

Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 17. Energy, Chapter 21. Contaminated
Land, Chapter 22. Hazardous Substances, Chapter
31. Amateur Radio, Chapter 34. Financial
Contributions, Chapter 53. Amenity Precinct,
Chapter 54. Te Maika Precinct, Schedule 10.
Areas of Outstanding Natural Character, Schedule
11. Areas of High / Very High Natural Character,
APP5 Structure Plan Requirements, Schedule 13.
Coastal Environment Overlay and Tranche 2
Miscellaneous

19 June 2025

Commissioners

Greg Hill (Chair)

Wikitōria Tāne

Allan Goddard

Phil Brodie

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1. Introduction

1. This Decision Report relates to all the submissions received by the Waitomo District Council (Council) on Chapter 21 – Contaminated Land, Chapter 22 – Hazardous Substances Chapter 31 – Amateur Radio, Chapter 34 – Financial Contributions, Chapter 53 – Amenity Precinct, Chapter 54 – Te Maika Precinct, Schedule 10 – Areas of Outstanding Natural Character, Schedule 11 – Areas of High / Very High Natural Character, Schedule 13 coastal environment overlay and the various submission points that have been considered in the Tranche 2 – Miscellaneous Section 42A Report. This includes related provisions within the Proposed Waitomo District Plan (PDP) such as Definitions (Chapter 9).
2. These Chapters seeks to manage and provide for a range of activities, which are set out in section 2.2 of the Section 42A Report on these various Chapters.

2. Hearing arrangements

3. The first tranche hearing was held on 16 and 17 July 2024 and the second Tranche hearing was held on 27 and 28 November 2024 at **Council's offices at 15 Queen Street, Te Kuiti**. Evidence was presented at both tranches either online or in person. All of the relevant information pertaining to this hearing (i.e., section 42A **reports, legal submissions and evidence**) is contained on **Council's website**.
4. The following parties submitted on the matters considered in both Section 42A Reports.

List of submitters and further submitters addressed in this report

Chapter 17 Energy

Submission No	Submitter
2	NZ Helicopter Association
3	Heritage New Zealand Pouhere Taonga
31	Transpower
33	King Country Energy
42	Ventus Energy
46	Federated Farmers of New Zealand
47	Royal Forest & Bird Protection Society of New Zealand
53	Director General of Conservation
FS03	Director General of Conservation
FS05	Federated Farmers of New Zealand
FS10	King Country Energy
FS13	NZ Agricultural Aviation Association
FS16	New Zealand Historic Places Trust
FS23	Te Nehenehenui

FS24	The Lines Company
FS25	Ventus Energy

Chapter 21 Contaminated land

Submitter No	Submitter Name
43.13, 43.14, 43.15	Graymont (NZ) Limited
46.28	Federated Farmers
56.12	The Fuel Companies

Chapter 22 Hazardous substances

Submitter No	Submitter Name
43.16-43.20	Graymont (NZ) Limited
46.29	Federated Farmers
56.01	The Fuel Companies
16.17	Fire and Emergency New Zealand
27.38	Horticulture New Zealand
31.61	Transpower New Zealand Limited

Chapter 31 Amateur Radio

Nil

Chapter 34 Financial Contributions

Submitter No	Submitter Name
17.79-17.83	Waka Kotahi NZ Transport Agency

Chapter 53 Amenity Precinct

Submitter No	Submitter Name
17.159	Waka Kotahi NZ Transport Agency

Chapter 54 Te Maika Precinct

Submitter No	Submitter Name
35.23	Te Ruunanga o Ngaati Mahuta ki te Hauaaauru
16.84-16.85	Fire and Emergency New Zealand
24.75-24.76	Ministry of Education
3.158	Heritage New Zealand Pouhere Taonga
FS20.23	Sheryl Paekau

Schedule 10 – Areas of Outstanding Natural Character

Schedule 11 – Areas of High / Very High Natural Character

Schedule 13 - Coastal Environment Overlay

Submitter No	Submitter Name
53.71	Department of Conservation

APP5 Structure Plan Requirements

Submission no	Submitter
10	Waikato Regional Council
17	Waka Kotahi
47	Royal Forest and Bird Protection Society of New Zealand
FS23	Te Nehenehenui

Miscellaneous Report – Submitters

Submission No	Submitter
03	Heritage New Zealand Pouhere Taonga (HNZPT)
04	New Zealand Agricultural Aviation Association (NZAAA)
10	Waikato Regional Council (WRC)
17	Waka Kotahi
18	Auckland Waikato Fish and Game Council (AWFG)
07	Omya New Zealand Limited (Omya)
35	Te Ruunanga o Ngaati Mahuta ki te Hauaaauru
16	Fire and Emergency New Zealand (FENZ)
13	Sheryl Paekau
12	Heli A1 Limited
38	Te Tokanganui- a-noho Whare (TTRMC)
23	Balance Agri-Nutrients
56	The Fuel Companies
45	Marama Henare-Waho
46	Federated Farmers
51	KiwiRail (KRH)
31	Transpower
50	Te Nehenehenui
39	Firstgas
36	Kāinga Ora

Submission No	Submitter
34	Ayush Mudaliar
24	Ministry of Education (MoE)
29	Aggregate and Quarry Association (AQA)
48	S Machra
30	New Zealand Forest Managers (NZFM)
52	Grant Lennox
54	Apiculture New Zealand
19	PF Olsen
55	Kura Stratford
47	Forest and Bird
57	Tom Anderson
58	James Findlay
53	Department of Conservation (DOC)
21	New Zealand Defence Force (NZDF)
14	New Zealand Pork Industry Board (NZPIB)
27	Horticulture New Zealand (Hort NZ)
43	Graymont (NZ) Limited
21	New Zealand Defence Force
FS07	Grant Lennox
FS10	King Country Energy
FS13	New Zealand Agricultural Aviation Association (NZAAA)
FS15	New Zealand Helicopter Association
FS25	Ventus Energy
FS03	Department of Conservation (DOC)
FS23	Te Nehenehenui
FS30	Transpower
FS24	The Lines Company
FS08	Graymont (NZ) Limited
FS18	Omya
FS20	Sheryl Paekau

FS09	Kainga Ora
FS12	Manulife Forest Management (NZ) Ltd
FS19	PF Olsen
FS05	Federated Farmers

5. The Panel did not hear any evidence at the hearing in relation to Chapter 17. Energy, Chapter 21. Contaminated Land, Chapter 22. Hazardous Substances, Chapter 31. Amateur Radio, Chapter 34. Financial Contributions, Chapter 53. Amenity Precinct, Chapter 54. Te Maika Precinct, Schedule 10. Areas of Outstanding Natural Character, Schedule 11. Areas of High / Very High Natural Character, APP5 Structure Plan Requirements, Schedule 13. Coastal Environment Overlay on 16 and 17 July 2024, or the matters that were raised in the Miscellaneous Section 42A report that was considered in the second tranche hearing on 27 and 28 November 2024
6. Also, no evidence was submitted to the Panel that opposed the recommendations in the Section 42A Report that assessed these Chapters.

3. Submitter evidence

7. No evidence was presented to the panel on any of the matters contained within the relevant Section 42A Reports.

4. Panel decision

8. Having considered the analysis in the submissions and evidence presented, the Panel acknowledged **the general support for the PDP's amended provisions** as set out in the relevant Section 42A Reports for Tranche 1 and Tranche 2.
9. The Panel has elected to adopt the recommendations in the Section 42A Report and the Section 42A Addendum Report on these chapters.

5. Conclusion

10. The Panel accepts the recommendations in the section 42A reports and where noted above, the evidence filed by the submitters. The reasons for this are those set out in the section 42A reports, the evidence, and provided in this Decision; collectively forming the section 32AA assessment informing this Decision.
11. Overall, the Panel is satisfied that the provisions of these Chapters will provide a suitable framework for managing various activities and any actual or potential adverse effects.
12. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

For the Hearing Panel

A handwritten signature in dark ink, appearing to read "Greg Hill", followed by a period.

Greg Hill, Chair

Dated: 19 June 2025

6. Appendix 1 – Submitter table

ENERGY

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept/Accept in Part/Reject
02.10	NZHA	Support	17. Energy	ENGY-O4	Retain the objective as notified.	Accept
FS13.10	New Zealand Agricultural Aviation Association	Support			Retain the objective as sought	Accept
02.11	NZHA	Support	17. Energy	ENGY-P1	Retain the policy as notified.	Accept in part
FS13.11	New Zealand Agricultural Aviation Association	Support			Retain the policy as sought	Accept in part
02.12	NZHA	Support	17. Energy	ENGY-P5	Retain the policy as notified.	Accept in part
FS13.12	New Zealand Agricultural Aviation Association	Support			Retain the policy as sought	Accept in part
03.06	NZHPT	Support in Part	17. Energy	ENGY-P1	That ENGY-P1 is retained and amended as follows; "Enable the ongoing operation, maintenance, repair and minor upgrade of existing renewable electricity generation activities within the district, providing significant adverse effects on the environment, <u>including on the values of overlays and scheduled sites and features</u> , are avoided, remedied or mitigated ."	Reject
FS10.01	King Country Energy	Oppose			Disallow	Accept
03.07	NZHPT	Support in Part	17. Energy	ENGY-P2	That ENGY-P2 is retained and amended as follows; "In all zones and precincts, recognise the benefits of small-scale electricity generation in a form that is commensurate with the function, nature and scale of	Reject

					the anticipated activities, while <u>protecting and managing the values of overlays and scheduled sites and features,</u> "	
FS10.02	King Country Energy	Oppose			Disallow	Accept
03.08	NZHPT	Support	17. Energy	ENG-Y-P4	That ENG-Y-P4 is retained.	Accept in part
03.09	NZHPT	Support in part	17. Energy	ENG-Y-P5	However, they must be avoided within: 1. An identified outstanding natural landscape or an outstanding natural feature; or 2. An area of outstanding natural character or high/very high natural character; or 3. The site or surroundings of a heritage building or structure; or 4. A significant archaeological site <u>and its surroundings</u> ; or 5. A site or area of significance to Māori <u>and its surroundings</u> ; or A significant natural area."	Reject
FS10.03	King Country Energy	Oppose			Disallow	Accept
03.10	NZHPT	Support	17. Energy	ENG-Y-P6	That ENG-Y-P6 is retained.	Accept
03.11	NZHPT	Support in part	17. Energy	Rules Note: Where Heritage Buildings and Structures are referred to it means the site or surroundings (of any building or structure listed in SCHED1)	That the note "Where Heritage Buildings and Structures are referred to it means the site or surroundings (of any building or structure listed in SCHED1)", is amended to more clearly relate to the proposed rule framework, which relates to the scheduled buildings and the sites and surroundings.	Reject
03.12	NZHPT	Support	17. Energy	ENG-Y-R4	That this rule, activity status for solar panels on a scheduled building or structure is retained.	Accept

03.13	NZHPT	Support	17. Energy	ENG-Y-R5	That the restricted discretionary activity ENG-Y-R5 in relation to Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites and the associated matters over which discretion are restricted is retained.	Accept
03.14	NZHPT	Support	17. Energy	ENG-Y-R6	That the restricted discretionary activity ENG-Y-R6 in relation to Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites and the associated matters over which discretion are restricted is retained.	Accept
03.15	NZHPT	Support in part	17. Energy	ENG-Y-R7	That ENG-Y-R7 is retained and amended such that permitted activities relating to heritage structures and buildings and their sites and surroundings are assessed as a restricted discretionary activity.	Reject
03.16	NZHPT	Support	17. Energy	ENG-Y-R8	That the discretionary activity status of "Mini hydro generation with an output of more than 5kW and up to 20kW of electricity per site" locating within or on: "Heritage buildings and structures, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character" is retained.	Accept
03.17	NZHPT	Support	17. Energy	ENG-Y-R9	That the discretionary activity status of "One wind turbine with a rated capacity of up to and including 5kW per site, except for the industrial, general rural, rural production zones & PREC3 where the maximum is two wind turbines with a rated capacity of up to and including 5kW each per holding" locating within or on: "Heritage buildings and structures, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character" is retained.	Accept
FS23.03	Te Nehenehenui	Oppose			TNN recommends that where there is a reference to sites and areas of significance to Māori, this part is separated or removed and/ or amended to become part of the non-complying activity status.	Reject
03.18	NZHPT	Support	17. Energy	ENG-Y-R10	HNZPT seeks that the non-complying activity status of ENG-Y-R10, in relation to the location of "Renewable energy exploration activities", within "Outstanding	Reject

					natural landscapes, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites." is retained.	
03.19	NZHPT	Support	17. Energy	ENGY-R11	HNZPT seeks that the non-complying activity status of ENGY-R11, in relation to the location of "New Renewable electricity generation activities including Community scale renewable energy activities not provided for elsewhere in Table 1" within "Outstanding natural landscapes, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites." is retained.	Accept
03.20	NZHPT	Support	17. Energy	ENGY-R12	HNZPT seeks that the non-complying activity status of ENGY-R12 in relation to the "Biogas produced by anaerobic fermentation of waste" locating in "Outstanding natural features, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites." is retained.	Accept
03.21	NZHPT	Support	17. Energy	ENGY-R13	HNZPT seeks that the non-complying activity status of ENGY-R13 in relation to the "Co-generation plants and waste to energy plants " locating in "Outstanding natural features, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites." is retained.	Accept
03.22	NZHPT	Support	17. Energy	ENGY-R14	HNZPT seeks that the non-complying activity status of ENGY-R14 in relation to the " Coal Fired Electricity generation and Energy generated from non-renewable sources not listed in Table 1 " locating in "Outstanding natural features, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites." is retained.	Accept
03.23	NZHPT	Support	17. Energy	ENGY-R18	That ENGY-R18.3-Discretionary activity is retained.	Accept

03.24	NZHPT	Oppose	17. Energy	ENGY-R19	HNZPT cannot support this permitted activity approach and seeks that such an activity is a restricted discretionary activity to better enable the management of effects on scheduled sites or features or the setting and surrounds.	Accept in part
FS10.04	King Country Energy	Oppose			Disallow	Accept in part
03.25	HNZPT	Oppose	17. Energy	ENGY-R20	HNZPT cannot support this permitted activity approach and seeks that such an activity is a restricted discretionary activity to better enable the management of effects on scheduled sites or features or the setting and surrounds.	Accept in part
FS05.06	Federated Farmers	Oppose			Decline the relief sought	Accept in part
FS10.05	King Country Energy	Oppose			Disallow	Accept in part
03.26	NZHPT	Oppose in part	17. Energy	Note	That the note at the end of the rules section is relocated to the front of the chapter under the heading rules and clarity provided regarding the rule's framework for energy activities on and around heritage buildings and structures.	Reject
31.20	Transpower	Amend	17. Energy, Infrastructure and Transport	Energy, Infrastructure and Transport	Amend Chapter 17 Energy, Infrastructure and Transport to appropriately recognise and provide for renewable generation activities in support of Strategic Direction SD-016. And Any consequential amendments.	Accept in part
FS10.07	King Country Energy	Support			Allow	Accept in part
FS24.09	The Lines Company	Support			Allow	Accept in part
33.01	King Country Energy (KCE)	Support with	9. Definitions	Community scale	Amend the definition for 'community scale renewable electricity activities' as follows:	Accept

		amendment		renewable electricity activities	community scale renewable electricity <u>generation activities</u> – means a renewable electricity <u>generation activity</u> intended to supply...	
33.04	KCE	Support	9. Definitions	Renewable energy	Retain definition for 'renewable energy' as notified.	Accept
33.05	KCE	Support with amendment	9. Definitions	Renewable energy exploration activities	Amend the definition for 'renewable energy exploration activities ' as follows: means activities to monitor and measure solar, wind, hydroelectricity or geothermal or other energy sources for potential renewable electricity generation activities.	Accept
33.06	KCE	Support with amendment	9. Definitions	Renewable electricity generation activities	Amend the definition for 'renewable electricity generation activities ' definition as follows: means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community scale <u>distributed renewable electricity-generation</u> activities and the system of electricity conveyance <u>required</u> to <u>convey electricity to</u> the distribution network, and/or the national grid and electricity storage technologies associated with renewable electricity.	Accept in part
33.07	KCE	Support with amendment	17. Energy	ENGY - Overview	Amend the Overview of the Energy chapter to provide for large scale energy activities within identified outstanding natural features and areas of outstanding natural character, to be considered as a discretionary activity.	Reject
FS16.12	NZHPT	Oppose			That the submission point is declined	Accept
33.08	KCE	Support	17. Energy	ENGY-O1	Retain ENGY-O1 as notified.	Accept in part
33.09	KCE	Support	17. Energy	ENGY-O2	Retain ENGY-O2 as notified.	Accept in part
33.10	KCE	Support	17. Energy	ENGY-O3	Retain ENGY-O3 as notified.	Accept
33.11	KCE	Support	17. Energy	ENGY-O4	Retain ENGY-O4 as notified.	Accept
33.12	KCE	Support	17. Energy	ENGY-P1	Amend ENGY-P1 as follows:	Accept

		with amendment			Enable the ongoing operation, maintenance, repair and minor upgrade of existing renewable electricity generation activities within the district, providing significant adverse effects on the environment are avoided, remedied or mitigated.	
FS23.122	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
33.13	KCE	Support	17. Energy	ENGY-P2	Retain ENGY-P2 as notified.	Accept
33.14	KCE	Support	17. Energy	ENGY-P3	Retain ENGY-P3 as notified.	Accept in part
33.15	KCE	Support with amendment	17. Energy	ENGY-P4	Amend ENGY-P4 as follows: ... <u>matters</u> to considered include: 1. The benefits of the activity, recognising that <u>the national, regional or local</u> benefits may offset <u>adverse effects on anticipated changes in amenity</u> ; and ... 7. <u>The contribution of the activity to District, Regional and National needs and security of supply.</u>	Accept
33.16	KCE	Oppose	17. Energy	ENGY-P5	Amend ENGY-P5 to read: Allow activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation, however they must be avoided within <u>the following areas, unless any adverse effects associated with them are no more than minor in scale</u> : ...	Accept in part
FS16.11	NZHPT	Oppose			That the submission point is declined	Accept in part
FS23.123	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept in part

33.17	KCE	Oppose	17. Energy	ENGY-P6	Delete ENGY-P6.	Reject
FS23.124	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept
33.18	KCE	Support with amendment	17. Energy	ENGY-P7	Amend ENGY-P7 as follows: Manage new development and land use activities near existing renewable electricity generation activities to <u>avoid</u> minimise -reverse sensitivity effects.	Accept in part
33.19	KCE	Support with amendment	17. Energy	ENGY-P8	Amend ENGY-P8 as follows: <u>Avoid development that does not</u> must -comply with the flightpath height restrictions for the Te Kūiti Aerodrome.	Accept
33.20	KCE	Support with amendment	17. Energy	ENGY-P9	Retain ENGY-P9, while considering its incorporation into another policy or rule.	Accept in part
33.21	KCE	Support	17. Energy	ENGY-P10	Retain ENGY-P10 as notified.	Accept
33.22	KCE	Oppose	17. Energy	ENGY-P12.4	Delete ENGY-P12.4.	Accept
FS23.125	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
33.23	KCE	Support with amendment	17. Energy	ENGY-P13	Amend ENGY-P13 as follows: Within the rural production zone where the the -removal...	Accept in part
33.24	KCE	Support	17.. Energy	ENGY-P14	Retain ENGY-P14 as notified.	Accept in part
33.25	KCE	Support with amendment	17 Energy	ENGY-P15	Amend ENGY-P15 as follows: Ensure the scale and location of any expansion of an existing hydro <u>electricity</u> generation <u>activity</u> <u>facility</u> located within the rural production zone: does not	Accept in part

					adversely affect local character or amenity by: ... 3.Ensuring that industrial buildings are designed as far as practicable to not overshadow or overly dominate the wider surrounding area.	
FS23.126	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept in part
33.26	KCE	Support with amendment	17. Energy	ENGY-R1	Amend ENGY-R1 as follows: The operation, maintenance, repair, replacement, minor upgrade, demolition or removal of existing buildings and structures of any existing <u>renewable electricity</u> energy generation activity.	Accept
FS23.127	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
33.27	KCE	Support with amendment	17. Energy	ENGY-R2	Amend ENGY-R2 as follows: The operation, maintenance, repair, replacement, and minor upgrade of an existing hydro-electricity generation activity <u>infrastructure</u> identified on the Planning Maps.....	Accept
FS23.128	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Reject
33.28	KCE	Support	17. Energy	ENGY-R3	Retain ENGY-R3 as notified.	Accept
33.29	KCE	Support	17. Energy	ENGY-R4	Retain ENGY-R4 as notified.	Accept
33.30	KCE	Support with amendment	17. Energy	ENGY-R5	Amend ENGY-R5 and ENGY-R6 to provide one rule for freestanding solar panels.	Reject

FS16.13	NZHPT	Oppose			That the submission point is declined	Accept
33.31	KCE	Support with amendment	17. Energy	ENGY-R7	Amend ENGY-R7 and R8 to recast and simplify to provide one rule for small scale and community scale hydro-electricity generation and the development, operation, maintenance and upgrading of the same.	Reject
FS23.129	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept
33.32	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> PR: Outstanding natural features ...	Accept in part
FS03.67	Director-General of Conservation	Oppose			Disallow	Accept in part
FS23.130	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept in part
33.33	KCE	Support with amendment	17. Energy	ENGY-R10	Amend ENGY-R10 to provide for renewable energy exploration activities to be permitted in all zones, and where compliance is not achieved, a restricted discretionary or discretionary activity status is to be applied.	Accept in part
FS23.131	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept in part
33.34	KCE	Support with	17. Energy	ENGY-R11	Amend ENGY-R11 as follows:	Reject

		amendment			<p>Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.</p> <p>DIS_NC: Outstanding natural landscapes, outstanding natural features, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites.</p> <p>DIS_PR: Outstanding natural features, outstanding natural character.</p> <p>...</p> <p>And</p> <p>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.</p>	
FS03.68	Director-General of Conservation	Oppose			Disallow	Accept
FS23.132	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for	Accept
33.35	KCE	Support	17. Energy	ENGY-R18	Retain ENGY-R18 as notified.	Accept in part
33.36	KCE	Support with amendment	17. Energy	ENGY-R19	Amend ENGY-R19 and ENGY-R20 to recast and simplify to provide one rule for small and community scale wind energy generation and the development, operation, maintenance and upgrading of the same.	Reject
FS23.133	Te Nehenehenui	Oppose			Te Nehenehenui have stated support for other submitters submission points that may conflict with several aspects of this submission, therefore TNN oppose the points of this	Accept

					submission that are not aligned to our Taiao and cultural values, or those we have noted support for	
33.37	KCE	Support with amendment	17. Energy	ENG-Y-R23	Amend ENG-Y-R23(11) as follows: ...11. No individual sign may exceed 2 m ² , with the total area of signs per zone-site being no more than 8 m ² , <u>however, signage for the purpose of health and safety is exempt from this provision.</u>	Accept
42.01	Ventus Energy (VE)	Support with amendment	17. Energy	Entire chapter	Retain the ENERGY chapter with amendments.	Accept
FS23.155	Te Nehenehenui	Support in part			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points.	Accept
42.02	Ventus Energy (VE)	Support with amendment	17. Energy	ENG-Y-O1	Retain ENG-Y-O1. And Amend ENG-Y-O1 as follows: 1. Enabling renewable electricity generation activities where appropriate ; and	Accept
FS23.156	Te Nehenehenui	Oppose / Support in part			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review. If submission points do align to enhance the protection and maintenance of its people and all taonga within the	Accept in part

					taiao and the TNN area of interest, TNN is in support of these points	
42.03	Ventus Energy (VE)	Support with amendment	17. Energy	ENGY-O2	Retain ENGY-O2. And Amend ENGY-O2 as follows: 1. Maintaining <u>and/or</u> increasing the use and supply of renewable electricity 3. Enabling the appropriate development of new renewable electricity generation activities; and ...	Accept
42.04	Ventus Energy (VE)	Support with amendment	17. Energy	ENGY-P1	Retain ENGY-P1. And Amend ENGY-P1 as follows: Enable the ongoing operation, maintenance, repair, <u>replacement</u> and minor upgrade ...	Reject
FS10.08	King Country Energy	Support			Allow	Reject
FS16.01	NZHPT	Oppose			That the submission point is declined	Accept
FS23.157	Te Nehenehenui	Oppose / Support in part			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review. If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points	Accept in part
42.05	Ventus Energy (VE)	Support with amendment	17. Energy	ENGY-P4	Retain ENGY-P4. And Amend ENGY-P4 as follows:	Reject

					<p>...</p> <p>3. the scale, intensity duration or frequency of the activity's effects including at the time of construction; and</p> <p>2. Adverse amenity, visual, traffic generation, safety, light overspill, shadow, earthworks, glare and noise effects; and</p> <p>3. Adequate separation distances from existing and consented sensitive activities to ensure conflict between activities, adverse effects and reverse sensitivity effects are minimised; and</p> <p>4. Effects on scheduled sites, features or overlays.</p> <p>5. In doing so...</p>	
FS16.02	NZHPT	Oppose			That the submission point is declined	Accept
FS23.158	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	Accept in part
42.06	VE	Support with amendment	17. Energy	ENGY-P5	<p>Amend ENGY-P5 as follows:</p> <p>Allow activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation, however they <u>effects</u> must be avoided, <u>remedied or mitigated</u> within: ...</p>	Accept in part

FS10.09	King Country Energy	Support			Allow	Accept in part
FS16.03	NZHPT	Oppose			That the submission point is declined	Accept in part
FS23.159	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	Accept in part
42.07	VE	Support with amendment	17. Energy	ENGY-P6	<p>Retain ENGY-P6. And</p> <p>Amend ENGY-P6 as follows:</p> <p>Recognise that increasing levels of renewable electricity generation activities may alter existing visual amenity values, but the level of adverse visual effects may not be appropriate in some overlays, scheduled sites and features.</p>	Reject
FS03.74	Director-General of Conservation	Oppose			Disallow	Accept
FS10.10	King Country Energy	Support			Allow	Reject
FS16.04	NZHPT	Oppose			That the submission point is declined	Accept
FS23.160	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p>	Accept in part

					<p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	
42.08	VE	Support	17. Energy	ENGY-P7	Retain ENGY-P7 as notified.	Accept in part
FS23.161	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	Accept in part
42.09	VE	Support with amendment	17. Energy	ENGY-P13	<p>Retain ENGY-P13.</p> <p>And</p> <p>Amend ENGY-P13 as follows:</p> <p>Within the rural production zone where the removal of indigenous vegetation in a significant natural area is unavoidable to provide for regionally or <u>nationally</u> significant <u>energy</u> infrastructure, adverse effects must be remedied in the first instance, or mitigated or offset if this is not possible:</p>	Reject

FS10.11	King Country Energy	Support			Allow	Reject
FS23.162	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	Accept in part
42.10	VE	Support	17. Energy	ENGY-R1	Retain ENGY-R1 as notified.	Accept in part
42.11	VE	Support	17. Energy	ENGY-R10 General Rural Zone – Permitted	Retain ENGY-R10 – Permitted Activity Status for General Rural Zone as notified.	Accept
FS16.05	NZHPT	Oppose			That the submission point is declined	Reject
FS23.163	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these</p>	Accept in part

					points	
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.	Accept in part
FS03.75	Director-General of Conservation	Oppose			Disallow	Accept in part
FS23.164	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points</p>	Accept in part
42.13	VE	Support	17. Energy	ENGY-R11 Table 1 – Discretionary	Retain NGY-R11 Table 1 – Discretionary status for General rural zone and landscapes of high amenity value and significant natural areas (local significance) as notified.	Accept
FS16.06	NZHPT	Oppose			That the submission point is declined	Reject
FS23.165	Te Nehenehenui	Oppose / Support in part			<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p>	Accept in part

					If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support of these points	
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.	Reject
FS03.76	Director-General of Conservation	Oppose			Disallow	Accept
FS23.166	Te Nehenehenui	Oppose			Oppose where the activity impacts sites and areas of significance to Māori and significant archaeological sites , iwi, hapu and mana whenua cultural values must be provided for	Accept
46.17	FF	Support	17. Energy	ENGY-P7	Retain ENGY-P7 as notified.	Accept in part
46.18	FF	Support with amendment	17. Energy	ENGY-P10	Amend ENGY-P10 to require a functional need for co-generation and waste to energy conversion to be in the rural production and general rural zones. And Any consequential amendments required as a result of the relief sought.	Reject
47.13	F&B	Support with amendment	17. Energy	Overview	Amend the Overview of the Energy chapter as follows: Oil and petrol <u>currently</u> fuel <u>most of our</u> vehicles... And Any consequential changes or alternative relief to achieve the relief sought.	Accept
47.14	F&B	Support	17. Energy	ENGY-O1	Retain ENGY-O1 as notified.	Accept in part
47.15	F&B	Support	17. Energy	ENGY-O2	Retain ENGY-O2 as notified.	Accept in part

47.16	F&B	Support with amendment	17. Energy	ENGY-O4	<p>Amend ENGY-O4 as follows:</p> <p>...</p> <p>1. Enabling the growth and expansion of such activities to meet the future demand of the district <u>where appropriate</u>; and</p> <p>2. Managing adverse environmental effects on the receiving environment by internalising effects to the property boundary, or through avoid, remedy, or mitigation measures <u>within the property boundary</u> as far as practicable.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
47.17	F&B	Support with amendment	17. Energy	ENGY-P1	<p>Amend ENGY-P1:</p> <ul style="list-style-type: none"> so that significant adverse effects are to be avoided and other adverse effects avoided, remedied or mitigated, and to ensure the policy does not apply within the coastal environment. <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
FS03.101	Director-General of Conservation	Support			Allow	Accept
47.18	F&B	Support with amendment	17. Energy	ENGY-P2	<p>Amend the wording of ENGY-P2 to "protect" the values of overlays and scheduled sites and features.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject

FS10.24	King Country Energy	Oppose			Disallow	Accept
FS16.08	NZHPT	Support			That the submission point be allowed	Reject
FS25.02	Ventus Energy	Oppose			Disallow	Accept
47.19	F&B	Support with amendment	17. Energy	ENGY-P3	Amend ENGY-P3 to read: ... recognise the social, <u>environmental</u> and economic benefit to the community from sharing <u>renewable</u> electricity that has been generated locally. And Any consequential changes or alternative relief to achieve the relief sought.	Accept
47.20	F&B	Support with amendment	17. Energy	ENGY-P4	Add a new matter of discretion to ENGY-P4 as follows: <u>7. Effects on indigenous species including highly mobile species</u> Or <u>7. Effects on indigenous biodiversity</u> And Any consequential changes or alternative relief to achieve the relief sought.	Accept
FS03.102	Director-General of Conservation	Support			Allow	Accept
FS25.03	Ventus Energy	Oppose			Disallow	Reject
47.21	F&B	Support with amendment	17. Energy	ENGY-P5	Amend ENGY-P5 as follows: Allow <u>Provide for</u> activities And Add a new clause to ENGY-P5 as follows: <u>7. Areas of significant habitat of highly mobile species</u>	Accept in part

					<p><u>such as bats and seabirds.</u></p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	
FS03.103	Director-General of Conservation	Support			Allow	Accept in part
FS10.25	King Country Energy	Oppose			Disallow	Accept in part
FS25.04	Ventus Energy	Oppose			Disallow	Accept in part
47.22	F&B	Oppose	17. Energy	ENGY-P10	<p>Amend ENGY-P10 as follows:</p> <p>For any co-generation or waste to energy conversion:</p> <p>1. Acknowledge the benefits of the efficient use and disposal of waste; and</p> <p>2. Manage more than minor adverse environmental effects created by this activity; and</p> <p>And</p> <p>Add a new clause to ENGY-P10 that states that significant adverse effects on the environment are to be avoided and other adverse effects avoided, remedied or mitigated.</p> <p>And</p> <p>Add a new clause to ENGY-P10 to ensure that within the coastal environment, effects are managed in accordance with the coastal chapter and biodiversity provisions in the coastal environment.</p> <p>And</p> <p>Add a definition for “co-generation”</p> <p>And</p>	Reject

					Any consequential changes or alternative relief to achieve the relief sought.	
47.23	F&B	Support with amendment	17. Energy	ENGY-P11	<p>Amend ENGY-P11 as follows:</p> <p>Allow—Provide for facilities which produce biogas by anaerobic fermentation of waste, organic materials, <u>where this is the most environmentally appropriate use of such material, ensuring both the benefits and any effects, including the potential for reverse sensitivity effects, are taken into account. Avoid locating these facilities in areas of the district where a non-complying activity status is signalled in the rules.</u></p> <p>And</p> <p>Add a new definition of “organic materials” to capture those generally used in produce of biogas by anaerobic fermentation process. And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Accept in part
47.24	F&B	Support	17. Energy	ENGY-P12	Retain ENGY-P12 as notified.	Accept in part
47.25	F&B	Oppose	17. Energy	ENGY-P13	<p>Delete ENGY-P13.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Accept
FS10.26	King Country Energy	Oppose			Disallow	Reject
FS25.05	Ventus Energy	Oppose			Disallow	Reject
47.26	F&B	Oppose with amendment	17. Energy	ENGY-P14	<p>Amend ENGY-P14 as follows:</p> <p>Enable—Provide for lawfully established existing hydro-electricity generation and associated activities located</p>	Accept

					<p>within the rural production zone...</p> <p>And</p> <p>Make a consequential change to ENGY-P15 to include "lawfully stablshed" before "existing".</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	
FS10.27	King Country Energy	Oppose			Disallow	Reject
47.27	F&B	Support with amendment	17. Energy	Rules Generally	Retain the statement in the Energy chapter that provisions in Part 2 district wide chapters apply.	accept
FS10.28	King Country Energy	Oppose			Disallow	Reject
FS25.06	Ventus Energy	Oppose			Disallow	Reject
47.28	F&B	Support with amendment	17. Energy	Rules Generally	Amend to clarify that all rules in the Energy chapter for vegetation clearance must comply with ECO rules.	Reject
FS03.104	Director-General of Conservation	Support			Allow	Reject
FS10.29	King Country Energy	Oppose			Disallow	Accept
FS25.07	Ventus Energy	Oppose			Disallow	Accept
47.29	F&B	Support with amendment	17. Energy	Rules Generally	<p>Add a condition or standard to all permitted activities in the Energy chapter to restrict the removal of individual trees, exotic tree shelterbelts and stands of trees that may provide habitat to NZ bats.</p> <p>And</p> <p>Add a matter of control/discretion in the Energy chapter rules to include effects on the habitats of NZ bats.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve</p>	Reject

					the relief sought.	
FS10.30	King Country Energy	Oppose			Disallow	Accept
FS25.08	Ventus Energy	Oppose			Disallow	Accept
47.30	F&B	Support with amendment	17. Energy	Rules Generally	<p>Delete the specific limit on vegetation clearance in ENGY -R23 and refer to compliance with the ECO rules including clearance limits sought in this submission.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
FS10.31	King Country Energy	Oppose			Disallow	Accept
FS25.09	Ventus Energy	Oppose			Disallow	Accept
47.31	F&B	Support with amendment	17. Energy	Rules Generally	<p>Include other Amendments as needed in the Energy chapter to protect the habitats of indigenous fauna when considering providing for ENGY activities.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p>	Reject
FS10.32	King Country Energy	Oppose			Disallow	Accept
FS25.10	Ventus Energy	Oppose			Disallow	Accept
47.32	F&B	Oppose with amendment	17. Energy	ENGY-R9	<p>Amend ENGY-R9 as follows:</p> <p>Where: ... <u>2A. the activity is not undertaken in an area known to be used by seabirds."</u></p> <p>Clarify the provisions for non-compliance and include that where condition 2A is not met the activity is a discretionary activity.</p> <p>And</p>	Reject

					Any consequential changes or alternative relief to achieve the relief sought.	
47.33	F&B	Oppose with amendment	17. Energy	ENGY-R14	Amend ENGY-R14 so that provision is made to consider consenting of lawfully established activities as NC activities, but that new Coal Fired Electricity Generation and energy generated from non-renewable sources not listed in Table 1 the activity status should be Prohibited. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.34	F&B	Support with amendment	17. Energy	ENGY-R18	Retain the discretionary activity status for earthworks in SNAs ENGY- R18.	Accept
FS10.33	King Country Energy	Oppose			Disallow	Reject
47.35	F&B	Support with amendment	17. Energy	ENGY-R18	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. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
FS03.105	Director-General of Conservation	Support			Allow	Reject
FS10.34	King Country Energy	Oppose			Disallow	Accept
47.36	F&B	Support with amendment	17. Energy	ENGY-R18	Delete ENGY-R18(2). And Add "CE-R8" to ENGY-R18(1).	Reject

					And Any consequential changes or alternative relief to achieve the relief sought.	
FS10.35	King Country Energy	Oppose			Disallow	Accept
47.37	F&B	Support with amendment	17. Energy	ENGY-R18	Add a new clause in ENGY-R18 referring to CE rules for earthworks within coastal hazard areas. And Any consequential changes or alternative relief to achieve the relief sought.	Accept
FS10.36	King Country Energy	Oppose			Disallow	Reject
47.38	F&B	Support with amendment	17. Energy	ENGY-R18	Add a new clause in ENGY-R18 that other than as provided for in the CE rules listed above, earthworks in the coastal environment associated with an energy activity are DIS activities. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
FS10.37	King Country Energy	Oppose			Disallow	Accept
47.39	F&B	Support with amendment	17. Energy	ENGY-R19	Add the following matter of discretion to ENGY-R19(j) Matters <u>(j) The actual or potential effects on bats and birds</u> And Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.40	F&B	Support with amendment	17. Energy	ENGY-R20	Add the following matter of discretion to ENGY-R20: <u>(j) The actual or potential effects on bats and birds</u>	Reject

					And Any consequential changes or alternative relief to achieve the relief sought.	
FS25.11	Ventus Energy	Oppose			Disallow	Accept
53.13	DOC	Oppose in part	17. Energy	ENGY-O4	I seek the following or relief to like effect: Provide for authorised activities in the rural production zone by: 1. Enabling the growth and expansion of such activities to meet the future demand of the district; and 2. Managing adverse environmental effects on the receiving environment by or through avoid, remedy, or mitigation measures through consistent application of the as far as practicable effects management hierarchy.	Reject
53.14	DOC	New	17. Energy	New Objective ENGY- Ox	I seek the following or relief to like effect: <u>The adverse effects of renewable electricity generation activities are:</u> 1. <u>avoided on the identified characteristics and values of the sensitive environments the infrastructure is located within; and</u> 2. <u>managed by applying the effects management hierarchy to achieve the relevant objectives for the underlying zone in other areas.</u>	Reject
FS10.58	King Country Energy	Oppose			Disallow	Accept
FS25.18	Ventus Energy	Oppose			Disallow	Accept
53.15	DOC	Support in part	17. Energy	ENGY-P5	I seek the following or relief to like effect: Allow <u>renewable electricity generation and</u> activities associated with the investigation, identification and assessment of potential sites and energy sources for	Reject

					<p>renewable electricity generation, however they must be avoided within:</p> <ol style="list-style-type: none"> 1. An identified outstanding natural landscape or an outstanding natural feature; or 2. An area of outstanding natural character or high/very high natural character; or 3. The site or surroundings of a heritage building or structure; or 4. A significant archaeological site; or 5. A site or area of significance to Māori; or 6. A significant natural area. 7. <u>A bat protection area.</u> 	
FS10.59	King Country Energy	Oppose			Disallow	Accept
FS25.19	Ventus Energy	Oppose			Disallow	Accept
53.16	DOC	Oppose in part	17. Energy	ENGY-P13	<p>I seek the following or relief to like effect:</p> <p>ENGY-P13. Within the rural production zone where the removal of indigenous vegetation in a significant natural area is <u>proposed</u> unavoidable to provide for: regionally significant infrastructure, adverse effects must be <u>managed by</u> applying the effects management hierarchy.</p> <ol style="list-style-type: none"> 1. <u>If the effects management hierarchy has been sequentially applied and</u> offsetting adverse effects is the only practicable option, indigenous biodiversity values and ecological characteristics of the significant natural area will be <u>restored and enhanced</u> maintained by: <ol style="list-style-type: none"> a. Providing a biodiversity offset that is consistent with the framework detailed in Appendix 4 Biodiversity Offsetting Framework; and b. Ensuring the biodiversity offset can achieve <u>a net gain or at minimum</u> no net loss of indigenous biodiversity values at a regional scale, preferably in the affected significant natural area, or 	Reject

					where that is not practicable, in the ecological district in which the affected significant natural area is located.	
FS10.60	King Country Energy	Oppose			Disallow	Accept
FS25.20	Ventus Energy	Oppose			Disallow	Accept
53.17	DOC	Oppose in part	17. Energy	ENGY-R9	<p>I seek the following or relief to like effect:</p> <p>One wind turbine with a rated capacity up to and including 5kW per site, except for the industrial, general rural, rural production zones & PREC3 where the maximum is two wind turbines with a rated capacity of up to and including 5kW each per holding.</p> <p>PER: Outstanding Natural Landscapes</p> <p>DIS: Heritage buildings and structures, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character, <u>significant natural areas</u>, <u>bat protection areas</u>, <u>outstanding natural landscapes</u>.</p>	Reject
FS10.61	King Country Energy	Oppose			Disallow	Accept
FS25.21	Ventus Energy	Oppose			Disallow	Accept
FS23.253	Te Nehenehenui	Support in part			Remove sites and areas of significance to Māori , significant archaeological sites.	Accept in part
53.18	DOC	Oppose in part	17. Energy	ENGY-R11	<p>New renewable electricity generation activities including community scale renewable electricity activities not provided for elsewhere in Table 1</p> <p>NC: Outstanding natural landscapes, outstanding natural features, heritage buildings and structures, sites or areas, <u>significant natural areas (local, regional, national or international significance)</u> or, as preferred by the D-G, delete differing significance hierarchy and <i>apply the standard significance test in accordance with WRPS APP5.</i></p> <p>DIS: Karst overlay, landscapes of high amenity value, significant natural areas (local significance), coastal</p>	Reject

					environment.	
FS10.62	King Country Energy	Oppose			Disallow	Accept
FS25.22	Ventus Energy	Oppose			Disallow	Accept
FS23.254	Te Nehenehenui	Support in part			Add sites and areas of significance to Māori, significant archaeological sites	Accept in part

Tranche 1 - Various provisions – Submission points

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
43.13	Graymont (NZ) Limited	Support	CL-O1	Retain CL-O1 as notified.	Accept
43.14	Graymont (NZ) Limited	Support	CL-P1	Retain CL-P1 as notified.	Accept
43.15	Graymont (NZ) Limited	Support	CL-P2	Retain CL-P2 as notified.	Accept
46.28	Graymont (NZ) Limited	Support	Entire chapter	Retain chapter 21 Contaminated Land as notified.	Accept
43.13	Graymont (NZ) Limited	Support	CL-O1	Retain CL-O1 as notified.	Accept
56.12	BP Oil New Zealand Limited & Z Energy Ltd (The Fuel Companies)	Support	Overview, CL-O1, CL- P1 and CL-P2	Retain the Contaminated Land Chapter overview, Objective CL-O1, and Policies CL-P1 and CL-P2 as notified.	Accept
16.17	Fire and Emergency New Zealand (FENZ)	Support	HS – Table 1 - Activities Rules	Retain as notified.	Accept
27.38	Hort NZ	Support	HS-Hazardous substances	Retain Chapter 22 Hazardous substances as notified.	Accept
31.61	Transpower	Support	HS-R2	Retain HS-R2.	Accept
43.16	Graymont (NZ) Limited	Support	HS-P2	Retain HS-P2 as notified.	Accept

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
43.17	Graymont (NZ) Limited	Support	HS-P3	Retain HS-P3 as notified.	Accept
43.18	Graymont (NZ) Limited	Support	HS-P4	Retain HS-P4 as notified.	Accept
43.19	Graymont (NZ) Limited	Support	HS-R1	Retain HS-R1 as notified.	Accept
43.20	Graymont (NZ) Limited	Support	HS-R2	Retain HS-R2 as notified.	Accept
46.29	Federated Farmers	support	Entire chapter	Retain chapter 22 Hazardous substances as notified.	Accept
56.01	The Fuel Companies	Support	Overview, HS-O1, HS- P1 to HS-P4 and HS-R1 to HS-R2	The following relief is sought: a. Retain the Hazardous Substances Chapter overview, objectives, policies and rules as notified.	Accept
16.17	FENZ	Support	HS – Table 1 - Activities Rules	Retain as notified.	Accept
17.79	Waka Kotahi	Support	FC-O1 FC-O2 FC-O3	Retain as notified.	Accept
17.80	Waka Kotahi	Support	FC-P2	Retain as notified.	Accept
17.81	Waka Kotahi	Support	FC-P7	Retain as notified.	Accept
17.82	Waka Kotahi	Support	FR-R4.1(c)	Retain as notified.	Accept
17.83	Waka Kotahi	Support	FC-R5.1(d)	Retain as notified.	Accept
17.159	Waka Kotahi	Support	PREC6-P1	Retain as notified.	Accept
35.23	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	Zones Precincts/ Te Maika Precincts PREC7	Retain intent of PREC7 in supporting Mana whenua aspirations.	Accept
FS20.23	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
24.75	Ministry of Education (MoE)	Support	PREC-O1	Retain PREC7-O1 as notified.	Accept
24.76	MoE	Support	PREC-P6	Retain PREC-P6 as notified.	Accept
16.85	FENZ	Support	PREC-R8	Retain as notified.	Accept
16.84	FENZ	Support	PREC7-P9	Retain as notified.	Accept
03.158	Heritage New Zealand Pouhere Taonga	Support in part	PREC7	That the impact of proposed development levels on the overall archaeological values/landscape of the Te Maika precinct are reviewed to ensure impacts are reduced to a minimum. This may be assisted by a master planning or similar exercise.	Reject
53.71	Department of Conservation	Support in part	SCHED 6 Significant Natural Areas, SCHED 7 Outstanding Natural Features, SCHED 8 Outstanding Natural Landscapes, SCHED 9 Landscapes of high amenity value SCHED 10 Areas of outstanding	Amend as required.	Reject

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
			natural character (SCHED 11 Areas of high/very high natural character), SCHED12 Karst overlay, (SCHED13 Coastal environment overlay)		

Tranche 2 - Miscellaneous - Submission points

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
03.01	Heritage New Zealand Pouhere Taonga (NZHPT)	Support, support in part	Whole plan	Subject to amendments sought elsewhere in this submission, HNZPT seeks that the permitted activities related to schedules, the bonus lot subdivision rules and the subdivision provisions for the protection of scheduled items, are retained.	Accept in part. Not all submission points have been accepted for the reasons set out in various section 42A Reports.
FS05.05	Federated Farmers	Support		Grant the relief sought not including the amendments sought elsewhere in the submission.	Accept
10.01	Waikato Regional Council (WRC)	Amend	Whole plan	Amend the rules and performance standards to be consistent with amendments made as a result of the changes sought in this submission.	Accept in part. Not all submission points have been accepted for the reasons set out in various section 42A Reports
17.01	Waka Kotahi	N/A	Whole plan	Waka Kotahi seeks that reference to 'New Zealand Transport Agency' throughout the plan is amended to 'Waka Kotahi New Zealand Transport Agency' to reflect the updated name of the organisation (with the exception of designations where the Requiring Authority name recorded in the Proposed District Plan should be the 'New Zealand Transport Agency').	Accept. This amendment will be made to all chapters. Except for designations, where council is required to use the Requiring Authority reference as advised by the submitter.
17.03	Waka Kotahi	N/A	Whole plan	Waka Kotahi notes that the Plan does not refer to Emissions Reduction Plan or National Adaptation Plan. These are relevant considerations to which regard shall be given under Section 74(2)(b)(i) of the RMA. They are also relevant with respect to Sections 7(i) & 6(h) of the Resource Management Act 1991 (RMA). Waka Kotahi seeks that the District Plan demonstrates how it has had regard to these matters and how it recognises and provides for the National Adaptation Plan.	Reject.
FS26.01	WRC	Support		The Waitomo PDP demonstrates how it has regard to the NAP and ERP under section 74(2)(b)(i) of the RMA.	Reject
17.04	Waka Kotahi	N/A	Whole plan	Waka Kotahi notes that the Plan doesn't refer to the National Policy Statement – Highly Productive Land. As required by Sections 74(ea) and 75(3)(a) of the RMA the District Plan must give effect to a national policy statement. This National Policy Statement may have spatial implications that could impact on land use and	Reject.

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				infrastructure within the District, including the transport network. Waka Kotahi seeks that the District Plan demonstrates how it give effect to this NPS.	
18.35	Auckland Waikato Fish and Game Council (AWFG)	N/A	Whole plan	The recreational values of waterbodies can be constrained by limited public access; therefore, it is important to provide such access. Rivers and streams in the Waitomo District support trout fisheries, and many wetlands support game bird hunting, but outside of urban areas there is relatively little legal public access to and along waterbodies. While unformed legal roads do provide some access to rivers, they often wander over farmland and it is not obvious where they lie. Once at the river, there are few esplanade reserves and strips, marginal strips, recreation and road reserves and so most riverbanks are in private ownership, potentially with ad medium filum rights.	Accept in part. The submission point does not expressly state what relief it is seeking but changes relating to access to water bodies have been recommended as part of the Section 42A process. We note the issue raised by the submitter, but it would be beneficial if they could clarify what specific amendments they are seeking to the plan at the hearing.
18.36	AWFG	N/A	Whole plan	AWFG supports provisions within the Proposed Plan that ensure that public access to and along wetlands, streams, lakes and rivers is enhanced and maintained, and any provisions that provide for the creation and protection of esplanade reserves and strips.	Accept in part.
35.19	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support	Whole plan	Retain provisions to provide for papakaainga development on Māori owned land in all zones as notified.	Accept in part. Papakaainga development is not provided for in some zones including the industrial zone and rural production zones.
FS20.19	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part.
35.20	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Oppose with amendment	Whole plan	Delete provisions that restrict the number of residential units able to be developed on Māori owned land.	Accept in part. Amendments have been recommended however, it is considered that controls on numbers of residential units on all land is required to manage adverse effects such as traffic, amenity and three waters.

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
FS18.09	Omya	Oppose		Do not adopt this change	Accept in part.
FS20.20	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part.
35.21	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support	Whole plan	Retain provisions to provide for home businesses on Māori owned land in all zones as notified.	Accept.
FS09.07	Kainga Ora	Support		Allow	Accept
FS20.21	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept
38.05	Te Tokanganui- a-noho Whare (TTRMC)	Amend	Whole chapters Māori purpose zone / General rural zone	Amend the Sites and Areas of Significance to Māori as Māori Land Court (MLC) has no provision regarding approval of Concept Management however it does recognise the Delegation of Authority. The Mandated Iwi Authority is used to provide approval of Concept Management Plan's using methodology through its Whare (ex-RMC's) and an approved Environment Management Plan. (This will need to be developed in Partnership with Council) Sect 33 RMA.	Reject. See 35.16 Note development on sites and areas of significance to Māori is controlled by the provisions of that chapter.
FS20.34	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Reject.
38.06	TTRMC	Amend	Plan Wide	Amend Chapter Headings across the Plan to read in both Te Reo and English.	Accept.
FS20.35	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept.
38.07	TTRMC	Support	Plan Wide	Retain the approach in the proposed Plan where there is reference to the principles of Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for management of activities in the Upper Waipa Catchment. This approach will be consistent with retaining the following provisions: <ul style="list-style-type: none"> Strategic Direction, Urban Form and Development SD-02. 	Accept.

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				<ul style="list-style-type: none"> Ecosystems & indigenous biodiversity chapter ECO-O6. Subdivision SUB-O8, SUB-P25. Activities on the Surface of Water ASW-O4. General rural zone GRUZ-P4.1	
FS20.36	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept.
45.11	Marama Henare-Waho	Support with amendment	All provisions	Amend the whole Proposed District Plan to be expressed in te reo Māori in the Maniapoto dialect.	Reject. It would be desirable to do this. Headings across the plan are recommended to be changed to read in both Te Reo and English. One option is to investigate the cost of this, noting plans are often amended and would need updating regularly.
46.01	Federated Farmers of NZ (FF)	Oppose with amendment	Provisions in respect of public access over private property	Amend the plan in respect of public access across private property in all sections to identify: <ul style="list-style-type: none"> (a) that no public access across private property is allowed without the permission of the landowner (b) where public access or limited access by other specified parties is sought and is required to meet RMA legislated obligations, the Council will engage with the relevant landowners to reach an acceptable agreement about the terms of the access; and (c) that all public access agreements reached are formalized between the Council and the landowner and any other relevant parties; and (d) ssues in respect of health and safety related to people using public access or access tracks across private property are comprehensively addressed so that there is no liability for the landowner of the land across which the public access / access occurs; and any other consequential Amendments required as a result of the relief sought (a) to (c) above.	Accept in part. Where appropriate, amendments have been made throughout the plan to give effect to this relief as set out in the various s42A Reports.

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
FS23.212	Te Nehenehenui	Support in part		Where the access to sites of customary activities and cultural practices occur and are located on private property and cultural practices occur and are located on private property, TNN encourages engagement and consideration of iwi hapu and mana whenua cultural values specifically in areas and sites of significance to Māori and where mahinga kai and wāhi tapu are located.	Accept in part.
FS30.23	Transpower	Oppose		Disallow	Accept in part.
46.02	FF	Oppose with amendment	Overlays, schedule sites, areas and features	<p>Amend the plan in respect of overlays, scheduled sites and features identified on private property to:</p> <p>Provide the opportunity for on-going mapping refinement and ground-truthing of scheduled sites, particularly SNAs including where a proposed activity requires a resource consent solely as a result of an area being identified as a significant natural area (SNA) and the site has not been ground-truthed, Council will meet the costs of the ground-truthing assessment to confirm the status and boundaries of the significant natural area. The assessment will be carried out by a Council approved suitably qualified and experienced ecologist prior to an application for resource consent being lodged. Ensure no changes are made to sites without landowner involvement.</p>	<p>Reject.</p> <p>All landowners were consulted on the boundaries and sites were ground-truthed as required. This is evidenced by the handful of submissions requesting sites are checked, added or amended.</p>
FS19.155	PF Olsen	Support		Allow submission point	Reject
FS23.213	Te Nehenehenui	Support in part		Include: where this involves sites and areas of significance to Māori and significant archaeological sites, iwi, hapu and mana whenua must be involved and cultural values must be considered	Accept in part
46.03	FF	Support with amendment	All provisions	<p>Amend to plan to ensure:</p> <p>(a) the retention of the proposed direction for rural industry, farming and rural environments in the proposed district plan subject to the Amendments sought by Federated Farmers in its submission;</p> <p>And</p> <p>(b) that Council comprehensively addresses the issue of public access / access across private property and the related health and safety issues that result from this access being provided;</p> <p>And any consequential amendments required as a result of the relief sought.</p>	<p>Accept in part.</p> <p>It is considered that where appropriate this relief has been provided for in the plan.</p>

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
50.04	Te Nehenehenui	Amend	New – change to titles/ Bilingual headings	TNN requests the use of Te Reo in the chapter headings for the final version of the district plan. Requests and encourages this to be a collaborative process between WDC and TNN/ Maniapoto and translations are inclusive and align to the 2009 Te Rautaki Reo a Te Nehenehenui (Ngāti Maniapoto Language Revitalisation Strategy).	Accept.
FS20.202	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land	Accept.
03.160	Heritage New Zealand Pouhere Taonga (NZHPT)	Oppose	Delete PREC1 and replace with Proposed New Items Railway Cottage Historic Area within Sched 1 Building and structures	That PREC1 is replaced with an historic heritage area and included into the SCHED1-Heritage Buildings and subject to the protective rule framework. It is noted that the submission states "support" for the provision. However, the submitter has requested that the provision be deleted. Therefore, their position on the submission has been amended to oppose.	Reject. See s42A Report on the Residential Zone.
10.124	Waikato Regional Council (WRC)	Oppose	General comment earthworks provisions	Include a rule (in chapter 33. Earthworks or alternatively, in chapter 26 – Ecosystems and Indigenous Biodiversity) with a limit of 250m ³ for earthworks undertaken within a significant natural area as a permitted activity. WRC recommends that earthworks exceeding this limit have a Discretionary activity status.	Reject This change is not recommended as the rules apply to clearance of indigenous vegetation rather than earthworks which occur after the clearance. It is preferable to manage the clearance in the first instance.
13.02	Sheryl Paekau	Support in part	Whole chapters 41. Residential zone, 42. General rural zone and 45. Settlement zone	Retain the provisions in the residential, general rural and settlement zone that provide for papakainga development around each marae. However, there needs to be recognition of Māori freehold land and treaty settlement land (general land use for Māori purpose) rather than a zoning approach. Amend the PDP to enable the development of Māori freehold land (ancestral lands) inherited by whakapapa, that will better give effect to section 6 matters of the RMA. Amend the PDP to include the same approach that has been adopted by the Waikato District Council in its appeals version (17. Maaori Land) of the PDP for Māori land (which includes Māori freehold land and treaty settlement land).	Accept in part See 35.16

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
24.01	Ministry of Education (MoE)	Support with amendment	Urban growth	Amend the Proposed District Plan to enable provisions for education facilities in the relevant zones to meet future demands. And any consequential amendments required to give effect to the matters raised in this submission.	Accept in part See strategic development chapter and zone provisions. Noting the Minister of Education has designation powers available, the plan provides for education facilities across multiple zones, except for Industrial, Rural Production, Open Space and Natural Open Space Zones. It is considered that the approach taken in each zone is the appropriate given the range of matters which may need to be considered on a site-by-site and zone by zone basis
29.12	Aggregate and Quarry Association (AQA)	Neutral	N/A	No specific decision sought, but submission seeks some allowance for possible quarrying activity (perhaps small scale) in the Rural Lifestyle Zone and other zones which are not covered in the proposed plan.	Reject During the development of the plan this matter was considered at length. The other zones in the district are very small by comparison to the general rural zone and contain identified characteristics that are not compatible with quarrying activities. Quarrying is provided for in the rural production and industrial zones.
31.76	Transpower	Support	Mapping and Designations National Grid line Part 3 , Area Specific Matters and Part 4, Appendices and Maps	Retain the identification of the National Grid line on the planning maps.	Accept
34.01	Ayush Mudaliar	Oppose	Zoning - Piopio	Amend the proposed zoning changes for Piopio.	Reject. The zoning in Piopio has

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
					been amended to ensure that reflects the current land use (i.e. the commercial zone has been removed the Piopio Village Green and the Piopio Hall and the residential dwellings at 82 and 84 Moa Street, and 6 Weka Street in Piopio. It is not clear what relief the submitter is seeking, and they may wish to provide some clarity at the hearing. In the interim it is recommended that this submission point is rejected.
35.13	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support	Historical and Cultural Values Chapters	Retain Historical and Cultural Values chapters to recognise and protect historical and cultural values as notified.	Accept
FS20.13	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept
35.14	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	MV-R1 MV – Māori values and Mātauranga Māori	<p>Amend the Plan to include the same approach that has been adopted by Waikato District Council in the Appeals Version of the Proposed Waikato District Plan for Māori values and Mātauranga Māori.</p> <p>And</p> <p>Add Rule MV-R1 as follows:</p> <p><u>(1) All discretionary and non-complying activities in Part 2 wide matters and Part 3 – Area-specific matters sections of this Plan must address:</u></p> <p><u>The effects on values held by mana whenua and the appropriateness to mana whenua of any avoidance, mitigation or enhancement measures including as identified through cultural impact/values assessments and any relevant iwi planning document.</u></p>	<p>Accept in part</p> <p>See 35.16</p> <p>Accept in part</p> <p>The plan takes the approach of identifying those activities which have been signaled by mana whenua as requiring the approach proposed in MV-R1. This does not in any way undermine the requirement to consult with mana whenua on any application regardless of the plan's provisions.</p>
FS18.08	Omya	Oppose		Do not adopt this change.	Accept in part
FS20.14	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga	Accept in part

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				be allowed	
35.15	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	TETW - Vision and Strategy Historical and Cultural Values/ Te Ture Whaimana-TETW	Amend the Plan to include the same approach that has been adopted by Waikato District Council in the Appeals Version of the Proposed Waikato District Plan for Te Ture Whaimana. (refer TETW Vision and Strategy chapter attached as part of the submission)	Accept in part This plan gives effect to the Vision and Strategy in a coordinated matter throughout the chapters. There are specific provisions supporting its implementation which were developed in conjunction with mana whenua and are tailored to ensure appropriate implementation occurs within the district. No change is recommended.
FS20.15	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part
35.16	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	ML-Maori Owned Land Historical and Cultural Values/ML-Māori owned land	Amend the Plan to include the same approach that has been adopted by Waikato District Council in the Appeals Version of the Proposed Waikato District Plan for I owned land (which includes I Freehold Land and Treaty Settlement Land. (refer ML chapter attached as part of this submission)	Accept in part. It is noted that the intent of this submission is to enable development of papakāinga on all Māori Freehold Land. The plan already enables this type of development in the residential, general rural and settlement zones. The papakāinga rules within the zones (set out below) also apply to general title land as well as Māori Freehold Land . The plan therefore has achieved what the submitter is seeking. The approach taken in the plan is an advantage to landowners who do not wish their land to be managed by the Māori Land Court and where funding from banks can be challenging to obtain. The plan includes in the following

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
					<p>chapters provisions that enable marae complex and papakāinga housing development as a permitted activity at a scale that is appropriate to that zone:</p> <ul style="list-style-type: none"> • General rural zone; • Rural lifestyle zone; • Residential zone; • Settlement zone; • Tourism zone; • Te Maika precinct <p>The table provided on page 11-14 of the Māori Purpose Zone s42A Report sets out an overview of the permitted activity standard for papakāinga development by zone. The maximum site coverage as that may be a determining factor for how many papakāinga residential units can establish as a permitted activity</p>
FS20.16	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part
35.17	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	ML-Maori Owned Land	Amend the Plan to enable the development of Maori Freehold land (ancestral lands) inherited by whakapapa. (refer to The Proposed Waikato District Plan for full details).	Accept in part See 35.16
FS20.17	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part
35.18	Te Ruunanga o Ngaati Mahuta ki te Hauaauru	Support with amendment	ML-Maori Owned Land	Amend the plan to include provisions that enable development on Māori freehold land and Treaty Settlement Land (General Land used for Māori purpose). (refer to The Proposed Waikato District Plan for full details). Refer Submission Number 35.17.	Accept in part See 35.16

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
FS20.18	Sheryl Paekau	Support		I seek that the whole of all submissions provided by the Ruuananga be allowed	Accept in part
36.26	Kāinga Ora	Oppose with amendment	GRUZ-R44 *likely GRUZ-R45	<p>Amend GRUZ-R44 as follows:</p> <p>Maximum number of residential units</p> <p>...</p> <p>4. A papakāinga housing development of no more than 6 residential units must be on a site of sufficient size to contain the treatment and disposal of wastewater and stormwater resulting from any development within the site boundaries.</p> <p>And any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.</p>	<p>Reject.</p> <p>The table provided on page 11-14 of the Māori Purpose Zone s42A Report sets out an overview of the permitted activity standard for papakāinga development by zone. The submitter is invited to provide further information to support any change proposed.</p>
FS20.29	Sheryl Paekau	Support		Amend the provisions to be consistent and permitted where all the performance standards are complied with	Reject.
36.27	Kāinga Ora	Oppose with amendment	RLZ-R21	<p>Amend RLZ-R21 as follows:</p> <p>Maximum number of residential units ...</p> <p>4. A papakāinga housing development of no more than 6 residential units must be on a site of sufficient size to contain the treatment and disposal of ...</p> <p>And</p> <p>Any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.</p>	<p>Reject.</p> <p>The table provided on page 11-14 of the Māori Purpose Zone s42A Report sets out an overview of the permitted activity standard for papakāinga development by zone. The submitter is invited to provide further information to support any change proposed.</p>
52.01	Grant Lennox	Oppose	Not specified	Proposed rules are too restrictive.	<p>Reject</p> <p>See Miscellaneous S42A Report</p>
54.01	Apiculture New Zealand	Not specified	Not specified	Not specified.	<p>Reject</p> <p>See Miscellaneous S42A Report</p>
FS05.149	Federated Farmers	Oppose		Decline the relief sought	<p>Accept</p> <p>See Miscellaneous S42A Report</p>

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
55.02	Kura Stratford	Support in part	Whole chapters	<ul style="list-style-type: none"> Retain the provisions in the residential, general rural and settlement zone that provide for papakaainga development around each marae. However, there needs to be recognition of Māori freehold land and treaty settlement land (general land use for Māori purpose) rather than a zoning approach. Amend the PDP to enable the development of Māori freehold land (ancestral lands) inherited by whakapapa, that will better give effect to section 6 matters of the RMA. Amend the PDP to include the same approach that has been adopted by the Waikato District Council in its appeals version (17. Māori Land) of the PDP for Māori land (which includes Māori freehold land and treaty settlement land. I suggest the Proposed District Plan can be improved by enabling the Māori landowners to decide how many houses they need for their whānau and not limiting it to just six whānau members on one fee simple title. <p>I suggest the restrictions on the number of houses for Māori land should be removed. Māori landowners should be afforded the opportunity to use tikanga, kawa, Mātauranga to develop their lands for their future development and for successive generations.</p>	Accept in part See 35.16
FS18.16	Omya	Oppose		Do not adopt this change	Accept in part See 35.16
FS20.242	Sheryl Paekau	Support		I seek that this be amended and supported to give better effect	Accept in part See 35.16
FS23.262	Te Nehenehenui	Support		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>If submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the TNN area of interest, TNN is in support</p>	Accept in part See 35.16
55.03	Kura Stratford	Support in part	Whole Chapter	<p>Retain the provisions that support marae purpose living, papakaainga. Provide a pathway in the rule framework, which enables the development of Māori freehold land.</p> <p>The Waikato Proposed District Plan has provisions under Māori land for Māori Freehold land, Treaty Settlement land (which came back</p>	Accept in part See 35.16

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				<p>as General Land) is treated the same if used for Māori land purpose benefits. I suggest that Waitomo District Council consider these provisions. Waikato District Council have provided forward thinking for whenua Māori development. Incorporate the following Waikato Proposed District Plan provisions.</p> <p>Part 2: District-wide matters / Historical and cultural values / ML – Māori</p> <p>land Proposed Waikato District Plan – Appeals Version 8 August 2022 Refer to ML-P2 Non-regulatory policies.</p>	
FS20.243	Sheryl Paekau	Support		I seek that this be amended and supported to provide a national approach for Māori land.	Accept in part See 35.16
57.01	Tom Anderson	Oppose	Not specified – Pukenui A23B	Not specified.	Reject See Miscellaneous S42A Report
58.01	James Findlay	Not specified	Not specified	Seeks to support the submission by NZAAA, but no specific relief sought.	Reject See Miscellaneous S42A Report
46.30	FF	Support with amendment	Entire chapter	<p>Add provisions in chapter 26 Natural hazards to provide a permitted framework that recognises and provides for buildings and structures that have a functional need to be located within a natural hazard area.</p> <p>And any consequential amendments required as a result of the relief sought.</p>	Accept in part. Amendments were recommended to the natural hazards chapter in the s42A Report to give effect to this relief sought.
46.31	FF	Oppose	NH-R6	<p>Amend NH-R6 to make primary production activities exempt from the earthworks thresholds.</p> <p>And any consequential amendments required as a result of the relief sought.</p>	Reject. There is a need to manage earthworks in natural hazard areas. It would not be appropriate to provide an exemption to NH-R6 for primary production given the extent of activities covered by the definition.
FS23.216	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā	Accept

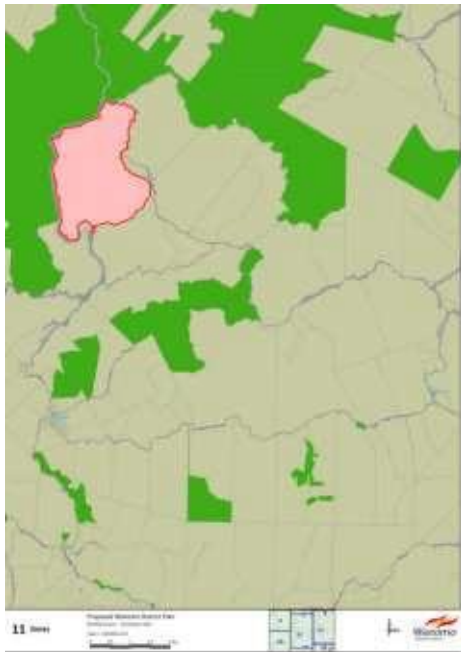
Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				<p>Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p>	
53.52	DOC	Oppose in part	ASW-P2	<p>Amend AWS-P2 as follows or words to like effect:</p> <p>Ensure any activities (including temporary activities) proposing to locate on the surface of the water, including structures and tourism activities, are appropriate having regard to the:</p> <ol style="list-style-type: none"> 1. Particular natural character, ecological, cultural, historical, amenity and/or recreational values of the water body and the impact of the activity on these values; and 2. Purpose of the activity and whether it has a functional need to locate on the surface of the water; and 3. Ability to provide, maintain, or enhance public access to the water body; and 4. Ability to restore and rehabilitate the water body and/or off-set any adverse <u>residual</u> effects <u>to a net gain outcome</u>; and 5. Ability to maintain or enhance the natural character and natural functions of the water body and its margins; and 6. Potential to create new or exacerbate existing natural hazards, including flooding or streambank erosion. 	<p>Reject.</p> <p>Not all water bodies will require restoration and rehabilitation, and therefore it would not be appropriate to broaden the policy to allow for adverse residual effects and it would be difficult to determine what a net gain outcome would be, so this wording would not be appropriate.</p>
FS10.71	King Country Energy	Oppose		Disallow	Accept
18.11	AWFG	Seek amendment	Introduce new part	<p>For the reasons set out in the general submissions above under “Council freshwater management” AWFG seek a new part which sets methods and rules for the management of Council land, specifically for freshwater. This should map all land owned and controlled by the Waitomo District Council and apply a set of methods, including rules, to this land to achieve the following:</p> <ol style="list-style-type: none"> 1. Ensuring public access to waterways is provided for. 2. Introduction of a new rule requiring a 20m setback between activities which may contaminate waterways and the bed of the waterway. 	<p>Reject</p> <p>See Miscellaneous S42A Report</p>

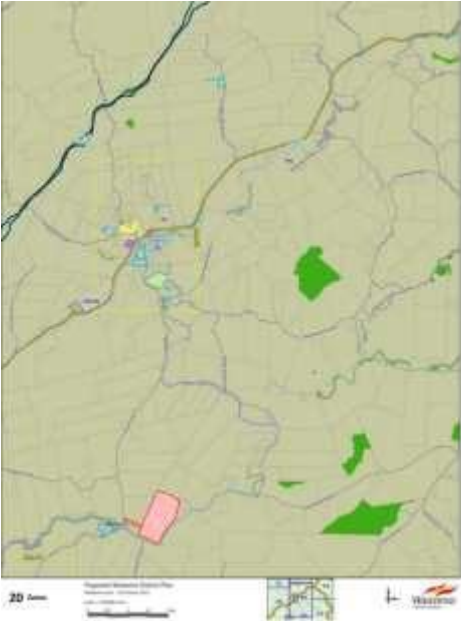
Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				<p>3. Introduction of new rules controlling drainage, fertiliser and pesticide use.</p> <p>4. Introduction of a new method and rules to phase out existing polluting activities, and phase in new activities and modify existing activities so that they are less impactful or intrusive on freshwater.</p> <p>Introduce a new rule for riparian land which is not currently under lease, or for which the lease expires, that it is retired from uses which may pollute freshwater. Include a provision to ensure a plan is made for the land's restoration.</p>	
10.161	WRC	Support	Appendix 2- Cultural Impact assessments process	Retain as notified.	Accept in part See Miscellaneous S42A Report
38.151	TTRMC	Support with amendment	Appendix 2 – Cultural Impact Assessment Process	<p>Retain Appendix 2 – Cultural Impact Assessment Process. And</p> <p>Amend Appendix 2 – Cultural Impact Assessment Process to remove reference to IP ownership regarding all aspects of Ko Tā Mahere Taiao. The Environment Plan (and all things in it) belongs to Maniapoto.</p>	Reject See Miscellaneous S42A Report
FS20.180	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Reject See Miscellaneous S42A Report
50.36	Te Nehenehenui	Support	Appendix 2 – Cultural Impact Assessment Process	<p>Retain Appendix 2 –</p> <p>The Tāngata Whenua Effects Assessment Report ('TWEAR') and Amended to include: where a Cultural Impact Assessment (CIA) is required, this process must include engagement, consultation with iwi, mana whenua or whare representative.</p> <p>The 'TWEAR' must be reviewed by iwi/ mana whenua or whare reps to ensure the cultural values of Maniapoto are included.</p>	Accept See Miscellaneous S42A Report
FS20.234	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land	Accept See Miscellaneous S42A Report
FS23.245	Te Nehenehenui	Support		Support and further amend to include reference to the respective treaty settlement. Where it references Te Ture Whaimana,	Accept See Miscellaneous S42A

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				reference must also be given to the Ngā Wai o Maniapoto (Waipā River Act) 2012 and where the plan references the Maniapotos EMP , please state the entire name " Ko Tā Maniapoto Mahere Taiao, Maniapoto's Environmental Management Plan "	Report
03.171	NZHPT	Support	Appendix 3 ICOMOS Charter NZ	That Appendix 3, the ICOMOS Charter is retained in the draft Plan.	Accept
14.01	New Zealand Pork Industry Board (NZPIB)	Support in part	Building	Provide relief from the rules relating to buildings for mobile pig shelters throughout the plan.	Reject See 14.58 General rural zone
FS05.35	Federated Farmers	Support		Grant the relief sought	Reject See 14.58 General rural zone
27.03	Hort NZ	Support with amendment	Building	Amend the definition of 'Building' to provide for artificial crop protection structures and crop protection structures which are excluded from building requirements.	Accept in part Building is a national planning standards definition and cannot be amended. See 27.78 General rural zone
43.09	Graymont (NZ) Limited	Support with amendment	Significant mineral resources	Amend definition of 'Significant mineral resources' to include the assessment criteria for defining significant mineral resources, (as per Method UFD-M29 of the WRPS) for ease of access for the plan user .	Accept in part See Miscellaneous S42A Report
FS23.178	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.	Accept in part
21.06	NZDF	Support with amendment	Temporary activity	Add new definition for 'Temporary Activity' . Or If 'Temporary Events' and temporary activities are intended to be	Reject The plan defines temporary

Submission No	Submitter	Support / in part / oppose	Plan Provision	Relief Sought	Recommendation
				one in the same, update all plan references to 'Temporary Event' to 'Temporary Activity'.	events as these activities can cause confusion or debate about what they encompass. Temporary activities is a term used very broadly in the plan and it is considered unwise to try and define its parameters given its wide application. No change is recommended.

Miscellaneous Maps - Submission points

Submission No	Submitter	Support/in part/ oppose	Plan Provision	Relief Sought	Recommendation
07.01	Omya New Zealand Limited (Omya)	Support	(Zones Map 7 & 33)	That the Rural Production Zoning of the Symonds Quarry and Omya Processing plant is retained.	Accept
07.02	Omya	Oppose / Amend	(Zone Map 11)	<p>Omya seeks an amendment to Zoning Map 11 to rezone the Ngapenga Quarry to Rural Production Zone, identifying the future quarrying activity to be undertaken on that site. This change will also require the site to be listed as a scheduled site in the RPROZ Schedule 1. Image below contains a mark up of the District Plan Zoning Map showing the area Omya seek to be rezoned.</p> 	<p>Reject</p> <p>See 07.07, 07.14</p> <p>RPROZ section 42A Report</p>
FS23.18	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with mana whenua, iwi, hapu, marae, cultural values or other submission points TNN support	<p>Accept</p> <p>See 07.07, 07.14</p> <p>RPROZ section 42A Report</p>
07.03	Omya	Oppose / Amend	Zoning Map 20	Omya seeks an amendment to Zoning Map 20 to rezone the Rorisons Quarry and Processing Plantsite to Rural Production Zone,	Reject

Submission No	Submitter	Support/in part/ oppose	Plan Provision	Relief Sought	Recommendation
				<p>identifying the current and ongoing quarrying activity to be undertaken on that site. This change will also require changes and additions to RPROZ Schedule 1. The image below contains a mark up of the District Plan Zoning Map showing the area Omya seek rezoning.</p> 	<p>See 07.08, 07.14 RPROZ section 42A Report</p>
FS23.19	Te Nehenehenui	Oppose		TNN opposes where the submission conflicts with manawhenua, iwi, hapu, marae, cultural values or other submission points TNN support	<p>Accept See 07.08, 07.14 RPROZ section 42A Report</p>
10.168	WRC	Amend	General comment	Include the coastal flooding hazard area (CFHA) for the Mokau River Mouth Area.	<p>Reject. It would be useful if the submitter could provide clarity about the specific delineation of the area they are requesting be included and why.</p>
10.169	WRC	Amend	General comment	Change the transparency of the 'High Risk Flood Zone' layer to 0%, or making it hashed in a dark colour (e.g., red).	<p>Reject The maps are considered to adequately identify and demark</p>

Submission No	Submitter	Support/in part/ oppose	Plan Provision	Relief Sought	Recommendation
					these features.
10.170	WRC	Amend	General comment	Review and amend the 'Zoning' layer of the PDP Intramaps so that they identify and reflect the natural features present (such as rivers and their margins).	Reject The maps are considered to adequately identify and demarcate these features.
47.197	Forest and Bird	Support	Coastal environment overlay	Retain the extent of the coastal environment overlay as shown on the maps.	Accept
48.01	S Machra	Oppose	Amenity precinct	Delete the Amenity Precinct from the property at 1054 Mangarino Road, Hangatiki.	Reject. The Waitomo Caves are one of New Zealand's most iconic and historic tourist attractions with large numbers of tourists visiting. The corridor along State Highway 37 between Hangatiki and Waitomo Caves Village, and between Hangatiki along State Highway 3 is an important gateway. The amenity precinct applies to land zoned general rural, Māori purpose, natural open space and settlement. The plan adds additional controls in respect of signs, relocated buildings and shipping containers. It also controls tourism facilities and retail activities within the general rural zone. In addition to managing signs, the precinct also protects the safe functioning and efficiency of the State Highway network by signalling that development outside of the identified tourism zones should only proceed in specified circumstances. It is

Submission No	Submitter	Support/in part/ oppose	Plan Provision	Relief Sought	Recommendation
					considered that for these reasons the amenity precinct must remain.
FS23.241	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature.	Accept
38.152	TTRMC	Support	Appendix 6 - Statutory Acknowledgement Areas	Retain Appendix 6 Statutory Acknowledgement Areas as notified.	Accept
FS20.181	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept
50.37	TNN	Support	Appendix 6 - Statutory Acknowledgement Areas	Retain Appendix 6 – 8 Statutory Acknowledgement Areas.	Accept
FS20.235	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land	Accept
FS23.246	Te Nehenehenui	Support		Support and further amend to include reference to the respective treaty settlement. Where it references Te Ture Whaimana, reference must also be given to the Ngā Wai o Maniapoto (Waipā River Act) 2012 and where the plan references the Maniapotos EMP , please state the entire name “ Ko Tā Maniapoto Mahere Taiao, Maniapoto’s Environmental Management Plan ”	Accept
38.153	TTRMC	Support	Appendix 7 - Statutory Acknowledgement Areas	Retain Appendix 7 Statutory Acknowledgement Areas as notified.	Accept
FS20.182	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept

Submission No	Submitter	Support/ in part/ oppose	Plan Provision	Relief Sought	Recommendation
38.154	TTRMC	Support	Appendix 8 - Statutory Acknowledgement Areas	Retain Appendix 8 Statutory Acknowledgement Areas as notified.	Accept
FS20.183	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept

Miscellaneous Definitions - Submission points

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
19.09	PFO	Support in part	Earthworks	Amend the definition of 'earthworks' to include an exclusion for plantation forestry earthworks.	Reject. Earthworks is a national planning standards definition and cannot be amended. However, It is considered that the relief sought is already provided for in Rule EWR6.3 and therefore the an amendment to the definition is not required.
FS23.65	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	Accept.
27.05	Hort NZ	Support	Earthworks	Retain the definition of 'Earthworks' as notified.	Accept.
30.07	NZFM	Support with amendment	Earthworks	Amend the definition of 'Earthworks' to exclude earthworks associated with plantation forestry; And Add a reference to the National Environmental Standards for Plantation Forestry.	Reject. See 19.09
FS19.07	PF Olsen	Support		Allow submission point	Reject
FS23.101	Te Nehenehenui	Not stated		Oppose and support in part where the submission points align to the submissions supported by TNN	Accept

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
31.01	Transpower	Support	Earthworks – whole chapter	Retain as notified.	Accept in part
39.01	Firstgas	Support	Earthworks – whole Chapter	Retain as notified.	Accept in part
29.03	AQA	Support	Chapter 9 – Definitions - Chapter	Retain the National Planning Standards definitions as notified.	Accept in part.
53.01	Department of Conservation (DOC)	Support	Chapter 9 – Definitions - All definitions	Retain as notified, except where specific changes are requested below.	Accept in part. It is considered that this submission is accepted in part, as not all requests from DoC to amend definitions have been accepted.
FS19.25	PF Olsen	Oppose in part		Allow submission points, subject to including the definitions of forestry activities as per NES-PF.	Accept in part.
FS23.252	Te Nehenehenui	Not stated		<p>Te Nehenehenui promotes and encourages direct engagement with Mana whenua. In instances where a mana whenua grouping cannot be contacted or consulted within the Te Nehenehenui area of interest, TNN has an obligation to represent its people and taonga to ensure that the integrity of their mana and mauri is maintained, upheld, and not undermined.</p> <p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto’s Environmental Management Plan. Where submitters’ submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within Te Nehenehenui area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review. If submitters submission points do align to enhance the protection and maintenance of its people and all taonga within the taiao and the Te Nehenehenui area of interest, TNN is in support.</p>	Accept in part.
21.03	NZDF	Support	Chapter 9 – Definitions - Emergency management activities	Retain as notified.	Accept

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
16.01	FENZ	Support	Chapter 9 – Definitions - Emergency management activities	Retain as notified.	Accept
16.02	FENZ	Support	Chapter 9 – Definitions - Emergency service facilities	Retain as notified.	Accept
21.04	NZDF	Support	Chapter 9 – Definitions - Emergency service facilities	Retain as notified.	Accept
16.03	FENZ	Support	Chapter 9 – Definitions Hazardous substance	Retain as notified.	Accept
24.04	MoE	Support	Chapter 9 – Definitions Educational facility	Retain as notified.	Accept
17.08	Waka Kotahi	Support	Chapter 9 – Definitions Functional Need	Retain as notified.	Accept
31.02	Transpower	Support	Chapter 9 – Definitions Functional need	Retain as notified.	Accept
51.01	KiwiRail (KRH)	Support	Chapter 9 – Definitions Functional Need	Retain as notified.	Accept
46.08	Federated Farmers	Support	Chapter 9 – Definitions Functional need	Retain the definition for 'functional need' as notified. And any consequential amendments required as a result of the relief sought.	Accept
43.01	Graymont (NZ) Limited	Support	Chapter 9 – Definitions Industrial activity	Retain as notified.	Accept
FS23.176	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN	Reject.

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
				opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.	
31.03	Transpower	Support	Land disturbance	Retain as notified.	Accept.
04.09	NZAAA	Support in part	Lawfully established activities	<p>Include a definition for lawfully established activities: <u>means activities provided for by one of the following:</u></p> <ol style="list-style-type: none"> <u>permitted through a rule in a plan, or</u> <u>a resource consent, or</u> <u>a national environmental standard; or</u> <u>by an existing use right (as provided for in Section 10 of the RMA)</u> 	<p>Reject.</p> <p>It is not beneficial to define what is a lawfully established activity, as there are multiple mechanisms for establishing what is a lawfully established activity, such as court order, consent order, NES, resource consent, section 10 of the RMA. We would not want to be overly restrictive in our approach by defining it.</p>
FS05.20	Federated Farmers	Support		Grant the relief sought	Reject.
FS07.09	Grant Lennox	Support		Allowed	Reject.
12.09	Heli A1 Limited	N/A	Lawfully established activities	<p>Include a definition for lawfully established activities: <u>means activities provided for by one of the following:</u></p> <ol style="list-style-type: none"> <u>permitted through a rule in a plan, or</u> <u>a resource consent, or</u> <u>a national environmental standard; or</u> <u>by an existing use right (as provided for in Section 10 of the RMA)</u> 	<p>Reject.</p> <p>See 04.09</p>
FS13.31	New Zealand Agricultural	Support		Add the definition as sought	Reject.

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
	Aviation Association				
FS15.13	New Zealand Helicopter Association	Support		Add the definition as sought	Reject
23.03	Balance Agri-Nutrients	Neutral	Lawfully established activities	<p>Add new definition for 'Lawfully established activities' as follows: <u>means activities provided for by one of the following:</u></p> <ol style="list-style-type: none"> <u>permitted through a rule in a plan, or</u> <u>a resource consent, or</u> <u>a national environmental standard; or</u> <u>by an existing use right (as provided for in Section 10 of the RMA)</u> <p>And</p> <p>Any other additional, alternative or consequential relief as may be necessary to give effect to the changes sought.</p>	Reject. See 04.09
16.04	FENZ	Support	Natural hazard	Retain as notified.	Accept.
16.05	FENZ	Support	Operational need	Retain as notified.	Accept.
17.11	Waka Kotahi	Support	Operational Need	Retain as notified.	Accept.
24.06	MoE	Support	Operational need	Retain as notified.	Accept.
31.10	Transpower	Support	Operational need	Retain as notified.	Accept.
51.05	KRH	Support	Operational need	Retain as notified.	Accept.
10.02	WRC	Amend	Maara kai	Add a definition for "maara kai."	Accept in part.

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
					<p>The request is already provided for in Chapter 11, as Māra kai is defined as:</p> <p><i>sustainable community gardens which include community vegetable gardens, orchards and food forests</i></p>
FS03.11	Director-General of Conservation	Support		Allow	Accept in part.
50.11	TNN	Support	Māori cultural and customary uses	Retain as notified.	Accept.
FS20.209	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Nehenehenui Trust be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land	Accept.
38.12	TTRMC	Support with amendment	Māori cultural and customary uses	Retain the definition of 'Māori cultural and customary uses' with amendments as noted elsewhere in the submission.	Accept
FS20.41	Sheryl Paekau	Support		I seek that the whole of all submissions provided by Te Kohanganui Whare be allowed and to take into account my support in part when applied to limiting numbers of dwellings on Maaori land.	Accept.
16.06	FENZ	Support	Significant hazardous facility	Retain as notified.	Accept
21.01	New Zealand Defence Force (NZDF)	Support	Significant Hazardous facility	Retain as notified.	Accept
FS09.04	Kainga Ora	Oppose		Disallow	Reject

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
27.15	Hort NZ	Oppose with amendment	Significant hazardous facility	Delete the exemption (iii) land based from the definition of 'significant hazardous facility'.	Reject. If 'land based' is removed from the exclusion listed in (iii) this would mean that all activities as defined as primary production would meet this exception. It is not considered appropriate to provide an exception for all 'primary production' activities, as this definition includes activities such as quarrying and mining, which may involve the storage of hazardous substances or other chemicals in significant quantities. 'Land based' is a term that is defined in the National Policy Statement for Highly Productive Land as <i>means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land.</i> No change is recommended.
43.08	Graymont (NZ) Limited	Support	Significant hazardous facility	Retain as notified.	Accept.
56.02	The Fuel Companies	Support in part	Significant hazardous facility	Amend the exclusions of the significant hazardous facility definition as follows: [...] For the avoidance of doubt, the following activities are not significant hazardous facilities: (i) The incidental use and storage of hazardous substances in minimal domestic scale quantities; (ii) Retail outlets for hazardous substances intended for	Accept in part. See Miscellaneous S42A Report

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
				<p>domestic usage (eg supermarkets, hardware stores, and pharmacies);</p> <p>(iii) The incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities;</p> <p>(iv) Pipelines used for the transfer of hazardous substances such as gas, oil, trade waste and sewage;</p> <p>(v) Fuel in motor vehicles, boats, airplanes and small engines;</p> <p>(vi) Military training activities;</p> <p>(vii) The transport of hazardous substances; and</p> <p>(viii) Emergency management activities; <u>and</u></p> <p>(ix) <u>The underground storage of diesel and petrol.</u></p>	
16.07	FENZ	Oppose	Structure	<p>Exclude towers and poles associated with emergency service facilities from the definition of 'structure'.</p> <p>Or Exclude towers and poles associated with emergency service facilities from the height and height in relation to boundary performance standards in each zone.</p>	<p>Reject.</p> <p>It is not appropriate to amend the definition of structure as it is RMA and national planning standards definition. However, it is considered that the relief sought by the submitter has been provided for through exceptions in the zones.</p>
FS09.03	Kainga Ora	Oppose		Disallow	Accept.
21.07	NZDF	Amend	Reverse sensitivity	<p>Add new definition for 'reverse sensitivity' consistent with the definition included in the Waikato Regional Council Regional Policy Statement as follows:</p> <p><u>Is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.</u></p>	<p>Accept.</p> <p>This definition is contained in the WRPS. It is appropriate to give effect to this document and its provisions, including through the use of definitions.</p>

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
27.25	Hort NZ	New	Reverse sensitivity	Add a new definition for 'Reverse sensitivity' as follows: <u>Is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the operation or require mitigation of the effects of the established activity.</u>	Accept See 21.07
FS05.47	Federated Farmers	Support		Grant the relief sought or with wording with similar intent and effect.	Accept See 21.07
FS08.02	Graymont Ltd	Support		Allowed	Accept See 21.07
31.13	Transpower	Amend	Reverse Sensitivity	Add a definition for 'Reverse Sensitivity' as follows: <u>means the potential for an approved, existing or permitted activity to be compromised or constrained, by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by the approved, existing or permitted activity.</u> And Any consequential amendments.	Accept in part. It is recommended that a definition is included however the preference is to rely on the definition contained in the WRPS. It is appropriate to give effect to this document and its provisions, including through the use of definitions.
FS05.50	Federated Farmers	Support		Grant the relief sought or with wording with similar intent and effect	Accept in part.
FS24.07	The Lines Company	Support		Allow	Accept in part.
51.11	KRH	Support with amendment	Reverse Sensitivity	Amend by adding a new definition of reverse sensitivity (modelled on the Waikato RPS) as follows: <u>Is the vulnerability of a lawfully established activity to a new activity or land use. It arises when a lawfully established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where the new activity may seek to restrict the development, upgrading, operation and maintenance, or require mitigation of the effects of, the existing</u>	Accept in part. It is recommended that a definition is included however the preference is to rely on the definition contained in the WRPS. It is appropriate to give effect to this document

Submission No	Submitter	Support/in part/oppose	Plan Provision	Relief Sought	Recommendation
				<u>activity.</u>	and its provisions, including through the use of definitions.
FS09.08	Kainga Ora	Oppose		Disallow	Accept in part.
53.08	DOC	New definition	Risk	Insert a new definition for risk consistent with the definition of risk in the New Zealand Coastal Policy Statement.	Reject. It is considered that it is not necessary or appropriate to define risk, as there are multiple risks and providing a definition will not be of benefit to plan users.
FS19.29	PF Olsen	Oppose		Disallow submission point	Accept

7. Appendix 2 – Decisions Version of the Chapters

Overview

The focus of this chapter is on energy generation. Also see the [national electricity and gas transmission chapter](#) for activities undertaken near transmission structures and the [network utilities chapter](#) for activities undertaken by network utility operators. Energy is essential to the efficient functioning of our communities and economy and energy demand is growing. Currently oil and petrol fuel the majority of our vehicles and electricity heats and lights our homes and workplaces. Renewable electricity generation is becoming increasingly important as a way of meeting future demand in an environmentally sustainable manner. The benefits of using renewable sources of energy is a matter that particular regard must be given to under section 7 of the Resource Management Act 1991, along with energy efficiency and climate change.

The contribution of renewable electricity generation towards addressing the effects of climate change plays a vital role in the wellbeing of New Zealand, its people and the environment. **The country's** strategic target is that 100 per cent of electricity generated in New Zealand should be derived from renewable energy sources by 2035. Increasing renewable electricity generation can have local, regional and national benefits.

The Act defines renewable energy as energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave, and ocean current sources. To achieve this, the government has put in place a National Policy Statement for Renewable Electricity Generation (NPSREG). This plan must give effect to the NPSREG. In order to meet the **government's** target, it will be necessary to increase the output capacity of renewable electricity generation through the development of new renewable electricity generation activities along with the protection of output from existing activities.

In Waitomo District, the most probable forms of energy are based on renewable sources. There are several existing hydro-electricity generation schemes and there is the potential for similar schemes to develop in the future. The western hills are a recognised wind resource and over time wind farms are expected to develop in this area. The feasibility of solar energy for large scale electricity generation is improving. Large scale solar electricity generation facilities may also be developed on suitable urban or rural land in the district. As well as large scale energy projects, it is likely that more people and businesses will develop generation sources using wind or solar power. This could be on site at an individual/household scale or a community scale. Given the relative isolation of some parts of the district and the dependency on distribution networks, there are significant benefits in terms of cost and security of supply, for people to generate energy on-site. Other forms of fuel energy, such as biofuels and waste to energy plants, also have the potential to contribute to meeting future energy demands.

The location of renewable electricity generation activities is often driven by their functional and operational need to access natural resources. Often, these locations have other values associated with them such as important natural features and landscapes, coastal environment values and significant natural areas. Where possible a balance is required to ensure renewable electricity generation activities can locate where resources are, providing these values are not unduly compromised. In some cases, applying a

balancing approach is not appropriate because the values of the identified overlay, scheduled site or feature are so significant. For this reason, the development of new larger scale energy activities has been listed as a prohibited activity within identified outstanding natural features and areas of outstanding natural character. Additionally, it is not appropriate for safety reasons, for any structure that does not comply with the flightpath height restrictions for the Te Kūiti Aerodrome to be constructed. For this reason, this activity has also been listed as a prohibited activity.

Renewable electricity generation activities are often seen as a change to amenity that some people embrace - while others do not. The provisions in this chapter seek to manage these effects through controlling the location, scale and noise levels, whilst recognising visual amenity values may change over time.

This plan also provides for the efficient operation, management and upgrading of four existing hydro generation facilities in the district. The four facilities are Wairere Hydro Power Station, Mokauiti Hydro Power Station, Speedies Road Hydro Power Station and Boulder Creek Road Hydro Power Station. All of these facilities are located in the rural production zone and generate over 1MW of electricity and as such, are recognised as being regionally significant infrastructure. In the main, the rules for these facilities are located within this chapter. Depending on the type of activity and the characteristics of the site, other chapters in the plan may be relevant such as subdivision, financial contributions and natural hazards. A plan change to include new major energy infrastructure as a rural production zone is an option for energy companies and/or developers to consider.

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters

- ENG-Y-O1. Increase the resilience of communities within the district by:
1. Enabling renewable electricity generation activities; and
 2. Encouraging the development of on-site and community scale renewable electricity generation activities; and
 3. Recognising the positive benefits and contribution of renewable electricity generation towards reducing the effects of climate change.
- ENG-Y-O2. Recognise and provide for the national significance of renewable electricity generation activities by:
1. Maintaining and/or increasing the use and supply of renewable electricity to communities both within the Waitomo district and wider network; and
 2. Protecting existing renewable electricity generation activities; and
 3. Enabling development of new renewable electricity generation activities; and
 4. Acknowledging the functional and operational need of renewable electricity generation activities.
- ENG-Y-O3. Encourage the efficient use of energy.
- ENG-Y-O4. Provide for authorised activities in the rural production zone by:

1. Enabling the growth and expansion of such activities to meet the future demand of the district; and
2. Managing adverse environmental effects on the receiving environment by internalising effects to the property boundary, or through avoid, remedy, or mitigation measures as far as practicable.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

- ENG-Y-P1. Enable the ongoing operation, maintenance, repair and upgrade of existing renewable electricity generation activities within the district, providing significant adverse effects on the environment are avoided, remedied or mitigated.
- ENG-Y-P2. In all zones and precincts, recognise the benefits of small-scale electricity generation in a form that is commensurate with the function, nature and scale of the anticipated activities, while managing the values of overlays and scheduled sites and features.
- ENG-Y-P3. Recognise the potential for community scale renewable electricity generation activities in most zones in the district where the electricity generated is shared with consumers in the same community. For any application recognise the social, environmental and economic benefit to the community from sharing electricity that has been generated locally.
- ENG-Y-P4. Manage the development of new renewable electricity generation activities including community scale renewable electricity generation activities, recognising that developments will be of varying scale with different benefits and levels of effects. Matters to consider include:
1. The benefits of the activity, recognising that benefits may offset adverse effects on amenity; and
 2. Any functional or operational needs or constraints; and
 3. **The scale, intensity duration or frequency of the activity's effects** including at the time of construction; and
 4. Adverse amenity, visual, traffic generation, safety, light overspill, shadow, earthworks, glare and noise effects; and
 5. Adequate separation distances from existing and consented sensitive activities to ensure conflict between activities, adverse effects and reverse sensitivity effects are minimised;
 6. Effects on scheduled sites, features or overlays;
 7. The contribution of the activity to the District, Regional and National electricity needs and security of supply; and
 8. Effects on indigenous species including highly mobile species.

In doing so, recognise large scale activities will be more appropriate within the industrial, rural production, and general rural zones.

- ENG-Y-P5. Provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation, however adverse effects must be no more than minor in scale within:

1. An identified outstanding natural landscape or an outstanding natural feature; or
2. An area of outstanding natural character or high/very high natural character; or
3. The site or surroundings of a heritage building or structure; or
4. A significant archaeological site; or
5. **A site or area of significance to Māori; or**
6. A significant natural area.

- ENGY-P6. Recognise that increasing levels of renewable electricity generation activities may alter existing visual amenity values, but the level of adverse visual effects may not be appropriate in some overlays, scheduled sites and features.
- ENGY-P7. Manage new development and land use activities near existing renewable electricity generation activities to avoid reverse sensitivity effects to the extent reasonably possible.
- ENGY-P8. Avoid development that does not comply with the flightpath height restrictions for the Te **Kūiti** Aerodrome.
- ENGY-P9. Recognise the short-term benefits from temporary generators at the time of an emergency or when electricity supply is disrupted.
- ENGY-P10. For any co-generation or waste to energy conversion:
1. Acknowledge the benefits of the efficient use and disposal of waste; and
 2. Manage more than minor adverse environmental effects created by this activity; and
 3. Appropriately locate these activities within the:
 - a. Rural production zone; or
 - b. General rural zone; or
 - c. Industrial zone.
- ENGY-P11. Provide for facilities which produce biogas by anaerobic fermentation of waste, ensuring both the benefits and any effects, including the potential for reverse sensitivity effects, are taken into account. Avoid locating these facilities in areas of the district where a non-complying activity status is signalled in the rules.
- ENGY-P12. Avoid activities where:
1. The radiofrequency emission cannot comply with NZS 27721:1999 Radiofrequency Fields – Maximum Exposure Levels – 3KHz to 300GHz; or
 2. The emission of electric and magnetic fields exceeds the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz-100kHz) (Health Physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007); or
 3. The activity is coal fired electricity generation or is based on non-renewable resources; or

ENGY-P13. Provide for lawfully established existing hydro-electricity generation and associated activities located within the rural production zone, provided that the adverse effects of the activities are internalised, or avoided, remedied or mitigated as far as practicable through methods such as management practices, rehabilitation plans and mitigation measures that include:

1. Managing dust, odour, noise, vibration, access, debris on roads and illumination to maintain amenity values, particularly during the night time; and
2. Ensuring that noise and vibration effects are not unreasonable and do not adversely affect amenity values in the surrounding area; and
3. Managing actual and potential effects on public health and safety.

ENGY-P14. Ensure the scale and location of any expansion of an existing hydro-electricity generation activity located within the rural production zone do not adversely affect local character or amenity by:

1. Maintaining boundary setbacks for activities and structures; and
2. Ensuring that outdoor storage is sufficiently landscaped and screened from roads, public spaces and adjoining neighbours; and
3. Ensuring that buildings are designed as far as practicable to not overshadow or overly dominate the wider surrounding area.

ENGY-P15.

1. Ensure consideration of the values, qualities and characteristics of overlays, scheduled sites and features when proposing new renewable electricity generation activities or undertaking significant upgrades to existing renewable electricity generation activities.
2. Provide for regionally significant infrastructure within overlay, scheduled site and feature where:
 - a. There is a demonstrated functional or operational need for the infrastructure to be located within the overlay, scheduled site and feature; and
 - b. It is demonstrated through an options assessment that locating within the overlay, scheduled site and feature is the best practicable option, having particular regard to the financial implications, social, cultural and environmental effects of the preferred option, compared to other alternative options.

Rules

The rules that apply to energy generation activities are contained in the tables listed below. To undertake any activity, it must comply with the rules listed in:

- ENGY - Table 1 - Activities Rules; and
- ENGY - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Unless specifically referenced in a rule, Part 3 Area Specific Matters do not apply to this chapter.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this Plan, including activity status abbreviations.

Note: Where sites and areas of significance to Māori are referred to it means the mapped extent of sites listed in [SCHED3](#) and [SCHED4](#).

Note: Where Heritage Buildings and Structures are referred to it means the [site or surroundings \(of any building or structure listed in \[SCHED1\]\(#\)\)](#)

ENGY - Table 1 - Activities Rules

	All zones and all precincts. All overlays, scheduled sites and features	
ENGY-R1.	The operation, maintenance, repair, replacement, minor upgrade , demolition or removal of existing buildings and structures of any existing renewable electricity generation activity.	
	Activity Status: PER Where: 1. Performance standards ENGY-S1 and ENGY-S2, and ENGY-S5 and ENGY-S6 are complied with.	Activity status where compliance is not achieved with ENGY-S1 or ENGY-S2: Refer to Table 2 Activity status where compliance is not achieved with ENGY-S5 or ENGY-S6: NC <i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i>

	Rural production zone only. All overlays, scheduled sites and features	
ENG-Y-R2.	The operation, maintenance, repair, replacement and minor upgrade of an existing hydro-electricity generation activity identified on the Planning Maps as RPROZ-14 to RPROZ-17 including the demolition or removal of existing buildings and structures and the use of the surface of the water for hydroelectric activities.	
	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All of the performance standards in ENG-Y-S5 through to ENG-Y-S7 is complied with. 	<p>Activity status where compliance is not achieved with ENG-Y-S5 or ENG-Y-S6: NC</p> <p>Activity status where compliance is not achieved with ENG-Y-S7: RDIS</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in ENG-Y – Table 2.</p>

	All zones and all precincts. All overlays, scheduled sites and features	
ENG-Y-R3.	Temporary Generators	
	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The temporary generator is associated with an energy activity and used for no longer than one (1) calendar month; or 2. The temporary generator is used during outages of electricity supply. 3. Compliance with performance standards in ENG-Y-S5 and ENG-Y-S6. 	<p>Activity status where compliance is not achieved with ENG-Y-R3.1 or ENG-Y-R3.2: DIS</p> <p>Activity status where compliance is not achieved with ENG-Y-S5 or ENG-Y-S6: NC</p> <p><i>Note: The use of generators and mobile equipment (including vehicles) for emergency purposes is permitted.</i></p> <p><i>Note: There are no noise rules applicable to temporary generators, however the duty to avoid unreasonable noise still applies.</i></p>

	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R4.	Solar panels attached to an existing building .			
	PER	PER where attached to buildings: Outstanding natural landscapes, outstanding natural features, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character RDIS where attached to buildings: Heritage buildings and structures	PER	PER
	Where the activity is RDIS, the matters over which discretion is restricted are: (a) The location of the panels; and (b) The size of the panels; and (c) Actual or potential effects on the values associated with the scheduled historical heritage site or feature.		<i>Note: Refer to the Hapori whānui chapter for rules related to glare</i>	

	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
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		Māori and significant archaeological sites.		
ENGY-R5.	Freestanding solar panels up to and including 6 m ² in area per site			
	PER	RDIS	PER	PER
	<p>For PER Activities:</p> <p>Where:</p> <p>1. located within or partly within a significant natural area, the rules for indigenous vegetation clearance contained in the ecosystems and indigenous biodiversity chapter are complied with.</p>		<p>Activity status where compliance with ENGY-R5.1 is not achieved: Refer ECO-R12</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <p>(a) The location and size of the panels; and</p> <p>(b) Actual or potential effects on the values associated with any overlay or scheduled site or feature.</p> <p><i>Note: Refer to the Hapori whānui chapter for rules related to glare</i></p>	

	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R6.	Freestanding solar panels greater than 6 m ² and up to 25 m ² in area per site			
	RDIS	RDIS	PER	RDIS
	<p>For PER Activities:</p> <p>Where:</p>		<p>Activity status where compliance with ENGY-R6.1 is not achieved: RDIS</p> <p><i>Note: Refer to the Hapori whānui chapter for rules related to glare</i></p>	

	<p>1. The minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone are complied with.</p>	<p>Where the activity is RDI S, the matters over which discretion is restricted are:</p> <ul style="list-style-type: none">(a) The extent and effect of non-compliance with any relevant rule or standard and any relevant matters of discretion in the infringed rule(s); and(b) The location and size of the panels; and(c) Actual or potential effects on the values associated with any precinct, overlay or scheduled site or feature
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R7.	Hydro-electricity generation of up to and including 5kW of electricity per site			
	PER	PER: Outstanding natural landscapes, heritage buildings and structures. RDI S: Outstanding natural features, sites and areas of significance to Māori , significant archaeological sites, outstanding natural character	PER	PER
	<p>For PER and RDI S Activities: Where:</p> <ol style="list-style-type: none"> located within or partly within a significant natural area, the rules for indigenous vegetation clearance contained in the ecosystems and indigenous biodiversity chapter are complied with; and the maximum total gross floor area of all structures must not exceed 2 m². The performance standards in ENGY-S5 and ENGY-S6 are complied with. 		<p>Activity status where compliance with ENGY-R7.1 is not achieved: Refer ECO-R12</p> <p>Activity status where ENGY-R7.2 is not achieved: RDI S</p> <p>Activity status where compliance is not achieved with ENGY-S5 and ENGY-S6: NC</p> <p>Where the activity is RDI S, the matters over which discretion is restricted are:</p> <ol style="list-style-type: none"> The effects at the time of construction; and The benefits from the generation of energy from using a renewable resource; and Actual or potential effects on the values associated with any overlay or scheduled site or feature; and Effects on the natural character of the coastline or water body and its margins; and 	

		<p>(e) The extent to which re-planting will assist in mitigating the adverse effects associated with any earthworks and vegetation clearance.</p> <p>Note: Resource Consent from Waikato Regional Council or Manawātū-Whanganui Regional Council may be required</p> <p>Note: All structures must also comply with NATC-R2.</p>
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R8.	Hydro electricity generation activities with an output of more than 5kW and up to 20kW of electricity per site			
	RDI S	RDI S: Outstanding natural landscapes DI S: Heritage buildings and structures, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character NC: Outstanding natural features	RDI S	RDI S
	For RDI S and DI S activities: Where: 1. The performance standards in ENGY-S5 and ENGY-S6 are complied with.		Activity status where compliance with ENGY-S5 and ENGY-S6 is not achieved: NC Where the activity is RDI S, the matters over which discretion is restricted are: (a) The effects at the time of construction; and (b) The benefits from the generation of energy from using a renewable resource; and	

		<p>(c) The effect on the provisions of the Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River); and</p> <p>(d) Actual or potential effects on the values associated with any overlay or scheduled site or feature; and</p> <p>(e) Effects on the natural character of the coastline or water body and its margins; and</p> <p>(f) The extent to which re-planting will assist in mitigating the adverse effects associated with any earthworks and vegetation clearance.</p>
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENG-Y-R9.	One wind turbine with a rated capacity of up to and including 5kW per site , except for the industrial, general rural, rural production zones & PREC3 where the maximum is two wind turbines with a rated capacity of up to and including 5kW each per holding			
	PER	<p>PER: Outstanding natural landscapes</p> <p>DIS: Heritage buildings and structures, sites and areas of significance to Māori, significant archaeological sites, outstanding natural character</p> <p>NC: Outstanding natural features</p>	PER	PER
	<p>For PER Activities:</p> <p>Where:</p>		<p>Activity status where compliance with ENG-Y-R9.1 is not achieved: Refer ECO-R12</p> <p>Activity status where compliance is not achieved with ENG-Y-S1 or ENG-Y-S2: Refer to Table 2</p>	

	<ol style="list-style-type: none"> located within or partly within a significant natural area, the rules for indigenous vegetation clearance contained in the ecosystems and indigenous biodiversity chapter are complied with; and All of the performance standards in Table 2 are complied with. <p>For DIS Activities:</p> <ol style="list-style-type: none"> The performance standards in ENG-Y-S5 or ENG-Y-S6 are complied with. 	<p>Activity status where compliance with ENG-Y-S3 to ENG-Y-S4 is not achieved: RDIS</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in ENG-Y – Table 2.</p> <p>Activity status where compliance ENG-Y-S5 or ENG-Y-S6 is not achieved: NC</p> <p><i>Note: Where the number of wind turbines exceed the number provided for in this rule, the relevant rule is ENG-Y-R11.</i></p> <p>Note: In PREC3 see the Te Kūiti Aerodrome flightpath height restrictions – ENG-Y-R16.</p>
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENG-Y-R10.	Renewable energy exploration activities			
	RDIS	<p>RDIS: Outstanding natural landscapes, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori, significant archaeological sites</p> <p>NC: Outstanding natural features</p>	PER	<p>RDIS: Significant natural area (local significance), Coastal environment, karst overlay, landscapes of high amenity value</p> <p>RDIS: Significant natural area (regional, national and international significance), high/very high natural character</p>
	<p>For PER Activities:</p> <p>Where:</p>		<p>Activity status where compliance with ENG-Y-R10.1 through to ENG-Y-R10.4 is not achieved: RDIS</p> <p>Activity status where compliance with ENG-Y-S5 and ENG-Y-S6 is not achieved: NC</p>	

	<ol style="list-style-type: none"> 1. The activity must occur for no more than five (5) years from the date the equipment is erected; and 2. The person responsible for erecting the equipment is required to notify the Council in writing as to the date the equipment is erected; and 3. The equipment must be removed no later than two months after the monitoring has finished on the site; and 4. Any wind monitoring mast must be set back a distance of at least ten (10) times the mast's height, as measured from ground level, from the boundary of the holding; and 5. The performance standards in ENGY-S5 and ENGY-S6 are complied with. <p>For RDIS Activities: Where:</p> <ol style="list-style-type: none"> 6. The performance standards in ENGY-S5 and ENGY-S6 are complied with. 	<p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <ol style="list-style-type: none"> (a) The effects at the time of construction; and (b) How the activity and any required structures or connections affect anticipated levels of amenity including noise, visual effects, operating hours and traffic generation; and (c) Actual or potential effects on the values associated with any overlay or scheduled site or feature; and (d) The type, scale and form of any wind monitoring mast; and (e) The location of the equipment and/or wind monitoring mast on the site; and (f) The benefits from locating the equipment and/or wind monitoring mast in the proposed location; and (g) Any technological constraints.
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R11.	New renewable electricity generation activities including community scale renewable electricity activities not provided for elsewhere in Table 1			
	DIS	NC: Outstanding natural landscapes, heritage buildings and structures, sites or areas of significance to Māori , significant archaeological sites	DIS: General rural, industrial, rural production zones and PREC3	DIS: Karst overlay, landscapes of high amenity value, significant natural areas (local significance), coastal environment. NC: High/very high natural character, significant natural

		PR: Outstanding natural features, outstanding natural character		areas (regional, national or international significance)
	For DIS Activities: Where: 1. The performance standards in ENGY-S5 or ENGY-S6 are complied with.		Activity status where compliance with ENGY-S5 and ENGY-S6 is not achieved: NC	

	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY-R12.	Biogas produced by anaerobic fermentation of waste			
	NC	PER: Outstanding natural landscapes NC: Outstanding natural features, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori , significant archaeological sites	PER: General rural, rural production and industrial zones NC: PREC3	PER: Coastal environment, karst overlay, high/very high natural character, landscapes of high amenity value NC: Significant natural area
	For PER Activities: Where: 1. The waste must not exceed 4 m ³ per day; and 2. The waste must not be stored and fermented within 250 m of the boundary of a residential, future urban, rural lifestyle, commercial, Māori purpose , tourism, settlement, open space or natural open space zone; and 3. The performance standards in ENGY-S5 and ENGY-S6 are complied with.		Activity status where compliance with ENGY-R12.1 or ENGY-R12.2 is not achieved: RDIS Activity status where compliance with ENGY-S5 and ENGY-S6 is not achieved: NC Where the activity is RDIS, the matters over which discretion is restricted are: (a) The effects at the time of construction; and (b) The potential for reverse sensitivity effects; and	

		<p>(c) Actual or potential effects on the values associated with any overlay or scheduled site or feature; and</p> <p>(d) How the generation activity and any required structures or connections affect anticipated levels of amenity; and</p> <p>(e) The volume and type of waste, and the potential for effects; and</p> <p>(f) How the waste is managed; and</p> <p>(g) Location of the waste and associated plant on the site; and</p> <p>(h) The benefits obtained from using the waste.</p> <p><i>Note: Resource Consent from Waikato Regional Council or Manawatū-Whanganui Regional Council may be required.</i></p>
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	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENG-Y-R13.	Co-generation plants and waste to energy plants			
	NC	NC	DIS: General rural, rural production and industrial zones NC: PREC3	NC
	For DIS Activities: Where: 1. The performance standards in ENG-Y-S5 or ENG-Y-S6 are complied with.		Activity status where compliance with ENG-Y-S5 or ENG-Y-S6 is not achieved: NC	

	Residential, future urban, rural lifestyle, settlement, commercial, Māori purpose, tourism, open space and natural open space zones, all Precincts except PREC3	Outstanding Natural Landscapes, Outstanding Natural Features, Outstanding Natural Character, Heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Industrial, general rural and rural production zones and PREC3	Significant Natural Areas, Coastal Environment, Karst Overlay, Landscapes of High Amenity Value, High/Very High Natural Character
ENGY- R14.	Coal Fired Electricity Generation and energy generated from non-renewable sources not listed in Table 1			
	NC	NC: Outstanding natural landscapes, heritage buildings and structures, sites or areas of significance to Māori , significant archaeological sites PR: Outstanding natural features, outstanding natural character	NC	NC

	All zones and all precincts. All overlays, scheduled sites and features
ENGY-R15.	Erection of any new electricity lines and associated support structures , except where provided for as part of ENGY-S7
	Refer to the network utilities chapter .
ENGY-R16.	Non-compliance with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps
	PR

ENGY - Table 2 – Performance Standards

ENGY-S1.	Structures, earthworks and removal of indigenous vegetation adjacent to water bodies, the open coast, Kawhia Harbour or a river in the coastal marine area	
1. The rules in the coastal environment chapter and in the natural character chapter apply to activities adjacent to the coastline and water bodies.		
ENGY-S2.	Earthworks associated with an energy activity	
1. In outstanding natural landscapes, outstanding natural features, outstanding natural character, karst overlay, landscapes of high amenity value, high/very high natural character NFL-R8 applies; and		
2. In the coastal environment CE-R8 applies; and		
3. In significant natural areas, significant archaeological sites, heritage buildings, and structures and sites and area of significance to Māori, earthworks associated with an energy activity are DIS activities;		
4. In natural hazard areas within the coastal environment, NH-R6 applies; and		
5. In all other situations, refer to the rules in the earthworks chapter.		
ENGY-S3.	One wind turbine per site outside of the industrial, general rural, rural production zones & PREC3	
1. Where located within or partly within a significant natural area, the rules for indigenous vegetation clearance contained in the ecosystems and indigenous biodiversity chapter are complied with; and		Matters over which discretion is restricted:
2. The maximum height as measured from ground level, of any wind turbine (as measured from the top of the mast/support structure) must be no more than 2 m above the maximum height permitted in the relevant zone or overlay (as applicable), with a maximum rotor diameter of 2 m; and		
3. The maximum diameter of any support structure must not exceed 200 mm; and		
4. Where attached to a building, the structure must not protrude more than 1 m above the highest point of the roof; and		
5. All parts of the wind turbine must comply with the minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone; and		
		(a) The scale of the wind turbine and the actual and potential effects on amenity; and
		(b) The location of the wind turbine within the site; and
		(c) The proximity of the wind turbine to sensitive activities; and
		(d) The proximity of the wind turbine to any significant natural areas and whether there are any effects associated with this proximity; and
		(e) The level of noise and any special noise characteristics, and the potential to affect sensitive activities; and
		(f) The benefits obtained from the use and development of renewable energy; and
		(g) The effects at the time of construction; and

6. Noise levels must be compliant with the recommended noise limits in NZS6808:2010 "Acoustics – Wind farm noise" .	(h) Actual or potential effects on the values associated with any overlay or scheduled site or feature; and (i) Any technical difficulties associated with locating a wind turbine on the site.
ENGY-S4.	Up to two wind turbines per holding within the industrial, general rural, rural production zones & PREC3
<ol style="list-style-type: none"> Where located within or partly within a significant natural area, the rules for indigenous vegetation clearance contained in the ecosystems and indigenous biodiversity chapter are complied with; and The maximum height as measured from ground level, of any wind turbine (as measured from the top of the mast/support structure) must be no more than 5 m above the maximum height permitted in the relevant zone or overlay (as applicable), with a maximum rotor diameter of 2.5 m; and Where attached to a building, the structure must not protrude more than 2 m above the highest point of the roof; and All parts of the wind turbine must comply with the minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone, except where ENGY-S4.6 applies; and Where the site adjoins a residential, future urban, rural lifestyle, commercial, Māori purpose, tourism, settlement, open space or natural open space zone, the minimum setback from internal boundaries must be at least 30 m; and Noise levels must be compliant with the recommended noise limits in NZS6808:2010 "Acoustics – Wind farm noise". 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The scale of the wind turbine(s) and the actual and potential effects on amenity; and The location of the wind turbine(s) within the site; and The proximity of the wind turbine(s) to sensitive activities; and The proximity of the wind turbine(s) to any significant natural areas and whether there are any effects associated with this proximity; and The level of noise and any special noise characteristics, and the potential to affect sensitive activities; and The benefits obtained from the use and development of renewable energy; and The effects at the time of construction; and Actual or potential effects on the values associated with any overlay or scheduled site or feature; and Any technical difficulties associated with locating a wind turbine(s) on the site.
ENGY-S5. Emission of radiofrequency fields	
<ol style="list-style-type: none"> The radiofrequency emission complies with NZS 27721:1999 Radiofrequency Fields – Maximum Exposure Levels – 3KHz to 300GHz. 	Activity status where compliance is not achieved: NC

ENGY-S6. Emission of electric and magnetic fields		
1.	The emission of electric and magnetic fields must not exceed the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz-100kHz) (Health Physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).	Activity status where compliance is not achieved: NC
Rural Production Zone Only		
ENGY-S7.	The operation, maintenance, repair and minor upgrade of existing hydro-electricity generation infrastructure identified on the Planning Maps as RPROZ-14 to RPROZ-17 including the demolition and removal of existing buildings and structures and the use of the surface of the water for hydroelectric activities.	
Buildings and structures <ol style="list-style-type: none"> 1. An alteration or extension to any existing building must be no greater than 50 m² in gross floor area; and 2. Any new building must be no greater than 100 m² in gross floor area; and 3. Structures must not exceed 10 m in height as measured from ground level. Where the structure is proposed to be erected on a dam or spillway structure, the maximum height must be measured from the top of the existing dam or spillway; and 4. Any new building or building extension must be setback 10 m from internal site boundaries; and 5. For Mokauiti Hydro Power Station (RPROZ-15), any new structure must be setback 20 m from the boundary with the adjacent urupā; and 6. The total building coverage on a site must not exceed 30% of the net site area; and 7. New overhead and underground lines, operation, maintenance, upgrading and extension in length of lines conveying electricity and their support poles, at a voltage up to and including 110 kV are permitted provided that no support pole is 		Matters over which discretion is restricted: <ol style="list-style-type: none"> (a) Visual effects including the bulk, location and scale of structures, signs, support poles or fences on adjoining properties and on rural character; and (b) Whether alternative options are proposed to preserve the amenity, character and values of the surrounding environment; and (c) Effects on the natural character of the river and its margins; and (d) For RPROZ-15, any actual and potential effects on the adjoining urupa; and (e) The extent of the activity and the ability to internalise adverse effects; and (f) The location, timing, design and density of earthworks and vegetation removal activities and any proposed rehabilitation measures; and (g) Measures taken during earthworks to maintain slope stability or prevent exacerbation of any pre-existing deep-seated land instability, methods of sediment retention and sediment runoff control to be adopted; and

<p>greater than 25 m in height as measured from ground level; and</p> <p>8. Any temporary building incidental to a construction or demolition project must be removed within two months of the completion of the project; and</p> <p>9. Security fencing must be no higher than 3 m above ground level. Where a fence is proposed to be located on a dam or spillway structure, the maximum height must be measured from the top of the existing dam or spillway structure;</p> <p>AND</p> <p><i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i></p>	<p>(h) Effects on riparian margins or areas of indigenous vegetation and the extent to which any proposed re-vegetation mitigates or offsets effects on identified significant natural areas and/or the natural character of rivers and their margins.</p>
<p>Signs</p> <p>10. Signs must only relate to hydro-electricity generation activities undertaken on-site or health and safety or be for the direction and control of traffic or pedestrians; and</p> <p>11. No individual sign may exceed 2 m², with the total area of signs per site being no more than 8 m²; and</p> <p>12. The maximum height of any freestanding sign must not exceed 10 m as measured from ground level; and</p> <p>13. Signs must not be placed so that they block sight distances at entranceways and must be no closer than 20 m from an intersection; and</p> <p>14. ENGY-S7.10 – S7.13 apply in place of the provisions of the signs chapter;</p> <p>AND</p>	
<p>Noise and light</p> <p>15. Noise – see NOISE-R1; and</p> <p>16. Light– see LIGHT-R1;</p> <p>AND</p>	
<p>Earthworks and vegetation clearance</p> <p>17. Earthworks must not exceed a total volume of 1,000 m³ in a single activity or in cumulative activities in any one calendar year, provided that this rule does not</p>	

<p>apply to earthworks incidental to an approved resource consent or building consent; and</p> <p>18. No earthworks shall occur within 20 m of the urupā that adjoins Mokauiti Hydro Power Station (RPROZ-15); and</p> <p>19. ENGY-S7.17 – S7.18 apply in place of the provisions of the earthworks chapter; and</p> <p>20. No more than 50 m² of indigenous vegetation shall be cleared from any identified significant natural area across a rural production zone in any one calendar year. This rule applies in place of the provisions of the ecosystems and indigenous biodiversity chapter;</p> <p>AND</p>	
<p>High trip generating activities</p> <p>21. See rule RPROZ-R17;</p> <p>AND</p>	
<p>Screening outdoor storage</p> <p>22. Any outdoor storage area visible from an adjacent residential property or road must be screened from the adjacent residential property or road by solid walls or fences not less than 1.8 m in height or landscaping with planting that will, within two years of planting, reach a minimum height of 2 m and a minimum width of at least 2 m from any shared internal boundary or road boundary.</p>	

Contaminated Land | Te One Hawa

Overview

It is important that land in the district that is contaminated or potentially contaminated is investigated and managed as required. This is to ensure that people are not exposed to substances that may endanger their health, and that property is not unduly affected by issues such as corrosion, which may threaten buildings and limit land use options.

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) provides a national standard for activities on land where soil is known to be or may be contaminated in such a way as to be a risk to human health. The NESCS requires that land affected by contaminants is identified and assessed before it is developed and if necessary, the land is remediated, or the contaminants are contained to make the area safe for human use. The NESCS applies when people want to:

- Remove a fuel storage system or replace it; and
- Sample soils; and
- Disturb soils; and
- Change land use or subdivide.

The methods to establish whether land is contaminated or potentially contaminated include determining whether an activity or industry listed in the Hazardous Activities and Industries List (HAIL) has or is likely to have been undertaken on the property. The HAIL list of activities can be found on the Ministry for the Environment website.

Under the NESCS, regional councils are required to investigate land for the purposes of identifying and monitoring contaminated land. District councils are responsible for applying and enforcing the provisions of the NESCS. To assist with identifying land that is contaminated or potentially contaminated, the Waikato Regional Council and Manawātū-Whanganui Regional Council both maintain databases of sites where HAIL activities are or have been carried out. Waitomo District Council has access to this information. If you are wanting to undertake an activity on contaminated or potentially contaminated land, you may require a resource consent under the NESCS.

Objective

Refer also to the relevant objectives in Part 2 District-Wide Matters

- CL-O1. Ensure risks to human health, land and property from contaminated land are appropriately managed.

Policies

Refer also to the relevant policies in Part 2 District-Wide Matters

- CL-P1. Ensure contaminated land or potentially contaminated land is suitable for its intended use by enabling site investigations and requiring remediation or

Proposed Waitomo District Plan

Part 2 – District-Wide Matters – Hazards and Risks – Contaminated Land

management as necessary, at the time of land use change, subdivision or re-development.

- CL-P2. Ensure any unacceptable risk to human health and the environment posed by the subdivision, use, development or redevelopment of contaminated land is avoided, remedied or mitigated.

Rules

There are no rules in this plan with respect to contaminated land. The NESCS provides a complete framework of rules for managing subdivision, use, development or redevelopment of contaminated or potentially contaminated land. Under the provisions of the NESCS, a resource consent for these activities may be required. Waitomo District Council must enforce the NESCS pursuant to section 44A(8) of the RMA. Waitomo District Council, **the Waikato Regional Council and Manawatū-Whanganui Regional Council** hold information that may assist applicants in establishing whether/which activities on the HAIL list currently or have previously taken place in or on land.

Hazardous Substances | Ngā Matū Mōrearea

Overview

Hazardous substances include petroleum products, explosives and medical waste as well as industrial, agricultural and household chemicals. These substances pose potential threats to the health and safety of people and can have significant adverse effects on the environment.

There is a wide range of legislation and industry standards controlling hazardous substances. Principal amongst those is the Hazardous Substances and New Organisms Act 1996 (HSNO) and its associated regulations. These instruments contain the primary legislative requirements for managing the manufacture, import, transportation, storage, use and disposal of hazardous substances. HSNO is administered by the Ministry for the Environment and implemented by the Environmental Protection Authority (EPA), Ministry of Business, Innovation and Employment and WorkSafe New Zealand. WorkSafe New Zealand is also responsible for implementing the Health and Safety at Work Act 2015 (HSW).

The rules in this chapter seek to avoid any duplication of regulation with HSNO and HSW and only apply to significant hazardous facilities which are defined in this plan. Most existing significant hazardous facilities are located in the industrial and rural production zones and the aerodrome precinct (PREC3). The rules in this chapter provide an allowance for existing significant hazardous facilities, recognising both the role of HSNO and HSW in managing effects, and the significance of these industries to **the district's** economic and social wellbeing. Facilities which exceed this allowance will need to demonstrate through a resource consent process, that the expanded facility is appropriately located, designed and constructed. The increased sensitivity of the receiving environments in some zones means that no allowance has been made for the expansion of significant hazardous facilities in these locations.

A new significant hazardous facility proposing to locate within the district requires a resource consent. The level of consent is dependent on the zone the facility is proposing to locate within and whether the site is located within a coastal hazard or hazard area and/or close to a water body. New significant hazardous facilities within sensitive environments, or that could adversely affect sensitive environments are to be avoided.

Objective

Refer also to the relevant objectives in Part 2 District-Wide Matters

HS-O1. To reduce levels of risk to people, property and the environment from significant hazardous facilities.

Policies

Refer also to the relevant policies in Part 2 District-Wide Matters

- HS-P1. Ensure that existing significant hazardous facilities proposing to significantly increase the use, storage or handling of hazardous substances have appropriately located, designed and constructed on-site facilities that are operated so that adverse effects on the environment and human health will be internalised within the site. Where internalisation of effects cannot be achieved, the facility must:
1. Avoid unacceptable risk; and
 2. Minimise residual risk to the extent that is reasonably practicable.
- HS-P2. Outside of the industrial and rural production zones and the aerodrome precinct (PREC3), new significant hazardous facilities may only be considered where:
1. Robust protection measures are proposed to avoid adverse effects on the receiving environment; and
 2. There is an operational and functional need to locate in that area.
- HS-P3. Ensure new significant hazardous facilities avoid locating adjacent to water bodies or within hazard areas or coastal hazard areas unless there is a functional need for them to do so and they are able to demonstrate that they do not pose an increased risk to people, property and the environment.
- HS-P4. Where the location of new significant hazardous facilities is considered appropriate, ensure that the site layout, construction, operation, facilities and emergency management systems provided are designed to avoid accidental or unintentional release, or loss of control (such as spills and gas escapes) of hazardous substances.

Note: See the [national electricity and gas transmission chapter](#) for provisions relating to buildings storing hazardous substances within the national grid yard

Rules

The rules that apply to hazardous substances are contained in the tables listed below. To undertake any activity, it must comply with the rules listed in:

- HS - Table 1 - Activities Rules; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

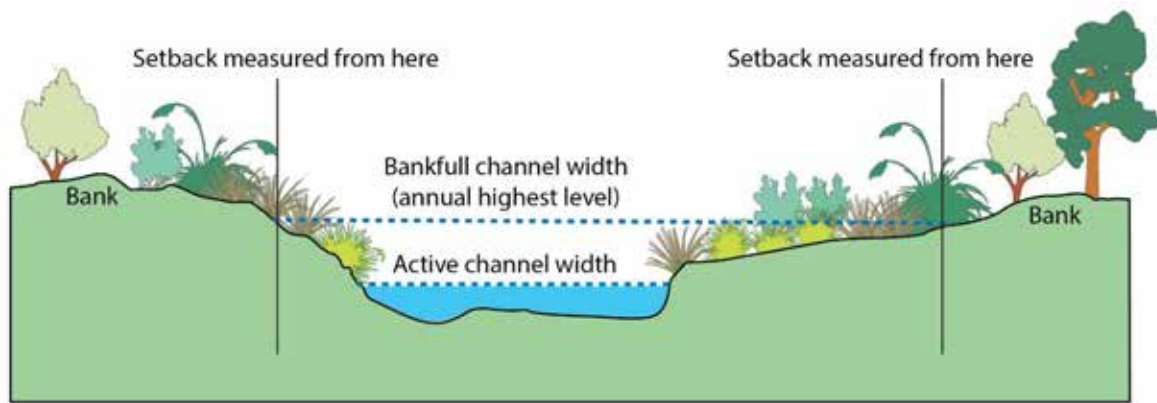
Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

HS - Table 1 - Activities Rules

The rules in this table apply to significant hazardous facilities in all zones		
HS-R1.	Significant hazardous facilities existing at 20 October 2022 which propose to increase the use, storage or handling of hazardous substances	
Industrial and rural production zones and aerodrome precinct (PREC3)	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The use, storage, or handling of hazardous substances increases by no more than 20% from the base figure over a 5 year period; and 2. The use, storage, or handling of hazardous substances must be setback at least 50 m from the edge of any water body as measured from the bankfull channel width (see HS – Figure 1). 	Activity status where compliance is not achieved: DIS
All other zones and precincts	Activity Status: DIS	Activity status where compliance is not achieved: N/A
HS-R2.	New significant hazardous facilities	
General rural zone, industrial and rural production zones and aerodrome precinct (PREC3)	<p>Activity Status: DIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The new significant hazardous facility is not located in a hazard area or a coastal hazard area; and 2. The new significant hazardous facility is not located within the national grid yard or within 60 m of the gas transmission network; and 3. The new significant hazardous facility must be setback at least 50 m from the edge of any water body as measured from the bankfull channel width (see HS – Figure 1). 	Activity status where compliance is not achieved: NC
All other zones and precincts	Activity Status: NC	Activity status where compliance is not achieved: N/A

HS - Figure 1



For the purposes of HS-R1 and HS-R2, a water body is:

- (i) A perennial watercourse with a bankfull channel width of 2 m or more; or
- (ii) A lake equal to or larger than 0.25 ha.

Advice Notes

Calculation of the base figure

The base figure is the average volume of hazardous substances used, stored or handled on-site between 1 January 2020 and 31 December 2020.

Other legislation

The use, storage, handling and transportation of hazardous substances is also controlled by the Hazardous Substances and New Organisms Act 1996 and the Health and Safety at Work Act 2015. All premises using, storing, handling and transporting hazardous substances hazardous facilities must comply with this legislation.

HS – Table 2 - Performance Standards

There are no Performance Standards

Amateur Radio | Ngā runaruna o te ao irirangi

Overview

Amateur radio is a personal recreational and technical activity that encourages experimentation in radio technology and personal communications worldwide. While most communication today is via cellular network, amateur radio operators can play an important role in facilitating communications at the time of emergencies and/or when the cellular network is not available.

Amateur radio operators do not fit within the definition of network utility operators under the RMA, however their activities involve radio communications and their radio configurations involve masts, aerials and supporting structures.

Amateur radio structures are most commonly located in residential or rural areas, in the **backyard of an operator's property, but may also occur in commercial areas**. Both the location and scale of some configurations means that they may cause adverse amenity effects or may impact the character of surrounding neighbourhoods or the values of scheduled sites and features.

Objective

Refer also to the relevant objectives in Part 2 District - Wide Matters

AR-O1. To recognise the benefits of amateur radio while managing the actual and potential adverse effects.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

AR-P1. Provide for experimentation in radio communications by enabling different amateur radio configurations.

AR-P2. Manage the effects on adjacent properties from amateur radio configurations, whilst acknowledging that some amateur radio configurations will be of a different scale than other structures in the surrounding environment.

AR-P3. Protect the values of the precincts, overlays, scheduled sites and features from the adverse effects of amateur radio configurations.

AR-P4. Control the location of amateur radio configurations in proximity to Te Kūiti Aerodrome to ensure its safe operation.

Rules

The rules that apply to amateur radio are contained in the tables listed below. To undertake any activity, it must comply with the rules listed in:

- AR - Table 1 - Activities Rules; and
- AR - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Unless specifically stated in a rule, the provisions in Part 3 Area Specific Matters do not apply.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

Note: See the [Hapori whānui chapter](#) for provisions associated with domestic television aerials and satellite dishes.

AR - Table 1 - Activities Rules

AR-R1.	Amateur radio configuration	
General rural, residential, rural lifestyle, settlement & Māori purpose zones (excluding all precincts)	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All of the performance standards in AR - Table 2 are complied with; and 2. There is no more than one primary mast and one pedestal dish mounted antenna per site, provided that in the residential, rural lifestyle and settlement zones, dish mounted antennae are only permitted on sites greater than 750 m²; and 3. No part of any amateur radio configuration overhangs a legal boundary, road reserve, service lane or accessway; and 4. The amateur radio configuration adjoins a site which contains a scheduled heritage building or structure (SCHED1), sites and areas of significance to Māori (SCHED3, SCHED4), a significant archaeological site (SCHED2) or an outstanding natural feature (SCHED8), it must be located at least 20 m from the common boundary. 	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in AR - Table 2; and (b) The cumulative effect of the number of structures on the site; and (c) Effects on the values of any scheduled heritage building or structure, sites and areas of significance to Māori, significant archaeological site or outstanding natural feature; and (d) The extent to which the structure obstructs access to any site; and (e) The location, size and scale of the structure in relation to the size of the site; and (f) The effect on the amenity values and character of the surrounding area and properties.

All other zones, all precincts Significant natural areas, coastal environment, karst overlay, landscapes of high amenity value, high/very high natural character	Activity Status: DIS	Activity status where compliance is not achieved: N/A
Outstanding natural landscapes, outstanding natural features, outstanding natural character, heritage buildings and structures, sites or areas of significance to Māori and significant archaeological sites.	Activity Status: NC	Activity status where compliance is not achieved: N/A
AR-R2.	Amateur radio activities not otherwise listed in AR - Table 1	
All zones, all precincts, all overlays, scheduled sites and features	Activity status: NC	Activity status where compliance is not achieved: N/A

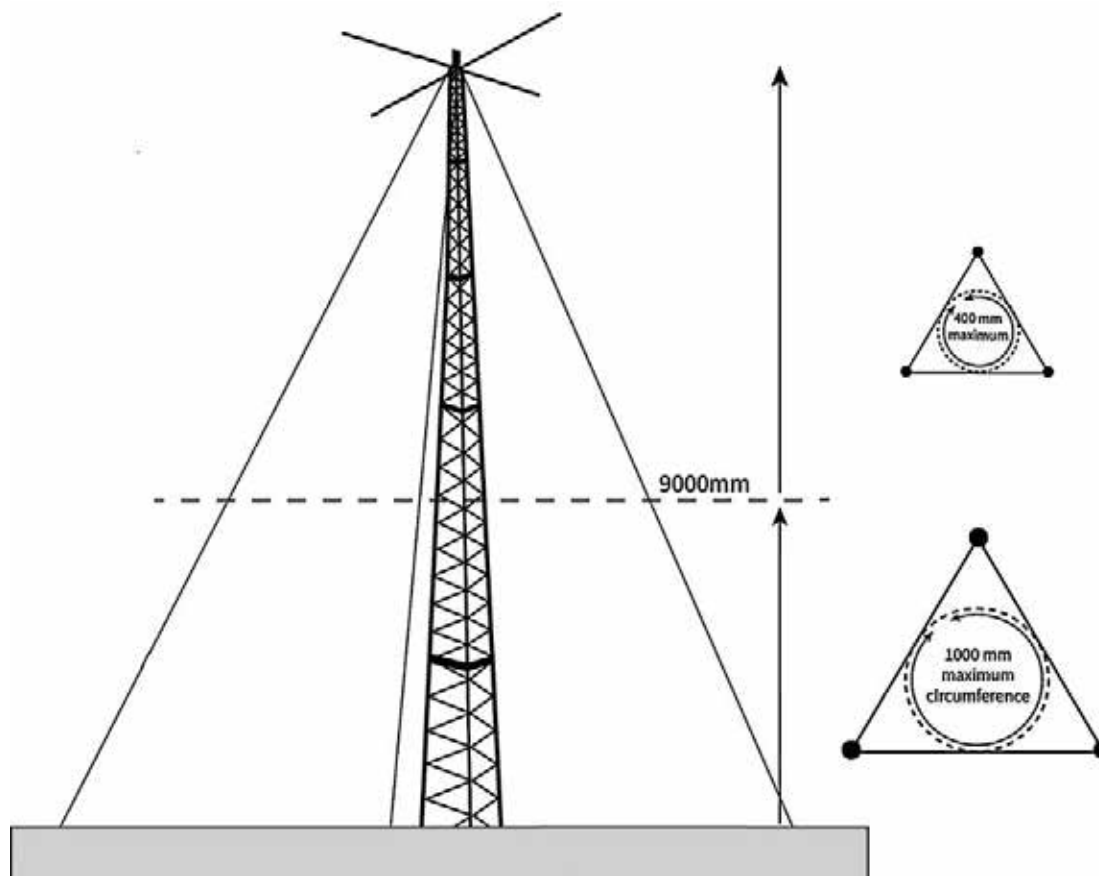
AR-R3.	Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps	
All zones, all precincts, all overlays, scheduled sites and features	<p>Activity status: PR</p> <p>Where</p> <ol style="list-style-type: none"> The amateur radio configuration cannot comply with the Te Kūiti Aerodrome Flightpath height restrictions shown on the Planning Maps. 	Activity status where compliance is not achieved: N/A

AR - Table 2 - Performance Standards

The rules in this table apply to the general rural, residential, rural lifestyle, settlement & Māori purpose zones only		
AR-S1.	Height in relation to boundary and minimum setback from boundaries	
1. The primary mast and the pedestal dish mounted antennae must comply with the minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone.		<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The location of the structures and any alternative options; and Effects on the amenity values and character of the surrounding area; and The finish of the materials; and Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment; and The extent and effect of non-compliance with any relevant rule in the zone and any relevant matter of discretion in the rule.
AR-S2.	Height of the primary mast	
Rural lifestyle, settlement, Māori purpose & residential zones	<ol style="list-style-type: none"> The maximum height as measured from ground level, of a ground mounted primary mast must be no more than 20 m, except for a simple whip antenna or discone antenna which may extend no more than 3.2 m above this height; and A primary mast attached to a building must not exceed the permitted height for the relevant zone by more than 5 m, except for a simple whip antenna or discone antenna which may 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The location of the structures and any alternative options; and Effects on the amenity values and character of the surrounding area; and The finish of the materials; and Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment; and The extent and effect of non-compliance with any relevant rule in the zone and any relevant matter of discretion in the rule.

	extend no more than 3.2 m above this height.	
General rural zone	<p>3. The maximum height as measured from ground level, of a ground mounted primary mast must be no more than 25 m, except for a simple whip antenna or discone antenna which may extend no more than 3.2 m above this height; and</p> <p>4. A primary mast attached to a building must not exceed the permitted height for the relevant zone by more than 5 m, except for a simple whip antenna or discone antenna which may extend no more than 3.2 m above this height.</p>	
AR-S3.	Dimensions of the primary mast	
<p>1. A primary mast must have a maximum inscribed circle of no more than 1 m below 9 m in height as measured from ground level; and</p> <p>2. Above 9 m as measured from ground level:</p> <p>(i) A primary guyed lattice mast must have a maximum inscribed circle of no more than 0.4 m; and</p> <p>(ii) A primary self-supporting lattice mast must fit into a tapering envelope with a maximum inscribed circle of 660 mm above 9 m and 420 mm at 20 m; and</p> <p>(iii) A primary self-supporting tubular mast must fit into a tapering envelope with a maximum inscribed circle of 230 mm at 9 m and 115 mm at 20 m.</p> <p><i>Note: See Figure – AR 1</i></p>		<p>Matters over which discretion is restricted:</p> <p>(a) The location of the structures and any alternative options; and</p> <p>(b) Effects on the amenity values and character of the surrounding area; and</p> <p>(c) The finish of the materials; and</p> <p>(d) Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment.</p>

Figure – AR 1



AR-S4.	Support structures	
<ol style="list-style-type: none"> 1. A primary mast must have no more than 7 subsidiary poles which are no more than 12 m in height as measured from ground level, with a maximum diameter of 115 mm; and 2. One subsidiary pole may be an HF vertical antenna; and 3. Any guy wires must be no more than 12 mm in diameter. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The location of the structures and any alternative options; and (b) Effects on the amenity values and character of the surrounding area; and (c) The finish of the materials; and (d) Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment; and (e) Cumulative effects associated with multiple devices and structures. 	
AR-S5.	Antenna	
<ol style="list-style-type: none"> 1. Except in the general rural zone, a ground-mounted dish must be located behind the rear building line of a residential unit or building as viewed from a road, and be pivoted less than 3 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The location of the structures and any alternative options; and (b) Effects on the amenity values and character of the surrounding area; and 	

<p>m above the ground, with the diameter of the dish being no more than 2.5 m; or</p> <p>2. In the general rural zone, a ground-mounted dish must be located behind the rear building line of a residential unit or building as viewed from a road, and be pivoted less than 4 m above the ground, with the diameter of the dish being no more than 5 m.</p>	<p>(c) The finish of the materials; and</p> <p>(d) Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment; and</p> <p>(e) Cumulative effects associated with multiple devices and structures; and</p> <p>(f) The extent and effect of non-compliance with any relevant rule in the zone and any relevant matter of discretion in the rule.</p>
AR-S6.	Number, type and dimensions of aerials
<p>1. There must be no more than four aerials attached to ground mounted support structures per site; and</p> <p>2. There must be no more than four aerials attached to buildings per site; and</p> <p>3. Any element making up an aerial must not exceed 80 mm in diameter; and</p> <p>4. For horizontal HF yagi aerials, the maximum element length must not exceed 14.9 m, and the maximum boom length must not exceed 13 m; and</p> <p>5. For whip aerials, the maximum length must not exceed 3.5 m in height above the maximum height for the support structure.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) The location of the structures and any alternative options; and</p> <p>(b) Effects on the amenity values and character of the surrounding area; and</p> <p>(c) The finish of the materials; and</p> <p>(d) Whether the scale, intensity and character of the structure is appropriate in the context of the site and receiving environment; and</p> <p>(e) Cumulative effects associated with multiple devices and structures.</p>
AR-S7.	Radiofrequency
<p>1. The Amateur Radio Configuration must comply with NZS 2772.1:1999 Radiofrequency Fields Part 1: Maximum exposure levels - 3kHz to 300 GHz.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) The effects of non-compliance with the standards in NZS 2772.1-1999 on the health and safety of surrounding areas from any unsafe levels of radiofrequency or unsafe structures; and</p> <p>(b) The location of the structures in respect of neighbouring sites and the sensitivity of the receiving environment.</p>

Overview

Payment of a financial contribution can be required as a condition of resource consent. Financial contributions are used as a mechanism for achieving the plan's objectives. This plan uses financial contributions to build into the cost of the activity, development or subdivision any physical, environmental, or social costs that can be identified. It does this by ensuring that the developer avoids, remedies, mitigates or compensates for any adverse effects. In this plan, financial contributions are used for the following reasons:

- To provide a fair and reasonable contribution to finance the extension or development of bulk services or other infrastructure costs as a result of a development or subdivision; and
- Along with other provisions, to provide a mechanism to avoid, remedy, or mitigate and/or offset adverse effects on the environment; and
- For assessing and quantifying the likely adverse environmental effects of any development or subdivision undertaken in the Waitomo District on adjoining districts, cities, towns, and communities outside the district to enable contributions to be collected and made towards the mitigation of those adverse environmental effects.

Financial contributions are intended to offset the cost of future capital works and the cost of capital works already incurred where a development consumes that capacity, together with other related costs necessitated by new development or subdivision. Fees vary for different types of activities, development or subdivision.

A Heavy Vehicle Impact Fee may be required where heavy vehicle traffic movements from a development or activity are likely to cause an accelerated reduction in the useful life of the local road network that was not reasonably anticipated when the relevant roads were constructed.

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters

- FC-O1. To ensure the adverse environmental effects on the **district's network** infrastructure are addressed in order to cater for the additional demand generated by new activities, development or subdivision.
- FC-O2. To ensure that there is a fair and reasonable share of the costs of upgrading or providing new infrastructure to meet demands generated by the activity, development or subdivision, and to enable future growth.
- FC-O3. To ensure the community is adequately protected from any unpredictable adverse effects of heavy vehicles on the **district's road** network due to land use activities.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

- FC-P1. The adverse environmental effects of development or subdivision that can be addressed by requiring a financial contribution, must be clearly identified at the planning and consenting stage of the development or subdivision.
- FC-P2. To ensure that planned growth is adequately financed by taking financial contributions in advance of Waitomo District Council undertaking infrastructure works for Council provided infrastructure.
- FC-P3. In circumstances where Waitomo District Council has already undertaken capital expenditure on its infrastructure networks, the capacity of those infrastructure networks which is consumed by a proposed development or subdivision must be recovered by taking financial contributions.
- FC-P4. Requiring payment of the total cost of new and off site infrastructure associated with the development or subdivision, including linkages, where the additional infrastructure is required solely to serve the proposed development or subdivision.
- FC-P5. Requiring a contribution towards any previous upgrading of off-site infrastructure when a new development or subdivision will utilise installed infrastructure capacity.
- FC-P6. Ensuring that the amount of financial contribution required reasonably reflects the cost of avoiding, remedying or mitigating the adverse effects.
- FC-P7. A heavy vehicle impact fee will be required where an activity or development creates adverse effects on the **district's road network which:**
 - 1. Requires the construction or upgrading of any routes or other infrastructure for vehicles and pedestrians off the site; and/or
 - 2. Generates increases in heavy traffic which are likely to lead to infrastructure renewal being required earlier than planned in Waitomo District **Council's Long Term Plan.**

Rules

These rules apply to any activity requiring a resource consent under this plan, and for the avoidance of doubt, the rules also apply to any activity requiring a resource consent due to failing to comply with any performance standard of this plan.

These rules specifically relate to financial contributions towards the provision and future operation of network infrastructure owned and/or operated by Waitomo District Council, a Council Controlled Organisation or for roading and transport, and for any adjoining Territorial Local Authority and/or the New Zealand Transport Agency (NZTA).

Financial contributions must be determined in accordance with the provisions of these rules. All financial contribution calculations are exclusive of Goods and Service Tax (GST). GST will apply to all financial contributions at the prevailing rate.

Refer to the [subdivision chapter](#) for rules related to vesting land in Council ownership.

FC - Table 1 - Activities Rules

There are no Activities Rules

FC - Table 2 - Performance Standards

The following rules apply to all zones, all roads and new roads approved by resource consent	
FC-S1.	Reticulated water services

These rules apply to a development or subdivision that seeks to connect to Council's water reticulation services:

1. Council will require the payment of a financial contribution where a development or subdivision located outside Council's reticulated water supply area seeks to connect, and Council approves such a connection.
2. The maximum amount of financial contribution that will be taken for connection to a water supply system in a Council reticulated water supply area must be the greater of:

EITHER

$$\$A \times [B / [B + C]]$$

Where:

A = the replacement value of the specific water reticulation system after adjustment for capital expenditure in this activity at the time the connection is sought.

B = the number of residential equivalent connections to be added to that reticulation system where:

≤ 20mm nb diameter connection = 1 residential equivalent connection

32mm nb dia connection = 3 residential equivalent connections

50mm nb dia connection = 10 residential equivalent connections

75mm nb dia connection = 14 residential equivalent connections

100mm nb dia connection = 25 residential equivalent connections

150mm nb dia connection = 56 residential equivalent connections

C = the total number of existing connections to that water reticulation system.

OR

The total assessed cost of providing additional water supply capacity (including the additional cost of abstraction, treatment, storage and reticulation) in the water reticulation system needed to service the development or subdivision.

3. A financial contribution under Rules FC-R1.1 and FC-R1.2 must be calculated, either at the time of:
 - (a) Subdivision, in which case a financial contribution calculated must be paid prior to Council issuing any certificates under either Section 223 or 224 of the Act; or
 - (b) Resource consent, in which case a financial contribution calculated must be paid as a condition of that consent, and prior to the activity commencing.

Notes:

1. The replacement value of a Council reticulation system in a reticulated water supply area is the valuation reported in or supporting the most recent Council Annual Report.
2. The financial contributions for reticulated water services will not be levied on development or subdivision located within Council's reticulated water supply areas.
3. The financial contributions for reticulated water services exclude the cost of connection to a water reticulation system or the cost of water reticulation within the development or subdivision.
4. Once a development or subdivision is physically connected to a Council water reticulation system, it is deemed to be part of that water reticulation system.

FC-S2.	Wastewater collection services
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These rules apply to a development or subdivision that seeks to connect to Council's wastewater collection services:

1. Council will require the payment of a financial contribution where a development or subdivision located outside any of Council's reticulated wastewater service areas seeks to connect, subject to Council having wastewater disposal capacity.
2. The maximum amount of financial contribution that will be taken for connection to a service network system in a Council wastewater service area must be the greater of:

EITHER

$$\$A \times [B / [B + C]]$$

Where:

A = the replacement value of the specific wastewater system after adjustment for capital expenditure in this activity at the time the connection is sought.

B = the number of residential equivalent connections to be added to that reticulation system where:

≤ 100mm nb diameter gravity connection = 1 residential equivalent connection

150mm nb dia gravity connection = 3 residential equivalent connections

200 mm nb dia gravity connection = 10 residential equivalent connections

C = the total number of existing connections to that wastewater system.

OR

The total assessed cost of providing additional wastewater system capacity (including the additional cost of storage, pumping, transportation, processing and disposal) to the wastewater system needed to service the development or subdivision.

3. A financial contribution under Rules FC-R2.1 and FC-R2.2 must be calculated, either at the time of:
 - (a) Subdivision, in which case a financial contribution calculated must be paid prior to Council issuing any Certificates under either Section 223 or 224 of the Act; or
 - (b) Resource consent, in which case a financial contribution calculated must be paid as a condition of that consent, and prior to the activity commencing.

Notes:

1. The replacement value of a Council wastewater system in a wastewater service area is the valuation reported in or supporting the most recent Council Annual Report.
2. The financial contributions for wastewater services will not be levied on development or subdivision located within a Council wastewater service area.
3. The financial contributions for wastewater services exclude the cost of connection to a wastewater system or the cost of sewerage within the development or subdivision.
4. Once a development or subdivision is physically connected to a Council wastewater system, it is deemed to be part of that wastewater system.

FC-S3.	Stormwater services
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These rules apply where a development or subdivision seeks to connect to Council's consented stormwater services:

1. Council will require the payment of a financial contribution where a development or subdivision located immediately outside any of Council's reticulated stormwater systems seeks to connect, subject to Council having the necessary resource consent to discharge.
2. The maximum amount of financial contribution that will be taken for connection to an existing Council stormwater system must be the greater of:

EITHER

$$\$I \times [J / [J + K]]$$

Where:

- I = the replacement value of the relevant stormwater system after adjustment for capital expenditure in this activity at the time the connection is sought; and
- J = the gross area of the development measured in hectares; and
- K = the gross area served by the relevant stormwater system excluding the activity.

OR

The total assessed cost of providing additional stormwater system capacity (including the additional cost of stormwater retention, pumping, transportation, processing, disposal and resource consent variation costs) needed to service the activity.

3. A financial contribution under Rules FC-R3.1 and FC-R3.2 must be calculated, either at the time of:
 - (a) Subdivision, in which case a financial contribution calculated must be paid prior to Council issuing any Certificates under either Section 223 or 224 of the Act; or
 - (b) Resource consent, in which case a financial contribution calculated must be paid as a condition of that consent, and prior to the activity commencing.

Notes:

1. The replacement value of a Council stormwater system is the valuation reported in or supporting the most recent Council Annual Report.
2. The financial contributions for stormwater services will not be levied on development or subdivision located within a Council stormwater service area.
3. The financial contributions for stormwater services exclude the cost of physical connection to a stormwater system or the cost of stormwater infrastructure within the development or subdivision.
4. Once a development or subdivision is physically connected to a Council stormwater system, it is deemed to be part of that stormwater system.

FC-S4.	Road corridor services
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These rules apply to a development or subdivision that gives rise to increases in vehicular and/or pedestrian traffic:

1. Council will require as part of a subdivision or development the payment of a financial contribution. A financial contribution will be payable where infrastructure for vehicles and pedestrians that is located off the site of the activity that is subject to consent:
 - (a) Requires construction, upgrading or improving; and
 - (b) The funding of the required works has not, for any reason, been fully or adequately provided for by other funding instruments available to Council; and
 - (c) Where a development or subdivision will, or is likely to, adversely affect existing or proposed public roads managed by a road controlling authority other than Council, financial contributions will **at Council's sole discretion and with appropriate justification, and in consultation with the appropriate road controlling authority**, be assessed and used as though the road controlling authority was Council.
2. The maximum amount of financial contribution for road corridor services that will be taken must be determined on the basis of the following formula:

$$\$F \times [G / [G + H]]$$

Where:

- F = the assessed total cost of constructing, upgrading and/or improving traffic and/or pedestrian routes (including land purchases) as a consequence of the development.

G = the average annual assessed volume of vehicular traffic measured in vehicles per day directly attributable to the development.

H = the average annual assessed volume of vehicular traffic measured in vehicles per day currently using routes that will require constructing, upgrading and/or improving as a consequence of a development.

3. A financial contribution under Rules FC-R4.1 and FC-R4.2 must be calculated, either at the time of:
 - (a) Subdivision, in which case a financial contribution calculated must be paid prior to Council issuing any certificates under either Section 223 or 224 of the Act; or
 - (b) Resource consent, in which case a financial contribution calculated must be paid as a condition of that consent and prior to the activity commencing.

Notes:

1. *The assessment of traffic volumes will be based on traffic models acceptable to Council following consultation with the relevant road controlling authority.*
2. *The financial contributions for Road Corridor Services exclude the cost of physical connection to traffic or pedestrian routes or the cost of providing traffic and pedestrian services within the development or subdivision.*
3. *Once a development or subdivision is physically connected to the road controlling authority or Council's traffic or pedestrian routes, it is deemed to be part of those traffic or pedestrian routes.*

FC-S5.	Heavy Commercial Vehicle impact fee
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The following rules apply to development that gives rise to increases in heavy vehicle movements:

1. Council will require as part of a subdivision or land use consent the payment of a financial contribution where:
 - (a) Routes and other infrastructure for vehicles and pedestrians off the site subject to consent requires construction or upgrading; and/or
 - (b) Increases in heavy traffic are likely to lead to infrastructure renewal; and/or
 - (c) Construction or upgrades are required earlier than expected; and/or
 - (d) Where the effects of the development adversely affect public roads managed by other agencies, any financial contribution taken may be used by those agencies to upgrade those roads.

2. The maximum amount of financial contribution for traffic and pedestrian routes that will be taken must be determined on the basis of the following:

$$\$[(G)/[(F) + (G)]] \times (H)$$

Where:

F = the volume of vehicular traffic (measured in equivalent standard axles for a 40 year design period) currently using routes that will require construction, upgrading or earlier renewal as a consequence of the development.

G = the volume of heavy vehicular traffic (measured in equivalent standard axles for a 40 year design period) directly attributable to the development.

H = the cost of construction, upgrading or renewal of traffic and pedestrian routes as a consequence of the development.

3. A financial contribution under Rules FC-R5.1 and FC-R5.2 must be calculated, either at the time of:
 - (a) Subdivision, in which case a financial contribution calculated must be paid prior to Council issuing any certificates under either Section 223 or 224 of the Act; or
 - (b) Resource consent, in which case a financial contribution calculated must be paid as a condition of that consent and prior to the activity commencing.

Note:

- 1. The fee will be charged as a lump sum where the activity is expected to continue for less than three years.
Where the development activity is expected to continue for longer than three years, the fee may by agreement be allocated on the basis of a unit rate related to the materials transported.*
-

Overview

The Waitomo caves are one of New Zealand's most iconic and historic tourist attractions. Currently over 500,000 domestic and international visitors go to the Waitomo caves each year and this is likely to increase as tourism operators diversify their activities. The corridor along State Highway 37 between Hangatiki and Waitomo Caves Village, and between Hangatiki along State Highway 3 to the northern boundary of the district, was identified as part of an extensive landscape policy area in the previous district plan. This plan does not identify the same extensive area, instead prioritising the State Highway corridors (outside of the tourism zones) as important connecting routes which have a rural character requiring maintenance and enhancement.

The 2019 Waitomo Caves Village Town Concept Plan was produced in consultation with the New Zealand Transport Agency, community members and tourism operators. This plan implements a number of the Waitomo Caves Village Town Concept Plan's components. Some of the key points identified include:

- Ensuring signs are of a design and scale that is appropriate in the surrounding environment.
- Consolidating the Waitomo Caves Village core and making sure that new zoning focuses activities as far as possible into the central village area, so this area becomes busy and interesting.
- Examining opportunities to avoid ribbon development, reduce the number of signs and other visual clutter along the State Highway corridors and at the gateway entrances so that their visual impact is less overwhelming, less cluttered and offers more helpful directional signage.

This precinct applies to land zoned general rural, Māori purpose, natural open space and settlement. The plan adds additional controls in respect of signs, relocated buildings and shipping containers. It also controls tourism facilities and retail activities within the general rural zone. In addition to managing signs, the precinct also protects the safe functioning and efficiency of the State Highway network by signalling that development outside of the identified tourism zones should only proceed in specified circumstances.

Objective

Refer also to the relevant objectives in Part 2 District - Wide Matters

- PREC6-O1. Require land use activities and development to be appropriately located and of a density, scale and intensity that maintains the rural character along the amenity precinct corridors.

Policy

Refer also to the relevant policies in Part 2 District - Wide Matters

PREC6-P1. Within the amenity precinct:

1. Avoid ribbon development and visual clutter from signs along the State Highways; and
2. Only allow the development of tourism facilities where they are directly associated with an in-situ natural, cultural or heritage feature; and
3. Preserve the rural character of the entrance to Waitomo Caves Village; and
4. Maintain a delineation between the tourism zone boundaries and the surrounding rural areas; and
5. Encourage buildings which are located so that their visual prominence is minimised, particularly development and associated earthworks on prominent slopes, ridges and skylines; and
6. Avoid activities and development that adversely affect the health and well-being of the Upper Waipa River catchment.

Rules

The rules that directly apply to the amenity precinct are located in the:

- Relocated buildings and shipping containers chapter; and
- Signs chapter; and
- General rural zone.

Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

Te Maika Precinct | Te Maika **whai tikanga**

Overview

Located on the southern entrance of Kawhia harbour, the Te Maika precinct is situated on the northern point of the Te Maika peninsula. The majority of the land is administered by the Te Maika Trust who exercise mana whenua and kaitiakitanga over the area on behalf **of the beneficial owner, the Māori King. The precinct contains a number of unique and significant natural features.** These include a significant natural area of national importance which is a wetland habitat for endangered coastal wetland plant species and migratory birds. There are two areas classed as outstanding natural features which comprise the Te Maika point jurassic sequence and fossil forest. The fossil forest is regarded as the second-best example in New Zealand after Curio Bay. These two features are fragile exposures of geological material which contain important biological and geological history. They are located on local purpose reserve, road reserve and within the coastal marine area. The rules in this plan protect these two sites from development and damage.

The area has a rich history, evidenced by the numerous archaeological sites in the precinct. It was an important food source, used seasonally for the gathering of kaimoana. At the beginning of the 18 century Te Maika was occupied by Ngati Toa led by the warrior chief Te Rauparaha. Eventually the Waikato-Maniapoto confederation of tribes under the leadership of Te Wherowhero, forced Te Rauparaha from the area. Ngati Toa retreated down the south coast, eventually occupying Kapiti Island. A few members of Ngati Toa remained living in the area and their descendants can claim an un-broken line of residence in Kawhia harbour since the arrival of the Tainui waka. Around 100 years ago Te Maika was placed under the guardianship of the Māori King to protect it from European acquisition.

Te Maika is remote and wild, offering visitors peaceful respite from the busy pace of life. There are no permanent residents and no reticulated electricity, water or wastewater services on the peninsula, although the cellular network coverage is good. While public roads have been surveyed, they remain unformed and there is no intention to provide physical road access to this community. The entire precinct is surrounded by public lands in the form of either esplanade reserves or public roads.

Te Maika has both natural open space and settlement zoning, the rules for this community are set out in this precinct chapter. The precinct is subject to the coastal environment overlay and is within an outstanding natural landscape. The harbour-side coastal margins are subject to coastal erosion which threatens the long-term viability of some of the dwellings located on the Te Maika Road reserve. Coastal hazard areas are not identified in Te Maika but specific provisions are contained in the coastal environments chapter which manage buildings located adjacent to the open coast and within Kawhia Harbour. Additionally, because the majority of the precinct has been partitioned or subdivided there are archaeological assessment rules in this chapter which apply to land use activities. The purpose of the precinct is to protect the isolated, wilderness character of the area and to

only provide limited opportunities for development where this can be offered at an appropriate scale, avoiding adverse effects on the environment.

Objective

Refer also to the relevant objectives in Part 2 District - Wide Matters

PREC7-O1. Facilitate the management and development of the Te Maika precinct in a way that prioritises the implementation and creation of a low impact, self-sufficient, sustainable community which prioritises the well-being of the natural environment **and recognises the area's unique cultural heritage.**

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

- PREC7-P1. Preserve the natural character of the coastal environment and protect the values of the northern coastline outstanding natural landscape and the jurassic sequence and fossil forest outstanding natural features.
- PREC7-P2. Avoid new development that generates demand for wastewater disposal in a way and at a rate that adversely affects the health and well-being of wetland areas, coastal, ground and surface water.
- PREC7-P3. Avoid locating new development in any part of the precinct that would restrict public access to and along the coastal marine area.
- PREC7-P4. Avoid any further loss of wetland areas, and the associated habitats of indigenous and migratory species.
- PREC7-P5. Ensure new development does not compromise the remote, rugged character of the peninsula.
- PREC7-P6. Ensure the location, height, colour, number of structures and the type of activities permitted in the precinct are carefully managed to protect the values of this outstanding natural landscape.
- PREC7-P7. Recognise and provide for the relationship that mana whenua have with their ancestral sites, ancestral lands, water, wāhi tapu, and other taonga including the coastal environment.
- PREC7-P8. Avoid development unless it is confirmed that the building site does not contain an archaeological site or appropriate permission for development is secured from Heritage New Zealand Pouhere Taonga.
- PREC7-P9. Ensure new development is designed and located to manage significant risks from natural hazards.

Rules

The rules that apply to the Te Maika precinct are contained in the tables listed below. To undertake any activity, it must comply with the rules listed in:

- PREC7 - Table 1 - Activities Rules; and
- PREC7 - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

PREC7 - Table 1 – Activities Rules

PREC7-R1.	Residential units
PREC7-R2.	Papakāinga housing developments and tiny house developments
PREC7-R3.	Residential based visitor accommodation
PREC7-R4.	Tourism facilities and outdoor education activities
PREC7-R5.	Marae complex
PREC7-R6.	One accessory building per allotment
PREC7-R7.	Construction, addition and alteration of buildings for any permitted activity
<p>Activity status: PER</p> <p>Where:</p> <p>1. All of the performance standards in PREC7 –Table 2 are complied with.</p> <p><i>Note: For any activity associated with an outstanding natural feature the rules are contained in the natural features and landscapes chapter.</i></p> <p><i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, also see the historic heritage chapter.</i></p> <p><i>Note: Where building work is carried out (for example to join two tiny houses together by a walkway or create a permanent deck) or where kitchen and bathroom plumbing fittings need to be connected to reticulated water or wastewater systems or septic tank systems, the tiny house becomes a building.</i></p>	
<p>Activity status where compliance is not achieved with PREC7-S1 to PREC7-S6: RDIS</p> <p>Activity status where compliance is not achieved with PREC7-S7 to PREC7-S11: DIS</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in PREC7 -Table 2.</p>	

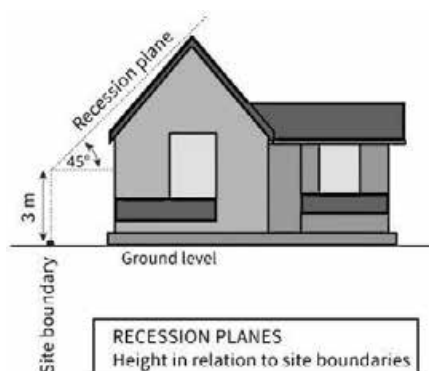
PREC7-R8.	Tanks
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The tank is less than or equal to 3.2 m in height as measured from ground level; and 2. The tank has a capacity less than or equal to 50,000 litres. 	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The location, scale, materials and colour of the tank and whether these features detract from the outstanding natural feature or landscape; and (b) The extent to which the structure extends above a ridgeline or coastal headland or dominates an outstanding natural feature; and (c) Whether the structure is setback from riparian and coastal margins; and (d) The protection of existing vegetation and/or mitigation/enhancement planting to assist the visual integration; and (e) The location, timing of construction, design and density of soil disturbance and vegetation removal activities; and (f) Effects on archaeological sites including the location, and intensity of soil disturbance and vegetation removal activities; and (g) Measures to avoid, remedy or mitigate adverse effects of the activity on the outstanding natural feature or landscape.
PREC7-R9.	Home businesses
<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. No more than two full time equivalent persons who do not reside on the site are employed in the home business, except in tiny house developments where only people living on the site can be engaged in the home business; and 2. The hours of operation for the home business are between 7am and 7pm Monday to Friday and between 9am and 5pm Saturday, Sunday and Public Holidays; and 3. No outdoor storage associated with the home business is permitted; and 4. A home business may include home based child care but must not be any of the following activities: panel beating, spray painting, motor vehicle repair or wrecking, fibre glassing activities involving heavy vehicles, sheet metal work, wrought iron work, activities involving 	<p>Activity status where compliance is not achieved: DIS</p>

scrap metal or demolition materials or hazardous waste substances, activities involving fish or meat processing, funeral parlours, boarding or breeding kennels or catteries. In PREC7 these activities are industrial activities.	
PREC7-R10.	Agricultural, pastoral and horticultural activities
Activity Status: PER Where: 1. Agricultural, pastoral and horticultural activities are permitted except for farm airstrips and farm helipads. <i>Note: For rules pertaining to earthworks and quarrying activities, vegetation removal and forestry see the natural features and landscapes chapter.</i>	Activity status where compliance is not achieved: DIS
Activity Status: DIS Where: 2. Farm airstrips and farm helipads.	Activity status where compliance is not achieved: N/A
PREC7-R11.	Demolition and/or removal of buildings and structures
Activity Status: PER <i>Note: Where the building is listed in SCHED1 - Heritage Buildings and Structures, see the historic heritage chapter.</i>	Activity status where compliance is not achieved: N/A
PREC7-R12.	Industrial activities and activities not otherwise listed in Table 1
Activity status: DIS <i>Note: Relocated buildings and shipping containers are discretionary activities in PREC7. See the relocated buildings and shipping containers chapter.</i> <i>Note: For rules pertaining to earthworks and quarrying activities, vegetation removal and forestry, caves and sinkholes see the natural features and landscapes chapter.</i>	Activity status where compliance is not achieved: N/A

PREC7-S1.	Minimum setback from road boundaries	
<ol style="list-style-type: none"> 1. The minimum setback from road boundaries for any building adjacent to a formed or unformed road must be at least 3 m; and 2. For the avoidance of doubt a tiny house is a building for the purpose of this rule. 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale, materials, colour and location of the building; and (b) Effects on archaeological sites including the location, and intensity of soil disturbance and vegetation removal activities; and (c) Effects on the precinct's character and amenity; and (d) Ability to soften the visual impact of the building, including retention of any existing mature trees and landscaping; and (e) Other measures proposed to avoid, remedy or mitigate adverse effects of the activity on the landscape or coastal environment. 	
PREC7-S2.	Minimum setback from internal boundaries	
<ol style="list-style-type: none"> 1. The minimum setback for buildings from internal boundaries must be 3 m, provided that the eaves of any building may encroach into the required setback by not more than 600 mm; and 2. Buildings may be erected up to any common boundary with an adjoining site which is in the same holding; and 3. Decks, balconies and terraces more than 1.5 m in height from ground level and located along any internal boundary must be setback 3 m; and 4. For the avoidance of doubt a tiny house is a building for the purpose of this rule. <p><i>Note: All buildings and structures, must also comply with NATC-R2, CEH-R1 and CEH-R2.</i></p>	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale, materials, colour and location of the building; and (b) The provision of mitigation measures which enhance the natural character of the open coast and harbour environment such as fencing and retiring coastal escarpment and/or wetland areas and ecological planting; and (c) Effects on archaeological sites including the location, and intensity of soil disturbance and vegetation removal activities; and (d) Effects on the precinct's character and amenity; and (e) Ability to soften the visual impact of the building, including retention of any existing mature trees and landscaping. 	
PREC7-S3.	Landscaping of site boundaries	
<ol style="list-style-type: none"> 1. Where a tourism facility, outdoor education activity, home business or marae complex has an internal site boundary that adjoins a building housing a residential activity or a vacant site, the internal boundary of the site adjoining the residential activity or a vacant site must be landscaped to a minimum depth of 2 m, except for the required access point(s); and 	<p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Visual effects including bulk, scale, materials, colour and location of the building or activity; and (b) The provision of mitigation measures which enhance the natural character of the open coast and harbour environment such as fencing and retiring coastal escarpment 	

<p>2. The landscaping must consist of a combination of indigenous groundcovers, shrubs and/or trees.</p>	<p>and/or wetland areas and ecological planting; and</p> <p>(c) Effects on the precinct's character and amenity; and</p> <p>(d) Other measures proposed to avoid, remedy or mitigate adverse effects of the activity on the landscape or coastal environment.</p> <p>(e) Topographical and geographical features affecting the ability to provide the required landscaping.</p>
PREC7 – S4.	Height and Height in relation to boundary
<p>1. Structures must not exceed 5 m in height as measured from ground level; and</p> <p>2. No structure or stored materials shall penetrate a recession plane at right angles to a boundary inclined inwards and upwards at an angle of 45° from 3 m above the ground level of the road or internal boundaries of a site. See Figure - PREC7 1.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) The provision of daylight and sunlight into neighbouring buildings; and</p> <p>(b) Visual effects including bulk, scale, materials, colour and location of the structure or materials; and</p> <p>(c) Effects on the precinct's character and amenity; and</p> <p>(d) Ability to soften the visual impact of the structure or materials, including retention of any existing mature trees and landscaping; and</p> <p>(e) Other measures proposed to avoid, remedy or mitigate adverse effects of the activity on the landscape or coastal environment.</p>

Figure – PREC7 1 –Height in relation to boundary



PREC7-S5.	Residential based visitor accommodation
<p>1. The maximum occupancy must not exceed six guests at any one time.</p>	<p>Matters over which discretion is restricted:</p> <p>(a) Effects on the precinct's character and amenity; and</p>

		(b) Other measures proposed to avoid, remedy or mitigate adverse effects of the activity on the landscape or coastal environment; and (c) Potential reverse sensitivity effects on any adjoining activities.
PREC7-S6.	Accessory buildings	
1. One accessory building is permitted per allotment which must not exceed 30 m ² gross floor area.		Matters over which discretion is restricted: (a) Visual effects including bulk, scale, materials, colour and location of the building; and (b) Effects on the precinct's character and amenity; and (c) Other measures proposed to avoid, remedy or mitigate adverse effects of the activity on the landscape or coastal environment.
PREC7-S7.	Hours of operation	
1. A tourism facility or outdoor education activity must not operate outside the hours of Monday to Sunday 9am – 8pm.		Activity status where compliance is not achieved: DIS
PREC7-S8.	Building colour	
1. All buildings must be painted using the colours in Figure – PREC7 2 – Te Maika Precinct colour chart.		Activity status where compliance is not achieved: DIS
PREC7-S9.	Maximum building coverage	
1. Building coverage must not exceed 35% of the net site area.		Activity status where compliance is not achieved: DIS
PREC7-S10.	Maximum number of residential units	
2. One residential unit per allotment; OR 3. Papakāinga developments and tiny house developments of no more than 6 residential units/tiny houses, where 200 m ² of net site area is provided per unit/tiny house.		Activity status where compliance is not achieved: DIS
PREC7-S11.	Site requirements	
1. No building may exceed 300 m ² in size; and 2. All developments must have an independent potable water supply for activities on the site; and		Activity status where compliance is not achieved: DIS

3. All developments must be on a site of sufficient size to enable on site detention and disposal of stormwater (as measured in a 10% AEP); and
4. No building (except accessory buildings) may be erected unless:
 - (a) A qualified archaeologist has provided written confirmation that the allotment does not contain an archaeological site or appropriate permission has been obtained from Heritage New Zealand; and
 - (b) A qualified geotechnical engineer has provided written confirmation that:
 - (i) The allotment is physically suitable for the proposed building and;
 - (ii) Suitable wastewater disposal can be achieved on site; and
 - (iii) The site of any wastewater or grey water disposal is at least 900 millimetres above ground water level.

Note: For wastewater disposal, preference is given to composting toilets or systems which do not require discharge of liquid waste.

Advice notes

Coastal environment

For setbacks from coastal margins, seawalls and coastal hazards, see the [coastal environment chapter](#).

Te Maika wetland significant natural area

See also the [ecosystems and indigenous biodiversity chapter](#).

Scheduled features and sites

For any activity associated with an outstanding natural feature, the rules are contained in the [natural features and landscapes chapter](#).

There are additional rules for earthworks and quarrying activities, vegetation removal and forestry, caves and sinkholes see the [natural features and landscapes chapter](#).

Accidental discovery protocol

In the event that an unidentified archaeological site or a wāhi tapu site is located during works, the following applies:

- *Work must cease immediately at that place and within 20m around the site;*
- *Heritage New Zealand Regional Archaeologist must be notified and apply for the appropriate authority if required;*
- *Notify the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (New Zealand Pouhere Taonga Act 2014);*

- If human remains (koiwi) are uncovered then the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative must be notified. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded;
- Works affecting the archaeological site and any human remains (koiwi) must not resume until appropriate authority and protocols are completed.

If the protocol is not adhered to then Heritage New Zealand can take out prosecution proceedings under the New Zealand Pouhere Taonga Act 2014.

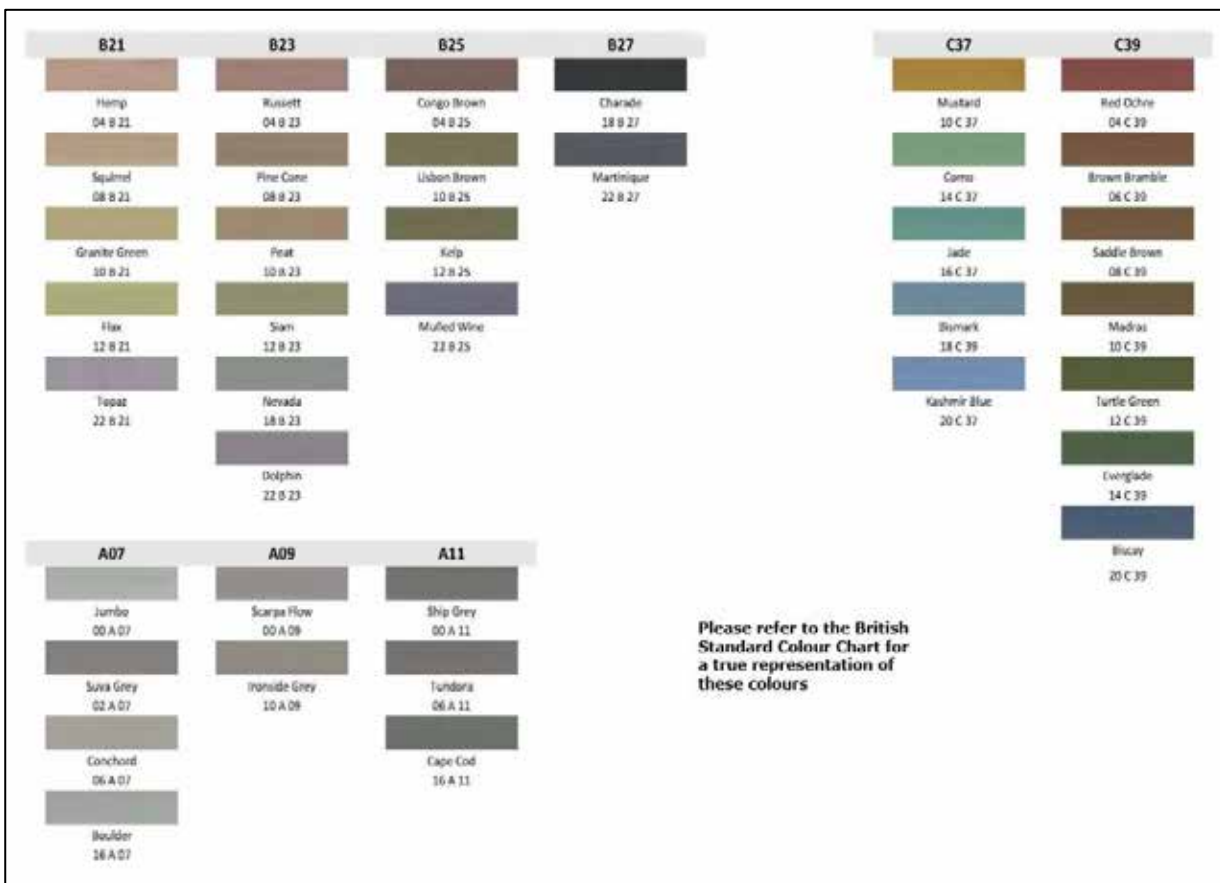
Contaminated land

If the site is contaminated or potentially contaminated refer to the contaminated land chapter and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS) 2011.

Regional Council consents

A resource consent for some earthworks may also be required from the Waikato Regional Council.

Figure – PREC7 2 – Te Maika precinct colour chart



SCHED10 –Areas of Outstanding Natural Character | Āhua tūturu

Unique Identifier	Map Ref	Site Name	Location	Site Type	Description of Values
ONC		Kawhia Harbour	South-western area of Kawhia Harbour	Area of outstanding natural character	The only portion of the district identified to have outstanding natural character relates to the portion of the coastal environment bordering the south side of the Kawhia harbour. Broadly speaking, this corresponds to the native bush-clad, remote and inaccessible, steep hill country with very little evidence of human modification, east of Urawhitiki Point. The integrity of the bold coastal landforms, the scale and quality of the bush features, the sense of remoteness of the area and the area's strong connection with the Kawhia harbour are key factors in the rating of the area as outstanding.

SCHED11 –Areas of High/Very High Natural Character | Ngā rohe hirahira o te Aotūroa

Unique Identifier	Map Ref	Site Name	Location	Site Type	Description of Values
VHNC		Tirua Point	Small portion of the coastline east of Tirua Point.	Area of very high natural character.	Terrestrial areas identified as having very high natural character are limited to a relatively small portion of the coastline east of Tirua Point. Values relate to the highly remote character, intactness of coastal vegetation and dominance of coastal processes within the area . The area's strong connection with the wild waters of the Tasman Sea , is also a key factor in the rating of the area as having very high natural character.
HNC		The western portion of Kawhia Harbour coastline: Matauwai Beach; Parihaki Dune; Marokopa Bush; Marokopa Dune; Tapirimoko Point and coast; Coastal dune, bush and cliff sequences between Ngarupupu Point and Awakino.	As mapped	Areas of high natural character.	Areas of high natural character comprise relatively intact native bush, dune or coastal cliff features that display natural processes (coastal erosion, tectonic processes, ecological succession) and convey a sense of remoteness. Typically, the high natural character areas are influenced to a relatively minor degree by agricultural land uses around their margins and /or tracks throughout the area.

Appendix 2 – Cultural Impact Assessment Process

The length of the cultural impact assessment will depend on the complexity of the project or activity. Waitomo District Council staff can assist with identifying the correct contact points and establishing the level of detail required. Waitomo District Council plans to undertake cultural impact assessments for some sites over the lifetime of this plan. This cultural impact assessment framework also applies to land within the Waikato-Tainui and Rereahu rohe.

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Tāngata Whenua Effects Assessment Report

The Tāngata Whenua Effects Assessment Report ('TWEAR') is a document that is prepared individually or collectively by tāngata whenua that may be potentially affected by a proposed activity, policy or process. Those involved in preparing the TWEAR should be resourced according to pre-agreed arrangements with the applicant (refer section 3.0 on consultation and engagement processes in the Maniapoto Environmental Management Plan 2018). Where a TWEAR is required, this process must include engagement and consultation with iwi, mana whenua or whare representatives and the TWEAR must be reviewed by the applicable representative(s) to ensure the cultural values of Maniapoto are included.

- APP-2.1 Executive Summary —a summary of key points raised in the TWEAR and should be written after the TWEAR is completed. The executive summary should be stand alone, contain all relevant information, and not require the reader to look anywhere else for information. The rest of the TWEAR should expand on the points raised in the executive **summary for the reader's** benefit and is supported by the summary following. (Length—ideally one page but up to two pages)
- APP-2.2 Summary of mitigation measures, suggested consent conditions, and other recommendations - summary of the '**mitigation measures and other recommendations**' section including the '**suggested consent conditions.**' (Length—will depend on the complexity of the TWEAR)
- APP-2.3 Contents page
- APP-2.4 Introduction - an introduction that lets the reader know what to expect in the TWEAR. This section should be written when the TWEAR is completed (Length—two to three paragraphs).
- APP-2.5 Methodology - describes the process used to develop the TWEAR. This may include:
- Consultation and engagement process

- Dates of any hui held, hui purpose, and key attendees (e.g. mana whenua, technical advisers, applicant, council, etc). If necessary and relevant, minutes can be added to the appendices and summarised in the TWEAR.
- Dates of any site visits.
- Interviews undertaken as part of process. If necessary and relevant, transcripts can be added to the appendices and summarised in the TWEAR.
- Written information provided and reviewed.
- Additional written or external information provided.
- **Technical advice, including kaupapa Māori or mātauranga Māori advice** relied upon to write the TWEAR.

- APP-2.6 Assumptions and limitations - a list of any assumptions made in preparing the TWEAR. Also list any limitations that there may be to the TWEAR.
- APP-2.7 Background - relevant background material that can help the reader understand the context for the TWEAR.
- APP-2.8 Applicant profile - who is the person(s) or entity/ies involved in the activity, policy or process that triggered the need for the TWEAR. Provide enough information that the reader is familiar with the applicant. This should be a summary only as a fuller profile is likely to appear in other documents that form part of the application.
- APP-2.9 Application and consents sought - a brief summary of the applications and consents sought including the application code, location, zoning, proposal, activity category, and relevant general information. This should be a summary only as a fuller explanation is likely to appear in other documents that form part of the application. If the matter the triggered the need for a TWEAR is a policy or process, amend this section accordingly to provide relevant summary information.
- APP-2.10 **Tāngata Whenua description - a description of tāngata/manua whenua that** are within the area potentially affected by the proposed activity, policy, process. This description should generally be limited to those groups involved in developing the TWEAR though the TWEAR may note that other **tāngata/manua whenua groups may have an interest in the potentially** affected area.
- APP-2.11 Historic or other connection - as part of this section, the TWEAR may also state any relevant connection to the potentially affected area, including historic and whakapapa connections.
- APP-2.12 Key issues - **a summary of key tāngata/manua whenua issues that have come** to light as a result of the methodology followed. These issues are in addition to any issues raised as part of assessing relevant documents. Issues may be wide ranging, are not necessarily limited to cultural issues, and include, but are not limited to economic, environmental and social issues.
- APP-2.13 Resource Management Act (Part 2) considerations - a consideration of the proposed activity, policy or process, against Part 2 matters of the RMA, particularly sections 6(e), 6(f), 7, and 8.

- APP-2.14 Assessment against He Mahere Taiao and Te Ture Whaimana o te Awa o Waikato - an assessment of the proposed activity, policy, or process against relevant sections of He Mahere Taiao (Maniapoto Environmental Plan 2018). Where the land is in the Waikato-Tainui rohe, assessment against Tai Tumu, Tai Pari, Tai Ao (Waikato-Tainui Environmental Plan). Assessment against **any relevant Hapū Management Plans.**
- APP-2.15 Mitigation measures and other recommendations - as a result of the methodology followed and the assessment undertaken, list the mitigation measures and other recommendations suggested to avoid, manage, minimise, or offset the effects of the proposed application, policy or process. It is recommended that discussions occur with the applicant to, if possible, reach agreement on the suggested mitigation measures and recommendations. Headings for mitigation measures should follow the reference document (e.g. He Mahere Taiao) or the previous issues section.
- APP-2.16 Suggested consent conditions - this section may also contain suggested consent conditions or a note that consent conditions incorporate the mitigation measures and other recommendations.
- APP-2.17 Conclusion - summarises what was discussed in the TWEAR. (Length – two to three paragraphs).
- APP-2.18 References - a list of written material used in preparing this TWEAR. It is suggested that APA referencing is used to list the material.
- APP-2.19 Appendices - additional material that is referenced in the TWEAR and is relevant enough that the reader may be interested to read more but is not significant enough that the information appears in the main body of the TWEAR.

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Appendix 6 – Statutory Acknowledgement Areas – Maraeroa A & B Blocks

Attachment of information to the Waitomo District Plan in accordance with Sections 23 to 30 of the Maraeroa A and B Blocks Claims Settlement Act 2012. The information is for the purpose of public information only and is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

Section 28(1) of the Maraeroa A and B Blocks Claims Settlement Act 2012 requires Council to record the statutory acknowledgement on all statutory plans.

Section 28(2) states that the information attached to a statutory plan must include the relevant provisions of the Act in full, the descriptions of the statutory areas, and the statements of association.

The statements of association are related to the settling group's particular cultural, spiritual, historical, and traditional association with identified areas.

For more information please refer to Maraeroa A and B Blocks Claims Settlement Act 2012.

Sections from the Maraeroa A and B Blocks Claims Settlement Act 2012

23 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association.

24 Purposes of statutory acknowledgement

- (1) The only purposes of a statutory acknowledgement are to
 - (a) require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 25 to 27; and
 - (b) require relevant consent authorities to provide summaries of resource consent applications or, as the case requires, copies of notices of applications, to the trustees in accordance with section 29; and
 - (c) enable the trustees and any member of the settling group to cite a statutory acknowledgement as evidence of their association with the relevant statutory area, as provided for in section 30.
- (2) This section does not limit sections 33 to 35.

25 Relevant consent authorities to have regard to statutory acknowledgement

(1) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in respect of an application for a resource consent for an activity within, adjacent to, or that directly affects a statutory area. (2) Subsection (1) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

26 Environment Court to have regard to statutory acknowledgement

(1) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to a statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees have an interest greater than that of the general public in respect of proceedings relating to an application for a resource consent for an activity within, adjacent to, or that directly affects a statutory area.

(2) Subsection (1) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

27 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

(1) If, on or after the effective date, an application is made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area,—

- (a) Heritage New Zealand Pouhere Taonga, in exercising its powers under section 48, 56, or 62 of that Act in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area; and
- (b) the Environment Court, in determining under section 59(1) or 64(1) of that Act any appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application, must have regard to the statutory acknowledgement relating to the statutory area, including in making a determination as to whether the trustees are persons directly affected by the decision.

(2) In this section, archaeological site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

28 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, a relevant consent authority must attach information recording a statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include the relevant provisions of this Act in full, the descriptions of the statutory areas, and the statements of association.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only, and the information is not—

- (a) part of the statutory plan, unless adopted by the relevant consent authority; or
- (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991, unless adopted as part of the statutory plan.

29 Provision of information about resource consent applications to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide to the trustees the following for each resource consent application for an activity within, adjacent to, or that directly affects a statutory area:
 - (a) a summary of the application, if the application is received by the consent authority; or
 - (b) a copy of the notice served under section 145(10) of the Resource Management Act 1991, if the application is served on the consent authority.
- (2) The information provided under subsection (1)(a) must be —
 - (a) the same as would be given to an affected person under section 95B of the Resource Management Act 1991, or as may be agreed between the trustees and the relevant consent authority; and
 - (b) provided—
 - (i) as soon as is reasonably practicable after an application is received by the relevant consent authority; and
 - (ii) before the relevant consent authority decides under section 95 of that Act whether to notify the application.
- (3) A copy of the notice given under subsection (1)(b) must be provided not later than 10 business days after the day on which the consent authority receives the notice.
- (4) The trustees may, by notice in writing to a relevant consent authority, —
 - (a) waive their rights to be notified under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (5) This section does not affect the obligation of a relevant consent authority to decide, —
 - (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

30 Use of statutory acknowledgement

The trustees and any member of the settling group may, as evidence of their association with a statutory area, cite the statutory acknowledgement that relates to that area in

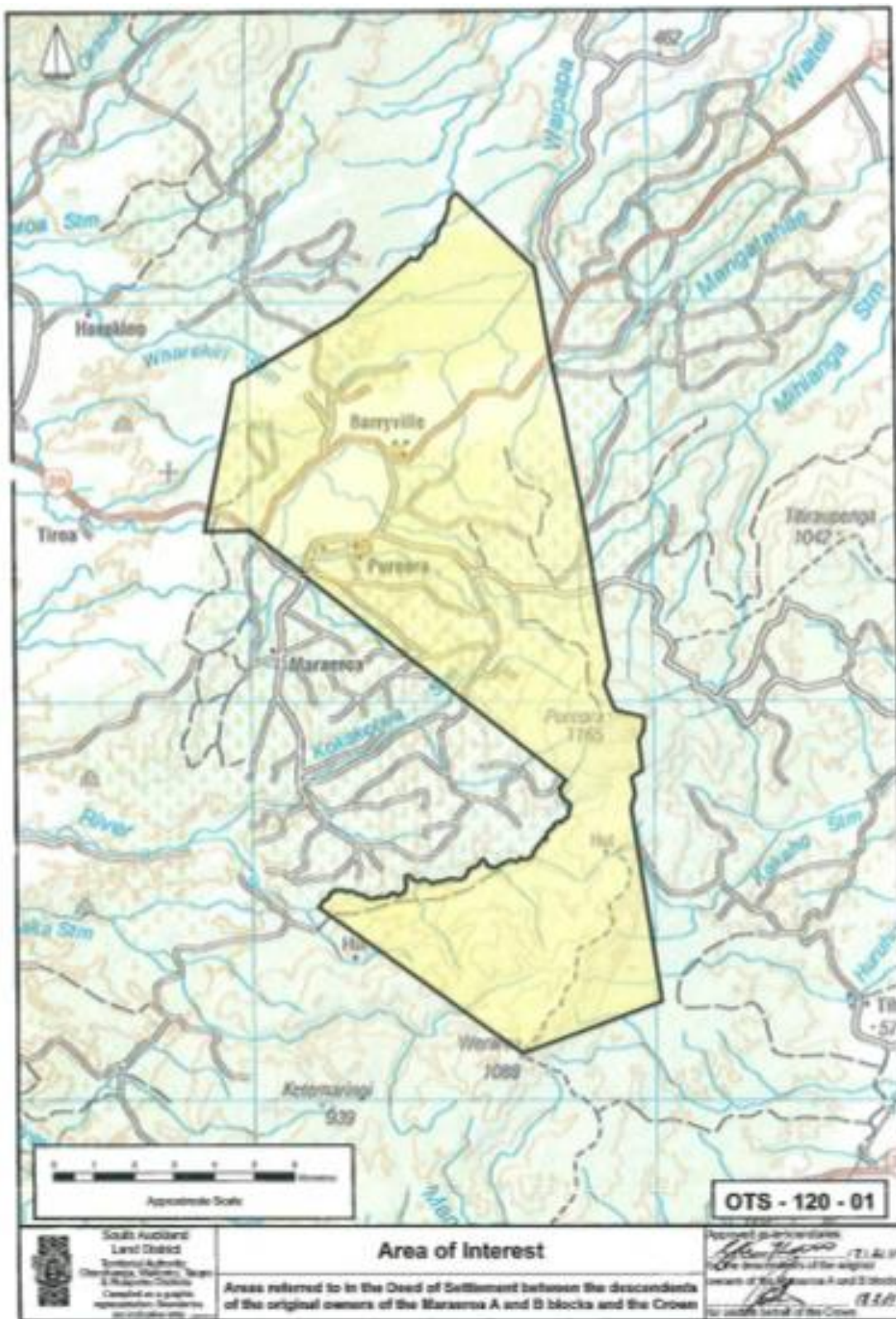
submissions or proceedings concerning activities within, adjacent to, or that directly affect the statutory area and that are made to or before—

- (a) the relevant consent authorities; or
- (b) the Environment Court; or
- (c) Heritage New Zealand Pouhere Taonga; or
- (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.

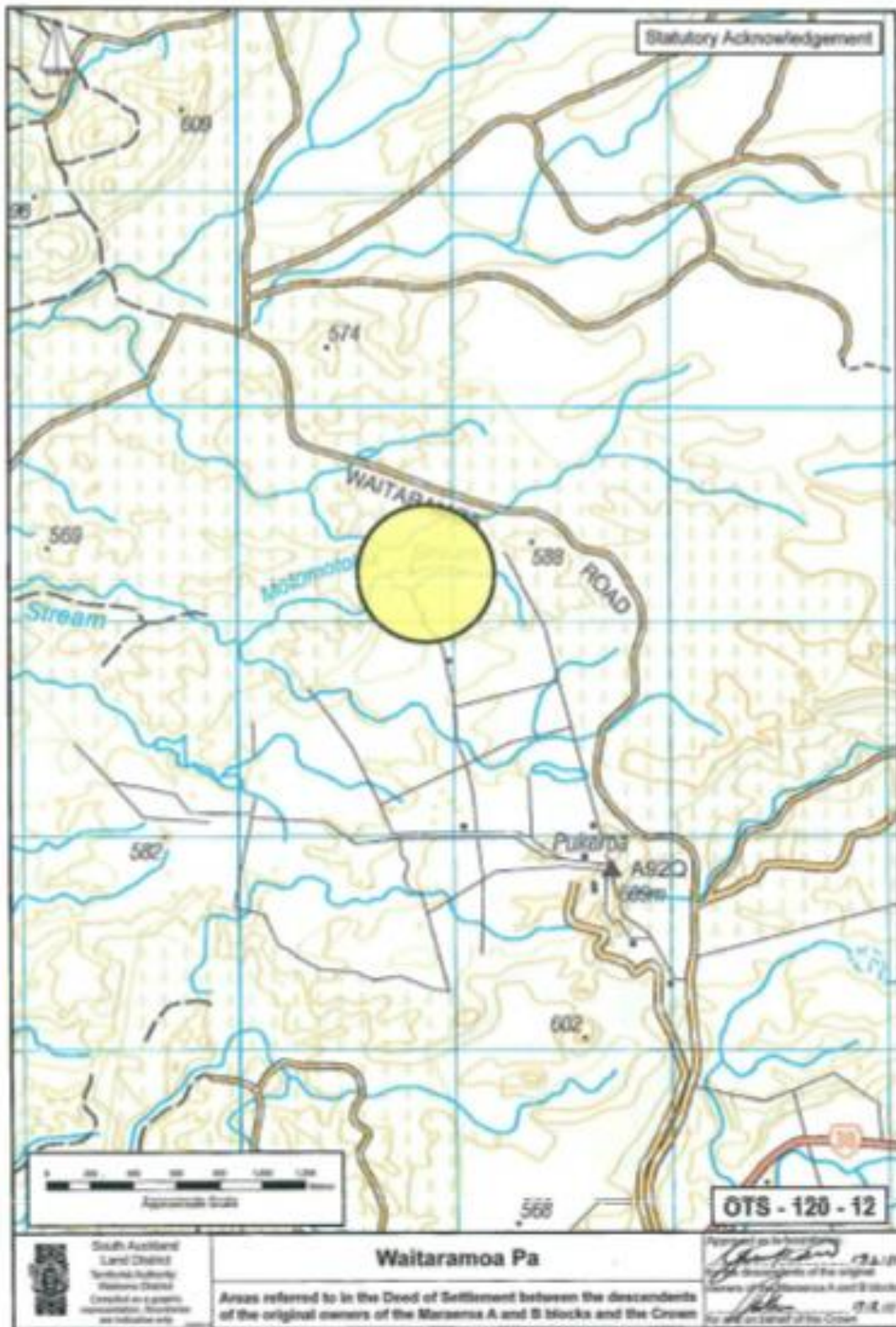
Statutory Acknowledgment Area of Interest

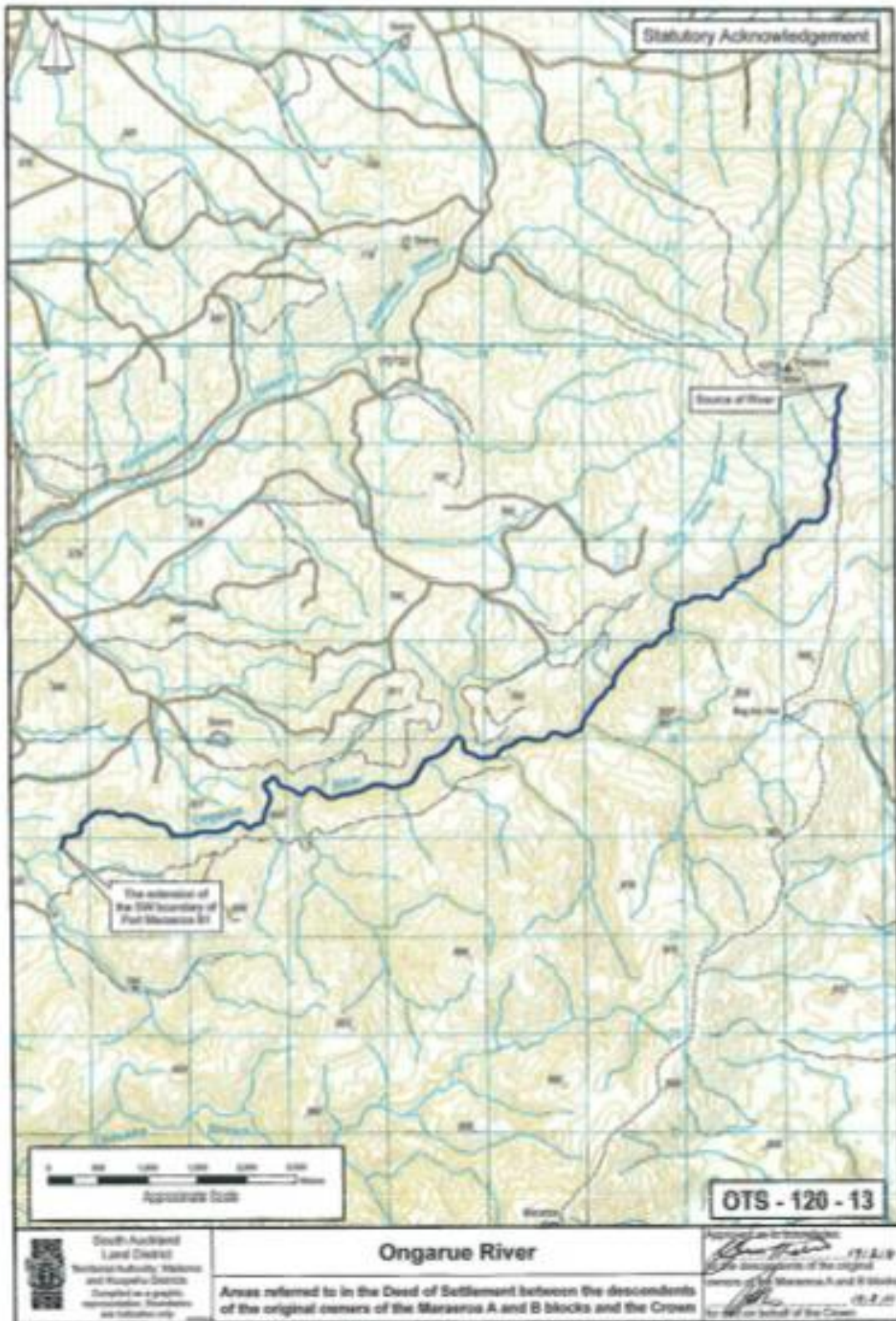
Statutory Area Location

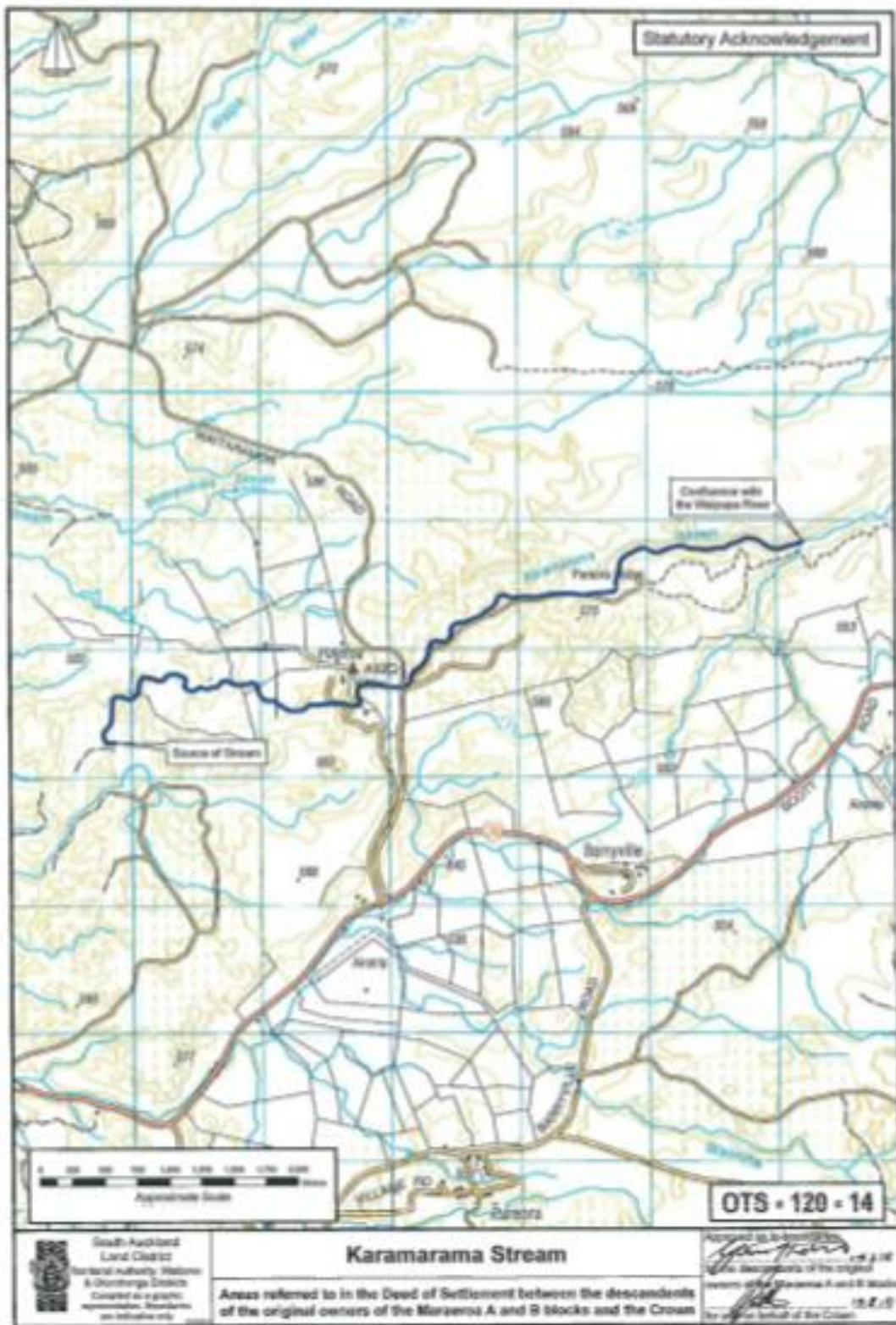
Maraeroa A and B Blocks As shown on OTS-120-01



Statutory Acknowledgement Areas

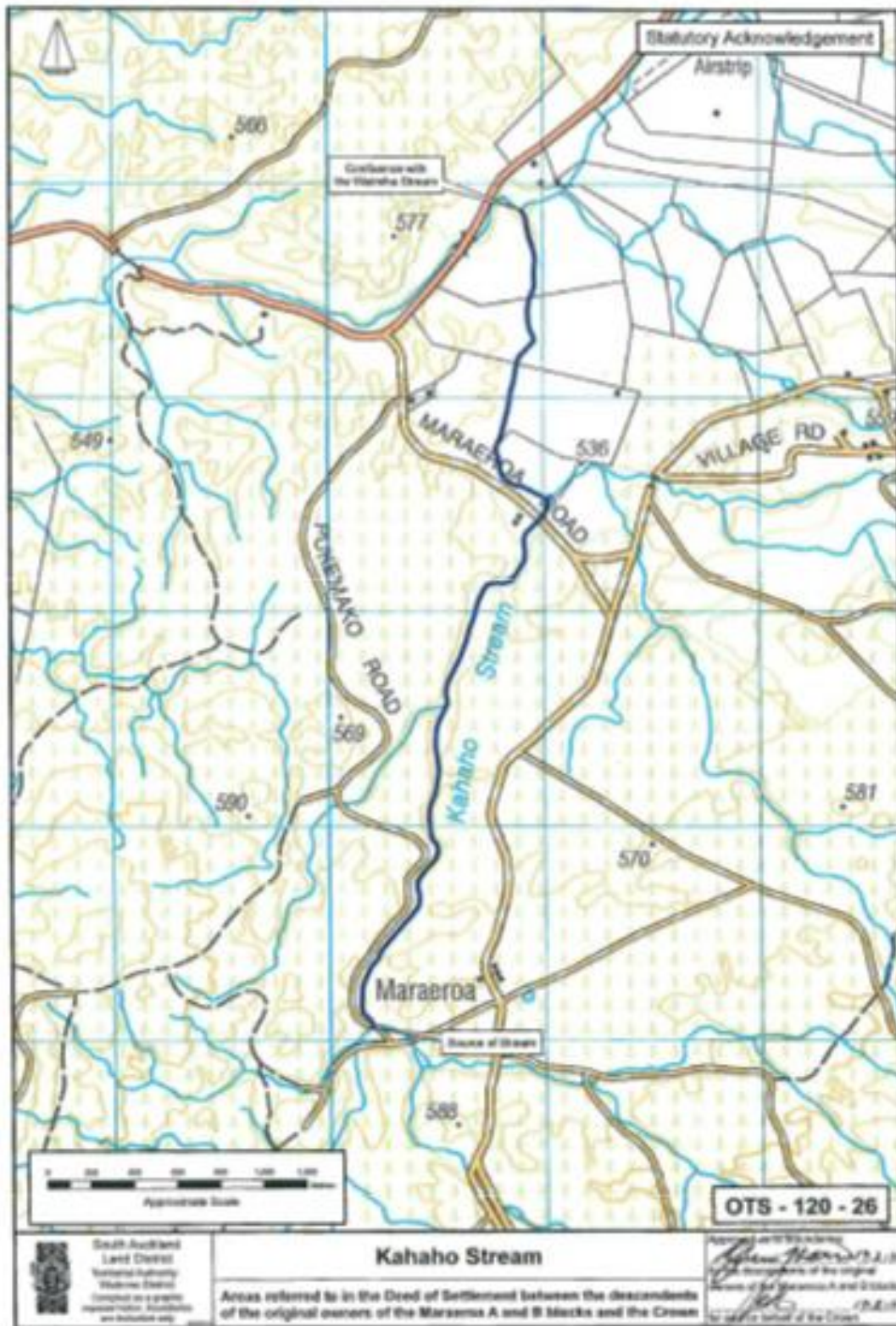
















Statements of Association

APPENDIX 6

3 STATEMENTS OF ASSOCIATION

The settling group's statements of association are set out below. These are statements of the settling group's particular cultural, spiritual, historical, and traditional association with identified areas.

	Name of Site	Land owner Admin Body	Name of area/Reserve	Statement of Association
1.	Ongarue River (as shown on deed plan OTS-120-13)	Department of Conservation	Maraeroa A2	Ongarue is a sacred river commencing on Pureora-o-Kahu mountain. Its name means "the tremors." Ongarue It was formed by an earthquake in pre-European times and is a main contributory to the Whanganui river. Ngati Rereahu and other local iwi regard the Ongarue as a taonga (treasure) and he wai whakarite (ceremonial waters). There were special places along the river where ceremonial blessings were performed as well as places for mahinga kai (making food) and also points where water was drawn for general living requirements. The Ongarue was an important source of food and a means of transportation right through to Whanganui. Kokopu, koaru, marearea, tuna, koura, piharau were plentiful in the river and putangitangi and koreru inhabited the riverbanks. Also harvested were the komata and hinau growing on the banks of the river.
2.	Mangaparuhou Stream (as shown on deed plan OTS-120-17)	Department of Conservation	Maraeroa A1	Paruhou is a sacred river also commencing on Pureora-o-Kahu mountain and joins the Ongarue near the headwaters of the Ongarue. It was formed by an earthquake in pre-European times and the name Paruhou means "new earth" which was so named due to an earthquake unveiling new soil from which the water flowed. Ngati Rereahu and other local iwi regard the Paruhou as a taonga (treasure) and he wai whakarite (ceremonial waters). There were special places along the river where ceremonial blessings were



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				performed as well as places for mahinga kai (making food) and also points where water was drawn for general living requirements. The Paruhou is still used today for the same purposes as our tupuna used them.
3.	Tahorakarewarewa (as shown on deed plan OTS-120-16)	Department of Conservation	Maraeroa A2	Tahorakarewarewa is one of the traditional boundary markers or Pou recognised by tupuna of old from both the Te Arawa and Tainui tribes. It marks the place of the papakainga (village) which belonged to the tupuna Haakuhaanui. Tahorakarewarewa is an ancient korero which is interpreted as being a very significant place both in size and stature. It is one of several recognised boundary markers that marked the eastern boundary between Tainui and Te Arawa.
4.	Taporaroa Pa (as shown on deed plan OTS-120-19)	Department of Conservation	Maraeroa A1	<p>Taporaroa is the most significant papakainga (village) of to Ngati Rereahu papakainga (village) and other local iwi as it was the most ancient of the old villages in the time of Kahupekarere (Pureora-o-Kahu) Turongo, Raukawa, Rereahu, Maniapoto and their families.</p> <p>It was also a neutral place for the tribes of Tainui and Te Arawa because of a shared ancestry first through Kahupekarere, then Raukawa and Turongoihi.</p> <p>Taporaroa meaning "a long mat" was named after the whariki (mat) that Raukawa and Turongoihi were betrothed as infants. The Taporaroa village also covered a large area and was well populated in the ancient times therefore the name also refers to the size and extent of the area.</p>

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5.	Tikiwhenua (as shown on deed plan OTS-120-09)	Department of Conservation	Maraeroa A1	Tikiwhenua is a sacred burial site or Urupa where lay the remains of the many tupuna who fought in the battle of "Ngahau" in the 18 th Century between Rereahu/Maniapoto and the Whanganui tribes.
6.	Tomotomo Ariki (as shown on deed plan OTS-120-10)	Department of Conservation	Maraeroa A1	Tomotomo Ariki is an ancestral pathway and is referred to as "He huarahi tangata – he ara tupuna", meaning a road way for people, - an ancestral pathway. It was a major pathway at the time of the 1864 battles of Orakau and Rangiaowhia. Tomotomo Ariki provided a travel way between Waikato, Raukawa, Maniapoto, Rereahu and Tuwharetoa districts and was also well used by those tribes as well as by visiting tribes.
7.	Waimiha Stream (as shown on deed plan OTS-120-22)	Department of Conservation	Maraeroa A2	<p>Waimiha o Kahu Punawai:</p> <p>The "Waimiha o Kahu" punawai or spring is situated just below the summit of Pureora mountain on the northern face. The water from the spring was used to perform the miha (ritual) to cleanse or purify a person from their ailments. The spring is also the source of the Waimihia river which flows down the mountain eventually joining the Ongarue. Waimiha o Kahu was named after Kahupekarere who recovered from a serious illness after the purification ceremony was performed with water from the spring. Further purification was obtained from standing on the summit and being purified by the winds. The saying "Purea i te wai, purea i te hau" refers to the purification rituals performed there. Waimiha o Kahu is therefore referred to as "He wai whakarite" or sacred waters.</p> <p>Waimiha o Kahu:</p>



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				<p>Waimiha o Kahu. he waahi tango wai, Water drawing points.</p> <p>He wai tino tapu, nei nga whakaaro o Rereahu me etahi atu mo te Waimiha –o-Kahu.</p> <p>Divine Water is how Rereahu and others consider the entire Waimiha River.</p> <p>However here the water drawing points and there are many along the river, deals specifically with the area directly below Nga Herenga Papakainga a span of 500 meters with the waters flowing north, considered in ancient times as the mauri (life essence) of the Papakainga Rereahu and other local iwi descendants believe it important to be addressed as a waahi tapu.</p>
8.	Waimoanaiti (as shown on deed plan OTS-120-11)	Department of Conservation	Maraeroa A1	Waimoanaiti is part of the wetlands that forms the beginning of the Waipa river. In times of heavy rain it turned into a lake or lagoon hence the name Waimoanaiti or "little sea". It was also a wahi pakanga or the place of the extended site of the historic battle of Ngahau.
9.	Karamarama Stream (as shown on deed plan OTS-120-14)	Department of Conservation	Maraeroa A1	The Karamarama stream flowed below the village of Waitaramoa. It was a beautiful stream of crystal clear waters and full of koura (fresh water crayfish). Water was drawn from the Stream at various drawing points by inhabitants of Waitaramoa Pa and areas were also set aside for ceremonial purposes. It was therefore a wai whakarite or sacred stream. Karamarama means crystal clear or pure water and the stream eventually flows into the Waipapa River.
10.	Weraroa (as shown on deed plan OTS-120-15)	Department of Conservation	Maraeroa B1	Weraroa is a historic Rereahu village and traditional boundary marker defining the Tainui/Te Arawa boundary line. Weraroa means a



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				large fire and likely named after the Taupo eruption scorched the earth so badly that the land remains largely vacant of trees and other plants even today.
11.	Commencement of Waipa River (as shown on deed plan OTS-120-06)	Department of Conservation	Maraeroa A1	<p>The Waipa River commences at Taporaroa and is a very sacred river to both Rereahu and Maniapoto and is the source and original home of the taniwha, Waiwais, (spiritual water guardian). The Waipa eventually flows into the Waikato river at the Ngaruawahia confluence.</p> <p>When the chieftaness Kahupekarere first arrived in the district at Pakaumanu she was overheard to say "I pa mai te rongo haruru ana, aa ka mutu, he wai noa". That is she heard the thunderous sounds of the water long before she saw it. Pakaumanu makes further reference to the Waipa River as having the sound of birds wings.</p> <p>The place where the water from the swamp actually turns into a stream is known as pekepeke which means "to bounce" which happens when you walk on the moss areas of swamp lands.</p> <p>The Waipa River was also a traditional food gathering area where once were an abundance of tuna (eels), koura (crayfish) and manu (birds).</p>
12.	Kahaho Stream (as shown on deed plan OTS-120-26) . This stream is known to the descendants of the original owners of the Maraeroa A and B blocks as Mangakakaho Stream.	Department of Conservation	Maraeroa B	<p>Te Mangakakaho ano ra he wai tapu, he wai whakahira, whakahara, ki a matou o Rereahu me ona uri.</p> <p>Managakakaho Stream, sacred water of quality and utmost importance to Rereahu and other local iwi descendants.</p> <p>From a water shed of small puna wai (springs) in the Maraeroa C block, it flows firstly towards the West then turns East into Maraeroa B through part of Crafer Farms here flowing slightly North, eventually joining the Waimiha River.</p>

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				<p>The Mangakakaho Stream is an important washi tapu, particularly nga punawai termed wai whakarite (Blessing Water), and is used for this purpose even today by some members of Rereahu and other local iwi. The northern section was identified and used by Rereahu and other iwi whanau to prepare stone implements, adzes, axes, etc.</p> <p>Along most of the Mangakakaho Stream in terms of food, Mokopuna are still able to gather freshwater Koura, Kokopu, Tuna, Ti-komata as did our ancestors in their time.</p>
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APPENDIX 6

Appendix 7 – Statutory Acknowledgement Areas – Ngāti Tūwharetoa

Attachment of information to the Waitomo District Plan in accordance with Sections 29 to 33, 35 and 36 of the Ngati Tuwharetoa Claims Settlement Act 2018. The information is for the purpose of public information only and is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

Section 34(1) of the Ngati Tuwharetoa Claims Settlement Act 2018 requires Council to record the statutory acknowledgement on all statutory plans.

Section 34(2) states that the information attached to a statutory plan must include:

- (a) a copy of sections 29 to 33, 35, and 36; and
- (b) descriptions of the statutory areas wholly or partly covered by the plan; and
- (c) the statement of association for each statutory area. The statements of association are the particular cultural, spiritual, historical, and traditional associations of Ngati Tuwharetoa.

For more information please refer to Ngati Tuwharetoa Claims Settlement Act 2018.

Sections from the Ngati Tuwharetoa Claims Settlement Act 2018.

29 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas.

30 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in **accordance with sections 31 to 33; and**
- (b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in **accordance with sections 34 and 35; and**
- (c) **to enable the trustees and any member of Ngāti Tūwharetoa to cite the statutory acknowledgement as evidence of the association of Ngāti Tūwharetoa with a statutory area, in accordance with section 36.**

31 Relevant consent authorities to have regard to statutory acknowledgement

- (1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
- (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

32 Environment Court to have regard to statutory acknowledgement

- (1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
- (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

33 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

- (1) This section applies to an application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area.
- (2) On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.
- (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.
- (4) In this section, archaeological site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

34 Recording statutory acknowledgement on statutory plans

- (1) On and from the effective date, each relevant consent authority must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover a statutory area.
- (2) The information attached to a statutory plan must include—
 - (a) a copy of sections 29 to 33, 35, and 36; and
 - (b) descriptions of the statutory areas wholly or partly covered by the plan; and
 - (c) the statement of association for each statutory area.
- (3) The attachment of information to a statutory plan under this section is for the purpose of public information only and, unless adopted by the relevant consent authority as part of the statutory plan, the information is not—
 - (a) **part of the statutory plan; or**
 - (b) subject to the provisions of Schedule 1 of the Resource Management Act 1991.

35 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
 - (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
 - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
 - (a) waive the right to be provided with a summary or copy of a notice under this **section; and**
 - (b) state the scope of that waiver and the period it applies for.

- (6) This section does not affect the obligation of a relevant consent authority to decide, —
 - (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

36 Use of statutory acknowledgement

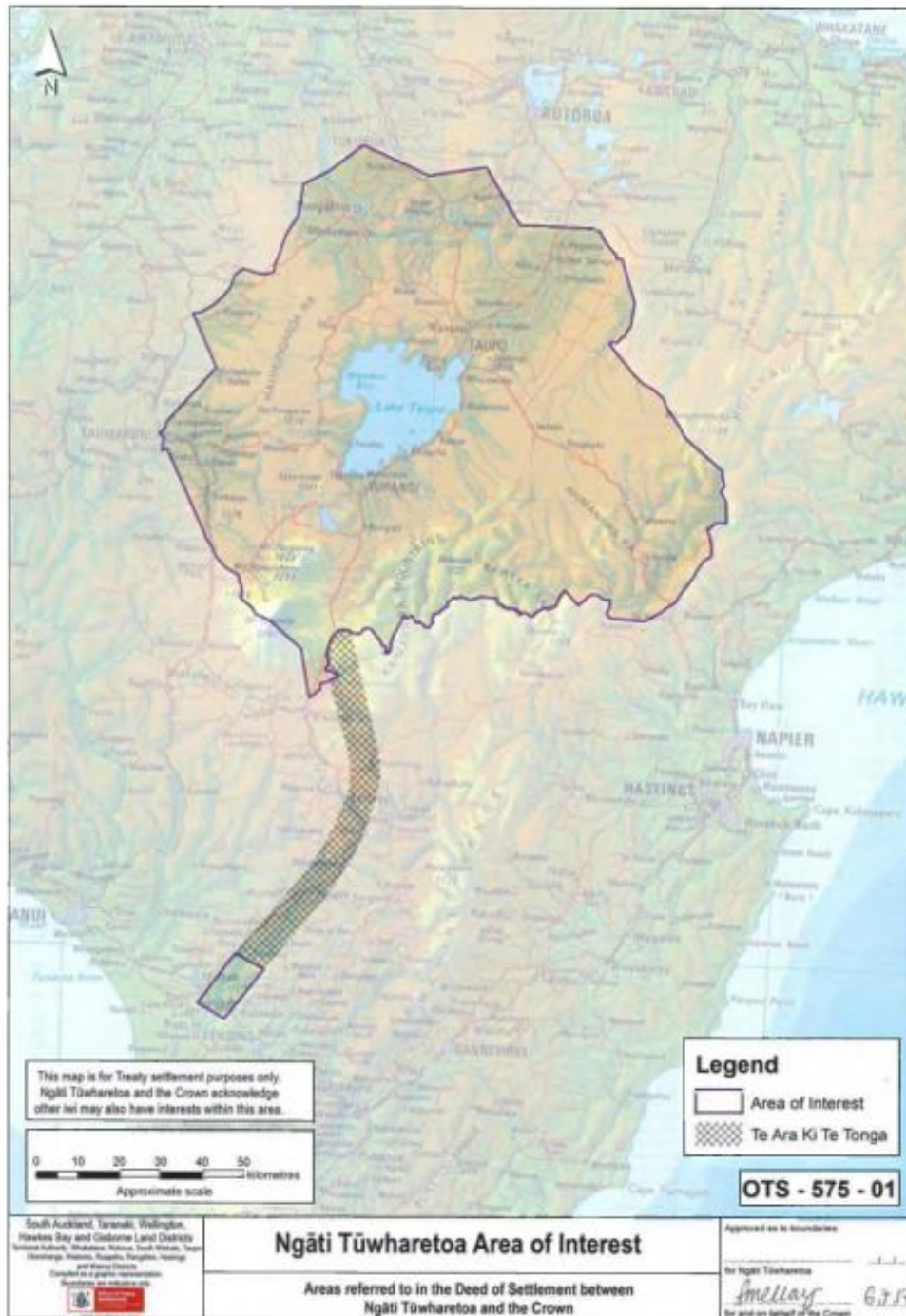
- (1) **The trustees and any member of Ngāti Tūwharetoa may, as evidence of the association of Ngāti Tūwharetoa with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—**
 - (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) Heritage New Zealand Pouhere Taonga; or
 - (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
 - (a) the bodies referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.
- (4) To avoid doubt,—
 - (a) **neither the trustees nor members of Ngāti Tūwharetoa are precluded from stating that Ngāti Tūwharetoa has an association with a statutory area that is not described in the statutory acknowledgement; and**
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made.

Statutory Acknowledgement Areas and Areas of Interest

Statutory Area	Location
Ngati Tuwharetoa Area of Interest	As shown on OTS-575-01
Pureora	As shown on OTS-575-41

NGATI TOWHARETOA DEED OF SETTLEMENT:
ATTACHMENTS

1: AREA OF INTEREST

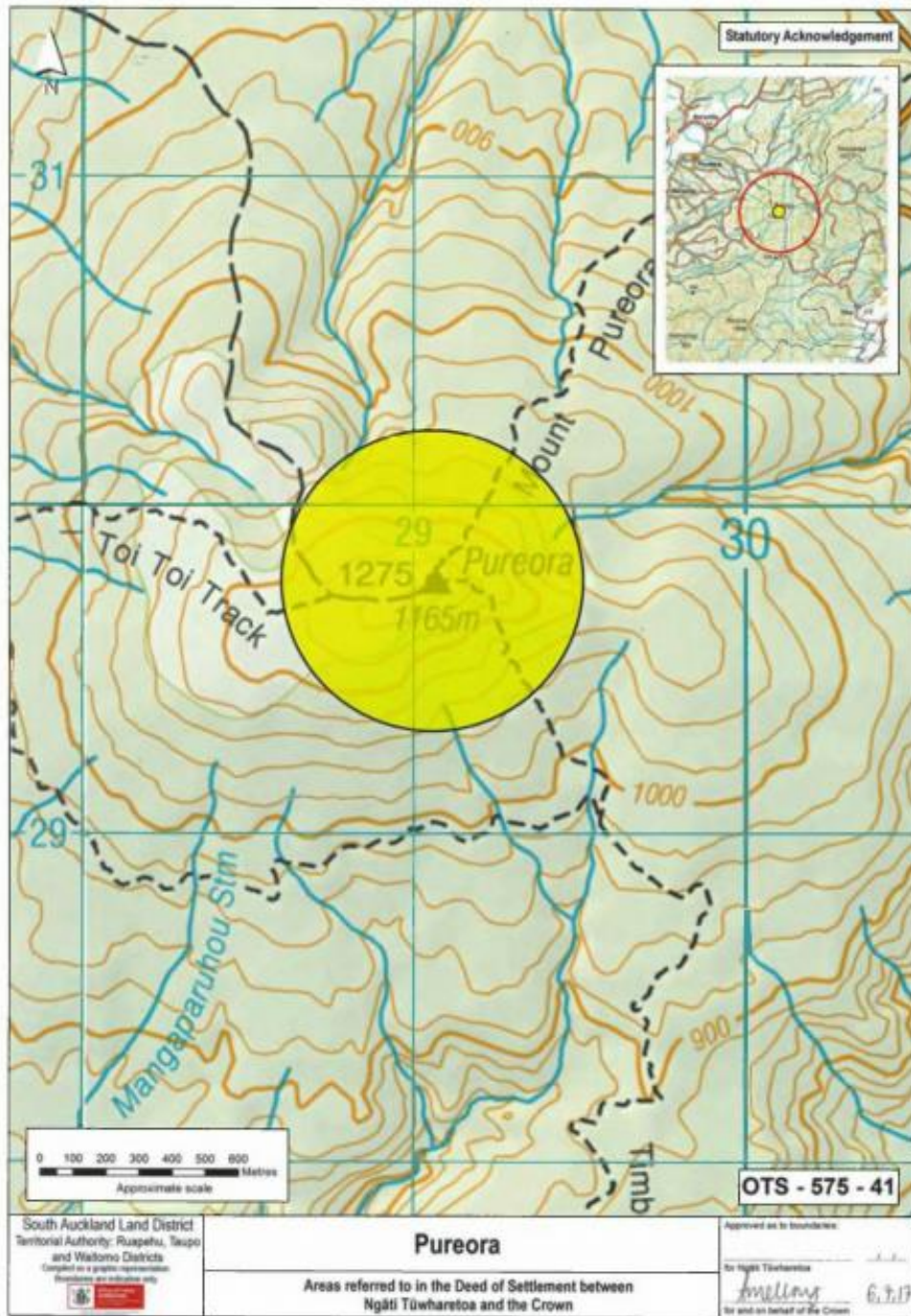


Ngāti Tūwharetoa Area of Interest (OTS-575-01)

APPENDIX 7

NGĀTI TŪWHARETOA DEED OF SETTLEMENT:
ATTACHMENTS

2: DEED PLANS



Ngāti Tuwharetoa - Pureora (OTS-575-41)

Statement of Association and Areas of Interest

**3.2 PROTECTION PRINCIPLES FOR PART PUREORA FOREST PARK
(WITHIN THE AREA OF INTEREST)**

3.2: PROTECTION PRINCIPLES FOR PART PUREORA FOREST PARK (WITHIN THE AREA OF INTEREST)

Protection Principles for part Pureora Forest Park (within the area of interest) (as shown on deed plan OTS-575-35)

The following Protection Principles are directed at the Minister of Conservation avoiding harm to, or the diminishing of Ngāti Tūwharetoa values related to part Pureora Forest Park (within the area of interest):

1. **He whenua tūpuna, he mana, he tapu, he mauri anō tōna** (An ancestral land, with its own mana, tapu and mauri):
 - (a) protection of wāhi tūpuna, indigenous flora and fauna, traditional materials and resources, water and the wider environment within part Pureora Forest Park (within the area of interest).
2. **He tangata whenua: Ko te whenua he pou whakapapa, he pou herenga nā Ngāti Tūwharetoa i te ahi kā roa, te kaitiakitanga, te rangatiratanga** (The people of the land: The land is a repository of whakapapa, connecting Ngāti Tūwharetoa with their ancestral fires, kaitiakitanga and rangatiratanga):
 - (a) recognition of the mana, kaitiakitanga and tikanga of Ngāti Tūwharetoa with regard to part Pureora Forest Park (within the area of interest);
 - (b) respect for Ngāti Tūwharetoa tikanga and kaitiakitanga within part Pureora Forest Park (within the area of interest);
 - (c) respect for the relationship of Ngāti Tūwharetoa with part Pureora Forest Park (within the area of interest), and encouraging others to respect that relationship;
 - (d) accurate portrayal of the association of Ngāti Tūwharetoa with part Pureora Forest Park (within the area of interest); and
 - (e) recognition of the interest of Ngāti Tūwharetoa in actively protecting native species within part Pureora Forest Park (within the area of interest) including, but not limited to, kererū and pikopiko.
3. **Kua toro te mate, me whakaora rawa** (the wellbeing of part Pureora Forest Park (within the area of interest) must be restored).

Actions by the Director-General of Conservation in relation to the Protection Principles

The following actions will be taken by the Department of Conservation in relation to the Protection Principles:

- (a) Department of Conservation staff, contractors, conservation board members, concessionaires and the public will be provided with information about Ngāti Tūwharetoa values and the existence of the overlay classification and will be encouraged to respect the association Ngāti Tūwharetoa have with part Pureora Forest Park (within the area of interest);
- (b) the Department of Conservation will work with Ngāti Tūwharetoa on the design and location of new signs to discourage inappropriate behaviour, including vehicle access through and across part Pureora Forest Park (within the area of interest), fossicking, the modification of wāhi tapu sites and disturbance of other taonga;

3.1: PROTECTION PRINCIPLES FOR WHENUAKURA

- (c) the public will be informed that the removal of all rubbish and wastes from part Pureora Forest Park (within the area of interest) is required;
- (d) Ngāti Tūwharetoa association with part Pureora Forest Park (within the area of interest) will be accurately portrayed in all new Department of Conservation information and educational material;
- (e) Te Kotahitanga will be consulted regarding any proposed Department of Conservation public information or educational material relating to part Pureora Forest Park (within the area of interest), and the Department of Conservation will only use Ngāti Tūwharetoa cultural information with the consent of Te Kotahitanga;
- (f) significant earthworks and disturbances of soil and/or vegetation will be avoided wherever possible;
- (g) where significant earthworks and disturbances of soil and/or vegetation cannot be avoided, Te Kotahitanga will be consulted at an early stage and particular regard will be had to their views, including those relating to kōiwi (human remains) and archaeological sites;
- (h) any kōiwi (human remains) or other taonga found or uncovered by the Department of Conservation will be left untouched and Te Kotahitanga informed as soon as possible to enable Ngāti Tūwharetoa to deal with the kōiwi or taonga in accordance with their tikanga;
- (i) the Department of Conservation will work with Te Kotahitanga to identify opportunities to involve Ngāti Tūwharetoa in programmes within part Pureora Forest Park (within the area of interest), including native species management programmes, pest control and ranger duties; and
- (j) the Department of Conservation will ensure that applicants for concessions, permits and any other rights affecting part Pureora Forest Park (within the area of interest) engage at an early stage with Ngāti Tūwharetoa.

NGĀTI TŪWHARETOA DEED OF SETTLEMENT:
DOCUMENTS

4.1 STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

APPENDIX 7

4.1: STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

The statements of association of Ngāti Tūwharetoa are set out below. These are statements of the particular cultural, spiritual, historical and traditional association of Ngāti Tūwharetoa with identified areas.

Pureora and Tītīraupenga

The following Statement of Association by Ngāti Tūwharetoa applies to part of Pureora maunga, part of Pureora Forest and Tītīraupenga.

Ngāti Tūwharetoa interests within the Pureora Forest Park lie within the Taupō moana (Lake Taupo) and Waikato River watersheds. The Ngāti Tūwharetoa tupuna Tūtētawhā gave the following kōrero after travelling into the western watershed and meeting a rangatira of another iwi:

"Mai te tihi o ngā maunga o Hauhungaroa, ki Hurakia, ki te tihi o Pureora Maunga, tae atu ki te taumata o Tītīraupenga, ko te marangai e rere ki roto ngā awa i te rawhiti o ēnei wai tapu mō te Inanga, mō te Kōaro, mō te Kōkopu. Ngā awa e rere ki te taha hauauru o ngā tihi o ngā maunga, i waihotia mō te Koura, te Tuna me te Piharau."

"From the peak of the mountain Hauhungaroa, to Hurakia, to the peak of Pureora mountain, to the peak of Tītīraupenga, the waters that flow into the eastern rivers are set aside for the Inanga, the Kōaro, and the Kōkopu. The rivers that flow to the west of these mountains are set aside for the Koura, the Tuna and te Piharau."

Although Ngāti Tūwharetoa also have interests beyond this rohe, this Statement of Association focuses on the area described by Tūtētawhā. It includes the Māori land blocks known as Pouakani, Tīhoi, Waihāhā, Hauhungaroa and Waituhi Kuratau.

Ngāti Tūwharetoa hapū associated with the Pureora Forest Park, include Ngāti Hinemihi, Ngāti Manunui, Ngāti Te Maunga, Ngāti Parekaawa, Ngāti Whēoro, Ngāti Tarakaiahi, Ngāti Te Kohera, Ngāti Hā, Ngāti Wairangi and Ngāti Moekino.

The Tītīraupenga, Pureora, Tūhua, Hurakia and the Hauhungaroa range were renowned for their dense forestry (including tōtara, rimu, mataī and kahikatea) and the rich bird life including kererū, kākā and kōkako.

Tītīraupenga and Pureora-a-Tia

After the arrival of Te Arawa waka, a number of tūpuna journeyed inland. Tia and his group initially travelled towards the east of Taupōnui-a-Tia but eventually they turned towards the west of the lake. There are a number of place names commemorating Tia's journey including Te Tīhoi a Tia (the place where Tia wandered aimlessly) and Pureora-a-Tia (the cleansing ritual of Tia). Tia then ascended Tītīraupenga, erecting an altar and claiming the lands for his descendants. When Tia died, he was interred at Tītīraupenga.

Kāinga close to both Tītīraupenga and Pureora include Kaiwhā and Pukerimu. Important pā sites include Ahirara, Horaaruhe and Tūtakamoana. Tūtakamoana was a fortified pā and a stronghold of Ngāti Te Kohera and their whanaunga hapū. From Te Weri, Ngāti Tarakaiahi and their whanaunga hapū had access to the Hurakia and Hauhungaroa range to hunt birds. Te Raro was the most important bird-snaring area at Tītīraupenga. It was here that a priestess of bird lore would open the bird-snaring season each year.

4.1: STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

Hauhungaroa

Hauhungaroa is the name of a range of hills situated to the west of Lake Taupo. Hauhungaroa means the long, frosted breath. A Ngāti Tūwharetoa tradition records that the ranges were named by Tia when he awoke one very cold morning and observed his breath in the cold air.

The Ngāti Tūwharetoa hapū associated with this area tended to be mobile. At certain parts of the year they lived on the shores of Lake Taupo and the Waikato River, where they gathered kai such as kōkopu, kōaro and kōura. Maraekōwhai was a stronghold of Ngāti Parekaawa and Ngāti Te Kohera, and Waihāhā was a stronghold for Ngāti Tarakaiahi and Ngāti Wheoro. In other times of the year, they moved to kāinga within Hauhungaroa. Pā and kāinga associated with these areas included Kākaho, Te Pou a te Piki, Te Harure, Te Putu, Te Whāiti and Te Hirata.

Ngāti Tūwharetoa greatly valued the forests growing along the Hauhungaroa range, which contained extensive strands of mataī, tōtara, rimu and a range of ferns. There were also a number of streams in this area, providing water, mahinga kai and other resources. Hākuhanui (the eponymous ancestor of the Ngāti Hā hapū) was a mokopuna of Tia who lived at Kākaho. One day when crossing a stream, he slipped and the feather ornaments of his taiaha became wet, hence the name of the stream Huruhurumāku (wet feathers) which runs from Tīhoi to the Mangakino River.

The foods gathered within Hauhungaroa included birds, kiore (rat), pikopiko (fern), miro berries and other foods and rongoā (medicine). The kōtukutuku and the miro trees produced sweet berries that enticed kererū and other birds to be snared. Ngāti Tūwharetoa highly valued kererū as a bountiful and important traditional food. Birds were gathered only at particular times of the year and only in accordance with tikanga. Important karakia and rituals were performed by tohunga to open the bird season each year. One of the first tasks carried out by Herea Te Heuheu Tūkino I after his appointment as Ariki was to mark the opening of the birding season at Waituhi on the Hauhungaroa range.

Te Hiapō was an ancient kāinga on the Hauhungaroa block for those who were taught the bird rituals. Te Aputa was another area where bird lore was learnt. Different families and rangatira were associated with particular birding trees and waka manu. A waka manu is a wooden container, filled with freshwater and placed in a tree. Birds were snared as they stopped to drink from the waka manu. The birds' tail feathers were removed and buried, and the birds were preserved in their own huahua (fat). Certain feathers were set aside and used in clothing and for adornment.

Ngāti Tūwharetoa gathered a range of food and delicacies from the Hauhungaroa Range for a number of important hui. Providing kai enabled hapū to exercise manaakitanga and rangatiratanga. Birds were sent to Maraekōwhai at the time of Parekaawa's death. Birds from Hauhungaroa fed the thousands that attended the Pūkawa hui known as Hīnana ki uta, Hīnana ki Tai to appoint a Māori king.

Many of the Hauhungaroa blocks, formerly in Ngāti Te Maunga customary ownership, have been incorporated into the Pureora Forest Park. A section of the Part Hauhungaroa 2D2 block is included in the Pureora Forest Park.

Whenuakura

The Whenuakura Ecological Area is an area at the southern end of the Pureora Forest Park. It is particularly associated with Ngāti Te Maunga, a hapū of Ngāti Tūwharetoa, who maintain their ahi kā roa (long, undisturbed occupation) based on hereditary and whakapapa rights derived

4.1: STATEMENTS OF ASSOCIATION FOR PUREORA AND TĪTĪRAUPENGA

from ahikaroa (long, undisturbed occupation). Ngāti Te Maunga's eponymous tupuna Te Maunga, inherited mana in respect of the Hauhungaroa lands from her father Kikoreka and her grandmother Parekaawa.

Whenuakura literally means precious lands. It is a taonga whenua, rich in tribal histories. Ngāti Tūwharetoa value Whenuakura for its abundant ecology and for their customary relationship with the natural environment and our kaitiaki responsibilities to it.

Ngāti Tūwharetoa tūpuna lived in a number of kāinga built at strategic points, including Whanganui Bay, Te Rawatanga, Ruahine, Pukeiahua and Ōruaiwi. These kāinga gave ready access to Whenuakura's rich mahinga kai and resources. Ruahine was home to the Ngāti Tūwharetoa tupuna Parekaawa, and it is the resting place of Te Maunga.

Within Whenuakura there are nineteen streams and springs, containing freshwater mahinga kai. There is also a mature native forest, which provided Ngāti Tūwharetoa with abundant korerū and other edible birds. Birding places within Whenuakura include Putaohore, Te Pāhoahoa, Te Kowheai Waione, Tekopae a Hape, Panapa, Te Ruapōtaka and Te Puka.

Whenuakura also provided a corridor through which peaceful iwi groups travelled in waka, up the Whanganui River from the south, or from the north via the Taringamotu River, branching into the Pungapunga River and up the Pungapunga Valley to Te Parekura, before crossing by foot along the upper reaches of the Whenuakura Plains.

Te Pūtahitanga is a small lake at the source of the Pungapunga and Whanganui Streams. It is the sight of a significant battle between Ngāti Te Maunga, supported by their whanaunga allies, against another iwi. This was a rare occurrence. The other iwi was defeated and their dead buried in the wetlands on the Whenuakura Plains. The wetland was renamed Te Parekura.

There are a number of pā associated with and close to Whenuakura. This includes Waiapu pā.

Tūhua

In 1913, Tūreiti Te Heuheu Tūkino V repeated the words of his grandfather Mananui Te Heuheu Tūkino II:

"One time he considered his body to be similar to the land, one of his thighs on Tītīokura, the other on Ōtairi, one of his arms on Pare te tai tonga, one on Tūhua mountains, his head on Tongariro, his body lying on Taupō. That his word made sacred the land, a region of his mana, a region where Pākehā were forbidden to enter, land never to be lost to the Pākehā. This was the greatest concern to him."

As described by Tūtētawhā, Tūhua is part of the western boundary of Ngāti Tūwharetoa. Ngāti Tūwharetoa hapū Ngāti Hinemihi, Ngāti Manunui and Ngāti Tarakaiahi all maintain their kaitiakitanga and mana in respect of Tūhua.

There are numerous streams in this area running towards the Whanganui River, including the Waipare, Pungapunga and Taringamotu Rivers. The Waituhi Stream flows into the Kuratau River towards Lake Taupo. The Waituhi Stream was named because of fallen trees that form natural water troughs after the southerly wind has blown.

Appendix 8 – Statutory Acknowledgement Areas – Raukawa

Attachment of information to the Waitomo District Plan in accordance with sections 23 to 29 of the Raukawa Claims Settlement Act 2014. The information is for the purpose of public information only and is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

Section 23 of the Raukawa Claims Settlement Act 2014 requires Council to record the statutory acknowledgements on all statutory plans.

Section 27 states that the information attached to a statutory plan must include:

- (a) a copy of sections 22 to 26, 28 and 29; and
- (b) descriptions of the statutory areas wholly or partly covered by the plan; and
- (c) the statement of association for each statutory area. The statements of association are the particular cultural, spiritual, historical, and traditional associations of Raukawa.

For more information please refer to Raukawa Claims Settlement Act 2014.

Sections from the Raukawa Claims Settlement Act 2014.

22 Statutory acknowledgement by the Crown

The Crown acknowledges

- (a) the statements of association for the statutory areas described in Parts 1 and 2 of Schedule 1; and
- (b) the statement of association for Te Kohera-Kawakawa Bay statutory area arising through the tupuna Te Kohera.

23 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are to—

- (a) require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in **accordance with sections 24 to 26; and**
- (b) require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in **accordance with sections 27 and 28; and**

- (c) enable the trustees and any member of Raukawa to cite the statutory acknowledgement as evidence of the association of Raukawa with a statutory area, in accordance with section 29.

24 Relevant consent authorities to have regard to statutory acknowledgement

- (1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
- (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

25 Environment Court to have regard to statutory acknowledgement

- (1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
- (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

26 Historic Places Trust and Environment Court to have regard to statutory acknowledgement

- (1) This section applies to an application made under section 11 or 12 of the Historic Places Act 1993 for an authority to destroy, damage or modify an archaeological site within a statutory area.
- (2) On and from the effective date, the Historic Places Trust must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 14 of the Historic Places Act 1993 in relation to the application.
- (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 20 of the Historic Places Act 1993, an appeal against a decision if the Historic Places Trust in relation to the application.
- (4) In this section, archaeological site has the meaning given in section 2 of the Historic Places Act 1993.

28 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
 - (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
 - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.

29 Use of statutory acknowledgement

- (1) The trustees and any member of Raukawa may, as evidence of the association of Raukawa with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—
 - (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) the Historic Places Trust; or
 - (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.
- (2) The content of a statement of association is not, by virtue of the statutory acknowledgement, binding as fact on—
 - (a) the bodies referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.

- (4) To avoid doubt,—
- (a) neither the trustees nor members of Raukawa are precluded from stating that Raukawa has an association with a statutory area that is not described in the **statutory acknowledgement; and**
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made.

Statutory Acknowledgement Areas and Areas of Interest

Statutory Area	Location
Part Pureora Conservation Park	As shown on OTS-113-21

PART PUREORA CONSERVATION PARK (OTS-113-21)



RAUKAWA DEED OF SETTLEMENT
DOCUMENTS SCHEDULE

**2.7 STATEMENT OF ASSOCIATION FOR PART OF PUREORA CONSERVATION
PARK**

Clause 5.3

Page 24

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APPENDIX 8

2.7: STATEMENT OF ASSOCIATION FOR PART OF PUREORA CONSERVATION PARK

The Pureora Conservation Park covers a considerable area within the south-western portion of the Raukawa rohe and includes many areas and sites that are highly revered by Raukawa. The Pureora Conservation Park stretches across parts of a number of land blocks. These blocks include Maraeroa, Tihoi, Pouakani, Wharepūhanga and Rangitoto.

The maunga, Pureora, is in itself an iconic site of significance for Raukawa. Its distinctive pyramidal shape is covered in forests. In Raukawa tradition, Pureora was named by Rakatāura, the tohunga of the Tainui waka and ancestor of Raukawa. Following his arrival in Aotearoa, Rakatāura and his wife Kahukeke, the daughter of Hoturoa, travelled into the central North Island naming places that they came upon. It was at Wharepūhanga, Kahukeke fell ill and consequently Rakatāura built a house for her to rest. Rakatāura climbed a mountain where he performed a purification ritual in order to heal his wife. He was successful and his wife recovered at Wharepūhanga. He named the mountain that he prayed on Te Pureora-o-Kahu, in recognition of that event. Te Whakakākahō o Kahukeke was also named by Rakatāura as the collection site of sticks that were used to build the whare (hut/house) that Kahukeke laid in while she was recuperating from her illness. Unfortunately, Kahukeke did not fully recover from her illness and her journey was short lived. Stricken by the death of his beloved wife, Rakatāura named the place in memorial of her death, Puke o Kahu.

Raukawa traditions state that Rakatāura also deposited at Pureora one of the 'mauri stones' brought from Hawaiki to Aotearoa. This stone was a talisman used to attract birds into an area. From that day forward, Pureora became one of several famed bird snaring areas used by Raukawa hapū to hunt Kēreru and other native birds.

Pureora was a valuable source of food for Raukawa hapū, particularly the wide variety of birds and other plant life including 'perei', similar to kumara but tubular in appearance. According to Raukawa tradition, a great feast was held in commemoration of the marriage between Te Rangipumaomao and a woman from a neighbouring iwi.

The food for this wedding was gathered from Pureora and Kaiperei.

Pureora also contains numerous waterways and mahinga kai of significance to Raukawa. The waterways of Huruherumāku were so named due to the tupuna, Hā dropping his taiaha in the waters and the feathers that adorned the taiaha getting wet. Other waterways such as Kākāhō, Pūrākaukerea and the Puketapu streams were sources for Raukawa of food such as tuna (eels) and koura (freshwater crayfish) as well as the daily water supply. The waterways were also used for healing.

Pureora is also renowned for having an abundant supply of poaka (pigs). According to some kaumātua, this area was vastly hunted to supply meat to many of the pā in the Te Pae-o-Raukawa rohe (area). Large mahingā kai (gardens) were grown around the pā to help supply food for the people and their manuwhiri (visitors), especially when the occasion was for a tangihanga (funeral).

Many hapū were associated with the Pureora area including Ngāti Te Kohera, Ngāti Wairangi and Ngāti Hā. There are also many sites associated with specific hapū of Raukawa within the Pureora area. According to oral traditions of Ngāti Te Kohera, it was at the settlement and defensive pā of Tutakamoana that the chief, Te Hoariri, was renamed Te Paerata due to his gallant achievements in battle. Te Paerata was to later lead the successful defence of Tutakamoana against marauding forces.

RAUKAWA DEED OF SETTLEMENT
DOCUMENTS SCHEDULE

2.7: STATEMENT OF ASSOCIATION FOR PART OF PUREORA CONSERVATION PARK

The conservation park also falls within part of the Tihoi block. In that area, Raukawa history records that following the murder of Te Atainutai, his grandson sought revenge. Consequently, he joined with Whitipatoto of Raukawa from Wharepūhanga and together they marched on the Iwi that had killed Te Atainutai. As a result of his offensive march through the Pureora forest, Whitipatoto named the area now known as Tihoi.

By the time Christianity came into the Pureora region in the nineteenth century, Raukawa hapū continued to reside upon lands around Pureora including Puketoro, a kāinga and bird snaring place, Putakoura, a kāinga and potato plantation and Puketapu where food was stored in a cave. Te Ahiahi-a-te-maraeua, a lagoon and kainga situated near Pureora, was a further bird snaring place used by Raukawa.

Appendix 9 – Statutory Acknowledgement Areas – Ngāti Maniapoto

Attachment of information to the Waitomo District Plan in accordance with Sections 32 to 38 of the Maniapoto Claims Settlement Act 2022.

The information is for the purpose of public information only and is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

Section 37(1) of the Maniapoto Claims Settlement Act 2022 requires Council to record the statutory acknowledgement on all statutory plans.

Section 34(2) states that the information attached to a statutory plan must include:

- (a) a copy of sections 32 to 36, 38 and 39; and
- (b) descriptions of the statutory areas wholly or partly covered by the plan; and
- (c) the statement of association for each statutory area.

32 Statutory acknowledgement by the Crown

The Crown acknowledges the statements of association for the statutory areas.

33 Purposes of statutory acknowledgement

The only purposes of the statutory acknowledgement are—

- (a) to require relevant consent authorities, the Environment Court, and Heritage New Zealand Pouhere Taonga to have regard to the statutory acknowledgement, in accordance with sections 34 to 36; and
- (b) to require relevant consent authorities to record the statutory acknowledgement on statutory plans that relate to the statutory areas and to provide summaries of resource consent applications or copies of notices of applications to the trustees, in accordance with sections 37 and 38; and
- (c) to enable the trustees and any member of Maniapoto to cite the statutory acknowledgement as evidence of the association of Maniapoto with a statutory area, in accordance with section 39.

34 Relevant consent authorities to have regard to statutory acknowledgement

- (1) This section applies in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.
- (2) On and from the effective date, a relevant consent authority must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 95E of the Resource Management Act 1991, whether the trustees are affected persons in relation to the activity.
- (3) Subsection (2) does not limit the obligations of a relevant consent authority under the Resource Management Act 1991.

35 Environment Court to have regard to statutory acknowledgement

- (1) This section applies to proceedings in the Environment Court in relation to an application for a resource consent for an activity within, adjacent to, or directly affecting a statutory area.

- (2) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area in deciding, under section 274 of the Resource Management Act 1991, whether the trustees are persons with an interest in the proceedings greater than that of the general public.
- (3) Subsection (2) does not limit the obligations of the Environment Court under the Resource Management Act 1991.

36 Heritage New Zealand Pouhere Taonga and Environment Court to have regard to statutory acknowledgement

- (1) This section applies to an application made under section 44, 56, or 61 of the Heritage New Zealand Pouhere Taonga Act 2014 for an authority to undertake an activity that will or may modify or destroy an archaeological site within a statutory area.
- (2) On and from the effective date, Heritage New Zealand Pouhere Taonga must have regard to the statutory acknowledgement relating to the statutory area in exercising its powers under section 48, 56, or 62 of the Heritage New Zealand Pouhere Taonga Act 2014 in relation to the application.
- (3) On and from the effective date, the Environment Court must have regard to the statutory acknowledgement relating to the statutory area—
 - (a) in determining whether the trustees are persons directly affected by the decision; and
 - (b) in determining, under section 59(1) or 64(1) of the Heritage New Zealand Pouhere Taonga Act 2014, an appeal against a decision of Heritage New Zealand Pouhere Taonga in relation to the application.
- (4) In this section, archaeological site has the meaning given in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

38 Provision of summary or notice to trustees

- (1) Each relevant consent authority must, for a period of 20 years on and from the effective date, provide the following to the trustees for each resource consent application for an activity within, adjacent to, or directly affecting a statutory area:
 - (a) if the application is received by the consent authority, a summary of the application; or
 - (b) if notice of the application is served on the consent authority under section 145(10) of the Resource Management Act 1991, a copy of the notice.
- (2) A summary provided under subsection (1)(a) must be the same as would be given to an affected person by limited notification under section 95B(4) of the Resource Management Act 1991 or as may be agreed between the trustees and the relevant consent authority.
- (3) The summary must be provided—
 - (a) as soon as is reasonably practicable after the relevant consent authority receives the application; but
 - (b) before the relevant consent authority decides under section 95 of the Resource Management Act 1991 whether to notify the application.
- (4) A copy of a notice must be provided under subsection (1)(b) not later than 10 working days after the day on which the consent authority receives the notice.
- (5) The trustees may, by written notice to a relevant consent authority,—
 - (a) waive the right to be provided with a summary or copy of a notice under this section; and
 - (b) state the scope of that waiver and the period it applies for.
- (6) This section does not affect the obligation of a relevant consent authority to decide,—
 - (a) under section 95 of the Resource Management Act 1991, whether to notify an application;
 - (b) under section 95E of that Act, whether the trustees are affected persons in relation to an activity.

39 Use of statutory acknowledgement

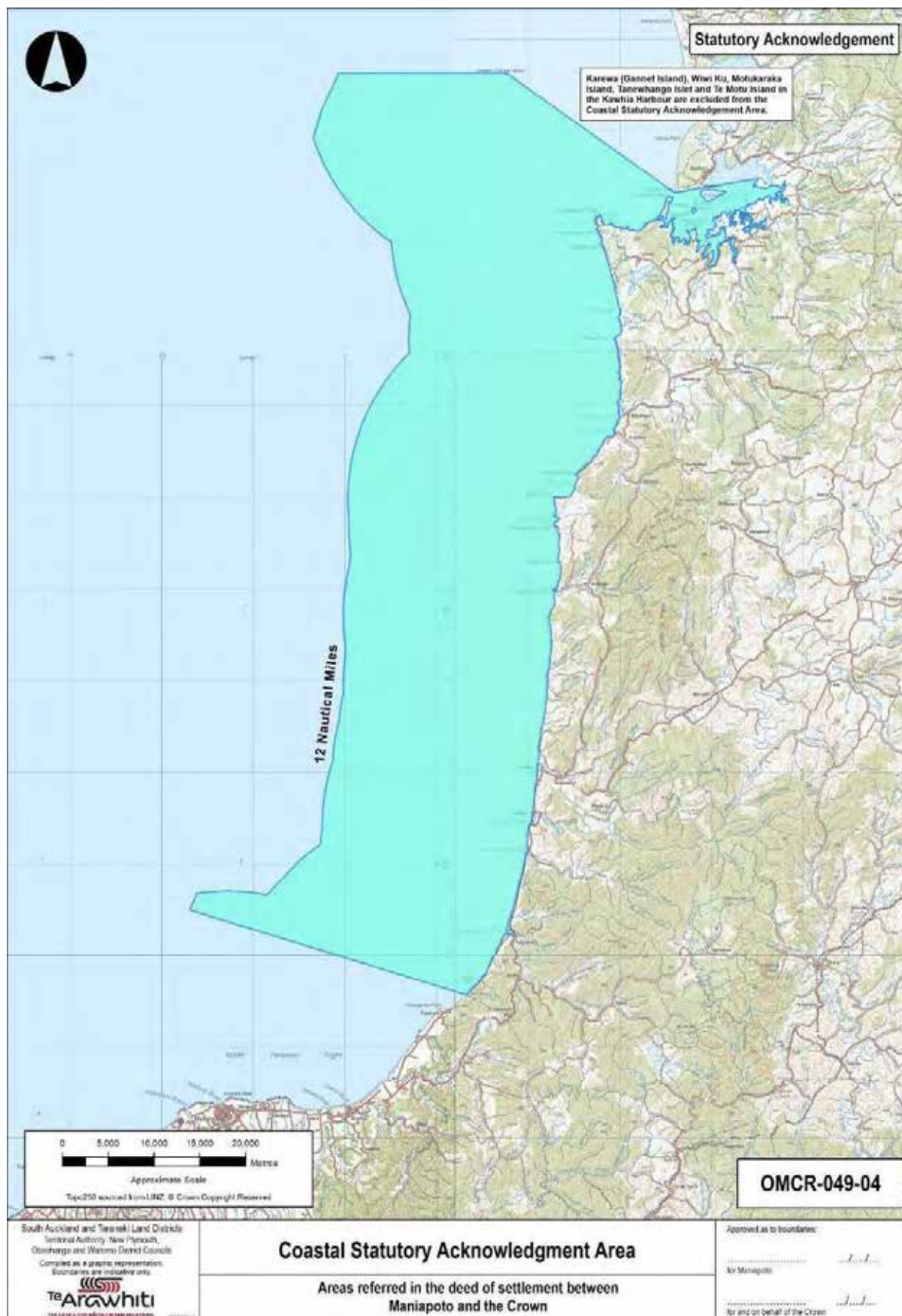
- (1) The trustees and any member of Maniapoto may, as evidence of the association of Maniapoto with a statutory area, cite the statutory acknowledgement that relates to that area in submissions concerning activities within, adjacent to, or directly affecting the statutory area that are made to or before—
 - (a) the relevant consent authorities; or
 - (b) the Environment Court; or
 - (c) Heritage New Zealand Pouhere Taonga; or
 - (d) the Environmental Protection Authority or a board of inquiry under Part 6AA of the Resource Management Act 1991.
- (2) The content of a statement of association is not, because of the statutory acknowledgement, binding as fact on—
 - (a) the bodies referred to in subsection (1); or
 - (b) parties to proceedings before those bodies; or
 - (c) any other person who is entitled to participate in those proceedings.
- (3) However, the bodies and persons specified in subsection (2) may take the statutory acknowledgement into account.
- (4) To avoid doubt, —
 - (a) the trustees and members of Maniapoto are not precluded from stating that Maniapoto has an association with a statutory area that is not described in the statutory acknowledgement; and
 - (b) the content and existence of the statutory acknowledgement do not limit any statement made.

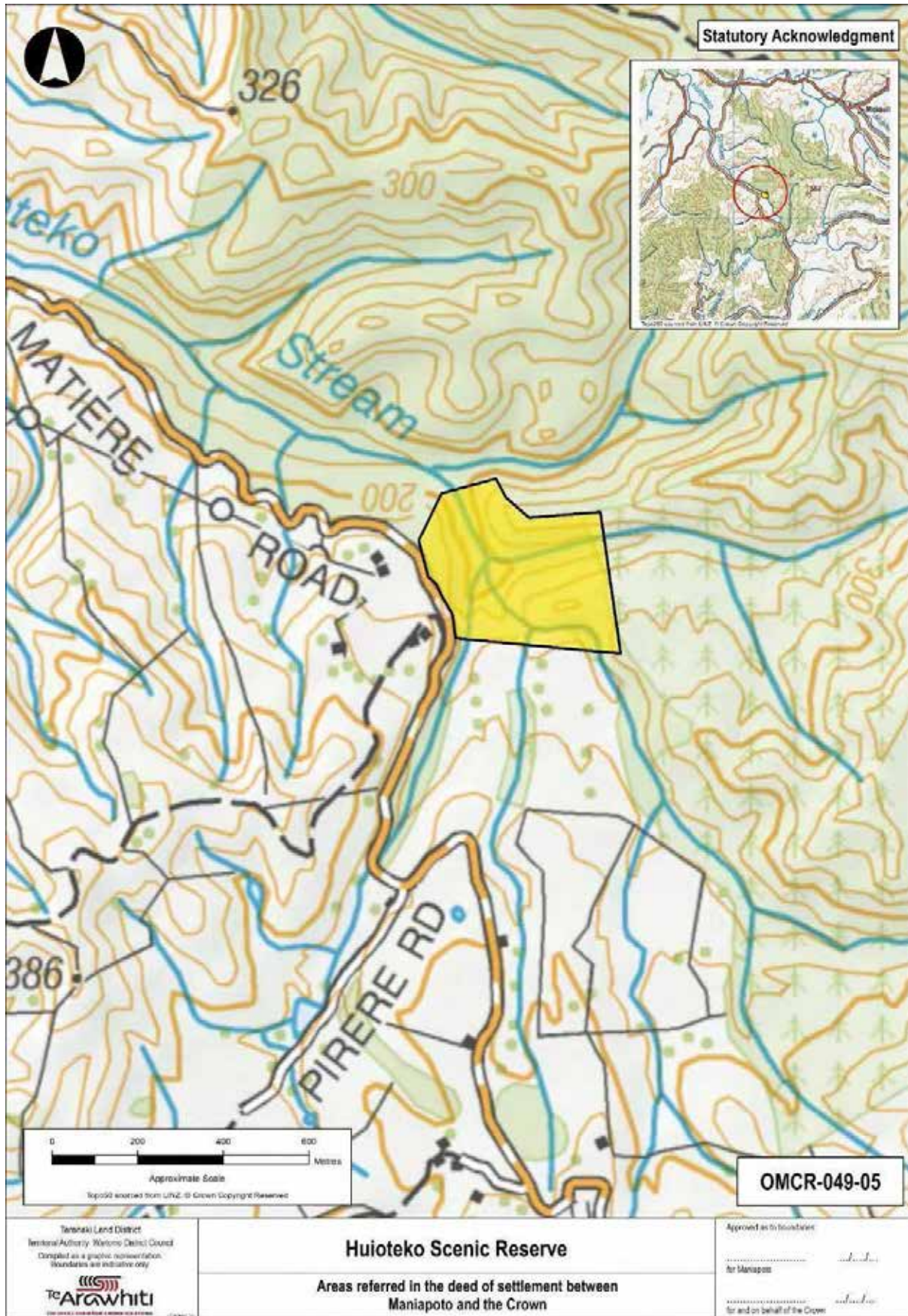
Areas subject only to statutory acknowledgement

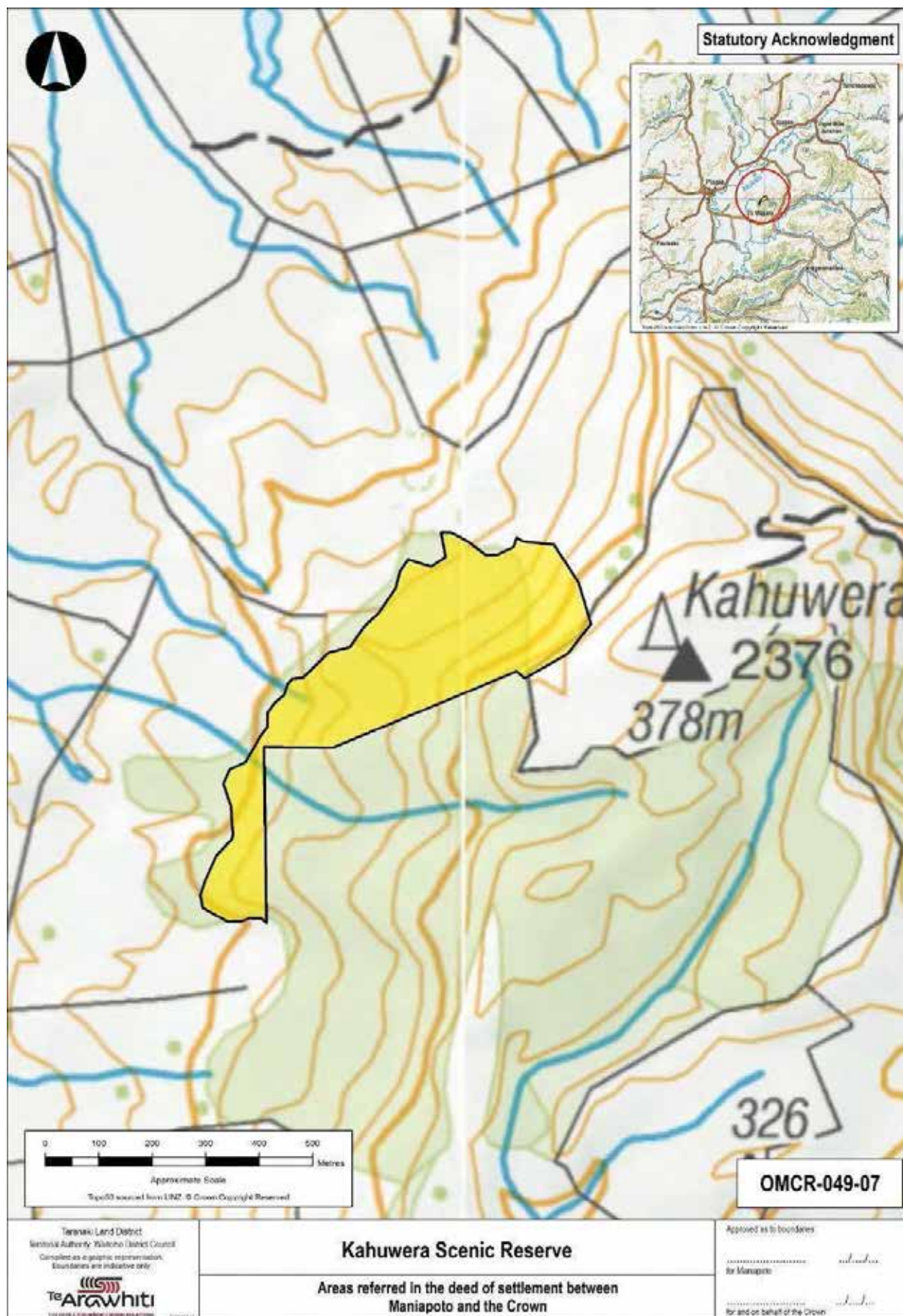
Statutory area	Location
Coastal statutory acknowledgement area	As shown on OMCR-049-04
Huioteko Scenic Reserve	As shown on OMCR-049-05
Kahuwera Scenic Reserve	As shown on OMCR-049-07
Mahoenui Conservation Area	As shown on OMCR-049-11
Marokopa Falls Scenic Reserve	As shown on OMCR-049-13
Part Matakana Conservation Area (area linked to Te Puta Spring)	As shown on OMCR-049-14
Moeatoa Scenic Reserve	As shown on OMCR-049-15
Mohakatino Conservation Area	As shown on OMCR-049-16
Mokau River Scenic Reserve	As shown on OMCR-049-17
Ngatamahine Scenic Reserve	As shown on OMCR-049-19
Puketapu Historic Reserve	As shown on OMCR-049-23
Rukuhia Domain Recreation Reserve	As shown on OMCR-049-24
Tapuae Scenic Reserve	As shown on OMCR-049-25
Taumatini Scenic Reserve	As shown on OMCR-049-26
Te Kuiti Aerodrome	As shown on OMCR-049-28
Te Nau Nau property	As shown on OMCR-049-29
Totoro Scenic Reserve	As shown on OMCR-049-30
Turaerae Scenic Reserve	As shown on OMCR-049-31
Waitewhena Conservation Area	As shown on OMCR-049-32

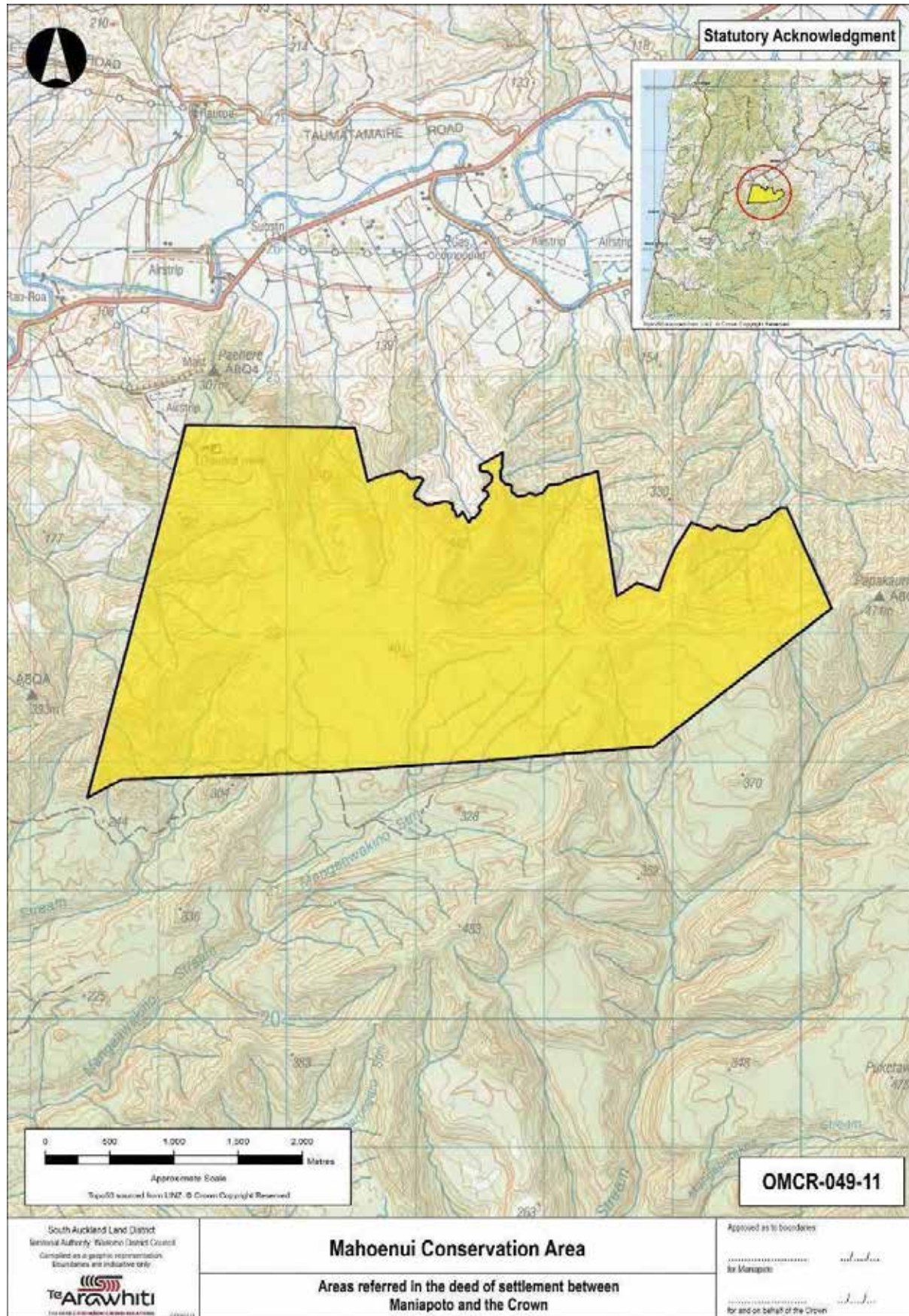
Part 2 Areas subject to both statutory acknowledgement and deed of recognition

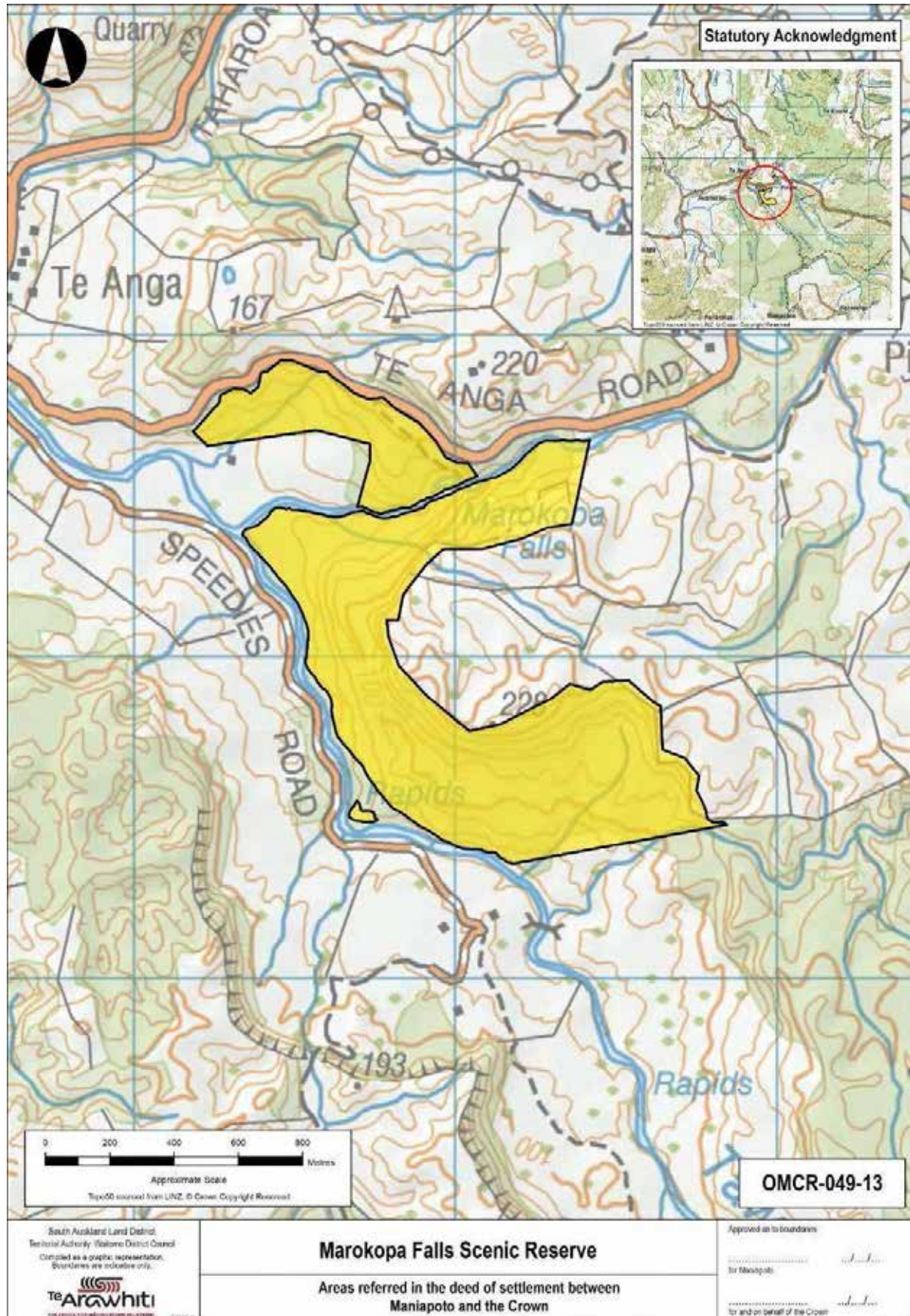
Statutory area	Location
Mangapohue Natural Bridge Scenic Reserve	As shown on OMCR-049-12

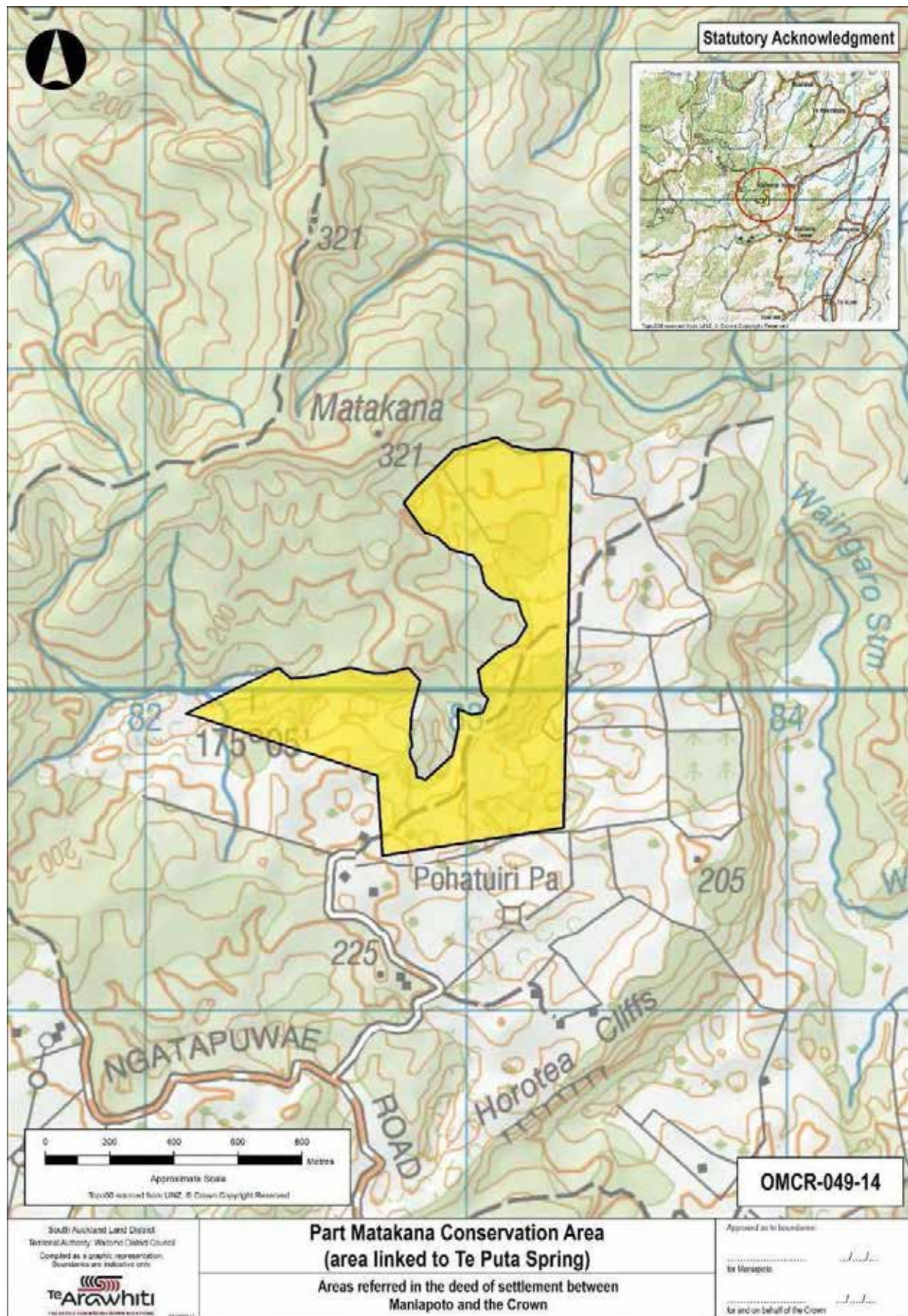


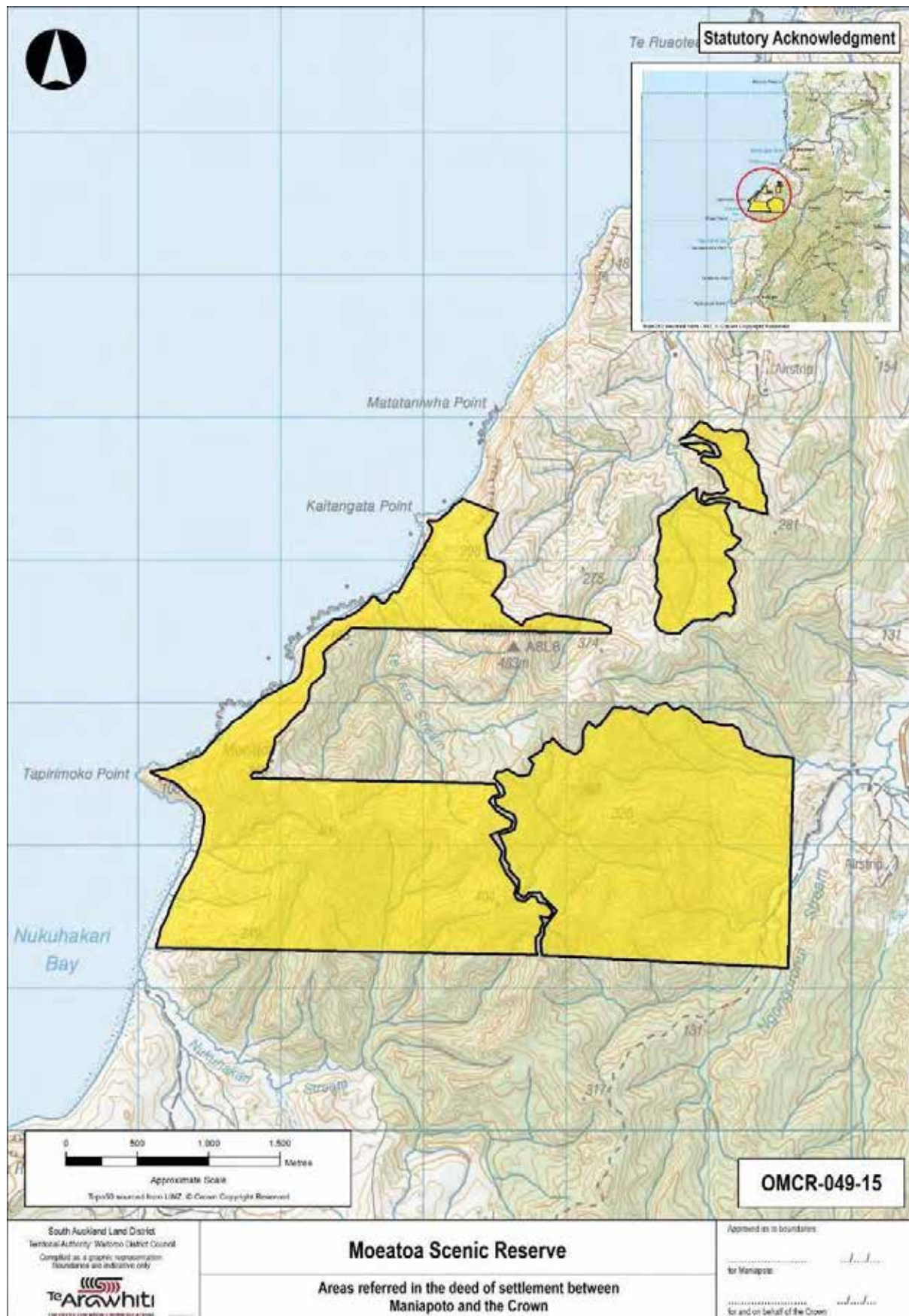


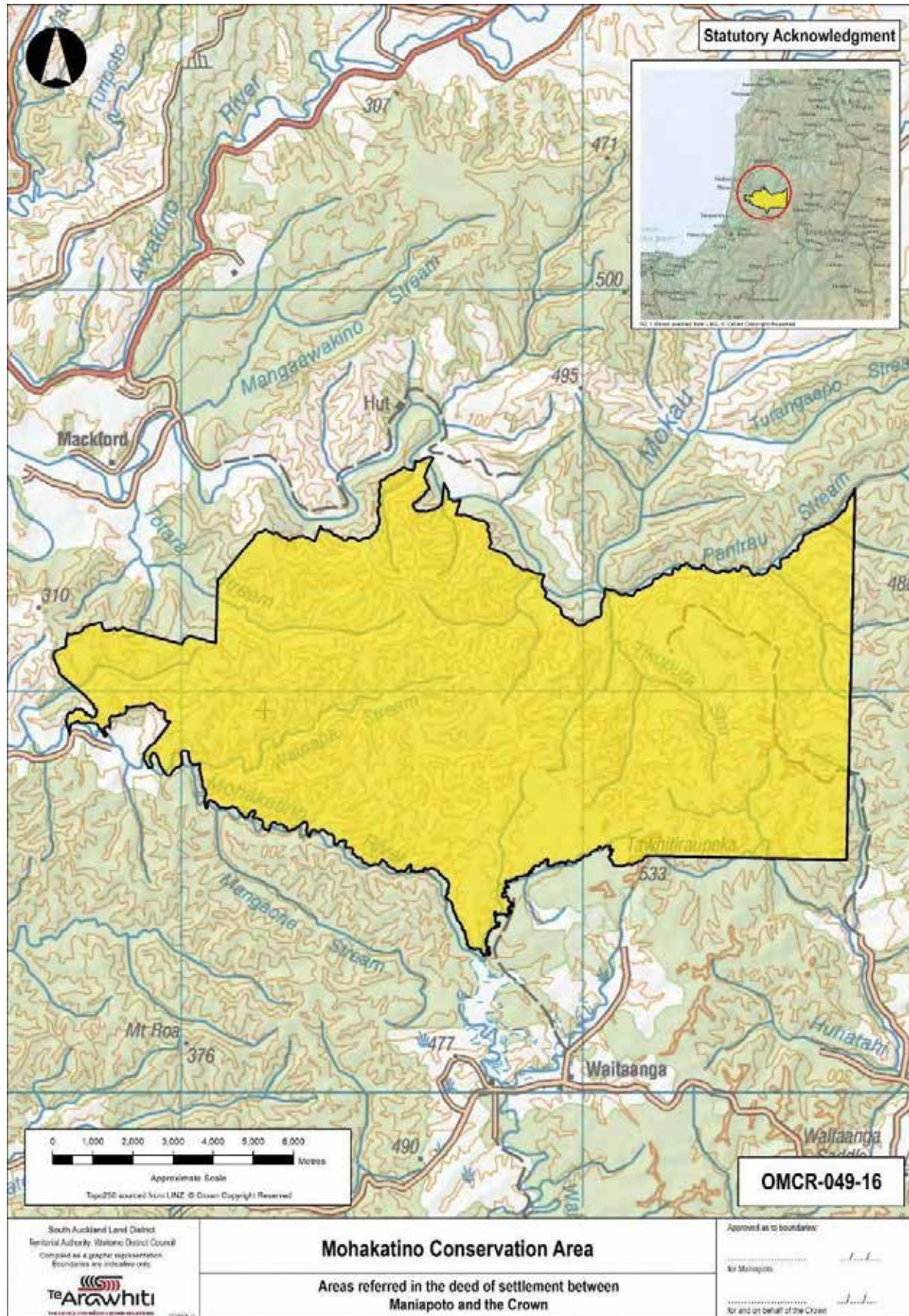


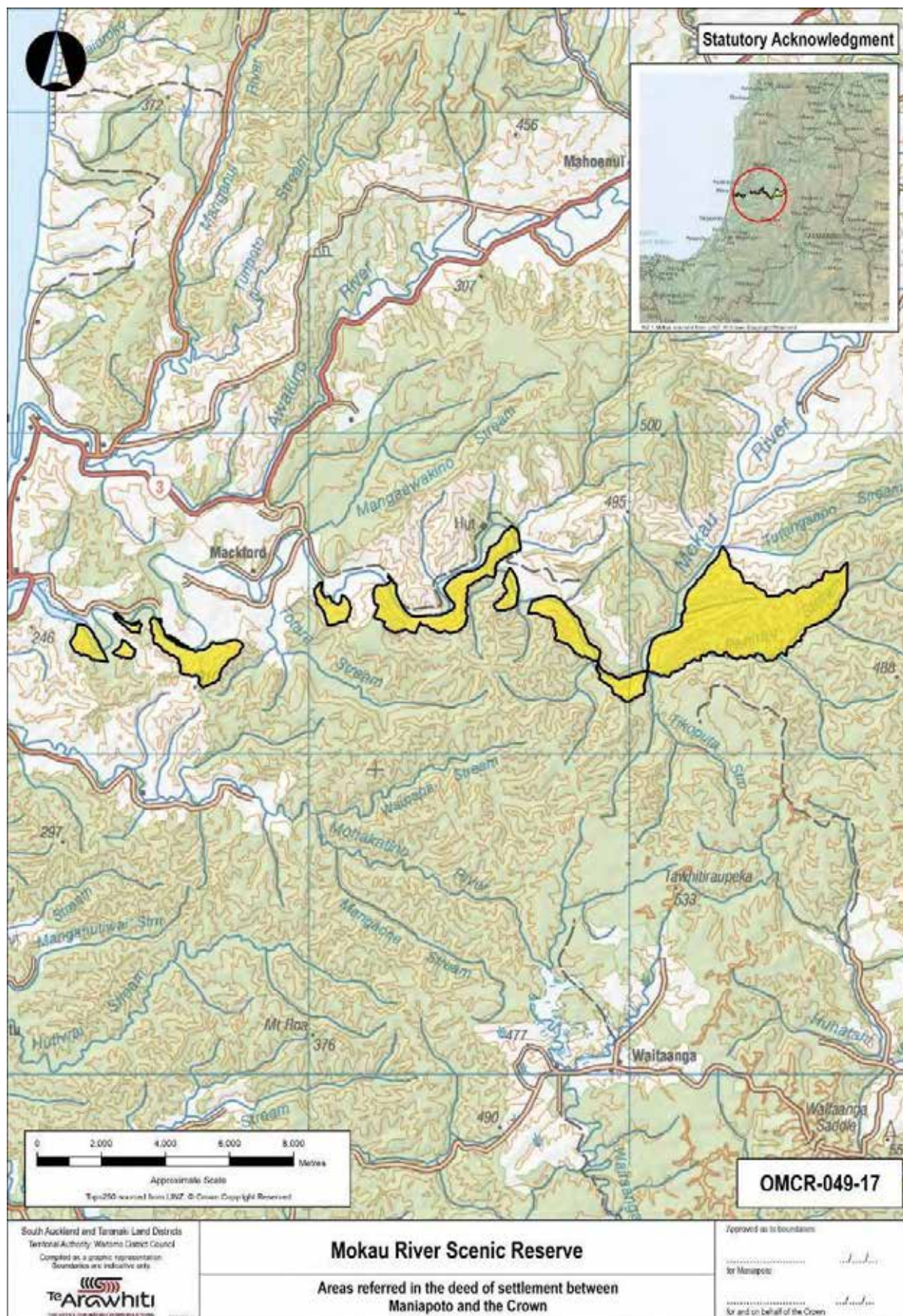


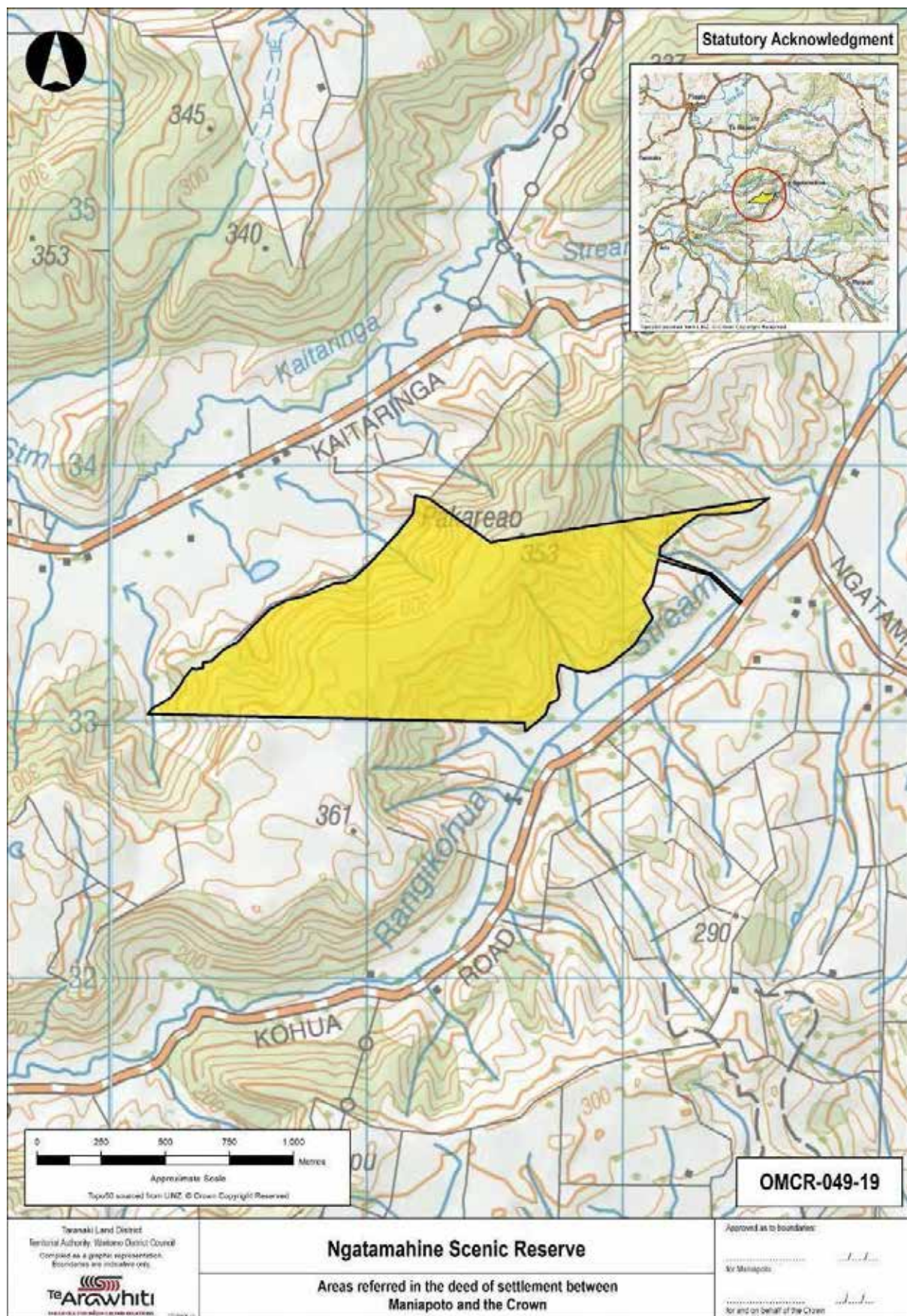


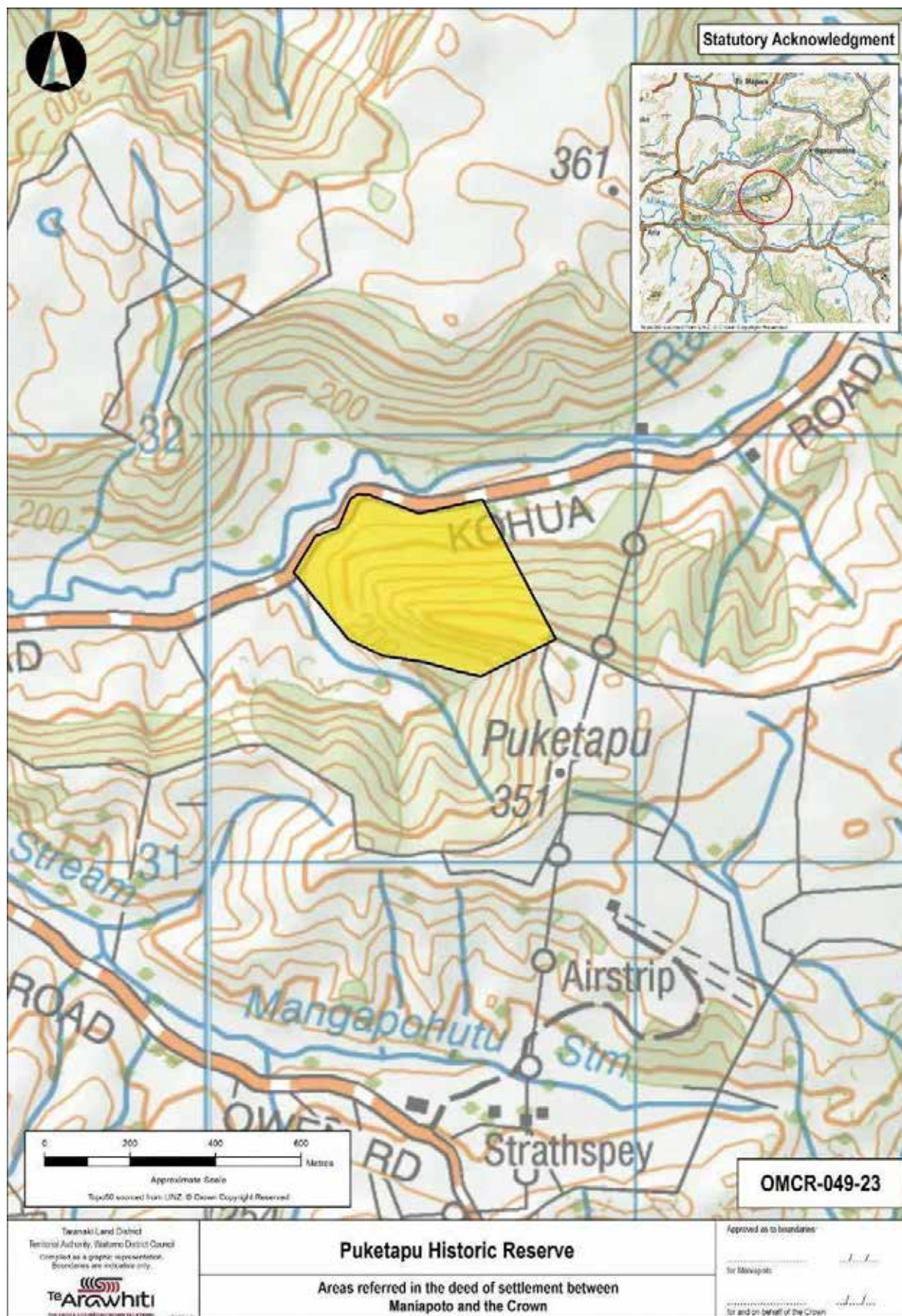




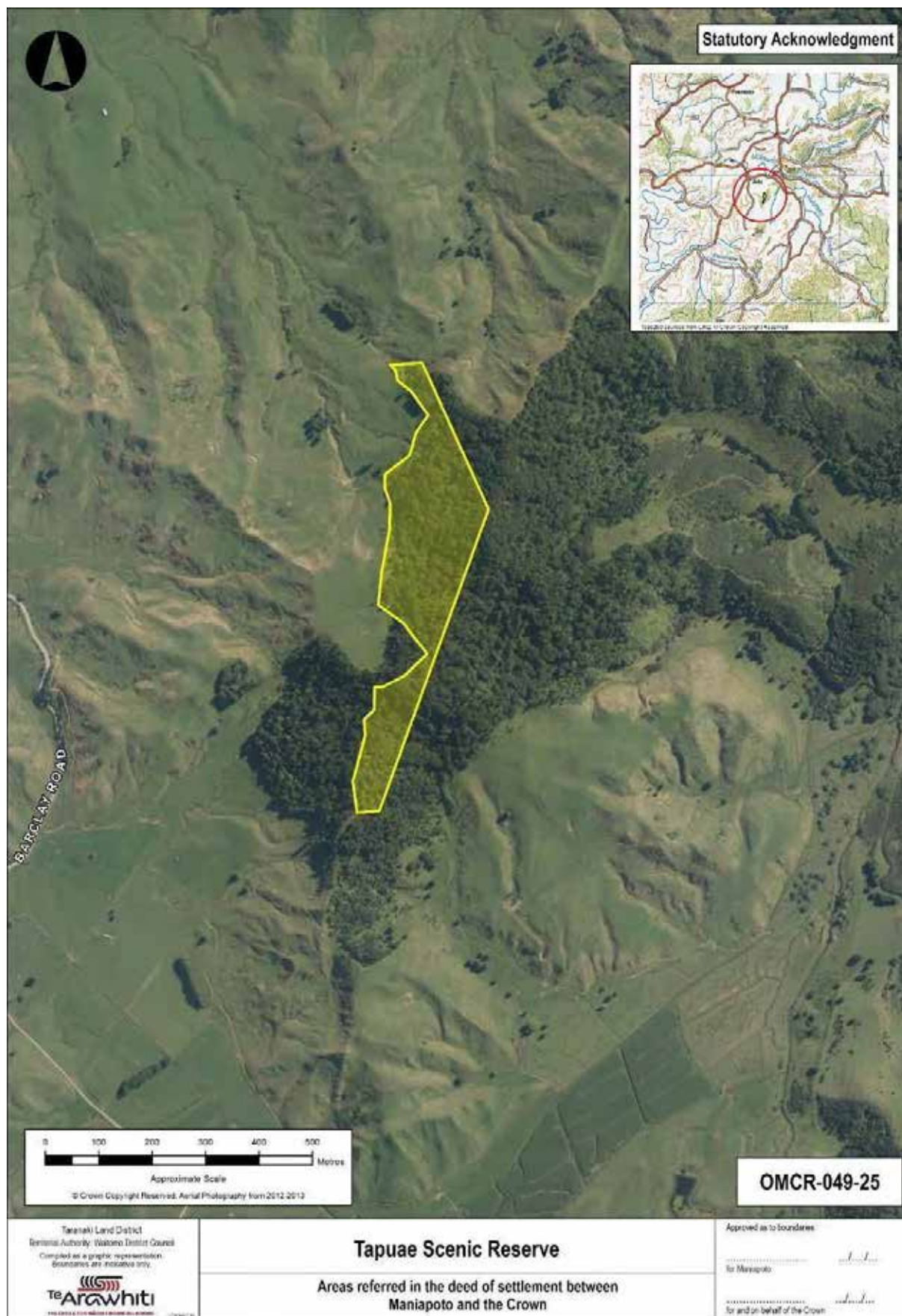


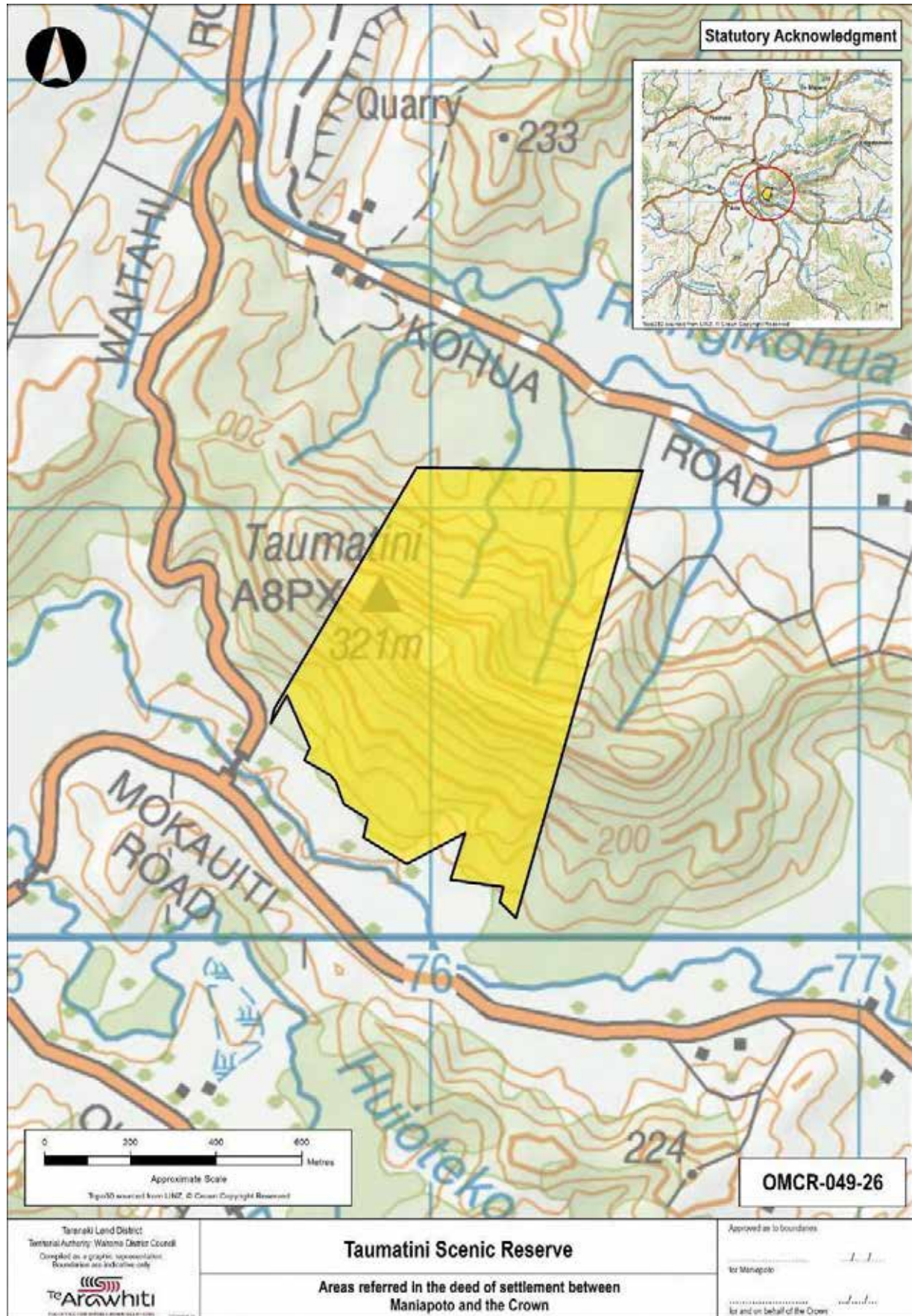


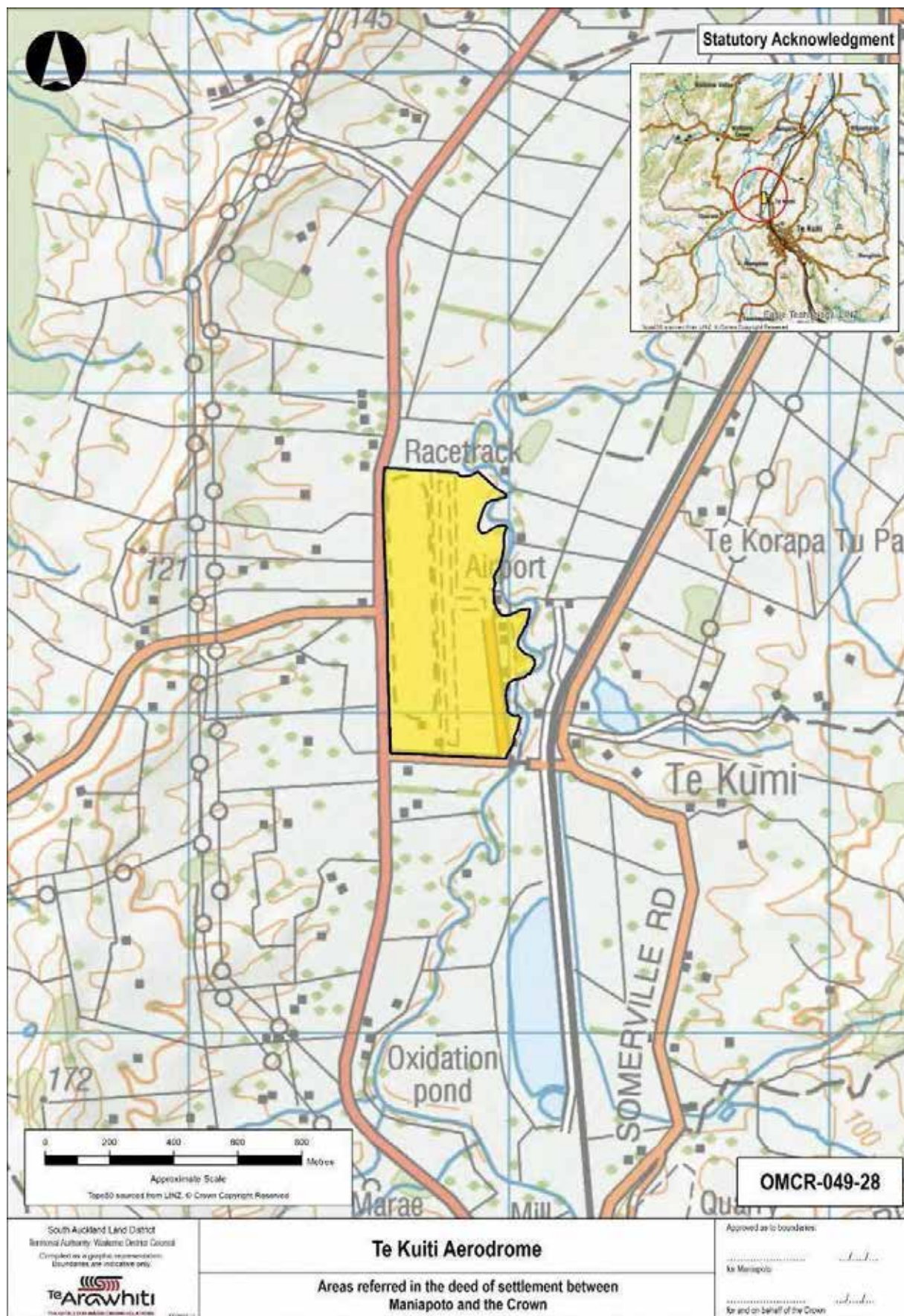




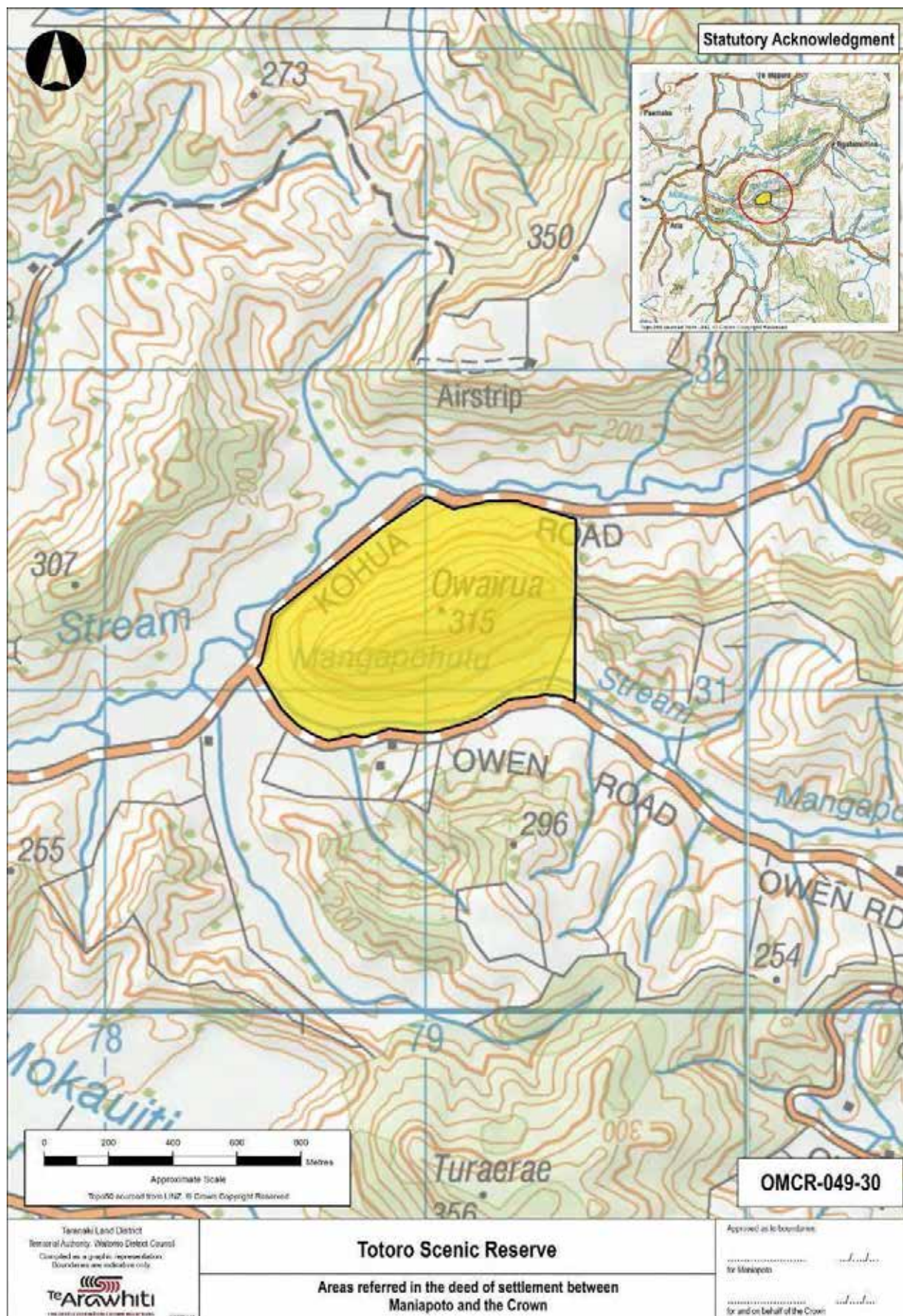


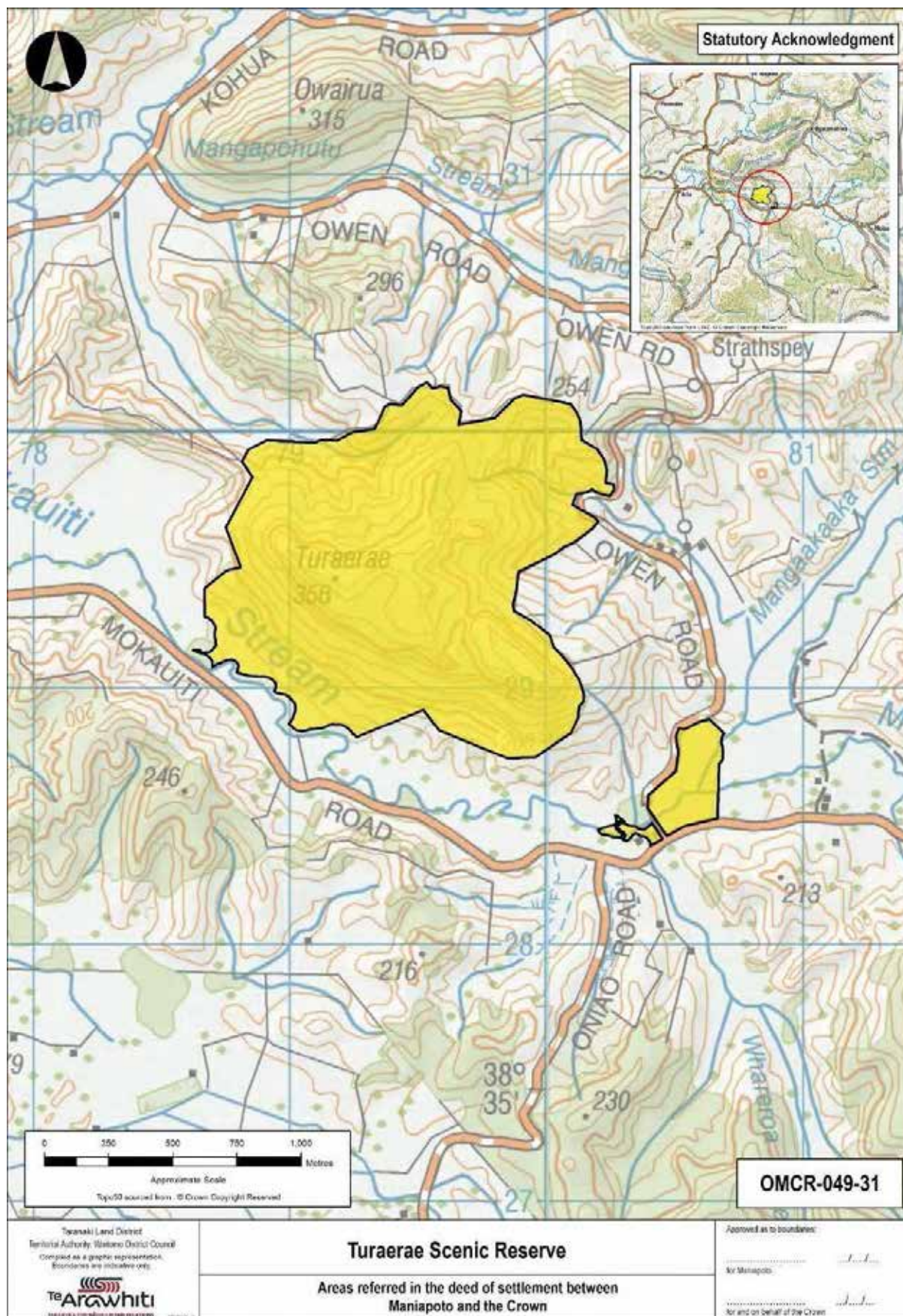


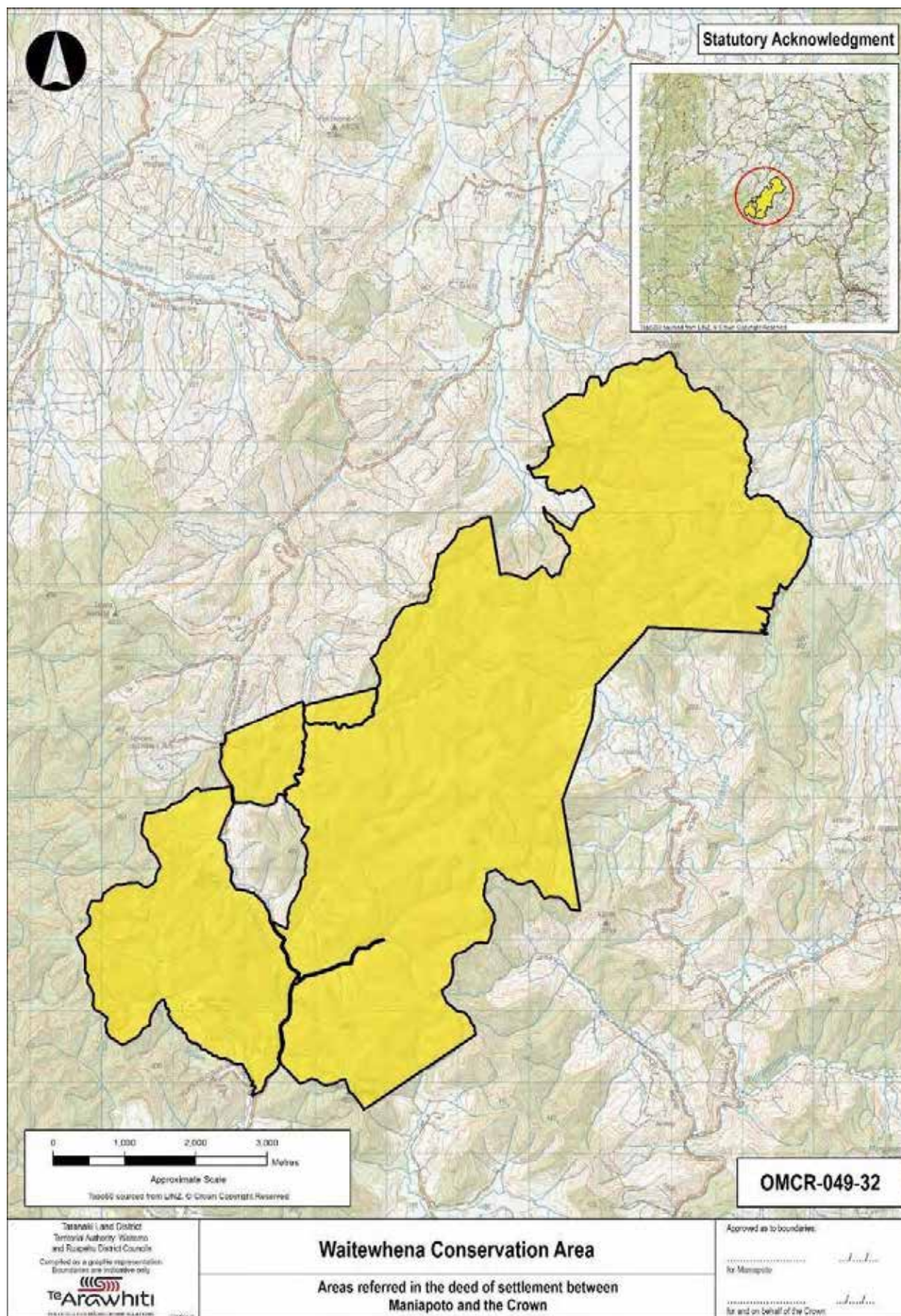


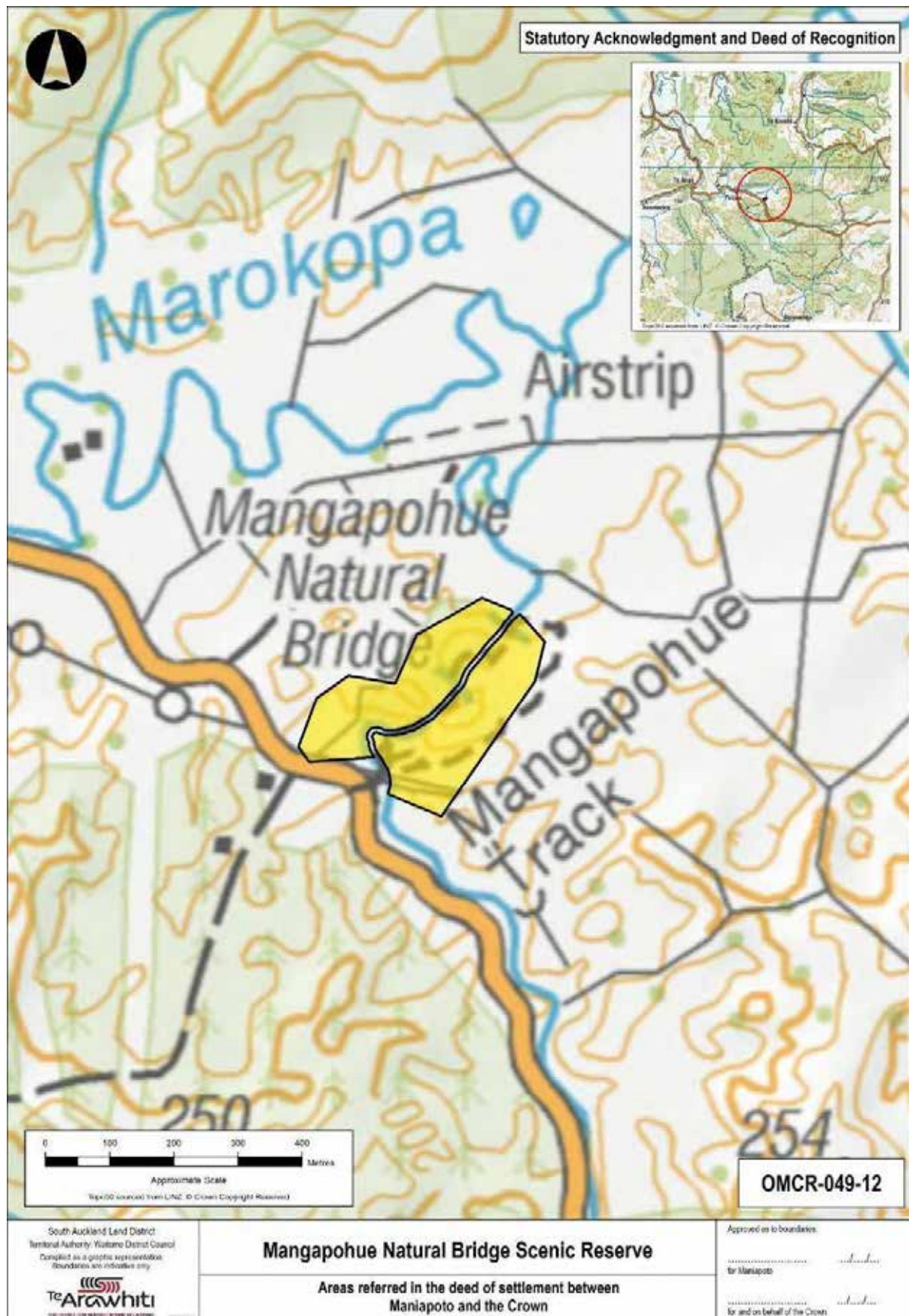












8. Appendix 3 – Section 32AA Evaluation

13. A section 32AA evaluation is only required for any changes that are proposed to the provisions of this plan since the original section 32 evaluation report for the proposal was completed. The section 32AA evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes. As no changes were proposed to be made to the Chapters a section 32AA evaluation is not required.

Amendment to the definition of significant hazardous facility – Tranche 2

significant hazardous facility	<p>means any facility which involves one or more of the following activities:</p> <ul style="list-style-type: none"> (a) Manufacturing and associated storage of hazardous substances (including industries manufacturing agrochemicals, fertilisers, acids/alkalis or paints); (b) Oil and gas exploration and extraction facilities; (c) Purpose built bulk storage facilities for the storage of hazardous substances (other than petrol, diesel or LPG) for wholesale or restricted commercial supply; (d) The above ground storage of more than 50,000 L of petrol; and (e) The aboveground storage of more than 100,000 L of diesel; (f) The storage/use of more than 6 tonnes of LPG; (g) Galvanising plants; (h) Electroplating and metal treatment facilities; (i) Tanneries; (j) Timber treatment; (k) Freezing works and rendering plants; (l) Wastewater treatment plants; (m) Metal smelting and refining (including battery refining or recycling); (n) Milk treatment plants; (o) Fibreglass manufacturing; (p) Polymer foam manufacturing; (q) Asphalt/bitumen manufacture or storage; (r) Landfills; (s) The storage and/or treatment of hazardous waste (including reuse and recycling facilities) or hazardous substances awaiting reuse, recycling, or treatment; and (t) Any facility deemed a Major Hazardous Facility under the Health and Safety at Work Major Hazardous Facilities Regulations 2016. <p>For the avoidance of doubt, the following activities are not significant hazardous facilities:</p> <ul style="list-style-type: none"> (i) The incidental use and storage of hazardous substances in minimal domestic scale quantities; (ii) Retail outlets for hazardous substances intended for domestic usage (eg supermarkets, hardware stores, and pharmacies);
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	<ul style="list-style-type: none"> (iii) The incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities; (iv) Pipelines used for the transfer of hazardous substances such as gas, oil, trade waste and sewage; (v) Fuel in motor vehicles, boats, airplanes and small engines; (vi) Temporary Military training activities; (vii) The transport of hazardous substances; and (viii) Emergency management activities; <u>and</u> (ix) <u>The underground storage of petrol and diesel at service stations and underground storage of jet fuel at airports that is undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum – Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum – Operation</u>
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Effectiveness and efficiency

14. It is considered that the amended definition in relation to the addition will ensure that underground storage of petrol and diesel at service stations and underground storage of jet fuel at airports that is undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum – Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum – Operation will not be captured by the definition of a significant hazardous facility. This wording is effective and efficient as it was not the intention of this definition to capture these kinds of activities.

Costs and benefits

15. It is considered that there will be an economic benefit and a reduction in costs, as those wishing to undertake these activities would have been previously captured by the definition. There is not considered to be any social, cultural or environmental costs or benefits as a result of amending the definition.

Risk of acting or not acting

16. It is considered that there is sufficient information to justify the changes above. The amended definition will ensure consistency with higher order policy documents, and will ensure that activities that were not meant to be captured by the definition are not.

Decision about most appropriate option

17. The recommended amendment to the definition is the most appropriate way to achieve the purpose of the RMA, the relevant objectives and is consistent with the policy framework.