	28. Natural features and landscapes	NFL-P4.5	Amend the wording to: <u>"Minimising-Avoiding</u> the removal of indigenous vegetation <u>as far as practicable."</u>	Support  To the extent the relief is consistent with the D-G's primary submission.	Allow
10.99	WRC	Amend	28. Natural features and landscapes	NFL-P4.6	Amend the wording to: "Ensuring that <del>the effects of any</del> <u>activities</u> which could compromise the qualities and values of the landscapes of high amenity value are <del>minimised</del> <u>avoided</u> ."	Support  To the extent the relief is consistent with the D-G's primary submission.	Allow
10.100	WRC	Oppose	28. Natural features and landscapes	NFL-P5.7	Amend the wording to: "7. Providing for the continued operation of lawfully established farming activities, <u>as long as adverse effects of farming activities on the values of the karst overlay area are avoided</u> ."	Support  To the extent the relief is consistent with the D-G's primary submission.	Allow
10.101	WRC	Oppose	28. Natural features and landscapes	NFL-R2, NFL-R2 and NFL-R4	Reconsider and amend the activity status for activities regulated by this rule to a more stringent category.	Support  To the extent the relief is consistent	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
						with the D-G's primary submission.	
10.102	WRC	Oppose	28. Natural features and landscapes	NFL-R15	Reduce the proposed limit and apply a timeframe to this provision. Develop and include provisions for vegetation removal in outstanding natural features and outstanding natural landscapes within the coastal environment, ensuring that these provisions align with the 'avoid' policies from the NZCPS.	Support  To the extent the relief is consistent with the D-G's primary submission.	Allow
10.103	WRC	Oppose	28. Natural features and landscapes	NFL-R19, NFL-R20 and NFL-R21	Amend these standards so that the required setback from the coastal marine area to a minimum of 30m, to be consistent with clause 68(4)(c) the NES for plantation forestry.	Support  To the extent the relief is consistent with the D-G's primary submission.	Allow
10.104	WRC	Support in part	29. Subdivision	Subdivision objectives	Add a new objective to promote positive indigenous biodiversity outcomes, that aligns with ECO-O1, ECO- P2 and UFD-P1 of the WRPS.	Support  To the extent the relief is consistent with the D-G's primary submission.	Allow
10.112	WRC	Amend	32. Coastal environment	CE-P1.1	Amend the wording to (or similar): "Encouraging any new activities to consolidate within and around existing developments, or in <u>areas that are identified as not possessing significant natural values</u> locations where the natural character values have already been compromised."	Support  To the extent the relief is consistent with the D-G's primary submission.	Allow
10.113	WRC	Amend	32. Coastal environment	CE-P1.8	Amend the wording to (or similar): "8. Allowing for seawall maintenance and repair and enabling seawalls where they protect public infrastructure, <u>but not providing sea walls for the protection of private property;</u> and"	Support  The relief aligns with the NZCPS.	Allow
10.114	WRC	Amend	32. Coastal environment	CE-P3.1(i)	Amend the wording to (or similar): "(i) Areas containing <del>nationally significant examples of</del> indigenous flora or fauna community types; and"	Support  To the extent the relief is consistent with the D-G's submission.	Allow
10.115	WRC	Amend	32. Coastal environment	CE-P3.2(i)	Amend the wording to (or similar): "Areas of <del>predominately</del> indigenous vegetation in the coastal environment; and"	Support  The relief better give effect to the NZCPS	Allow

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10.126	WRC	Oppose	35. Hapori whānui	HW-R8	<p>Move this rule to the ECO chapter and prescribe environmental standards and clearance limits.</p> <p>Additionally, include environmental standards relating to the protection of bat habitats and the corridors of mobile fauna.</p>	Support	Allow																								
10.145	WRC	Oppose	44. Rural lifestyle zone	General comment	<p>Do not rezone the proposed area north of Te Kuiti on the eastern side of the river. to rural lifestyle zone and do not rezone any other area that could represent potential losses of biodiversity and highly productive land</p>	<p>Support</p> <p>The D-G supports this area specific relief as being consistent the intent of her primary submission given the potential loss of biodiversity values if the proposed area is rezoned.</p>	Allow																								
10.147	WRC	Oppose	50. Future urban zone	General comment	<p>Do not rezone any area subject to natural hazards risks as 'Future Urban Zone' and do not rezone any other area that could represent potential losses of biodiversity and highly productive land as 'Future UrbanZone'.</p> <p>Three sites missing from the table in Schedule 6:</p> <table border="1"> <thead> <tr> <th>Site Code</th> <th>Site Name</th> <th>Criteria</th> <th>Significance</th> <th>Current text of the WRC</th> <th>WRC Comments</th> </tr> </thead> <tbody> <tr> <td>R1991751 9.01</td> <td><del>Tamatahaka</del> ra A5 North (HWB)</td> <td>1, 3, 5, 9, 11</td> <td>National</td> <td><del>Tamatahaka</del> karst and dolines</td> <td>Add <del>Maitapu</del> River natural tunnel and Te Ana Kapiti Cave' to WRC karst column (See figure 1)</td> </tr> <tr> <td>R12074</td> <td>Marginal Strip - <del>MANGAHOE</del> Stream</td> <td>1, 3, 4, 5, 9, 11</td> <td>Regional</td> <td><del>MANGAHOE</del> Gorge and natural bridges</td> <td>Add 'Ten Acre <del>Tapanui</del> system' to WRC karst column (See figure 2)</td> </tr> <tr> <td>118UP074 (2)</td> <td></td> <td>1, 3, 5, 7, 8, 9, 11</td> <td>National</td> <td><del>Suqutu</del> Cave</td> <td>Add Lake <del>Rotokawa</del> to WRC karst column (See figure 3)</td> </tr> </tbody> </table>	Site Code	Site Name	Criteria	Significance	Current text of the WRC	WRC Comments	R1991751 9.01	<del>Tamatahaka</del> ra A5 North (HWB)	1, 3, 5, 9, 11	National	<del>Tamatahaka</del> karst and dolines	Add <del>Maitapu</del> River natural tunnel and Te Ana Kapiti Cave' to WRC karst column (See figure 1)	R12074	Marginal Strip - <del>MANGAHOE</del> Stream	1, 3, 4, 5, 9, 11	Regional	<del>MANGAHOE</del> Gorge and natural bridges	Add 'Ten Acre <del>Tapanui</del> system' to WRC karst column (See figure 2)	118UP074 (2)		1, 3, 5, 7, 8, 9, 11	National	<del>Suqutu</del> Cave	Add Lake <del>Rotokawa</del> to WRC karst column (See figure 3)	<p>Support</p> <p>The D-G supports the intent of the relief.</p>	Allow
Site Code	Site Name	Criteria	Significance	Current text of the WRC	WRC Comments																										
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Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
10.157	WRC	Oppose	Schedule 6 – Significant Natural Areas	General	<p>Include Criterion 5 from the WRPS Table 28 (Criteria for determining significance of indigenous biodiversity) in the 'Criteria' column for the following sites:</p> <ul style="list-style-type: none"> <li>• R16092</li> <li>• R16094.02</li> <li>• 16P17037</li> <li>• 16UP055.04</li> <li>• 1870439.03</li> <li>• 16UP074.01</li> <li>• 17UP143.01</li> </ul>	<p>Support</p> <p>The D-G supports Inclusion of the significance of indigenous biodiversity criteria column for these sites, consistent with the WRPS.</p>	Allow
10.160	WRC	Amend	Schedule 6 – Significant Natural Areas	General	<p>Include the site identified as a green polygon in the image below in Schedule 6.</p> 	<p>Support</p> <p>The D-G supports the inclusion of these areas in Schedule 6 as per recommendation of WRC. The D-G considers inclusion of these areas will be consistent with section 6(c) RMA.</p>	Allow
26.03	Waitomo District Council (WDC)	Oppose	37. Noise	NOISE-R8	<p>Amend NOISE-R8 as follows:</p> <p>Activity Status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. There are 10 or more flight movements per month per site (a landing and take-off counts as movements. For less than 10 flight movements per month the zone rules in NOISE Table 2 apply; and</li> <li>2. This activity may only be undertaken in <u>This rule does not apply to the general rural, rural production and natural open space tourism zones or to the Aerodrome Precinct – PREC3;</u> and</li> </ol>	<p>Support</p> <p>Exclusion of these zones is appropriate.</p>	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
					<p>3. Noise at all times must not exceed 50 db Ldn at any point within any residential, rural lifestyle, Maori purpose or settlement zones, or at or within the notional boundary of any noise sensitive activity; and</p> <p>4. ...</p>		
31.47	Transpower	Amend	19. Network utilities	NU-P20	<p>Amend NU-P20 as follows:</p> <p>Enable the operation, maintenance and minor upgrade and repair of the National Grid.</p> <p><u>In the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</u></p> <p>And</p> <p>Any consequential amendments.</p>	<p>Oppose</p> <p>The relief may compromise the ability of the PDP to 'give effect' to the statutory planning framework e.g., the NZCPS 'avoid' policies Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy....</p>	Disallow
31.48	Transpower	Amend	19. Network utilities	NU-P21	<p>Add a new clause to NU-P2 as follows:</p> <p>Provide for the upgrading of the National Grid by:</p> <p>...</p> <p><u>6. In the event of any conflict with any other policies within the plan, NUP20, NUP21 and NU-P22 take precedence.</u></p> <p>And</p> <p>Any consequential amendments.</p>	<p>Oppose</p> <p>The relief may compromise the ability of the PDP to 'give effect' to the statutory planning framework e.g., the NZCPS 'avoid' policies Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy).</p>	Disallow



Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
31.49	Transpower	Amend	19. Network utilities	NU-P22	<p>Amend NU-P22 as follows: Provide for the development of the National Grid: ... 3(iii) Seeking to avoid significant adverse effects on: i. <del>SCHED11</del> areas of high/very high natural character, <del>SCHED9</del> landscapes of high amenity value and <del>SCHED12</del> karst overlay; <u>other areas of natural character in the coastal environment</u> and ii. <del>SCHED1</del> heritage buildings and structures, <del>SCHED2</del> significant archaeological sites, <del>SCHED3</del> and <del>SCHED 4</del> sites of significance to <del>Māori</del>; <u>natural attributes and characteristics of other natural features and landscapes in the coastal environment</u>; iii. indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010; and iv. <del>Avoiding, remedying or mitigating other adverse effects to the extent practicable; and</del> <u>4. Remedying or mitigating other adverse effects to the extent practicable; and</u> ... 6. <del>Other than policies relating to the coastal environment</del>, in the event of any conflict with any other policies within the plan, NUP20, NU-P21 and NU-P22 take precedence.</p> <p>And</p> <p>Any consequential amendments.</p>		Disallow
31.55	Transpower	Support and amend	19. Network utilities	NU-R30	<p>Amend NU-R30 to clarify the activities anticipated to be subject to NU-R30 and amend the activity status to discretionary should it apply to any National Grid activities.</p> <p>Or</p> <p>Amend NU-R30 to clearly state it does not apply to the National Grid.</p> <p>And</p> <p>Any consequential amendments.</p>	<p>Oppose</p> <p>A non-complying activity status is appropriate where certain activities occur in the relevant ONFs.</p>	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
31.56	Transpower	Support and amend	19. Network utilities	NU-R33	Amend NU-R33 to make earthworks associated with the National Grid no worse than a discretionary activity.  And  Any consequential amendments.	Oppose  A non-complying activity status is appropriate where earthworks are required in the relevant ONFs.	Disallow
31.57	Transpower	Support and amend	19. Network utilities	NU-R37	Amend NU-R37 to make the activity status to make removal of indigenous vegetation associated with the National Grid no worse than a Discretionary activity.  And  Any consequential amendments.	Oppose  A non-complying activity status is appropriate where vegetation clearance is required in the relevant ONFs.	Disallow
31.62	Transpower	Support and amend	26. Ecosystems and indigenous biodiversity	Whole chapter, but specifically ECO-O1, ECO-O4, ECO-O5, ECO-P1, ECO-P2, ECO-P3, ECO-P4, ECO-P5, ECO-P6, ECO-P11, and ECO- P13	Amend Chapter 26 Ecosystems and Indigenous Biodiversity to recognise the National Grid, specifically ECO-O1, ECO-O4, ECO-O5, ECO-P1, ECO-P2, ECO-P3, ECO-P4, ECO-P5, ECO-P6, ECO-P11, and ECO-P13 to give effect to the NPSET, in the event that the specific Chapter 19.  National Grid policies do not prevail.  And  Any consequential amendments.	Oppose in part  The D-G considers amendments to these provisions will be required to give effect to the statutory planning framework including the NPS-IB and NZCPS, not just the NPSET.	Disallow in part

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
31.71	Transpower	Amend	32. Coastal environment	Chapter and CE-P1, P3, P5, P6 and P7	Amend Chapter 32 - Coastal Environment to recognise the National Grid, specifically CE-P1, CE-P3, CE-P5, CE-P6 and CE-P7, to give effect to the NPSET in the event that the specific Chapter 19 National Grid policies do not prevail.  And  Any consequential amendments.	Oppose in part  The D-G considers amendments to these provisions will be required to give effect to the statutory planning framework including the NPS-IB and NZCPS, not just the NPSET.	Disallow in part
33.32	King Country Energy (KCE)	Support with amendment	17. Energy	ENGY-R9	Amend ENGY-R9 as follows:  DIS: Heritage buildings and structures, sites and Areas of significance to Māori, significant archaeological sites, outstanding natural character, <u>and Outstanding Natural Features</u>  <del>PR: Outstanding natural features ...</del>	Oppose  The D-G supports the Prohibited activity status for the activity in the relevant <u>ONFs</u> .	Disallow
33.34	KCE	Support with amendment	17. Energy	ENGY-R11	Amend ENGY-R11 as follows:  Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.  <del>DIS NC:</del> Outstanding natural landscapes, outstanding natural features, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites.  <del>DIS PR:</del> Outstanding natural features, outstanding natural character.  ...  And  Amend the rule framework to provide two rules for each type of renewable electricity generation activity within the Waitomo District, as per policies E and F of the NPS-REG depending on whether the activity fits within or exceeds the definition of small and community scale.	Oppose  The D-G opposes the change to activity status requested by the submitter.	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
33.44	KCE	Oppose	26. Ecosystems and indigenous biodiversity	ECO-P2	<p>Amend ECO-P2 as follows:</p> <p><u>While providing for those activities explicitly referenced within ECO- P2, r</u>Recognize, protect, and enhance the ecological sustainability, indigenous biodiversity values and characteristics of significant natural areas by:</p> <p>...</p> <p>3. Avoiding indigenous vegetation clearance in locations that are of significance to mana whenua, <u>to the maximum extent practicable, while providing for the maintenance, repair and minor upgrading of existing nationallyand regionally significant infrastructure;</u></p> <p>And</p> <p>Amend the planning maps so that R17028 and R17UP035 are not overlaid on any parts of the Mokauiti Scheme.</p>	Oppose	Disallow
33.45	KCE	Support with amendment	26. Ecosystems and indigenous biodiversity	ECO-P3	<p>Amend ECO-P3 as follows:</p> <p>Provide for permitted activities and for the continued operation, <u>repair, maintenance and upgrading</u> of lawfully established activities in and adjacent to significant natural areas by enabling the removal of indigenous vegetation for:</p> <p>....</p> <p><u>7. Indigenous vegetation removal for nationally or regionally significant infrastructure,</u></p> <p><u>8. Limited Indigenous vegetation removal for small-scale renewable-energy electricity generation.</u></p>	Oppose	Disallow
33.47	KCE	Support with amendment	26. Ecosystems and indigenous biodiversity	ECO-P5	<p>Add a new clause to ECO-P5 as follows:</p> <p><u>11. Whether the activity is required for the continued operation, repair, maintenance and upgrading of nationally or regionally significant infrastructure.</u></p>	Oppose	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
33.48	KCE	Support with amendment	26. Ecosystems and indigenous biodiversity	ECO-P13	Add a new clause to ECO-P13 as follows:  <u>8. The need for the activity to provide for nationally or regionally significant infrastructure or for renewable electricity generation.</u>	Oppose  The D-G opposes the relief to the extent it is inconsistent with her submission.	Disallow
33.68	KCE	Oppose	28. Natural features and landscapes -Cave and Sinkholes	NFL-R17	Amend NFL-R17 as follows:  Any earthworks or clearance of vegetation (other than plant pest species, wilding pines, or when required in emergency situations such as the recovery of stock) within a 20 m radius of an entry or opening into any cave or sinkhole, <u>except where required for the continued operation, maintenance or minor upgrading of lawfully established renewable electricity generation activities.</u>  Activity Status: <del>NC DIS</del> Where: Outstanding Natural Features, Outstanding Natural Landscapes, Karst Overlay, <u>and Landscapes of High Amenity Value.</u>  <del>Activity Status: DIS</del> <del>Landscapes of High Amenity Value.</del>	Oppose  The D-G opposes the relief sought, including the change to activity status.	Disallow
42.07	Ventus Energy (VE)	Support with amendment	17. Energy	ENGY-P6	Retain ENGY-P6.  And  Amend ENGY-P6 as follows:  Recognise that increasing levels of renewable electricity generation activities may alter existing visual amenity values, <u>but the level of adverse visual effects may not be appropriate in some overlays, scheduled sites and features.</u>	Oppose  The D-G opposes deletion of the qualifier as it provides a necessary policy basis for avoidance of effects on certain overlay and scheduled areas.	Disallow
42.12	VE	Oppose	17. Energy	ENGY-R10 Non-complying status in the ONL, ONF, and ONC,	Amend ENGY-R10 from Non-Complying to Discretionary in the ONL, ONF, and ONC.	Oppose  Non-complying is the appropriate activity status for the activity within these overlays.	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
42.14	VE	Oppose with amendment	17. Energy	ENGY-R11 Non complying activity	Amend ENGY-R11 as the non-complying activity status is opposed for Outstanding natural landscapes, outstanding natural features, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites, but there is also a prohibited activity status for Outstanding natural features, outstanding natural character.	Oppose  Non-complying is the appropriate activity status for the activity within these overlays.	Disallow
42.28	VE	Support with amendment	26. Ecosystems and indigenous biodiversity	ECO-R16	Amend ECO-R16 to read: Where: 1. The activity is located in a significant natural area – <u>of regional or local significance local category</u> ; or 2. ...	Oppose  The D-G disagrees with the approach further delineating significance beyond that setout in the NPS-IB and WRSP APP5.	Disallow
42.29	VE	Oppose	Maps	Significant Areas      Natural	Amend all maps to more accurately detail the location of SNA's.	Support in part  The D-G supports accurate mapping and wishes to be involved in discussion regarding further mapping.	Allow
42.30	VE	Oppose	Maps	Outstanding Landscapes      Natural	Amend all maps to more accurately detail the location of areas of Outstanding Natural Landscape and Character.	Support in part  The D-G supports accurate mapping and wishes to be involved in discussion regarding further mapping.	Allow
43.05	Graymont Limited (GL)	Support	9. Definitions	Quarry	Retain definition of 'Quarry' as notified.	Oppose  The D-G opposes the relief to the extent it is inconsistent with the D-G's submission.	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
43.22	GL	Oppose with amendment	28. Natural features and landscapes	NFL-P1	Amend NFL-P1 as follows: ... 8. <u>Avoiding in the first instance, and where avoidance is not practicable, remedying and mitigating</u> the adverse effects ... ... 10. Providing for the continued operation of lawfully established <del>farming</del> activities; <u>and</u>  11. <u>Providing for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources.</u>	Oppose  The D-G opposes the relief proposed relief on the grounds that it is contrary to purpose of the RMA, section 6 and is inconsistent with the NZCPS and WRPS.	Disallow
43.23	GL	Support with amendment	28. Natural features and landscapes	NFL-P3	Amend NFL-P3 as follows: ... 1. <u>Providing thresholds to allow limited earthworks and vegetation removal, particularly where this is part of the continued operation of the continued operation of lawfully <del>farming</del> established activities; and</u> 2. <u>Ensuring buildings and structures are setback from riparian and coastal margins and do not dominate ridgelines or coastal headlands, while recognising the functional, locational and operational needs of particular activities.</u>	Oppose  The D-G opposes the relief proposed relief on the grounds that it is contrary to purpose of the RMA, section 6 and is inconsistent with the NZCPS and WRPS.	Disallow
43.25	GL	Oppose with amendment	28. Natural features and landscapes	NFL-P4	Amend NFL-P4 as follows: ... 6 Providing for the continued operation of lawfully established <del>farming</del> activities; and ... 7. <u>renewable electricity generation activities; and</u> 8. <u>Providing for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources.</u>	Oppose  The D-G opposes the relief proposed relief on the grounds that it is contrary to purpose of the RMA, section 6 and is inconsistent with the NZCPS and WRPS.	Disallow
43.26	GL	Oppose with amendment	28. Natural features and landscapes	NFL-P5	Amend NFL-P5 as follows: ... 3 <u>Ensuring that the effects of <del>Avoiding</del> any activity, particularly vegetation clearance and large-scale earthworks including quarrying activities, where these will adversely affect the values of the karst systems or features are avoided in the first instance, and where this is not practicable, remedied or mitigated; and</u>	Oppose  The D-G opposes the relief proposed relief on the grounds that it is contrary to purpose of the RMA, section 6 and is inconsistent with the NZCPS and WRPS.	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
43.27	GL	Support with amendment	28. Natural features and landscapes	NFL-R16	Amend NFL-R16 as follows:  Karst Overlay – <del>NC</del> <u>DIS: Rural production zone</u> <u>PR: All other zones</u>	Support in part  The D-G considers a consistent activity status for the activity contemplated in R16 should apply across zones. The D-G supports the submitter's suggested Prohibited activity status apply in all zones.  Alternatively, the D-G supports retaining the non-complying activity status.	Allow in part
43.28	GL	Support with amendment	28. Natural features and landscapes	NRL-R17	Amend NFL-R17 as follows:  Karst Overlay - <del>NC</del> <u>DIS: Rural production zone</u> <u>PR: All other zones</u>	Support in part  The D-G considers a consistent activity status for the activity contemplated in R17 should apply across zones. The D-G supports the submitter's suggested Prohibited activity status apply in all zones.  Alternatively, the D-G supports retaining the non-complying activity status.	Allow in part
43.30	GL	Support	28. Natural features and landscapes	NFL-R18	Retain NFL-R18 as notified.	Oppose  The differing activity status across overlays has been justified in section 32 RMA terms. The D-G supports a consistent	Disallow



Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
						non complying activity status.	
43.36	GL	Oppose with amendment	26. Ecosystems and indigenous biodiversity	ECO-P2	<p>Amend ECO-P2 as follows:</p> <p>...</p> <p>3. <del>Ensuring</del> <u>Avoiding</u> indigenous vegetation clearance in locations that are of significance to mana whenua <u>appropriately assess those effects and any resulting development is managed in a way that protects the indigenous biodiversity values of the site; and</u></p> <p>4. Protecting the health and functioning of significant natural areas that are wetland or include part of a wetland, by avoiding inappropriate land use practices, subdivision and development, <u>and</u></p> <p>5. Protect and enhance connectivity along and between significant natural areas and other areas of indigenous vegetation and habitat of indigenous fauna, <u>and</u></p> <p>6. <u>While providing for indigenous vegetation clearance required for the continued operation of lawfully established activities.</u></p>	Oppose  To the extent the relief is inconsistent with the D-G's submission.	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
43.37	GL	Support with amendment	26. Ecosystems and indigenous biodiversity	ECO-P3	<p>Amend ECO-P3 as follows:</p> <p>Provide for permitted activities and for the continued operation, <u>maintenance, repair and minor upgrading</u> of lawfully established activities in and adjacent to significant natural areas by enabling the removal of indigenous vegetation for:</p> <ol style="list-style-type: none"> <li>1. The relocation, maintenance or construction of <u>all</u> fence lines, <u>including fence lines</u> for stock exclusion; and</li> <li>2. Conservation activities; and</li> <li>3. Construction of permitted building platforms including services and access; and</li> <li>4. Maintenance <u>or minor upgrading</u> of existing roads, driveways, tracks and water intake/discharge structures; and</li> <li>5. <u>For maintenance of culverts and bridges; and</u></li> <li>6. <u>For maintenance associated with stormwater detention and treatment facilities; and</u></li> <li>7. <u>As part of maintenance or minor upgrading of existing drains; and</u></li> <li>8. Sustainable harvesting of indigenous vegetation and/or removal of manuka or kanuka where the indigenous biodiversity values and ecological characteristics of the significant natural area are maintained or enhanced; and</li> <li>9. Limited indigenous vegetation removal to manage fire risk; and</li> <li>10. Limited indigenous vegetation removal for small scale renewable energy generation, <u>and</u></li> <li>11. <u>Providing for nationally and regionally significant infrastructure and industry, and for those activities associated with significant mineral resources.</u></li> </ol>	<p>Oppose</p> <p>To the extent the relief sought is contrary to the D-G's submission</p>	Disallow
43.39	GL	Support with amendment	26. Ecosystems and indigenous biodiversity	ECO-P5	<p>Add a new clause to ECO-P5 as follows:</p> <p><u>11. Whether the activity is required for the continued operation, repair, maintenance and minor upgrading of nationally or regionally significant industry, infrastructure, or is associated with significant mineral resources.</u></p>	<p>Oppose</p> <p>To the extent the relief is contrary to the D-G's submission.</p>	Disallow
43.40	GL	Support with amendment	26. Ecosystems and indigenous biodiversity	ECO-P13	<p>Add a new clause to ECO-P13 as follows:</p> <p><u>8. The need for the activity to provide for nationally or regionally significant industry, infrastructure or activities associated with significant mineral resources.</u></p>	<p>Oppose</p> <p>To the extent the relief is contrary to the D-G's submission.</p>	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
43.55	GL	Support with amendment	26. Ecosystems and indigenous biodiversity	ECO-R16	Add a new clause to ECO-R16 as follows: <u>3. The removal of vegetation is associated with nationally or regionally significant industry, infrastructure or those activities associated with significant mineral resources that exceeds 500 m2 at any one time, or in total cumulatively per holding</u> And <u>4. <del>3.</del> A report from an experienced...</u>	Oppose  To the extent the relief is contrary to the D-G's submission.	Disallow
43.56	GL	Oppose	27. Natural character	NATC-P1	Amend NATC-P1 as follows:  Protect and enhance the qualities and values of wetlands, and lakes and rivers and their margins <u>from the adverse effects of inappropriate subdivision, use and development</u> by: 1. Requiring that activities are setback from wetlands, lakes and rivers; and 2. Avoiding <u>in the first instance, and where avoidance is not practicable, remedying or mitigating</u> activities which could generate effects that compromise the values of wetlands, and lakes and rivers and their margins; and ... 4. Avoiding <u>in the first instance, and where avoidance is not practicable, remedying or mitigating</u> any activity, particularly earthworks and vegetation clearance, where this will adversely affect the qualities and values of wetlands, and lakes and rivers and their margins; and 5. <u>Ensuring Avoiding</u> developments in locations that are of significance to mana whenua <u>appropriately assess those effects and any resulting development is managed in a way that protects the values of the site; and ...</u>	Oppose  To the extent the relief is contrary to the D-G's submission.	Disallow
46.48	Federated Farmers (FF)	Oppose with amendment	27. Natural character	NATC-R3	Amend NATC-R3 to default to restricted discretionary activity status rather than discretionary status where cultivation is to occur within 5 m of a waterbody.  And	Oppose  The D-G opposes the relief. It will be appropriate for the consent authority have full discretion in assessing the effects of cultivation on the natural character of waterbodies.	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
46.52	FF	Support with amendment	28. Natural features and landscapes	Rules	Add to the Natural Features and landscapes chapter a rule that allows for gardening, cultivation, and disturbance of land for the installation of fence posts as permitted activities.  And	Oppose in part  In the absence of specific wording the D-G opposes the relief.	Disallow
46.66	FF	Oppose with amendment	32. Coastal environment	Rules	Amend rules in Coastal Environment to provide for more realistic building sizes, earthwork volumes etc for existing and lawfully established activities and operations.  And  Any consequential amendments required as a result of the relief sought.	Oppose in part  In the absence of specific wording the D-G opposes the relief.	Disallow
47.01	Forest & Bird (F&B)	Support with amendment	12. National Policy Statements	General	Amend Chapter 12 to include: <ul style="list-style-type: none"> <li>• National Policy Statement for Highly Productive Land 2022;</li> <li>• A statement of how the plan has regard to the National Emissions Reduction and Adaption Plans ; and</li> <li>• National Policy Statement on Indigenous Biodiversity</li> </ul> And  Any consequential changes or alternative relief to achieve the relief sought.	Support  The D-G supports the relief as being consistent with her submission.	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
47.04	F&B	Support with amendment	9. Definition	Conservation activities	<p>Amend the definition of conservation activities as follows:</p> <p>...For the avoidance of doubt, the following activities are conservation activities:</p> <p>(a) <del>Conservation</del> <u>Restoration</u> planting <u>using indigenous plants of the same ecological district.</u></p> <p>(b) The restoration of wetlands and the margins of water bodies.</p> <p>(c) <del>Stock exclusion.</del></p> <p>(d) Research and monitoring <u>where whole plants are not removed and habitat is not disturbed.</u></p> <p>(e) <del>The establishment, maintenance or upgrading of public walking/cycle tracks.</del></p> <p>(f) Interpretive signs and directional signs <u>where within an SNA whole plants are not removed and habitat is not disturbed.</u></p> <p>(g) <del>Any Department of Conservation or Fish and Game New Zealand structure or building for visitor purposes or staff accommodation on public conservation land.</del></p> <p>(h) <del>Underground structures on Crown land.</del></p> <p>(i) Ecosystem protection, rehabilitation or restoration works including removing plant pests <u>or the management of a nuisance plant or animal species that is impacting on the biodiversity values of a site or area</u> as identified in the Waikato Regional Pest Management Plan <del>and riparian fencing, including crossings and their approaches that are consented, permitted or otherwise authorised by Waikato Regional Council.</del></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Oppose in part</p> <p>Oppose to the extent the relief is inconsistent with the D-G's submission</p>	Disallow in part

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
47.09	F&B	Support with amendment	16. Strategic direction, urban form and development	SD-O15	<p>Amend SD-O15 as follows:</p> <p>The community is prepared to adapt to the effects of climate change and recognises the opportunities and risks associated with those effects, <u>including the risks to indigenous species and habitats.</u></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G support broadening of the strategic direction to consider the risk of natural hazards and effects of climate change on indigenous biodiversity, consistent with the NPS-IB 2023.</p>	Allow
47.10	F&B	Support with amendment	16. Strategic direction, urban form and development	SD-O24	<p>Amend SD-O24 as follows:</p> <p>Promote <del>liveable</del> <u>liveable</u>, sustainable, well-functioning urban environments by incorporating low impact, <u>nature based and low- carbon</u> design solutions ....</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>		
47.17	F&B	Support with amendment	17. Energy	ENGY-P1	<p>Amend ENGY-P1:</p> <ul style="list-style-type: none"> <li>so that significant adverse effects are to be avoided and other adverse effects avoided, remedied or mitigated, and</li> <li>to ensure the policy does not apply within the coastal environment.</li> </ul> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Support	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
47.20	F&B	Support with amendment	17. Energy	ENGY-P4	<p>Add a new matter of discretion to ENGY-P4 as follows:</p> <p><u>7 Effects on indigenous species including highly mobile species</u></p> <p>Or</p> <p><u>7 Effects on indigenous biodiversity</u></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief on the aligned with the NPS-IB 2023 and consistent with the intent of her submission.</p>	Allow
47.21	F&B	Support with amendment	17. Energy	ENGY-P5	<p>Amend ENGY-P5 as follows:</p> <p><del>Allow</del> <u>Provide for</u> activities</p> <p>And</p> <p>Add a new clause to ENGY-P5 as follows:  <u>7, Areas of significant habitat of highly mobile species such as bats and seabirds</u></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief on the aligned with the NPS-IB 2023 and consistent with the intent of her submission.</p>	Allow
42.28	F&B	Support with amendment	17. Energy	Rules Generally	<p>Amend to clarify that all rules in the Energy chapter for vegetation clearance must comply with ECO rules.</p>	<p>Support</p> <p>The relief is supported to the extent it is consistent with the D-G's submission.</p>	Allow
47.35	F&B	Support with amendment	17. Energy	ENGY-R18	<p>Amend policies in the Energy chapter so that provision for ENGY does not override the protection and avoidance requirements of s6 of the RMA and the NZCPS, which are to be set out in provisions of other chapters including ECO and CEs and must be able to be fully applied.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The relief is supported as being consistent with the D-G's submissions.</p>	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
47.71	F&B	Support with amendment	20. Transport	RULES general	<p>Add the following for all permitted activities in the Transport chapter.</p> <p><u>PER activities must: Comply with ECO chapter rules and any relevant overlay rules with respect to vegetation clearance and earthworks.</u></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the clarification that permitted activities in the transport chapter must comply with ECO chapter rules and any relevant overlay rules with respect to vegetation clearance and earthworks.</p>	Allow
47.74	F&B	Oppose with amendment	26. Ecosystems and indigenous biodiversity	ECO overview	<p>Amend the overview in the Ecosystems and Indigenous Biodiversity chapter to clarify that maintenance of indigenous biodiversity is not limited to areas not classified as SNA.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief as it is consistent with Council's function under section 31(1)(b)(iii), and section 6(c) and will give effect to the NPSIB 2023.</p>	Allow
47.75	F&B	Oppose with amendment	26. Ecosystems and indigenous biodiversity	ECO overview	<p>Amend the overview in the Ecosystems and Indigenous Biodiversity chapter to explain that areas meeting the significance criteria are identified in Schedule 6 and on the planning maps, and that further areas may be identified on a case by case basis through resource consent processes.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief as it is consistent with Council's function under section 31(1)(b)(iii), and section 6(c) and will give effect to the NPSIB 2023.</p>	Allow



Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
47.76	F&B	Oppose with amendment	26. Ecosystems and indigenous biodiversity	ECO overview	<p>Amend the overview in the Ecosystems and Indigenous Biodiversity chapter to include an explanation of the extent to which this chapter gives effect to the NZCPS, including the requirement to protect indigenous biodiversity under Policy 11 of the NZCPS being included in the ECO chapter and that adverse effects of other vegetation clearance in the coastal environment as it may relate to protection of natural character, landscapes and features is addressed by provision in the CE and NLF chapters.</p> <p>And</p> <p>Amend those other chapters to ensure this explanation is correct.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief as it is consistent with Council's obligation to ensure the PDP gives effect to the NZCPS 2010.</p>	Allow
47.77	F&B	Oppose with amendment	26. Ecosystems and indigenous biodiversity	ECO overview	<p>Amend the overview in the Ecosystems and Indigenous Biodiversity chapter to state that effects on SNAs within the Manawatū- Whanganui region are addressed by both the district and regional plan.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief as it will provide clarity to plan users.</p>	Allow
47.78	F&B	Oppose	26. Ecosystems and indigenous biodiversity	Policies	<p>Make amendments to the ECO policies to provide direction on the maintenance of indigenous biodiversity.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief as it is consistent with Council's function under section 31(1)(b)(iii), and section 6(c) and will give effect to the NPSIB 2023.</p>	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
47.79	F&B	Oppose	26. Ecosystems and indigenous biodiversity	ECO-01	<p>Delete ECO-01 and replace with new text to read:</p> <p><u>Indigenous biodiversity including significant indigenous vegetation and the significant habitats of indigenous fauna is protected.</u></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support in part</p> <p>Support the intent of the relief to the extent it is consistent with the D-G's submission, acknowledging the need for further wording refinements.</p>	Allow in part
47.82	F&B	Support with amendment	26. Ecosystems and indigenous biodiversity	ECO-05	<p>Amend ECO-05 as follows:</p> <p>Within the coastal environment <del>overlay</del> protect <del>areas of</del> indigenous biodiversity, including significant natural areas.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief as it is consistent with the NZCPS 2010</p>	Allow
47.83	F&B	Support with amendment	26. Ecosystems and indigenous biodiversity	ECO-06	<p>Amend ECO-06 as follows:</p> <p><del>Ensure that t</del>The Waikato River Vision and Strategy is given effect to.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief as it is legal requirement for the PDP to give effect to Te Ture Whaimana o Te Awa o Waikato (Vision &amp; Strategy).</p>	Allow
47.84	F&B	Amend	26. Ecosystems and indigenous biodiversity	General comments on policies	<p>Amend ECO policies to:</p> <ul style="list-style-type: none"> <li>• Provide for protection of s6(c) matters through provisions to protect Schedule 6 SNAs and other areas meeting the significance criteria set out in the RPS.</li> <li>• Maintain indigenous biodiversity.</li> <li>• Set out an effects management hierarchy that requires avoidance in accordance with Policy 11 of the NZCPS in the coastal environment.</li> <li>• Require the avoidance of significant adverse effects on significant indigenous vegetation and the significant habitats of indigenous fauna,</li> </ul>	<p>Support</p> <p>The D-G supports the relief as being consistent with its primary submission.</p>	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
					<p>unless the activity is for the National Grid or renewable energy, in which case those activities should seek to avoid adverse effects.</p> <ul style="list-style-type: none"> <li>• Require that all other activities avoid adverse effects on indigenous biodiversity to the extent practicable.</li> <li>• Recognise that it may not be practicable to avoid adverse effects to achieve protection as required by s6(c).</li> <li>• Where it is not practicable to be able to avoid adverse effects, adverse effects are remedied, where adverse effects cannot be remedied, they are mitigated.</li> <li>• Where residual adverse effects remain after the steps to avoid, remedy and mitigate set out above, consideration may be given to whether it is appropriate to offset residual effects in accordance with the criteria in Appendix 4.</li> <li>• Where residual adverse effects remain after offsetting or it is not appropriate to offset residual adverse effects the activity should be declined.</li> </ul> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>		

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
47.99	F&B	Amend	26. Ecosystems and indigenous biodiversity	ECO rules General Comment	<p>Amend the rules in the Ecosystems and Indigenous Biodiversity to address the following:</p> <ul style="list-style-type: none"> <li>• Consider reformatting the framework used for rules so that it is clear what s9 activities the rule is applying to.</li> <li>• Make it clearer what the full scope of each rule is.</li> <li>• Delete the statement in the first row of Table 1 that “It does not apply to roads.”</li> <li>• Add a table that sets out rules applying to activities outside of SNAs.</li> <li>• Add or Amend rules to ensure that all subdivision includes the requirement for an assessment against the significance criteria of the RPS to determine any significant natural areas in the area to be subdivided. If SNAs are present then ensure they are retained within one title, that they are given protection through covenant and that sufficient land outside the SNA is retained within the title to provide for a building platform and access without disturbing the SNA.</li> <li>• Add the colouring required by the planning standards to different rule activity status.</li> </ul>	<p>Support</p> <p>The D-G supports the relief to the extent it is consistent with her primary submission.</p>	Allow
47.121	F&B	New	26. Ecosystems and indigenous biodiversity	New rule	<p>Add a new Table 2 to the Ecosystems and Indigenous Biodiversity chapter, which applies to clearance of indigenous vegetation outside of Significant Natural Areas as follows:</p> <p><u><i>[See Waitomo District Council summary of submissions point 47.121 for F&amp;B relief sought.]</i></u></p>	<p>Support</p> <p>The D-G supports the relief to the extent it is consistent with her submission.</p>	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
47.122	F&B	New	26. Ecosystems and indigenous biodiversity	New rule	<p>Add a new rule to Table 2 of the Ecosystems and Indigenous Biodiversity chapter for indigenous vegetation clearance for mineral extraction and quarrying activities is DIS.</p> <p>Where:</p> <p><u>1. An assessment in accordance with Appendix 5 of the WRPS demonstrates that the clearance and disturbance is not within a Significant Natural Area not yet listed in Schedule 6.</u></p> <p><u>Where compliance with 1 is not achieved the activity is NC</u></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief as it is consistent with Council's function under section 31(1)(b)(iii), and section 6(c) and will give effect to the NPSIB 2023.</p>	Allow
47.124	F&B	General	26. Ecosystems and indigenous biodiversity	General comment protection of mobile fauna	<p>Add provisions for protection of bat habitats including corridors, and corridors of other highly mobile indigenous species to the Ecosystems and Indigenous Biodiversity chapter. Submitter suggests that Waitomo DC work with WRC and DOC and other bat specialists to identify Bat Protection Areas to be included as an overlay in the DP maps, and include appropriate statements in the DP Objectives, Policies and Rules.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	<p>Support</p> <p>The D-G supports the relief as it is consistent with Council's function under section 31(1)(b)(iii), and section 6(c) and will give effect to the NPSIB 2023.</p>	Allow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
47.192	F&B	Oppose  with amendment	Appendix 4 Offsetting framework	General	Delete Appendix 4 wording and replace with the following:  <u>[Refer to Council summary of submissions point 47.192 for F&amp;B relief.]</u>	Support  The D-G supports the relief to the extent it is consistent with her primary submission.	Allow
49.07	Taharoa Iron Sands Limited	Oppose	Maps	<ul style="list-style-type: none"> <li>• R16UP014.01 – Lake Rotoroa</li> <li>• R16UP015 – no description</li> <li>• R16UP015.01 – Lake Numiti</li> <li>• R16UP015.01 – Lake Rototapu Wetland</li> <li>• R16UP002 – Lake Taharoa</li> <li>• R17UP183 – Coastal Strip</li> </ul>	TIL seeks the following relief: <ul style="list-style-type: none"> <li>(i) Deletion of all SNAs directly on or immediately adjacent to the Taharoa C Block including but not limited to SNA refs R16UP014.01, R16UP015, R16UP015.01, R16UP015.01, R16UP00, and R17UP183.</li> <li>(ii) Any alternative and/or consequential amendments to the same effect as the primary relief sought above.</li> </ul>	Oppose  The D-G opposes the relief in absence of alternative significance criteria consistent with the NPS-IB 2023 and the WRPS APP5.	Disallow

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	D-G stance and reason	Decision sought
51.21	Kiwi Rail Holdings Limited	Seek amendment	19. Network utilities	NU-R4	Amend table as follows:  Outstanding natural features, heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites <del>DIS</del> <u>RDIS</u> .	Oppose  The change to activity status for the activity in ONFs is opposed by the D-G.	Disallow
51.51	KRH	Support with amendment	SCHED6 Significant natural areas		That the Proposed District Plan Maps are Amended to remove the Significant Natural Area overlay from KiwiRail's corridor designations (as listed under "KR 01 in the Designations schedule).	Oppose  The D-G opposes the relief. Areas of significant vegetation and the significant habitat of indigenous fauna should be identified and protected consistent with the statutory planning framework. The D-G is open provision of alternative means of providing for the activities within the Kiwi rail corridor designations such as permitted activity rules.	Disallow.