



21 December 2022

Attn: Waitomo District Council
PO Box 404
Queen Street
Te Kuiti 3941

By email to: districtplan@waitomo.govt.nz

RE: Proposed Waitomo District Plan

Submitter: Auckland/Waikato Fish and Game Council

- I could not gain an advantage in trade competition through this submission.
- The specific provisions of the proposal that my submission relates to are listed in the following pages.
- I seek that the whole or part of the proposal be allowed or disallowed or amended as set out in the following pages, and/or alternative relief which addresses the issues and concerns raised in the following pages

Hearing: I wish to be heard in support of my submission and if others make a similar submission, I will consider presenting a joint case with them at a hearing.

Address for service:

Auckland Waikato Fish and Game Council
156 Brymer Road, RD9 Hamilton 3289
Email: bwilson@fishandgame.org.nz



Submission on the Proposed Waitomo District Plan 2022

A. Introduction

1. Auckland/Waikato Fish and Game (“Fish and Game” and “AWFG”) thank the Waitomo District Council (“Council”) for the opportunity to comment on the Proposed Waitomo District Plan (“Proposed Plan”). The Proposed Plan directly touches on sports fish and game bird habitat management, the interests of hunters and anglers in the Waitomo District, as well as operational matters for AWFG. We are open to discussion and suggestions of alternatives solutions for each of the matters raised.

Role of Fish and Game

2. AWFG is an entity established under the Conservation Act 1987 with functions to:
26(Q)1... manage, maintain and enhance the sports fish and game resource in the recreational interests of anglers and hunters...
 - (b) to maintain and improve the sports fish and game resource-*
 - (i) by maintaining and improving access; and...*
 - (iv) by ensuring there are significant resources to enforce fishing and hunting season conditions;...*
 - (c) to promote and educate-*
 - (ii) by promoting recreation based on sports fish and game;*
 - (e) in relation to planning,-*
 - (i) to represent the interests and aspirations of anglers and hunters in the statutory planning process; and...*
 - (iii) to prepare sports fish and game management plans in accordance with this Act; and...*
 - (vii) to advocate the interests of the Council, including its interests in habitats...*



3. In addition to Fish and Game functions set out above, s 7(h) Resource Management Plan 1991 (RMA) states that all persons in achieving the purpose of the Act “shall have particular regard to – the protection of the habitat of trout and salmon.”

The importance of sports fishery and game bird resource in the district

Sports fisheries

4. The Waitomo District provides a valued sports fishery resource. Sports fish present in the Waitomo District include Rainbow trout and Brown trout. The Waipa River and Awakino River in the Waitomo District are of National Importance as trout fisheries because of their high usage by national and international trout anglers. The Waitomo District also includes waterways of local importance because of their high usage by local and regional anglers and include the Mangaotaki, Marokopa, Mangaohae and Tawarau rivers and the Mangaokewa stream.
5. Sports fisheries have had statutory recognition in NZ since 1867, with the largely salmonid-based (trout and salmon) fisheries a key value in, and attribute of, our freshwaters. The current statutory basis and regime for sports fishery management is provided under Part VA of the Conservation Act 1987, the Freshwater Fisheries Regulations 1983 and Anglers Notices promulgated annually under this legislation.

Game bird resources

6. The Waitomo District provides important game bird habitat and hunting opportunity, with some key large fresh waterbodies such as the Kawhia Harbour, as well as dams, ponds, wetlands, rivers and lakes. Game birds present in the Waitomo District include Mallard duck, Grey Duck, Shoveler duck, Paradise shelduck, Black swan, Pukeko, Ring-neck pheasant and California quail.



7. Game birds are recognised in the First Schedule of the Wildlife Act 1953 and their management is by Fish and Game Councils under Part 2 of that Act, with associated regulations and annual Game Gazette Notices to the Anglers Notice. Several of the principal game birds (grey duck, paradise shelduck, Shoveler duck, Black swan and Pukeko) are native species.

Sports fish and game bird management

8. Sports fishery management and game bird management sit within a framework of wildlife management by Fish and Game Councils and the Department of Conservation in Part VB of the Conservation Act 1987. Aspects of fishery and game bird management (such as which species should be managed where) are covered by that legislation. The nature of this species management by the Department of Conservation ('DOC') and Fish and Game Councils is set out in some detail for each Fish and Game region in their respective Sports Fish and Game Bird Management Plans.
9. Sports Fish and Game Management Plans have been through a public process approved by the Minister of Conservation. The general purpose of a Sports Fish and Game Management Plan is to establish objectives for the management of sports fish and game birds (section 17L(1)). Sports Fish and Game Management Plans are prepared under sections 17L and 26Q(1)(e)(iii) of the Conservation Act 1987 and must have regard to:
 - (a) the sustainability of sports fish and game in the area to which the plan relates; and
 - (b) the impact that the management proposed is likely to have on other natural resources and other users of the habitat concerned; and
 - (c) must include such provisions as may be necessary to "maximise recreational opportunities for hunters and anglers".
10. As statutory management plans, the Proposed Waitomo District Plan is required to have had regard to Sports fish and Game Management Plans in the course of its preparation (s 66(2)(c)(i) RMA).



11. Management of the habitat of all freshwater fish and wildlife and appropriate provision for amenity derived from the fishery and game bird resource, however, is the responsibility of regional and district councils under the RMA. The Auckland/Waikato Fish and Game Council Sports fish and Game Management Plan (2022) recognises that the Auckland/Waikato Fish and Game Council is established for the purpose of the management, maintenance and enhancement of sports fish and game within the Waikato region. The Sports fish and Game management plan recognizes that the protection, maintenance and enhancement of sports fish and game habitat and the sustainable management of sports fish and game species as key elements of the statutory mandate of the Council's functions, responsibilities and powers.
12. The RMA, ss 5, and ss6 (a) (preservation of natural character of water bodies), 6 (c) protection of areas of significant indigenous vegetation and significant habitats of indigenous flora and fauna), 7(h) (protection of the habitat of trout and salmon), 7(c) (maintenance and enhancement of amenity values), 7(d) intrinsic values of ecosystems, and 7(f) (maintenance and enhancement of the quality of the environment) are all directly relevant to game bird management.

B. General submissions

Sports fish and game bird habitat protection and restoration

Enabling AWFG's habitat maintenance, protection and restoration activities

13. Method 11.1.4 of the RPS provides that district plans should permit activities undertaken for the purpose of maintenance or enhancement of indigenous biodiversity where they will have minor adverse effects. NATC-R1 enables the removal of indigenous vegetation within 5m from the edge of a waterbody as a permitted activity, provided it is for "conservation activities". This carve out is supported but should be further clarified.



14. AWFG undertakes valuable conservation work across its region, in line with its mandate under the Conservation Act. Primarily, this work is for wetland restoration, but AWFG also undertakes other direct conservation actions in relation pest control and restoration in and near waterways. AWFG also provides expertise and support for private landholders in creating and restoring wetlands. While AWFG’s conservation work is not always targeted to indigenous species (some game birds are indigenous, but sports fish and other game birds are not), our habitat restoration work invariably benefits the indigenous species which inhabit freshwater ecosystems, as they are integral parts of the habitats AWFG seeks to protect.
15. As such, AWFG strongly support the definition of “Conservation activities” in Chapter 9, in including the restoration of wetlands, and the margins of waterbodies, as well as Fish and Game New Zealand structures or building for visitor purposes or staff accommodation on public conservation land.

Significant natural areas

16. Many of the areas identified as significant natural areas (SNA) are significant wetland habitats for game birds and are used for game bird hunting activities. As highlighted above AWFG support the definition of “conservation activities” as it ensures AWFG’s conservation work is enabled through rule ECO-R10.
17. The permitted activities in listed in ECO-R1 to ECO-R10 enable a large amount of vegetation to be impacted (up to 500m²). Overall, we are concerned that the permitted activity rules lack specificity given that they enable such a high impact in SNAs. Though we find the permitted activity categories reasonable in principle, for almost every rule, there is little qualifying criteria to ensure the activity only has the amount of impact required. In particular, the following rules unnecessarily lack qualifying statements or definitions which remove interpretive loopholes:



ECO-R4 refers to fencing-related activities but does not limit the distance from the fence where it applies.

ECO-R5 refers to maintenance activities but does not define these (though 'maintenance' is defined elsewhere for other elements of the plan, such as in relation to network utilities and cultural and historic heritage).

ECO-R6 does not include a spatial parameter limiting clearing to the amount necessary to enable access.

ECO-R7 is broad and open to interpretation; 'managing fire risk' can mean different things to different people. The lack of clarity may provide a loophole and frustrate council's enforcement work. We strongly recommend providing specific criteria for this rule, for example, limiting this to work which complies with section 43 or 64 of the Fire and Emergency Act 2017.3

18. AWFG encourages the application of a mitigation hierarchy that is consistent with national policy and international best practice, including the framework used for offsetting. While this intention is clear in the Objectives and Policies of Chapter 26, Ecosystems and Indigenous Biodiversity, the rules do not contain links to the mitigation hierarchy of offsetting framework. Where consent is required, these should be applied. As such AWFG seek application of the mitigation hierarchy and Biodiversity Offsetting framework in Appendix 4 for activities requiring consent under Chapter 26.

Benefit Lots

19. The Waitomo District Council has an obligation under Policy 12.2 of the Waikato Regional Policy Statement (RPS) to promote the enhancement, restoration and rehabilitation of the natural character of wetlands. Method 12.2.2 The RPS specifically provides that local authorities should identify opportunities to enhance, restore or rehabilitate the natural character of wetlands where



compromised, including when preparing or reviewing district plans, and that opportunities to restore or enhance natural elements should be considered.

20. The NPS-FW 2020 sets out policies relevant to all Councils, including District Councils. Policy 7 includes promotion of the restoration of wetlands. The WRPS at 11.1.8 requires local authorities to consider offering incentives an using economic instruments to maintain and enhance indigenous biodiversity.
21. Expanding the roles of Benefit Lots would be a straightforward way for Waitomo District Council to meet these obligations, using existing tools. A stronger framework for the use of Benefit Lots to protect and restore wetlands could include rules both a) expanding the provision for Benefit Lots to areas of existing significant wetland habitat, and b) expanding the provision for Benefit Lots to areas where recreation, restoration or enhancement of historic wetlands can be secured. These would be areas that might not yet be identified as significant but have the potential to be in the future, by virtue of their natural character and indigenous biodiversity and/or potential to provide linkage and stepping stones to large ecological areas.¹
22. As such AWFG seek that the role of Benefit Lots, and the Subdivision Rules relating to Benefit Lots, be expanded so that they can be used to protect and maintain existing significant wetlands, and encourage restoration of historic wetlands which may have significant value in future. Specifically, AWFG seek that the Proposed Plan expand the provision for Benefits Lots to include the Awakino River catchment, due to its national importance as a trout fishery. and have sought changes to the plan in the table below to provide for this.

¹ See WRPS 11.1.1(c) to create buffers linkages and corridors through district plans.



Council freshwater management

23. The NPS-FW 2020 has recently significantly changed the policy goalposts for freshwater management in New Zealand. The Fundamental Concept, Te Mana o Te Wai contains a Framework of 6 Principles relating to management of freshwater. Relevantly for the Waitomo District Council, in its capacity as a decision maker on the Proposed Waitomo District Plan this includes the principle of Governance:

Governance: the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future.

24. Also relevant are the principles of Stewardship and Care and Respect and the Hierarchy of Obligations which prioritises first, the health and wellbeing of water bodies and freshwater ecosystems. As the Council is an agency which owns and controls more land than any other entity, it is important that these obligations and responsibilities are actioned in its land management.

Stewardship: the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations

Care and respect: the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.

25. Together, these principles establish that all New Zealanders, and in particular, Councils as a body with authority for making decisions about freshwater have responsibilities and obligations. They provide a mandate for the District Council to carefully consider how its management of its own interests in land and freshwater can be adjusted to give effect to the NPS-FM, particularly



in the context of the decisions available to it under the Review of the Waitomo District Plan. Policy 1 of the NPSFM is that freshwater is managed in a way that gives effect to Te Mana of te Wai.

26. The specifications in the WRPS also provide clear considerations. The WRPS method 12.2.2 is that local authorities should identify opportunities to enhance, restore or rehabilitate the natural character of lakes and rivers and their margins where they have been compromised. This includes in District planning, by considering (at a minimum) the following opportunities:
 - a. the removal of derelict or unnecessary structures;
 - b. restoration or enhancement of natural elements;
 - c. enhancement of water quality;
 - d. modification of existing development to be less intrusive; and
 - e. de-reclamation of redundant reclaimed land.

27. There is a mandate and pathway for the Waitomo District Council to lead by example in freshwater management through the Waitomo District Plan. Without applying criteria to Council owned land, the Council's obligations and responsibilities in relation to freshwater are not addressed.

28. AWFG strongly encourages the Council to include new provisions in the District Plan which are targeted at freshwater management on its land. We recommend that the Council set a list of criteria for activates on land controlled, owned and/or leased by the Waitomo District Council. This land could be mapped and recorded as an overlay associated with Chapter 26 Ecosystems and Indigenous Biodiversity.

29. The criteria for the use of Council-owned land should include methods, including rules to ensure:
 - Public access to waterbodies is provided;



- No grazing or other polluting activity can occur within a 20m of the bed of a waterway;²
- Drainage, fertiliser and pesticide use are avoided and minimised;
- The land use must be compatible with the goals of the Vision and Strategy for the Waikato River,³ and the Policies of the NPS-FM and Te Mana o te Wai. Specifically, this would require replacement of any existing activities which cause contamination to freshwater with activities are less impactful or intrusive than those previously undertaken, and would be consistent with restoration of water bodies to health within a generation;
- Any riparian area which is not currently under lease, or for which the lease expires should be retired from land uses which may pollute freshwater (such as grazing), with a plan made to provide for its restoration. This is consistent with WRPS 8.3.10(e) which requires District Councils to manage freshwater effects through District Plans by considering providing for the creation of riparian habitat and appropriately vegetated riparian margins.

30. Rules and methods which apply to council land specifically are not novel; for example, proposed rule ECO-R1 concerns activities on Council land. In addition, there are many overlays which link to rules for specific areas.

Maimai

31. The right to build, tag and use maimai is a fundamental part of duck shooting in New Zealand and managing this activity is a core function of AWFG. AWFG enforces the relevant legislation that regulates maimai use in the field (Wildlife Act, 1953, Wildlife Regulations 1955). A wide range of structures are used as maimai, including permanent and temporary structures. Such structures

² This is consistent with WRPS, 8.3.8, that district plans shall ensure that the health of freshwater is maintained and enhanced by addressing adverse effects on indigenous species and providing appropriate setbacks. WRPS 11.1.1(c) requires district plans to maintain or enhance indigenous biodiversity by creating buffers to protect indigenous biodiversity values

³ Which applies to the Waipa and all of its tributaries.



are accepted around much of New Zealand as a permitted activity. Maimai need to be of adequate size to maintain safe shooting zones and not to compromise hunter safety.

32. The Waikato Regional Plan under Rule 4.2.7 provides that maimai are a permitted activity subject to the floor area not exceeding 10m², the overall height not exceeding 2.5m from 3 the floor. Within these requirements, maimai also fit the criteria for exempted building work under the Building Act 2004, and do not require consent.⁴

33. AWFG support provisions in the proposed plan that provide for the building of maimai on or near wetlands, lakes or rivers as a permitted activity. We further support the inclusion of a definition for 'maimai' within the proposed plan that is consistent with the Waikato Regional Plan.

Noise from game bird hunting

34. Noise is an intrinsic part of game bird hunting activities. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the game bird hunting season.

Game bird hunting is compatible with rural character

35. Recreational game bird hunting is a very popular activity in the rural environment and a defining feature of rural character. Its effects are accepted and able to be managed in rural areas. Recreational hunting is of recognised value in the Waikato Region, and Waitomo District providing significant tourism opportunities.

⁴ Building Act 2004, s 41(1)b and Schedule 1(3).



36. AWFG supports the following rules:

GRUZ-14 which enables recreational hunting as a permitted activity in the General Rural Zone (Chapter 42: General Rural Zone).

NOSZ-R3 which enables recreational hunting on private land as a permitted activity in the Natural Open space Zone (Chapter 48: Natural Open Space Zone).

37. The definition of “Recreational Hunting” in Chapter 9: Definitions appropriately captures game bird hunting activities:

Recreational hunting: means non-commercial hunting where the hunter(s) pursue game for recreation as a pastime, without gaining pecuniary reward from the hunting

38. It is appropriate to ensure game bird hunting does not require consent. However, there is a risk that permitted hunting activities do at times fail to meet the current permitted activity thresholds for noise in NOISE-R1 (Chapter 37: Noise), given their unusual characteristics, and depending on terrain. A similar rule inconsistency is addressed in the Waikato District Plan (Decisions Version), where noise generated by hunting is given permitted activity status. We support a similar approach in the Waitomo District Plan. The Proposed Plan’s framework enables various noise emitting activities to operate as permitted activities, outside of the general rule. Our recommendation to enable noise emitted by hunting activities as a permitted activity follows this framework.

Reverse sensitivity issues

39. Game bird hunting activities can often become an affected ‘adjacent activity’ as residential subdivision expands in the Waikato Region. Introducing new dwelling areas in the vicinity of hunting areas can have severe implications on the future of the hunting activity. For example:



- The Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of a serious offence.
- Shotgun noise may also be a particular issue for noise sensitive activities in-keeping with rural character, such as any equestrian arena in the vicinity of maimai used during the game bird hunting season.

40. Reverse sensitivity effects in relation to subdivision are addressed in Chapter 29: Subdivision, and reverse sensitivity effects in relation to noise sensitive activities at Chapter 37: Noise. AWFG supports the following provisions in these chapters:

Objective SUB-11, Ensure new allotments created close to the boundary of a rural production zone, indicative rural production area or an established site of intensive indoor primary production identify a building platform(s) in a location which minimises reverse sensitivity effects.

Policy SUB-P3, 4, discourage subdivision that would... result in reverse sensitivity effects on adjacent sites, adjacent activities or the wider receiving environment.

Policy SUB-P10, 3, Ensure subdivision does not compromise the predominant function, character and amenity of the general rural zone by: ... Minimising the potential for subdivision which would result in reverse sensitivity effects on adjacent rural activities or activities in the rural production zone.

Objective NOISE-03, New noise sensitive activities are designed and located to minimise conflict and reverse sensitivity effects. 37. However, these higher-level provisions are not sufficient to ensure hunting activities are protected. "Reverse sensitivity effects" is



such a general term that it is not possible to be confident that conflicts with game bird hunting activities will be considered. Rules should be strengthened to provide greater protection from conflict to game bird hunters in the Waitomo District

41. However, these higher-level provisions are not sufficient to ensure hunting activities are protected. “Reverse sensitivity effects” is such a general term that it is not possible to be confident that conflicts with game bird hunting activities will be considered. Rules should be strengthened to provide greater protection from conflict to game bird hunters in the Waitomo District.
42. In addition to the specific recommendations in the table below, AWFG recommends that where reverse sensitivity issues are discussed in the plan, specific reference is given to recreational hunting, especially in relation to subdivisions and new growth.

Hunting and angling activities on water

43. Anglers and hunters often rely on the surface of water to engage in the sports. AWFG also relies on water to access and monitor sites in undertaking its operations. These activities could be more clearly provided for throughout Chapter 30: Activities on the Surface of Water.

Public access and esplanade reserves and strips

44. 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.

45. AWFG has a statutory obligation to maintain and enhance access to sports fisheries and game bird hunting areas. Public access to lakes, rivers and public spaces can be fragmented by the subdivision process if not carefully managed. The subdivision process itself however provides an opportunity to maintain public access and associated linkages. The recreation of esplanade reserves for example can provide for the protection of conservation values of riparian margins, maintenance of water quality and aquatic habitats and the enhancement of public access and recreational opportunities, including sports fish angling and game bird hunting.
46. Section 6(d) of the RMA recognises that the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers is a matter of national importance.
47. The Council should therefore make the most of every opportunity to enhance public access and increase the coverage of esplanade strips along waterbodies, including through subdivision rules and when subdivision results in the creation of allotments along waterbodies.
48. 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.

Signs

49. Fish and Game has a statutory role to maintain and enhance access to sports fisheries and game bird hunting areas. Accordingly, Fish and Game erects interpretative signage at access points to sports fisheries and game bird hunting areas. The construction,



maintenance, use and removal of these signs is a fundamental aspect of managing game bird shooting and sports fish angling activities in New Zealand and are important functions of AWFG. Such signs are accepted around much of New Zealand as a permitted activity.

50. Fish and Game signs typically have brief information about legal access points, licence requirements, applicable hunting/angling regulations (i.e. local restrictions like “fly fishing only”), and /or the need for licence holders to take precautions against the spread of aquatic pests. Frequently such signs are located in rural areas alongside formed roads or approaches to angling/hunting access points. There are many such signs at access points around the Waitomo District. These are erected, paid for and maintained by the Fish & Game Council and its volunteers. The signs are informative and of a professional national standard that add to the Waitomo District’s vibrancy and cultural well-being by promoting healthy outdoor activities.
51. In some court proceedings involving illegal fishing and similar offending, the presence of adequate signage has been pivotal, in pre-warning the person charged that they were committing an offence.
52. It is not clear within Chapter 39: Signs, which category AWFG signs are likely to fall under: “Official signs”; “public information and sponsorship signs” or “interpretive signs”, as Fish and Game signs are not specified. With different conditions depending on the rule, it is important that AWFG can operate under a single and clear rule. Performance standards, where they apply to the rules, would frustrate AWFG operations which need signs to be placed in certain precise positions, often identifying access points.



C. Specific submission points

Chapter/provision	Support/Oppose	Reason for submission	Amendment required
Part 1 – Introduction and general			
9. Definitions			
Maimai	Support	For the reasons set out in the general submissions above under “maimai” AWFG strongly support that a definition for maimai is included in the Proposed Plan.	
Conservation activities	Support	For the reasons set out in the general submissions over under “wetlands” AWFG strongly support that a definition for conservation activities includes the restoration of wetlands and the margins of waterbodies. We further support the inclusion of Fish and Game New Zealand structures and buildings alongside DOC.	
Recreational hunting	Support	AWFG support the inclusion of recreational hunting and the wording provided which appropriately captures game bird hunting activities.	
Part 2 District wide matters			



26. Ecosystems and indigenous biodiversity			
ECO-P3	Support	AWFG support this policy to provide for permitted activities and the continued operation of lawfully established activities in and adjacent to SNA's by enabling the removal of indigenous vegetation for conservation activities.	
ECO-R4	Seek amendment	For the reasons set out in the general submissions above under "significant natural areas" amend to specify that the rule applies within 2m from the fence	Amend as follows: <i>In the general rural, natural open space, open space and rural lifestyle zones to maintain, relocate or construct perimeter fences for stock exclusion <u>within a 2m distance of fences.</u></i>
ECO-R5	Seek amendment	For the reasons set out in the general submissions above under "significant natural areas" amend to define 'maintenance purposes' for the various structures. In particular, provide a definition for maintenance in relation to water intake/discharge structures.	
ECO-R6	Seek amendment	For the reasons set out in the general submissions above under "significant natural areas" amend to specify that the	Amend as follows: <i>In the event of a track being destroyed by flooding or landslip or other natural hazard and there are</i>



		rule applies to the area necessary to obtain access.	<i>no alternative options to obtain access to undertake existing farming activities, plantation forestry activities or to access an existing residential unit. <u>Vegetation removal is limited to the area necessary to obtain access.</u></i>
ECO-E7	Seek amendment	For the reasons set out in the general submissions above under “significant natural areas” amend so that this rule only applies to work which complies with section 43 or 64 of the Fire and Emergency Act 2017	Amend as follows: <i>In all zones to manage fire risk <u>which complies with section 43 and 64 of the Fire and Emergency Act 2017.</u></i>
ECO-R10	Support	For the reasons set out in the general submissions above under “Enabling AWFG’s habitat maintenance, protection and restoration activities” AWFG strongly support this rule to enable removal of indigenous vegetation for conservation activities as a permitted activity.	
ECO-R11	Support	For the reasons set out in general submissions above under “māimāi” AWFG strongly support this rule to enable removal of indigenous vegetation for a māimāi as a permitted activity.	
Introduce new part	Seek amendment	For the reasons set out in the general submissions above under “Council	



		<p>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. 3. Introduction of new rules controlling drainage, fertiliser and pesticide use. 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. 5. 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	
27. Natural Character			
NATC-P1	Seek amendment	For the reasons set out in the general submissions above under "Hunting and angling activities on water" AWFG seek that this policy be amended.	Amend Policy NATC-P1: Add in an 8th value: <u><i>8. providing for the continued operation of game bird hunting</i></u>
NATC-R1	Support	For the reasons set out in the general submissions above under "Enabling AWFG's habitat maintenance, protection and restoration activities" AWFG support the inclusion of (viii) "conservation activities".	
NATC-R2	Support	For the reasons set out in the general submissions above under "maimai" AWFG strongly support the inclusion of (iii) within this rule.	
28. Natural Features and Landscapes			
NFL-R8	Seek amendment	This rule restricts earthworks in the natural features and landscapes zones. However, many wetlands popular for hunting and require regular maintenance and enhancement works are zoned within	Seek an amendment for conservation activities or otherwise bring the area allowed for earthworks to 500m2 in line with the NES-F.



		outstanding natural landscape areas and come under this rule.	
29. Subdivision			
SUB-09	Support	For the reasons outlined under ‘public access and esplanade reserves and strips’ in the general submission above AWFG support the inclusion of this objective.	
SUB-11	Support	For the reasons outlined under ‘reverse sensitivity issues’ in the general submission above AWFG support the inclusion of this objective.	
SUB-P3-4	Support	For the reasons outlined under ‘reverse sensitivity effects’ in the general submission above AWFG support the inclusion of this policy.	
SUB-P10-3	Support	For the reasons outlined under ‘reverse sensitivity effects’ in the general submission above AWFG support the inclusion of this policy.	
SUB-P25	Seek amendment	For the reasons outlined under “Benefit Lots” in the general submissions above	Amend SUB-P25 as follows:



		AWFG seek the following amendment to this policy.	<i>Give effect to the Waikato River Vision and Strategy through the provision of a subdivision entitlement to create additional allotment(s) where riparian margins of water bodies in the Upper Waipa and <u>Awakino</u> catchments are permanently protected.</i>
SUB-P26	Seek amendment	For the reasons outlined under “Benefit Lots” in the general submissions above AWFG seek the following amendment to this policy.	<p>Amend SUB-P26 as follows:</p> <p><i>2. Achieves permanent protection of riparian margins in the Upper Waipa River <u>and Awakino River</u> catchments; or</i></p> <p><i>4. Acknowledges that where exceptional environmental gains are made, <u>or new public access is offered</u>, in the Upper Waipa River <u>and Awakino River</u> catchments or in significant natural areas in the coastal environment or karst overlay, <u>or to significant trout fisheries</u>, that benefit lots additional to those prescribed in the rule may be considered.</i></p>
SUB-P30	Support	For the reasons outlined under ‘public access and esplanade reserves and strips’	



		in the general submission above AWFG support the inclusion of this policy.	
SUB-R7	Seek amendment	For the reasons outlined under “Benefit Lots” in the general submissions above AWFG seek the following amendment to this rule to include the Awakino River catchment.	Amend SUB-R7 as follows: <i>Fencing of water bodies in the Upper Waipa <u>and Awakino catchments</u></i> <i>1. The property is located in the Upper Waipa River <u>or Awakino River</u> catchment as identified on the planning maps; and</i>
SUB-Table 1: Activities Rules: SUB R1.1-1.20 & SUB-Table 2	Seek amendment	Rules SUB-R1.1-1.20 provide for subdivision in rural zones on a Restricted Discretionary basis. Performance standards (SUB- Table 2) are required to be met; however these do not specify standards relating to managing reverse sensitivity effects. Discretion is restricted to “reverse sensitivity effects” (h), this is a broad provision for discretion, which will be difficult to meaningfully implement in relation to game bird hunting. The above-mentioned Objectives and Policies do not provide specific guidance on this. The rules should contain guidance to ensure the	Amend SUB-R1.1-1.20 as follows: <i>matters over which discretion is restricted... (h)</i> <i>Reverse sensitivity effects <u>including the adequacy of separation distances between building platforms and established rural-based activities (such as game bird hunting)</u>.</i>



		specific considerations needed to address conflict between game bird hunting and subdivision are addressed.	
SUB- Appendix 1	Seek amendment	All applicants are required to provide the information listed in Appendix 1, however this contains no requirement in relation to reverse sensitivity and/or hunting activities.	Amend Appendix 1 to include provision of information relating to measures taken to address the effects of adjacent hunting activities
30. Activities on the surface of water			
ASW-R1	Support	Support the inclusion of hunting and angling as permitted activities on the surface of water in all zones	
32. Coastal environment			
CEH-R1 and CEH-R2	Support	These restricted discretionary rules deal with buildings and structures adjacent to the open coast (CEH-R1), adjacent to Kawhia Harbour or adjacent to a river in the coastal marine area (CEH-R2). The current wording that they “do not apply to a maimai...” is appropriate. Many of these areas are also valued for game bird hunting. Maimai should be enabled when they are less than 10m ² , as permitted in the Waikato Regional Plan.	



37. Noise			
NOISE-03	Support	For the reasons outlined under ‘reverse sensitivity’ in the general submissions above AWFG support this objective.	
NOISE-P1	Seek amendment	The policy recognises that noise from rural activities is an accepted part of environments in rural and future rural zones, but does not mention recreational values (alongside working and living values); specific inclusion of the higher noise levels associated with hunting would assist to recognise the value and place of hunting in the rural environment.	Amend as follows: <i>2. The general rural and future urban zones are working <u>recreation</u>, and living environments. Noise from rural activities is an accepted part of these environments, including higher noise levels at night or in the morning during different times of the year.</i>
New rule:	Seek amendment	For the reasons outlined under ‘ noise and reverse sensitivity ’ in the general submissions above AWFG seek that noise generated by recreational hunting be made a permitted activity.	Seek the following rule be included in the proposed plan: <i><u>NOISE-R9 Emission of noise from hunting activities</u></i>



			<u>Activity Status: PER</u>
39. Signs			
SIGN-R1	Seek amendment	For the reasons set out in the general submissions above under “signs” AWFG seek Rule SIGN-R1 be amended to provide for signs erected and administered by AWFG as a permitted activity.	Amend rule as follows: <i>Activity status: PER Where:</i> <i>1. The sign is required by the New Zealand Transport Agency, KiwiRail, Waitomo District Council, <u>the New Zealand Fish and Game Council</u> or is required to meet legislative requirements such as health and safety legislation.</i>
42. General Rural Zone			
GRUZ-R14	Support	For the reasons set out in the general submissions above under “noise from game bird hunting” AWFG strongly support the inclusion of this rule to enable	



		recreational hunting as a permitted activity in the General Rural Zone.	
48: Natural Open Space Zone			
NOSZ-R3	Support	For the reasons set out in the general submissions above under “noise from game bird hunting” AWFG strongly support the inclusion of this rule to enable recreational hunting on private land as a permitted activity in the Natural Open-space Zone.	

Signed by:

A handwritten signature in blue ink, appearing to read "Ben Wilson".

Ben Wilson
Chief Executive