

EVIDENCE David Mead.  
TOPIC PC 113  
SUB# Eight.  
DATE 18 Nov 2013.

**Attachment to Supplementary Statement - David Mead. 18  
November 2013**

**Comments on Changes to PC 113 Sought in Submission and  
Evidence by Department of Conservation (Riddell)**

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 TOPIC PC 113  
 SUB# 282  
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Changes to PC 113 Sought in Submission and Evidence by Department of Conservation (Riddell)

PC Section	Changes sought by DoC DoC additions shown as: <u>wildlife refuge</u> , deletions shown as: <u>wildlife refuge</u>	Agree / Disagree	Comments / Possible changes
<b>REE.1 Ruakaka Equine Environment</b>			
REE.1.1 Description	On the southern tip of the Crown Land, adjacent to the Ruakaka Estuary, there is a <u>wildlife reserve and wildlife refuge</u> . This <u>reserve and wildlife refuge</u> does not abut the site.	Agree	The wildlife refuge is a reserve, but useful to refer to the refuge for the sake of clarity, i.e. "wildlife reserve and refuge"
REE.1.3 Objectives	4. The natural character of the coastline is protected, and any adverse effects of development on the adjacent DoC administered reserves, <u>Ruakaka Wildlife Refuge</u> and dune lake and their significant wildlife are avoided.	Agree	Ruakaka Wildlife Refuge is all within a reserve or the Coastal Marine Area
REE.1.4 Policies	1. ii. There will be a maximum of 360 100 dwelling residential units across the Environment. <u>Units in visitor accommodation developments and retirement villages or similar may be in addition to this.</u>	Disagree	Addressed in my evidence.
REE.1.4 Policies	2. To preserve the natural character of the coastline, and the neighbouring dune lake and Department of Conservation reserve and wildlife refuge, for example by setting back buildings and providing indigenous vegetated buffer strips along the boundaries.	Agree	However, the setbacks and vegetated buffer strips will have little influence on the wildlife refuge more than 300m away
REE.1.4 Policies	8. To protect the ecological values of the coastal area, and the reserves adjacent to the Environment, <u>Ruakaka Wildlife Refuge</u> and the dune lake including through a <u>Habitat Protection Plan-Ecological Management Plan</u> , building location and design, vegetated buffers, access controls, control of plant and animal pests, and limiting human disturbance of habitats.	Agree	The wildlife refuge is part of the adjacent reserve or in CMA, but the controls are intended to protect these values as well as those closer to the REE.
REE.1.5 Management Plan Requirements	2. The Management Plans must contain the following information: <ul style="list-style-type: none"> <li>How access to the adjacent DoC-administered reserve areas will be managed</li> </ul>	Agree in principle	Access control is to be part of the Habitat Protection Plan/Ecological Management Plan. Reference to access into adjacent DoC reserves could be included in the matters to be addressed in the Ecological Management Plan (ie REE 1.5.4).
REE.1.5 Management Plan Requirements	2. The Management Plans must contain the following information: <ul style="list-style-type: none"> <li>Natural character effects assessment</li> </ul>	Disagree	Natural character assessments will be part of the required "ecological effects assessment" and "landscape and visual effects assessment". There is no need for a separate natural character assessment. For clarity, the words "including natural character" could be added to these assessment.
REE.1.5 Management Plan Requirements	3. Management Plans shall set out how the Precinct is to be developed, in a way that responds to and is compatible with the above assessments, while taking into account relevant objectives and policies and must contain, as a minimum, the following (as relevant to each Precinct): <ul style="list-style-type: none"> <li>Activities, and their activity status (permitted or discretionary)</li> </ul>	Disagree	The Management Plan can authorise (grant consent as a discretionary activity to) some activities and development effectively giving them permitted activity status (subject to standards), but may leave some components as further discretionary activities where this is required so that details of specific activities and effects can be managed by subsequent consent processes.
REE.1.5 Management Plan Requirements	3. Management Plans shall set out how the Precinct is to be developed, in a way that responds to and is compatible with the above assessments, while taking into account relevant objectives and policies and must contain, as a minimum, the following (as relevant to each Precinct): <ul style="list-style-type: none"> <li>Access points to adjacent DoC-administered reserve areas, and construction standards for access tracks and for boundary fences</li> </ul>	Agree	Would have been part of the Habitat Protection Plan/Ecological Management Plan so an explicit statement is appropriate.
REE.1.5 Management Plan Requirements	3. Management Plans shall set out how the Precinct is to be developed, in a way that responds to and is compatible with the above assessments, while taking into account relevant objectives and policies and must contain, as a minimum, the following (as relevant to each Precinct): <ul style="list-style-type: none"> <li>Identification and protection of areas of biological significance</li> </ul>	Disagree	Within the REE, the dune slack wetland has been identified as a specific feature of significance in the initial Ecological Assessment prepared by Wildlands. The Habitat Management Plan/Ecological Management Plan will address this.
REE.1.5 Management Plan Requirements	4. In addition to the Management Plan required under rule 1.5.1 above, the Ecological Effects Assessment should provide a specific Habitat Protection Plan Ecological Management Plan shall be prepared for the whole Environment and submitted with the Management Plan. If there is already an approved Ecological Management Plan a review of that plan shall be undertaken and submitted with the Management Plan application.	Agree in part	I am unsure how "areas of biological significance" may be interpreted. The Plan Change proposed that the Habitat Protection Plan/Ecological Management Plan would be prepared as an integral part of the Management Plan for each Precinct. Precincts will develop in different time frames and contain different mixes of activities and as a consequence, environment effects. It was expected that the Habitat Protection / Ecological Management Plan for each precinct will build on and complement any preceding ecological management plan. The first management plan should not and cannot address all future effects, only those effects arising from

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REE.1.5 Management Plan Requirements	4. (cont'd) The Ecological Management Plan that is to set out how the significant ecological values of the adjacent DOC-administered reserve areas, Ruakaka Wildlife Refuge and the dune lake are to be protected. Including <u>The Habitat Protection Plan should address potential effects associated with:</u> <ul style="list-style-type: none"> <li>• human disturbance, and</li> <li>• plant and animal pests.</li> </ul>	Agree	the development enabled by the management plan. However as discussed in my evidence it is appropriate the first management plan put in place the framework for subsequent ecological management plans.
REE.1.5 Management Plan Requirements	4. (cont'd) The Habitat Protection Plan Ecological Management Plan should shall be prepared and reviewed in consultation with the Department of Conservation and <u>Wā-tangata whenua</u> . When the Ecological Management Plan (or its review) is submitted for approval it shall include a summary of the consultation undertaken, the responses received from the Department of Conservation and from tangata whenua, and the changes (if any) made to the Ecological Management Plan as a result of the consultation.	Agree in part	Consultation is required, but I note that the District Plan cannot seek 'approval' of DoC or tangata whenua. The policy can use the term "shall" in relation to consultation.
REE.1.5 Management Plan Requirements	4. (cont'd) The Habitat Protection Plan Ecological Management Plan is to specify the actions to be taken to address manage and avoid adverse effects, taking into account the nature and type of development to be provided for by the main Management Plan. Actions may include: <ul style="list-style-type: none"> <li>• the rehabilitation of adjacent dune habitats aimed at enhancing natural habitat values</li> <li>• fencing and access controls to prevent access to DoC-administered reserve areas (except at limited specified locations), to discourage the dumping of green waste over the boundary, and to prevent grazing animal access to DoC-administered reserve areas.</li> <li>• the identification of access points to the DoC-administered reserve land</li> <li>• the establishment and maintenance of a track network to DoC standards within the DoC-administered reserve land to provide controlled access to the beach,</li> <li>• ongoing pest animal control (including dogs, cats, mustelids, rabbits, hedgehogs, rats, grazing animals, hawks, falcons and possums) for the protection of sensitive fauna species, and for plant pest management, both within the Racecourse Environment and adjacent reserve areas</li> <li>• managing water use within the Environment to maintain the natural hydrological processes of the dune lake</li> <li>• the management of light-spill and noise to protect indigenous species</li> <li>• providing detailed information for residents, workers and visitors on the habitats and fauna of the coastal dunelands, dune lake and wildlife refuge, and their significance and vulnerability, with a focus on what is appropriate behaviour and what behaviour must be avoided</li> <li>• the employment of a warden; and</li> <li>• baseline and outcome monitoring to determine effectiveness of the plan.</li> </ul>	Agree in part	<p>Access controls and waste dumping controls agreed; however I note that 4m high fences are proposed in Beachamp evidence. This is an unreasonable and excessive height.</p> <p>Agree in relation to walking beach access track from REE, but not in relation to walkways within the southern reserve as access into that area is to be controlled</p> <p>Agree to animal control within the REE and into the adjacent reserves but not to take over DoC responsibility and powers for whole reserves. Hawks and falcons should be excluded from the list of animals for control.</p> <p>On-site soakage of stormwater is to occur. The taking of water for activities like irrigation is a regional council issue</p> <p>Noise effects are not considered to be significant based in evidence of Dr Martin. Light spill is a potential issue but can be mitigated through use of directional lighting, buffer planting and use of lights with longer wave lengths</p> <p>Part-time warden/nesting wardens may be an appropriate action, but not funding a permanent fulltime position. See comment below re variety of impacts on the reserve.</p> <p>Monitoring needs to recognise that the management plan is to control possible impacts of activities in the REE on the reserve. It is not a management plan to ensure sustainable management of the whole of the reserve (given the wide range of users and pressures on the reserve).</p>
REE.1.5 Management Plan	4. (cont'd) For Management Plans that are to provide for residential development, the Habitat Protection Plan Ecological Management Plan is to also determine the process by which residents (or other	Disagree in part	Disagree with the removal of the words "in the lead up to and during the breeding season" My supplementary evidence provides recommended changes

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Requirements	DoC additions shown as: <del>wildlife refuge, deletions shown as: wildlife refuge</del> interested and/or appropriately qualified and experienced persons <del>can</del> will assist with the management of the reserves, Ruakaka Wildlife Refuge and the dune lake, <del>in the lead-up to and during the breeding season.</del> Actions could include undertaking predator control, maintaining fences (temporary and permanent), and acting as nest wardens to educate recreational users of the need to avoid disturbance of roosting, foraging and nesting birds.		Note the term "assist with" is important, rather than take full responsibility, as the Wildlife Refuge is extensive and partly remote from the REE while there are a number of sources of possible disturbance, including current residents, visitors, as well as possibly new residents in other development areas who may not be the subject of a specific management plan.
REE.1.5 Management Plan Requirements	4. (cont'd) The Habitat Protection Plan Ecological Management Plan should set out an appropriate structure to co-ordinate and manage residents' input (such as a Residents' Society) <del>to implement it in perpetuity, including and funding sources for this activity, including sharing of costs with other developments in the area.</del>	Part agree	Do not agree with removal of the words "including sharing of costs with other developments in the area". The HPP/EMP is intended to create long-term management arrangements, possibly including funding but the WRC should not have to fund all costs of maintenance of the DoC reserve. There are likely to be benefits from working with other subdivisions nearby who may also have similar or same requirements imposed on them.
REE.1.5 Management Plan Requirements	4. (cont'd) A bond may be required to ensure the Ecological Management Plan is implemented.	Agree	The conditions of the management plan will be subject to normal monitoring and enforcement provisions. Bonds normally relate to physical works (eg landscaping) and can be imposed through Management Plan process. Should refer to ensuring that 'relevant parts the Plan are implemented', or similar.
<b>REE.2 Precinct A – Infield and Racetrack</b>			
REE.2.3.A Non-complying Activities	1. Any activity not an equine-related activity or a discretionary or prohibited activity.	Disagree	Do not agree with introduction of Prohibited Activity status or use of non-complying status for activities not authorised by a management plan.
REE.2.3B Prohibited Activities	1. The keeping of cats, dogs or mustelids in this Precinct and the bringing of cats, dogs or mustelids into the Precinct.	Agree	Agree with the intention, but someone bringing their dog in a horse float for a training session or race meeting would fall within this control. Covenants on future titles likely to be more effective method.
REE.2.4 Eligibility	2. Any activity not an equine-related activity or a discretionary activity shall be a non-complying activity	Disagree,	REE follows Council's preferred approach to District Plan structure
REE.2.5 Notification	Discretionary land-use proposals that are not contrary to the requisite policies are precluded from public notification.	Agree in part	Management Plans should be subject to normal tests under the RMA.
REE.2.6 Requisite Performance Standard Policies		Disagree	'Requisite Policies' is terminology consistent with schema of Whangarei District Plan
<b>REE.3 Precinct B – Southern</b>			
REE.3.1 Precinct Description	The area to the south of the existing racecourse can accommodate training and horse related activities as well as being able to be developed for terraced and low rise apartment type residential development. Any development above 2 storeys will need to be assessed to demonstrate that the adverse effects on the amenity of surrounding residential areas and on the natural character, biodiversity values and amenity of Department of Conservation administered reserves, Ruakaka Wildlife Refuge and the dune lake, are no more than minor.	Agree	
REE.3.1 Precinct Description	(cont'd) Residential development is to provide physical connections to the developing western residential area west of the precinct and between this area and the coastal area through Precinct D.	Agree in part	See Proposed amendment in my evidence in relation to the road being an option, not a requirement
REE.3.3 Discretionary Activities	1. A Management Plan for the whole Precinct prepared in accordance with R.E.E.1.5 and which complies with the performance standards set out in the Performance Standard Policies for the Precinct. Any commercial activity not listed within a Management Plan.	Disagree	REE 1.2 is clear that Management Plans are a discretionary activity

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REE.3.3 A Non-complying Activities	<p>DoC additions shown as: wildlife refuge, deletions shown as: wildlife refuge</p> <p>2. Buildings over two storeys (8 metres) in height, unless the location and height of such buildings is in accordance with an approved Management Plan.</p> <p>3. Any development not complying with a 3 metre high plus 35 degree daylight angle, as measured from the boundary of the Environment with the Crown Land to the south, in accordance with Appendix 11.</p> <p>4. Any development that does not make provision for a minimum 10 metre wide no development strip between any development and the boundary with the Crown Land to the South.</p> <p>1. A Management Plan for the whole Precinct prepared in accordance with R.E.E.1.5 but which does not comply with the performance standards set out in the Performance Standard Policies for the Precinct.</p> <p>2. Any activity or structure that does not comply with an approved Management Plan.</p> <p>3. Industrial activity</p>	Disagree	Not Council's preferred structure. Management Plans are a means by which requisite policies may be modified.
REE.3.3 B Prohibited Activities	<p>1. The keeping of cats, dogs or mustelids in this Precinct and the bringing of cats, dogs or mustelids into the Precinct.</p> <p>2. The dumping of any waste, including green waste, from the Precinct into the Crown Land administered by the Department of Conservation to the west or south of the Precinct.</p> <p>3. Directly accessing Crown Land administered by the Department of Conservation from this Precinct.</p>	Agree	<p>Agree with the intention, but there needs to be a distinction between keeping cats/dogs etc versus bringing them onto the site for a day. Similarly with access into the Doc Reserve - Plan can require fencing etc, but not stop people walking into Doc reserve.</p> <p>In relation to keeping of cats/dogs and dumping of waste, better method would be covenants imposed on all residential units/titles.</p> <p>Access will be controlled by fencing.</p>
REE.3.4 Eligibility	<p>1. Activities not requiring consent as a discretionary, or non-complying activity or which are not prohibited shall be a permitted activity, except that:</p> <p>2. Activities listed within an approved Management Plan shall have the activity status as set out in that Plan.</p> <p>3. Until such time as a Management Plan has been approved, the Coastal Countryside rules and any Ruakaka Equine Environment prohibited activity rules shall apply. Equine related activities will continue to be permitted and exempt from notification. Once a Management Plan has been approved, then new equine related activities shall become discretionary activities</p> <p>4. Industrial activity is non-complying within this Precinct, except as defined within equine related activities.</p>	Disagree	<p>Coastal Countryside provisions do not allow for equine-related activities and facilities such as the racecourse operations and is not an appropriate zoning</p> <p>Access will be controlled by fencing.</p>
REE.3.5 Notification	<p>Land-use proposals that are not contrary to the requisite policies are <del>precluded</del> from public notification</p> <p>Management Plan applications will be publicly notified.</p>	Disagree	<p>This change is too wide ranging. However should distinguish that Management Plans are not being precluded from notification, e.g. add words such as "management plan as a discretionary activity will be subject to the notification tests of the RMA".</p>
REE.3.6 Requisite Performance Standard Policies	<p>1. Total buildings shall occupy no more than 40% of the gross Precinct area, unless a higher percentage is specified within an approved Management Plan.</p>	Disagree	<p>No justification to limit coverage to 40%. Management Plan process can address effects of increased coverage.</p>
REE.3.6	<p>3. Above 2 storey development shall not occupy more than 10% of the gross Precinct area, not be more than 450 square metres gross floor area, be setback at least 30 metres from the boundary with the Crown Land administered by the Department of Conservation to the south, and not with no building to exceed 14m / 4 storeys in height.</p>	Disagree	<p>Floor area limit does not directly manage any adverse effects. Setback of 30m is unnecessary for a three storey building. With the proposed height in relation to boundary control, 4 storey building will need to be at least 16m off the boundary. Visual impacts of taller buildings will be assessed as part of management plan process and appropriate conditions imposed as part of this process.</p>
REE.3.6	<p>6. To ensure that buildings are set back not less than 106 metres from the boundary with the Crown Land administered by the Department of Conservation to the south, and not less than 5 metres from the boundary with the reserve to the east, and fit within a daylight angle measured at the boundary of 3 metres high and sloping 35 degrees into the site, in accordance with Appendix 11.</p>	Agree in part	<p>A wider area of planting may be appropriate along the Southern Boundary to accommodate taller trees, but this may be able to be accommodated in the proposed 10m setback. It can be expected that buildings themselves will be set back 2 to 3m from the edge of the horse track/planting area, so a 13m set back in total is appropriate.</p>
REE.3.6	<p>7. The 106 metre building setback should provide no less than 5 metres width of indigenous vegetation planting, and also provide a path for horse access to the beach with indigenous vegetation planting along both sides. The horse access should be secured by appropriate fence treatment, for safety and to prevent access to the reserve to the south.</p>	Agree in part	<p>See above</p>

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<b>REE.4 Precinct C – Western</b>			
REE.4.1 Precinct Description	The land to the west of the existing race-track will be able to be developed for residential units. These units could provide an opportunity for different types of live/work options such as clustered housing and stabling. Adverse effects of the housing on the ecological values of the dune lake are to be avoided. Stand-alone residential development is possible without a Management Plan being prepared, if the detached houses are on individual freehold lots of 600m <sup>2</sup> or larger. More intensive formats will require a Management Plan (will be required) to be prepared first. Development and subdivision can then proceed in accordance with that Management Plan. Precinct C – Western is shown on Map REE 1.	Disagree	As notified, standard suburban residential development was proposed as a default use of this block of land, without the need for a Management Plan for this area.  Adverse visual effects of development on the dune lake can be controlled by standards (which are proposed to be augmented as per below). What remains is potential contribution towards management of effects on wildlife refuge to the south and associated involvement of residents in ecological management plan implementation. This can only be addressed by requiring preparation of the Ecological Management Plan component for any residential development  As per previous comments
REE.4.3 Discretionary Activities	<ol style="list-style-type: none"> <li>1. A Management Plan for the whole Precinct prepared in accordance with R.E.E.1.5 and which complies with the performance standards set out in the Performance Standard Policies for the Precinct.</li> <li>2. Non-residential activities (except home occupations and a travellers' accommodation development).</li> <li>3. Buildings within 5 metres of the boundary with the dune lake.</li> <li>4. Buildings not complying with a 3.0 metre high plus 45 degree daylight angle from the western boundary, in accordance with Appendix 11.</li> <li>5. Building coverage in excess of 35% of the total gross land area of Precinct C.</li> <li>6. Residential units on sites of less than 600m<sup>2</sup>, not in accordance with the performance standards contained within an approved Management Plan.</li> </ol>	Disagree	As per previous comments
REE.4.3.A Non-complying Activities	<ol style="list-style-type: none"> <li>1. A Management Plan for the whole Precinct prepared in accordance with R.E.E.1.5 but which does not comply with the performance standards set out in the Performance Standard Policies for the Precinct.</li> <li>2. Any activity or structure that does not comply with an approved Management Plan.</li> <li>3. Industrial activity.</li> </ol>	Disagree	As per previous comments
REE.4.3.B Prohibited Activities	<ol style="list-style-type: none"> <li>1. The keeping of cats, dogs or mustelids within the Precinct and the bringing of cats, dogs or mustelids into the Precinct.</li> <li>2. The dumping of any waste, including green waste, from the Precinct into any Crown Land administered by the Department of Conservation.</li> <li>3. Directly accessing the dune lake from the Precinct.</li> </ol>	Agree in part	These outcomes would be addressed by required Ecological Management Plan component of Management Plan
REE.4.4 Eligibility	<p>Activities not requiring consent as a discretionary or non-complying activity or which are not a prohibited activity shall be a permitted activity, except that:</p> <p>a) Until such time as a Management Plan has been approved, the Coastal Countryside rules and any Ruakaka Equine Environment prohibited activity rules shall apply. Equine-related activities will be permitted activities. Once a Management Plan has been approved, then new equine-related activities shall be as specified within that Management Plan.</p> <p>b) Industrial activity is non-complying within this Precinct, except as defined within equine-related activities.</p>	Disagree	As per previous comment on this topic
REE.4.5 Notification	Land use proposals that are not contrary to the requisite policies are <u>precluded</u> from public notification Management plan applications will be publicly notified.	Disagree	As per other comments, should distinguish that the Management Plan is not being precluded from notification
REE.4.6 Requisite Performance Standard Policies	1. To protect local amenity and the natural character of the dune lake environment by limiting development to no more than two storeys or 8 metres in height. Landscape and visual impact assessments are required to be carried out to determine the appropriate design, height and location of buildings	Disagree	Proposed standard relating to living areas not being visible is appropriate to manage effects. No need for specific assessment of design.
REE.4.6	2. Residential development shall be at a maximum intensity of 1 unit per 600m <sup>2</sup> of land, or as set out in an approved Management Plan.	Disagree	Standard suburban residential development is proposed as a default use of this block of land, without a Management Plan. With the identified need for a management plan, development over 1 unit per 600m <sup>2</sup> should be provided for, but with more intensive development subject to further consideration.  2. Residential development to a maximum intensity of 1 unit per 600m <sup>2</sup> shall only be subject to an Ecological Management Plan. More intensive residential development must be in accordance with a full Management Plan

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REE.4.6	DoC additions shown as: wildlife refuge, deletions shown as: wildlife refuge 6. To protect the ecological values of the dune lake by creating a buffer area 5 metres wide between any development and the boundary with the dune lake reserve, and the living areas, including decks, of any residential building shall not be visible from the dune lake. This buffer area should be designed through a variety of methods (indigenous planting, earth bund, fencing) to ensure that the adverse effects of residential activities on the ecological resources of the dune lake are avoided.	Agree	Agree with inserting a standard to the effect that living areas, including decks shall not be visible from the dune lake
REE.4.7 General Policies	6A To preserve the natural character of the dune lake by ensuring the visual dominance of buildings is minimised through appropriate separation, building orientation and design (building articulation, roofing design, choice of materials and colours) and softening of the boundary treatment through an indigenous vegetation buffer strip. Buildings are expected to be designed so that the extent of built mass fronting the reserve is minimised. Windows, doors and other openings are to be minimised and only directional lighting used to the west so as to reduce the potential for light and noise spill.	Disagree	Stand alone houses (up to 1:600m <sup>2</sup> ) should not be subject to discretion over design. However set back and visibility standards could apply, as per REE4.6.6 above.
<b>REE.5 Precinct D – Eastern</b>			
REE.5.3 Discretionary Activities	1. A Management Plan for the whole Precinct prepared in accordance with R.E.E.1.5 and which complies with the performance standards set out in the Performance Standard Policies for the Precinct Buildings which will be visible from Mean High Water Springs, when viewed from any point between the northern and southern boundaries of the site. 2. Redevelopment of the buildings on the grandstand hill (as they existed at July 2011) involving more than minor external additions or alterations, not in accordance with an approved Management Plan. 3. Commercial activities (cafés, restaurants, shops and licensed premises) unrelated to equine activities, exceeding 500m <sup>2</sup> per unit. 4. Hotel / conference facility / functions space / visitor accommodation, not in accordance with an approved Management Plan. 5. The 7 <sup>th</sup> and subsequent non-equine related, outdoor event in a calendar year involving 5,000 or more people at any one time, and the 13 <sup>th</sup> and subsequent smaller, non-equine related outdoor event involving more than 1,000 people and up to and including 5,000 people at any one time. There are no limits on the number of events attracting less than 1,000 people. 6. Any development not complying with a 3 metre high plus 35 degree daylight angle on the southern boundary with the Crown Land to the South in accordance with Appendix 11. 7. Buildings within 5 metres of the eastern boundary of the Precinct. 8. Any development that does not make provision for a minimum 40 metre wide no development strip between any development and the boundary with the Crown Land to the south. 9. Any residential activity not in accordance with an approved Management Plan.	Disagree	As per previous comments
REE.5.3.A Non-complying Activities	1. A Management Plan for the whole Precinct prepared in accordance with R.E.E.1.5 but which does not comply with the performance standards set out in the Performance Standard Policies for the Precinct. 2. Any activity or structure that does not comply with an approved Management Plan. 3. Industrial activity.	Disagree	As per previous comment.
REE.5.3.B Prohibited Activities	1. The keeping of cats, dogs or mustelids within the Precinct and the bringing of cats, dogs or mustelids into the Precinct. 2. The dumping of any waste, including green waste, from the Precinct into any Crown Land administered by the Department of Conservation. 3. Directly accessing the any Crown Land administered by the Department of Conservation from the Precinct except at points identified in an approved Management Plan.	Agree in part	Same comments as for other Precincts. Will be covered by required management plan.
REE.5.4 Eligibility	Activities not requiring consent as a discretionary or non-complying activity or which are not a prohibited activity shall be a permitted activity, provided except that: a) Until such time as a Management Plan has been approved, the Coastal Countryside rules and any Ruakaka Equine Environment prohibited activity rules shall apply, equine-related activities are permitted activities and exempt from consent and notification requirements. Once a Management Plan is in place activities listed in an approved Management Plan shall have the activity status set out in that Plan. b) Industrial activity is non-complying within this Precinct, except as defined within equine-related activities.		Coastal Countryside provisions do not allow for equine-related activities and facilities associated with the racecourse operations.
REE.5.5 Notification	Management Plan applications will be publicly notified. Land use proposals that are not contrary to the requisite policies are precluded from public notification.	Disagree	However could distinguish that the Management Plan is not being precluded from notification
REE.5.6 Requested Performance Standard Policies	1. Any buildings (or parts of buildings) that will be visible from the beach area (when viewed from 100 metres above the line of Mean Low Water Springs, at any point between the northern and southern boundaries of the REE) should be limited to non-residential buildings which contain a public function.	Disagree	2 metres is not an 'eye level' height. The words "when viewed" from can be taken to have normal meaning, i.e. when standing at MLWS.

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REE.5.6	with the design of the visible elements helping to provide a visual connection between the building, the public function and the coastal area, while ensuring that the design, finish and colour is compatible with the natural character of the coastal area.	Disagree	Evidence of Rebecca Skidmore recommends Mean Low Water Springs as viewing points.
REE.5.6	2. Any residential development is to be of a height that it cannot be seen from the beach area, as viewed from two metres above the line of Mean Low Water Springs, at any point between the northern and southern boundaries of the REE.	Disagree	As above
REE.5.6	2A. To ensure that buildings are set back not less than 16 metres from the boundary with the Crown Land administered by the Department of Conservation to the south, and not less than 5 metres from the boundary with the reserve to the east, and fit within a daylight angle measured at the boundary of 3 metres high and sloping 35 degrees into the site, in accordance with Appendix 11: except that any building taller than two storeys shall be set back at least 30 metres from the boundary with the Crown Land administered by the Department of Conservation to the south.	Disagree	Disagree with 30m set back. This is excessive
REE.5.6	3. To minimise any loss of visual amenity to the surrounding residential areas, any new building on the grandstand hill shall not exceed the height of the existing grandstand (RL 16.24) and commentators' box building (RL 21.74), nor extend further in a north-south direction than the current buildings on the site (as they exist July 2011), unless the building fits within an envelope set out in an approved Management Plan.	Disagree	Management Plans can authorise development control flexibility. Management Plans involve discretionary activity consent and the effects of larger buildings can be assessed as part of this process
REE.5.6	5A To provide access to the coastal environment, in consultation with the Department of Conservation, no more than two public access points to the beach shall be provided and public car parking provided adjacent to one of these access points. Any walking access point should be located north of the mid-point of the eastern boundary of the Environment. No car access shall be provided to the beach. The horse access point to the beach is to be moved to align with the southern boundary of the REE.	Part agree	Agree with the intention, but the existing horse access across the foredune is to remain in its current location, with the horse access trail within the REE to be moved to align with the southern boundary (My understanding is that DoC asked for this to minimise disruption of the dune). Could be re-written as:  <i>5A To provide access to the coastal environment, in consultation with the Department of Conservation, no more than two access points to the beach shall be provided and public car parking provided adjacent to one of these access points. Any walking access point should be located north of the mid-point of the eastern boundary of the Environment. No car access shall be provided to the beach. The horse access point to the beach is to remain in its current location across the foredune, but the part within the REE is to be moved to align with the southern boundary of the REE, connecting with Precinct B but clear of known archaeological sites.</i>
REE.5.7 General Policies	8. To provide access to the coastal environment, public access point(s) to the beach shall be provided and public car parking provided adjacent to one of these access points. Any walking access point should be located from the middle of the site or further northwards. No car access shall be provided to the beach. The horse access point to the beach is to be moved to align with the southern boundary of the REE. The horse access site and the existing horse access is to be closed to vehicles and fenced, and the dune is to be restored.	Part agree,	See above
REE.5.7 General Policies	10. Residential buildings and visitor accommodation units should be designed and located so that they are not visible from the beach. Assessment of this shall be taken from two metres above the line of Mean Low Water Springs. View points should be taken from several points along the beach, including oblique views from the beach at the southern and northern boundary of the site.	Disagree	There may be hotel units within the buildings on the grandstand hill, part of which may be visible from the beach, subject to design assessment and effects on views as considered through management plan process.  2 metres is not an 'eye level' height.
REE.5.7 General Policies	13. Activities that attract people and visitors to the area should contribute to the implementation of the required Habitat Protection Plan Ecological Management Plan.	Agree	Evidence of Rebecca Skidmore recommends Mean Low Water Springs viewing points.
<b>REE.6 Subdivision</b>			
REE.6.2 Requisite Performance Standard Policies	2. To provide for subdivision within the Southern and Eastern Precincts only once in accordance with the approved Management Plan has been approved for the relevant Precinct.	Disagree	The purpose of the policy is to ensure a management plan is in place prior to any subdivision occurring which may result in multiple ownership. Once in place, then subdivision proposals will need to be consistent with any management plan



PC Section	Changes sought by DoC DoC additions shown as: wildlife refuge, deletions shown as: wildlife refuge	Agree / Disagree	Comments / Possible changes
REE.6.2 Requisite Performance Standard Policies	3. To provide for subdivision within the Western Precinct to a density of 1 unit per 600m <sup>2</sup> . <del>Mere-intensive subdivision is possible provided it is in accordance with an approved Management Plan.</del>	Disagree	600m <sup>2</sup> is a default density. It is quite possible this land would be suitable for some more intensive development, but will then need to be subject to specific assessment conditions.
REE.6.3 Eligibility	3. All other subdivision proposals shall be considered as a <del>discretionary non-complying activity.</del>	Disagree	Discretionary consent ensures council has enough flexibility to address specific issues.
REE.6.4 Notification	<del>Subdivision proposals that are not contrary to the requisite policies are precluded from public notification.</del>	Disagree	