

FORM 6: FURTHER SUBMISSION ON A PUBLICLY NOTIFIED PROPOSED PLAN CHANGE UNDER CLAUSE 8 SCHEDULE 1 TO THE RESOURCE MANAGEMENT ACT 1991 (RMA)

HAMILTON CITY OPERATIVE DISTRICT PLAN PROPOSED PLAN CHANGE 5 – PEACOCKE STRUCTURE PLAN

FURTHER SUBMISSION FORMS CAN BE:

- Posted to: Freepost 172189, Hamilton City Council, Private Bag 3010, Hamilton 3240, Attn: Plan Change 5 Further Submission.
- Delivered to: Hamilton City Council Municipal Building, Garden Place, Hamilton.
- Emailed to: haveyoursay@hcc.govt.nz

NOTE TO PERSON MAKING A FURTHER SUBMISSION:

Important: Further submissions must reach council by Wednesday 16 March 2022.

You must serve a copy of your further submission on the original submitter within five working days after it is served on the local authority.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious;
- It discloses no reasonable or relevant case;
- It would be an abuse of the hearing process to allow the submission (or part) to be taken further;
- It contains offensive language;
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Following the close of further submissions, a report will be prepared on the proposal and a hearing date will be set and notified to all submitters and 'further submitters' who wish to be heard. Council will make all further submissions, including name and contact details, publicly available on Council's website. Personal information will also be used for the administration of the submission process and will be made public.

Please print and do not use pencil. You can attach more pages if necessary. If you do not wish to use this form, please ensure that the same information required by this form is covered in your further submission.

SUBMITTER DETAILS (all fields required)

Full name: Margaret and Murray Shaw

Contact Person: (If different from above, include name and designation) James Hook, Planning Consultant

Company name: (if applicable) Envivo Limited

Postal address for service: (or alternative method of service under s 352 of the RMA) c/- james.hook@envivo.nz

Email address for service: c/- james.hook@envivo.nz

Phone number(s): +649 638 2601/ +64 21 444313

FURTHER SUBMITTER RELEVANCE I am: (select one)

~~A person representing a relevant aspect of the public interest.~~

A person who has an interest in the proposal that is greater than the interest the general public has.

~~The local authority for the relevant area.~~

State the reason for your selection: The Submitters own land subject to Plan Change 5 (located at 143 and 148 Hall Road, Peacocke)

DO YOU WISH TO ATTEND AND SPEAK AT THE COUNCIL HEARING IN SUPPORT OF MY FURTHER SUBMISSION?

Yes No

IF OTHERS MAKE A SIMILAR SUBMISSION WOULD YOU BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING?

Yes No

SIGNATURE OF FURTHER SUBMITTER (your signature or that of the person authorised to sign on behalf of the person making this further submission)

Signature:



Date: 16 March 2022

THE SPECIFIC SUBMISSION(S) THAT THIS FURTHER SUBMISSION RELATES TO ARE:

NAME OF ORIGINAL SUBMITTER AND SUBMITTER NUMBER	ORIGINAL SUBMISSION POINT NUMBER(s)	STATE WHETHER YOU SUPPORT OR OPPOSE THIS SPECIFIC PART OF THE ORIGINAL SUBMISSION	STATE THE REASONS FOR FURTHER SUBMITTERS SUPPORT OR OPPOSITION	WHAT DECISION DO YOU SEEK FROM COUNCIL ON THE WHOLE OR PART OF THE ORIGINAL SUBMISSION? <i>Give precise details. Sample - I seek that the whole (or part [describe part]) of the submission be either: Allowed / Disallowed</i>
1. Glenview Club	1.2 1.5	Support	Opposes the areas identified as Natural Open Space zone, SNA Overlay and Significant Bat Habitat.	Requests deletion of the Natural open Space zone, SNA overlay and Bat Habitat along with consequential amendments
7. Frankie Letford	7.2	Support	Supports request for formal recognition and protection of Shaw's Bird Park	Formal recognition and protection of Shaw's Bird Park
10. Waka Kotahi	10.13 10.14	Support in Part/Oppose in Part	Supports cycle facilities but opposes parallel routes for local traffic and cycling	Seeks amendments to roading key design principles to provide greater design flexibility
12. Hodgson Trustee Management CO. Ltd	12.3	Support	Opposes identified ecological corridors due to incomplete survey and field inspection	Removal of all un-surveyed ecological corridors from PC5
13. Jones Lands Limited	13.3	Support	Opposes staging requirements being specified as a pre-requisite for subdivision	Modification/removal of staging requirements to satisfy the concerns of the Further Submitter
	13.5	Support in Part/Oppose in Part	Supports/opposing in part the Structure Plan Rooding layout.	Requests amendments "to create more logical and functional connectivity" including amending the alignment of all roads that cross the Further Submitters' land
14. Northview Capital Limited	14.7	Support	Opposes ecological corridors, bat corridors, reserves, SNAs and significant Bat Habitat areas	Removal of all un-surveyed ecological corridors, SNA overlay and Bat Habitat from PC5 along with consequential amendments
15. Tilehurst Living Trust	15.2 15.4		Opposes ecological corridors, bat corridors, reserves, SNAs and significant Bat Habitat areas	Removal of all un-surveyed ecological corridors, SNA overlay and Bat Habitat from PC5 along with consequential amendments
18. Fire and Emergency NZ	18.18	Oppose	Opposes R21 minimum road widths (24.2m for collector road)	Amend road widths for consistency with NZS 4404, and consequential amendments to satisfy the concerns of the Further Submitter
20. Go Eco (Waikato Environmental Centre)	20.1	Support	Opposes deletion of Policy 3.4.1.3b	Retain Policy 3.4.13b and associated provisions that seek to avoid of large scale earthworks i.e. filling of gullies across the Peacocke Structure Plan area
	20.3	Oppose	Supports retention of Policy 31	Amend Policy 31 and associated provisions to recognise the community benefits obtained from informal recreation and use of the gully systems (including by the Shaw's Bird Park)

26. Alan Tsai	26.1	Oppose	Opposes the Peacocke Structure Plan	Withdraw PC5, undertake further consultation with landowners and stakeholders, amend the Structure Plan to address the Resource Management Act “housing supply” amendments, and re-notify as a new Plan Change
27. Johnny Tsai	27.4	Support	Opposes the proposed bat buffer width	Reduce the width of the proposed bat buffer/corridor and remove it from areas that do not provide suitable habitat for bats
30. Andrea Graves	30.10 30.11	Oppose	Opposes the identification of extensive area of SNA withing gully systems without detailed ecological survey information	Removal of all un-surveyed ecological corridors, SNA overlay and Bat Habitat from PC5 along with consequential amendments
33. Shih-An Tseng	33.3	Support	Opposes requirement for bat survey where protection of 20m wide SNA is required	Delete requirement for bat survey when SNA vegetation already requires protection.
	33.4	Support	Opposes the required 50m width of the bat corridor	Reduce the width of the proposed bat buffer/corridor and remove it from areas that do not provide suitable habitat for bats
35. Kevin and Kathy Sanders	35.1 35.9 35.10	Support	The requirement to provide ecological protection and enhancement for benefit of community places an “unreasonable burden” on specific landowners (as identified in s.32 analysis)	Delete the provisions or provide compensation for landowners subject to Proposed Natural Open Space/Bat Corridor requirements, recognising that the purpose of those provisions is to provide an environment/ community benefit
	35.1	Support	Features on the Structure Plan [Appendix 2 – Structure Plan Figure 2-1 (Land Use)] are not included in the Legend	Remove all features that are not included in the Legend
	35.3	Support	Features on the Natural Environments and Heritage Plan Figure 2-3 are not included in the Legend	Remove all features that are not included in the Legend
	35.8	Support	Natural Environments and Heritage Plan Figure 2-3 identifies areas that do not meet the requirements for an esplanade reserve (under proposed Rule 13)	Delete all esplanade reserves that do not meet the statutory requirements for vesting of an esplanade reserve (which will be assessed and determined at the time of subdivision)
36. Waikato Regional Council	36.25	Oppose	Opposes retention of and amendments to Policy 31	Amend Policy 31 and associated provisions to recognise the community benefits obtained from informal recreation and use of the gully systems (including by the Shaw’s Bird Park)

	36.78	Oppose	Opposes Cross Section of collector road in Chapter 3A – Road Cross Section Diagrams	Amend the road cross section to reduce legal road width and provide flexibility for the provision of cycle facilities
37. WEL Networks Limited	37.10	Oppose in part, Support in part	Opposes road formation standards in part Table 15-6b, supports request for clarification of services location within road cross section.	Amend Table 15-6b to reduce road widths and to clarify services corridor requirements.
38. Director-General of Conservation	38.27	Oppose	Opposes retention of Policy 31	Amend Policy 31 and associated provisions to recognise the community benefits obtained from informal recreation and use of the gully systems (including by the Shaw's Bird Park)
	38.28	Oppose	Opposes amendments to Policy 35	Retain Policy 35 as notified
	38.29	Oppose	Opposes amendments to Policy 36	Retain Policy 36 as notified
	38.32	Oppose	Oppose requirement for new policy to require monitoring of the long-tailed bat population	Requests deletion of all bat survey, protection and monitoring requirements from Peacocke Structure Plan (PC5)
39. Ron Lockwood	39.1	Support	Opposes Natural Open Space zone as shown in [Appendix 2 – Structure Plan Figure 2-1 (Land Use)]	Requests deletion of Open Space Zone, and if retained the opportunity for access across Open Space zone to enable reasonable use and development
41. Shortbread Limited	41.29	Oppose	Opposes retention of Rule 21	Amend Table 21 to reduce legal road width that are consistent with NZS 4404 and provide flexibility for the provision of cycle facilities
	41.33	Oppose	Opposes retention of Table 15-6b	Amend Table 15-6b to reduce legal road width and provide flexibility for the provision of cycle facilities
44. Cordyline Holdings Ltd	44.3 44.10	Support	Opposes transport network layout shown on Structure Plan Figure 2-2 (Transport)	Amend the Structure Plan Figure 2-2 (Transport) to clarify that the transport network is indicative only
	44.4	Oppose	Opposes the location of the Bat Corridor and Bat Habitat on Figure 2-3	Delete the provisions or provide compensation for landowners subject to Bat Corridor requirements
46. Ben And Rachel Inger	46.3 46.5 46.8	Support	Supports the principle that HCC should acquire land for bat corridors to be vested as Local Purpose reserve	Delete the provisions or provide compensation for landowners subject to Bat Corridor requirements
47. Pragma Homes Ltd	47.6	Support	Supports requests for clarification of construction requirements for cycle ways on land subject to designation	Requests confirmation that requiring authority is responsible for construction of cycle ways on land subject to designation

48. Gregory Alan Knight	48.28	Oppose	Opposes retention of Rule 21	Amend Table 21 to reduce legal road width that are consistent with NZS 4404 and provide flexibility for the provision of cycle facilities
	48.29	Support	Opposes 50m wide bat corridor	Reduce the width of the proposed bat buffer/corridor and remove it from areas that do not provide suitable habitat for bats
	48.32	Oppose	Opposes retention of Table 15-6b	Amend Table 15-6b to reduce legal road width and provide flexibility for the provision of cycle facilities
50. Stuart and Maylene Ross	50.25	Oppose	Opposes retention of Rule 21	Amend Table 21 to reduce legal road width that are consistent with NZS 4404 and provide flexibility for the provision of cycle facilities
	50.26	Support	Opposes 50m wide bat corridor	Reduce the width of the proposed bat buffer/corridor and remove it from areas that do not provide suitable habitat for bats
51. Ebenezer Property Limited Partnership	51.30	Support	Opposes 50m wide bat corridor	Reduce the width of the proposed bat buffer/corridor and remove it from areas that do not provide suitable habitat for bats
	51.33	Oppose	Opposes roading widths specified in Table 15-6b	Amend road widths for consistency with NZS 4404, and consequential amendments to satisfy the concerns of the Further Submitter
52. Jacky Li and Alex Zheng	52.37	Oppose	Opposes roading widths specified in Table 15-6b	Amend road widths for consistency with NZS 4404, and consequential amendments to satisfy the concerns of the Further Submitter
53. The Adare Company	53.16	Support	Opposes Policy P44 and cross sections in Chapter 3A – Road Cross Section Diagrams	Requests amendments to clarify cycleway policy (P44) and associated cross sections in Chapter 3A – Road Cross Section Diagrams
	53.21	Support	Opposes roading widths specified in R21 Roading and Access	Requests narrower minimum dimensions that are consistent with NZS 4404
	53.62	Support	Supports amendment to Chapter 20 Rule 20.3 Activity Status Tables	Amend Chapter 20 Rule 20.3 Activity Status to activity table to provide for informal recreation as a Permitted Activity
	53.69	Support	Opposes Esplanade Reserves shown on Figure 2-3 Natural Environment and Heritage	Delete esplanade reserves from Figure 2-3 Natural Environment and Heritage and determine requirement for

				Esplanade Reserves in accordance with the provisions of the District Plan at the time of subdivision
	53.73 53.94	Support	Supports deletion of the proposed esplanade reserve provisions	Delete esplanade reserves from Figure 2-3 Natural Environment and Heritage and determine requirement for Esplanade Reserves in accordance with the provisions of the District Plan at the time of subdivision
	53.77	Support	Supports reducing the width of collector roads in Table 15-6b and associated cross sections	Requests reduced minimum dimensions that are consistent with NZS 4404
	53.80	Support	Opposes 50m wide bat corridor	Reduce the width of the proposed bat buffer/corridor and remove it from areas that do not provide suitable habitat for bats
	53.87	Support	Supports the request for compensation for landowners required to protect Bat Corridors and Bat Habitat (as shown on Figure 2-3)	Delete the provisions or provide compensation for landowners subject to Bat Corridor requirements
	53.92	Support	Opposes location of Open Space Zones	Requests deletion of the Natural open Space zone
	53.98	Oppose	Opposes the specific amendments requested by the Submitter to Table 15-6b	Amend road widths for consistency with NZS 4404, and consequential amendments to satisfy the concerns of the Further Submitter
55. Kainga Ora	55.164	Oppose	Opposes retention of Rule 21	Amend Table 21 to reduce legal road width that are consistent with NZS 4404 and provide flexibility for the provision of cycle facilities
	55.381	Support	Supports request for amendments to reduce width of collector road	Amend R21 Roading and Access to reduce width of collector road to 18m
	55.411	Support	Supports request for amendments to reduce width of collector road	Amend Table 15-6b to reduce width of collector road to 18m
56. Riverlea Environmental Society Inc	56.1	Oppose	Opposes PC5 - Peacocke Structure Plan	Withdraw PC5, undertake further consultation with landowners and stakeholders, amend the Structure Plan to address the Resource Management Act "housing supply" amendments and re-notify as a new Plan Change
	56.2 56.3 56.4 56.5	Oppose	Opposes the requirement to protect Bat Corridors and Bat Habitat (as shown on Figure 2-3)	Delete the provisions or provide compensation for landowners subject to Bat Corridor requirements

57. Victoria Collins and Troy Radovancich	57.2	Support	Supports request for confirmation of access to properties accessed from Northern Hall Road	Requests certainty that access to 148 Hall Road will also be available from E-W road
58. Harvey Aughton (Go Eco Waikato Environmental Centre)	58.1	Support	Opposes deletion of Policy 3.4.1.3b	Retain Policy 3.4.13b and associated provisions that seek to avoid of large scale earthworks i.e. filling of gullies across the Peacocke Structure Plan area
	58.3	Oppose	Opposes Policy 31	Amend Policy 31 and associated provisions to recognise the community benefits obtained from informal recreation and use of the gully systems (include by the Shaw's Bird Park)
	58.4	Oppose	Opposes the requirement to protect Bat Corridors and Bat Habitat under P35 (as shown on Figure 2-3)	Delete the provisions or provide compensation for landowners subject to Bat Corridor requirements