

Plan Change 2 to the Hauraki Section of the Hauraki District Plan

Waihi Residential and Industrial Re-zoning

Decision of the Hearing Panel

Abbreviations used within the Decision

APA	Amenity Protection Area
Growth Strategy	Hauraki District Growth Strategy Te Rautaki Whakatipu 2050
HDC	Hauraki District Council
HDP	Operative Hauraki District Plan
HNZPT	Heritage New Zealand Pouhere Taonga
LDR	Low Density Residential
NZTA	New Zealand Transport Agency – Waka Kotahi
PC2	Plan Change 2 – Waihi Industrial and Residential
RMA	Resource Management Act 1991
TIA	Traffic Impact Assessment
WRC	Waikato Regional Council
WRP	Waikato Regional Policy Statement
W2	Waihi Area 2 – Ford Road
W4	Waihi Area 4 – Waitete/Thorn Road
W6	Waihi Area 6 – Bradford Street
W7	Waihi Area 7 - Bradford Street Extension

Administrative Matters

1. 27 submissions were received covering 118 individual topics and subtopics. Three further submissions were received.
2. The Hearing Panel acknowledges that the submission by James Hook for The Jamira Trust was received late, being at 6.25 pm on Sunday 23 March 2025, after the close of submissions at 4.30 pm on Friday 21 March 2025. The Hearing Panel agrees, given that no working days had transpired between the close of the submission period and the receipt of the submission, no parties were prejudiced by accepting the submission, and the Hearing Panel accepts the submission in full and considered it during the Hearing.
3. The Hearing Panel confirms with regard to the two further submissions, one from Elizabeth Keys – Secretary for Ford Road Body Corp, and one from Ian and Elizabeth Keys, that these do not meet the statutory requirements in relation to the contents of further submissions, in that they are not specifically limited to a matter in support of, or opposition to, an original submission. The Hearing Panel was aware that neither of these further submissions referenced an original submission point and as such the Hearing Panel considers these further submissions invalid in the context of the further submission process.
4. Submitters who tabled statements for the consideration of the Hearing Panel

Party	Tabled Document
Waikato Regional Council (WRC)	Tabled a written statement.
Leonie and Peter Rogers	Tabled an amended scheme plan.
(Janice) Lyn McHardy	Tabled a written statement.

5. Submitters present at Hearing

Party	Representative
Torrens Family Trust.	
Stops Family Trust	
Dorothy McHardy supported by James McHardy.	
Elizabeth Keys.	
Ford Road Body Corporate	Represented by Elizabeth Keys.
Christopher McHardy (San Maree Orchard).	Mr McHardy also read a tabled statement from Lyn McHardy.
Grant Derecourt.	

Jamira Trust	James Hook presented for Jamira Trust via Zoom Link.
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6. Submitters who did not attend the Hearing or provide written statements.

Party	Representative
Fiona Clark	
Glen Sollner	
Ian and Jacqueline West	
Rachel Starr	
Angela Storkey and Abraham Whaanga	
Patricia and Keith McCreedy	
Raiden Feast	
Heritage New Zealand Pouhere Taonga	Represented by Lisa Ahn
New Zealand Transport Agency Waka Kotahi	Represented by Kate Bonifacio
Dustin Keys	
Katherine Michell	

RECOMMENDATIONS OF THE HEARING PANEL

The following tables set out the recommendations and related reasons of the Hearing Panel.

TOPIC - PLANNING MAP 31 – FORD ROAD (W2)

SUB-TOPIC - Fully Oppose Re-zoning Extent

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Dorothy McHardy	4.1	Reject	The Hearing Panel recommends that the rezoning extent of W2 (rural to industrial) be retained as notified.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area proposed within W2. The potential effects associated with the rezoning are appropriately addressed via the existing and proposed District Plan provisions in combination with the Regional Council rules and the requirements of other legislation.
Stops Family Trust	6.1	Reject		
Horticulture New Zealand	12.1	Reject		
James McHardy	15.1	Reject		
Ian and Elizabeth Keys	17.1	Reject		
Janice Lynn McHardy	18.1	Reject		
Ford Road Body Corporation	20.1	Reject		
Dustin Keys	21.1	Reject		
Christopher McHardy - San Maree Orchard	25.1	Reject		
Katherine Lucas	26.1	Reject		

SUB-TOPIC - Fully Support Re-zoning Extent

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Michael McHardy - McHardy Farms Limited / McHardy Family Trust	19.1	Accept	The Hearing Panel recommends that the rezoning extent of W2 (rural to industrial) be retained as notified.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area proposed within W2. The potential effects associated with the rezoning are appropriately addressed via the existing and proposed District Plan provisions in combination with the Regional Council rules and the requirements of other legislation.

SUB-TOPIC - Partial Support Re-zoning Extent

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Raiden Feast	13.1	Accept in Part	The Hearing Panel recommends that the rezoning extent of W2 (rural to industrial) be retained as notified.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area proposed within W2. Matters in relation to air discharges such as dust are appropriately dealt with by the Waikato Regional Council or other legislation such as the Health Act 1956. This is not a territorial authority function under the RMA and no additional provisions are required via PC2.
Raiden Feast	13.2	Accept in Part		The Hearing Panel considers that the existing provisions of the District Plan are an acceptable means of ensuring the effects of noise are appropriately managed while acknowledging that these will apply only to surrounding rural zoned properties. The Hearing Panel also acknowledges the requirement of Section 16 of the RMA in relation to an individual's duty to avoid unreasonable noise.
Raiden Feast	13.3	Accept in Part		The Hearing Panel considers the existing provisions of the District Plan with regard to lighting are an acceptable means of ensuring the effects of light pollution are appropriately managed.

TOPIC - PLANNING MAP K3 - THORN ROAD (W4)

SUB-TOPIC - Heritage

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Heritage New Zealand Pouhere Taonga	14.2	Accept	The Hearing Panel recommends that the rezoning extent of W4 (rural to residential) be retained as notified.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area proposed within W4. The Hearing Panel accepts that the HNZPT Act appropriately deals with matters in relation to archaeological sites.

SUB-TOPIC - Land Class (NPSHPL)

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Waikato Regional Council	11.23	Accept in Part	The Hearing Panel recommends that the rezoning extent of W4 (rural to residential) be retained as notified.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area proposed within W4. The Hearing Panel accepts the further assessment in relation to the submission point undertaken by the Section 42A reporting officer. The Hearing Panel acknowledges the written statement from WRC following the circulation of the section 42A reporting officer's report, where WRC has advised general support of the reporting officer's recommendations.

SUB-TOPIC - Traffic

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
New Zealand Transport Agency – Waka Kotahi	16.2	Accept	The Hearing Panel recommends that the rezoning extent of W4 (rural to residential) be retained as notified.	The Hearing Panel acknowledges the support for W4 presented by the Submitter. The Hearing Panel agrees that the proposed rezoning of W4 will not have an adverse effect on the safety performance of the state highway network.

TOPIC - PLANNING MAP K5 – BRADFORD STREET EXTENSION (W7)

SUB-TOPIC - Fully Oppose Bradford Street Extension

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Rachel Starr	7.2	Reject	The Hearing Panel recommends that the amended density and zone development standards be retained for the full extent of W7.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to change the density of the area within W7. The potential amenity effects associated with the change in density are appropriately addressed via the existing and proposed District Plan provisions.
The Jamira Trust	F27.6	Accept	The Hearing Panel recommends that the amended density and zone development standards be retained for the full extent of W7.	The Hearing Panel acknowledges the support for W7 presented by the Further Submitter. The Hearing Panel agrees that the provisions appropriately promote sustainable management of the land resource, and this is implemented via the existing and proposed District Plan provisions.
Katherine Michell	23.2	Reject	The Hearing Panel recommends that the amended density and zone development standards be retained for the full extent of W7.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to increase the density for the area within W7. The technical advice provided has confirmed that W7 can be appropriately serviced. Those undertaking subdivisions in accordance with the District Plan provisions will need to install the required services.

SUB-TOPIC - Fully Support Bradford Street Extension

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Fiona Clark	1.1	Accept	The Hearing Panel recommends that the amended density and zone development standards be retained for the full extent of W7.	The Hearing Panel acknowledges the support for W7 presented by the Submitters and Further Submitter. The potential effects associated with the change in density are appropriately addressed via the existing and proposed District Plan provisions. The Hearing Panel agrees with the Further Submitter that the proposed change in density supports the sustainable management of the land as it is an efficient use of the urban land resource.
The Jamira Trust	F27.2	Accept		
Glen Sollner	2.1	Accept		
The Jamira Trust	F27.3	Accept		
Ian and Jacqueline West	3.1	Accept		
The Jamira Trust	F27.4	Accept		
Abraham Whaanga and Angela Storkey	8.1	Accept		
The Jamira Trust	F27.7	Accept		
Alois Sollner	24.2	Accept		
The Jamira Trust	F27.11	Accept		

SUB-TOPIC - Heritage

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Heritage New Zealand Pouhere Taonga	14.4	Accept	The Hearing Panel recommends that the amended density and zone development standards be retained for the full extent of W7.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to increase the density over the entirety of the area proposed within W7. The Hearing Panel accepts that the HNZPT Act appropriately deals with matters in relation to archaeological sites.

SUB-TOPIC - Traffic

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Patricia and Keith McCreedy	10.2	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel does not consider traffic calming measures, such as speed bumps, are appropriate to be included as a District Plan rule. Any such measures will be addressed post subdivision/construction should this be necessary. Traffic volumes and effects within and along Council roads are monitored by HDC as part of its normal functions as a road controlling authority. Traffic calming measures do not need to be specified within the structure plan provisions.
New Zealand Transport Agency – Waka Kotahi	16.4	Accept	The Hearing Panel recommends that the amended density and zone development standards be retained for the full extent of W7.	The Hearing Panel acknowledges the support for W7 presented by the Submitter. The Hearing Panel agrees that the proposed change to the density of W7 will not have an adverse effect on the safety performance of the state highway network.

TOPIC - PLANNING MAP K5 – BRADFORD STREET (W6)

SUB-TOPIC - Fully Oppose Re-zoning Extent

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Rachel Starr	7.1	Reject	The Hearing Panel recommends that the rezoning extent of W6 (low density residential to residential) be retained as notified.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area within W6. The potential amenity effects associated with the rezoning are appropriately addressed via the existing and proposed District Plan provisions.
The Jamira Trust	F27.5	Accept	The Hearing Panel recommends that the rezoning extent of W6 (low density residential to residential) be retained as notified.	The Hearing Panel acknowledges the support for W6 presented by the Further Submitter. The Hearing Panel agrees that the rezoning supports the sustainable management of the land as it is an efficient use of the urban land resource.
Grant Derecourt	22.1	Reject	The Hearing Panel recommends that the rezoning extent of W6 (low density residential to residential) be retained as notified.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area within W6. The potential effects associated with the rezoning are appropriately addressed via the existing and proposed District Plan provisions.
The Jamira Trust	F27.8	Accept	The Hearing Panel recommends that the rezoning extent of W6 (low density residential to residential) be retained as notified.	The Hearing Panel acknowledges the support for W6 presented by the Further Submitter. The Hearing Panel agrees that the rezoning supports the sustainable management of the land as it is an efficient use of the urban land resource.
Katherine Michell	23.1	Reject	The Hearing Panel recommends that the rezoning extent of W6 (low density residential to residential) be retained as notified.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the area within W6. The technical advice provided has confirmed that W6 can be appropriately serviced. Those undertaking subdivisions in accordance with the District Plan

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
				provisions will need to install the required services.
The Jamira Trust	F27.10	Accept	The Hearing Panel recommends that the rezoning extent of W6 (low density residential to residential) be retained as notified.	The Hearing Panel acknowledges the support for W6 presented by the Further Submitter. The Hearing Panel agrees with the Further Submitter that the proposed rezoning supports the sustainable management of the land as it is an efficient use of the urban land resource.

SUB-TOPIC - Fully Support Re-zoning Extent

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Peter and Leonie Rogers	5.1	Accept	The Hearing Panel recommends that the rezoning extent of W6 (low density residential to residential) be retained as notified.	The Hearing Panel acknowledges the support for W6 presented by the Submitters.
Alois Sollner	24.1	Accept		The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone W6.

SUB-TOPIC - Partial Support Re-zoning Extent

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
The Jamira Trust	27.1	Accept in Part	The Hearing Panel recommends that the rezoning extent of W6 (low density residential to residential) be retained as notified. The Hearing Panel recommends that 8.6.17.4 (3) be amended to include passive recreation links and that the Structure Plan Map for W6 be amended to include additional pedestrian and cycle links as shown in Attachment A – 8.6.17.4 (3) Objectives and 8.6.17.16 Structure Plan Map Bradford	The Hearing Panel accepts in part the submission insofar as it relates to pedestrian and cycle connectivity and agrees with the amendments to the structure plan map presented within the Section 42A reporting officer's report. The Hearing Panel acknowledges the withdrawal of the portion of the submission point relating to roading matters which was addressed by the Submitter during his presentation at the hearing. The Hearing Panel agrees that additional pedestrian and cycle pathways achieve better connectivity and linkages to adjoining land, including the existing reserve adjoining the Ohinemuri River.

			Street, Waihi (Residential).	
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TOPIC - STRUCTURE PLAN - FORD ROAD (W2)

SUB-TOPIC - Amenity

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Dorothy McHardy	4.2	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel considers that the existing provisions of the District Plan are an acceptable means of ensuring the effects of noise are appropriately managed. The Hearing Panel also acknowledges the requirement of Section 16 of the RMA in relation to an individual's duty to avoid unreasonable noise. The Hearing Panel agrees that the effects will be appropriately addressed via legislative means and the existing District Plan provisions.
Dorothy McHardy	4.3	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area proposed within W2.
Dorothy McHardy	4.4	Accept in Part	The Hearing Panel recommends an additional subdivision standard be added to 8.6.16.7 to clarify how the buffer area will be developed to achieve its various interrelated functions as shown in Attachment A – 8.6.16.7 (1)(h) Subdivision Standards.	The Hearing Committee agrees that while a landscape management plan does not need to be produced in advance of the structure plan provisions, as these matters are best addressed at time of subdivision, clarification is required to ensure the buffer area is developed as intended. This includes achieving stormwater management, wetland protection and visual screening.
Stops Family Trust	6.2	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel notes that provisions in relation to the Amenity Protection Area already exist within the District Plan (refer section 5.12.4.2 C2). The existing Industrial Zone provisions will apply to the W2 area. The Hearing Panel agrees that the effects will be appropriately addressed via the existing and

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
				proposed District Plan provisions.
Stops Family Trust	6.5	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel notes that provisions in relation to the sites fronting state highway already exist within the District Plan (refer section 5.12.4.2 C1). The existing Industrial Zone provisions will apply to the W2 area. The Hearing Panel agrees that the effects will be appropriately addressed via the existing and proposed District Plan provisions.
Ross and Jennifer Torrens Family Trust	9.1	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel notes that the APA throughout the remainder of the District Plan does not apply along rural or road boundaries. The Hearing Panel wishes to keep the application of these rules generally consistent. The road reserve width associated with Ford Road provides sufficient setback between activities to ensure amenity is maintained. The Hearing Panel agrees that the effects will be appropriately addressed via the existing and proposed District Plan provisions.
Ross and Jennifer Torrens Family Trust	9.2	Accept in Part	The Hearing Panel recommends an additional structure plan activity specific standard be added to 8.6.16.9 and an additional assessment criteria to 8.6.16.10 to address matters of building reflectivity as shown in Attachment A – 8.6.16.9 (4) Structure Plan Activity Specific Standards and 8.6.16.10 (1)(j). The Hearing Panel additionally recommends	The Hearing Panel acknowledges that there are existing amenity provisions within the District Plan in relation to lighting and glare. The Hearing Panel accepts the recommendation of the Section 42A reporting officer in relation to the addition of a further activity specific standard restricting the reflectivity of future buildings within the W2 area. The Hearing Panel agrees that the effects will be appropriately addressed via the existing and proposed District Plan provisions and suggests
Ian and Elizabeth Keys	17.4	Accept in Part		
Janice Lynn McHardy	18.3	Accept in Part		
Ford Road Body Corporation	20.10	Accept in Part		
Dustin Keys	21.3	Accept in Part		

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
			consequential amendments to ensure that the activity specific standards will apply to the relevant activities.	consequential amendments to ensure the activity specific standards will be applied .
Ian and Elizabeth Keys	17.2	Reject	The Hearing Panel does not recommend any amendments in response to these submission points.	While the Hearing Panel acknowledges that there are existing dwellings within the current Industrial Zone on Ford Road, the Hearing Panel does not consider it appropriate to impose a buffer area between properties zoned as Industrial. The Hearing Panel agrees that the effects will be appropriately addressed via the existing and proposed District Plan provisions.
Ford Road Body Corporation	20.7	Reject		
Ian and Elizabeth Keys	17.3	Reject	The Hearing Panel does not recommend any amendments in response to these submission points.	The Hearing Panel considers that the existing provisions of the District Plan are an acceptable means of ensuring the effects of noise are appropriately managed while acknowledging that these will apply only to surrounding rural zoned properties. The Hearing Panel also acknowledges the requirement of Section 16 of the RMA in relation to an individual's duty to avoid unreasonable noise. The Hearing Panel agrees that the effects will be appropriately addressed via legislative means and the existing District Plan provisions.
Ford Road Body Corporation	20.4	Reject		
Dustin Keys	21.4	Reject		
Ian and Elizabeth Keys	17.5	Reject	The Hearing Panel does not recommend any amendments in response to these submission points.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area proposed within W2. Matters in relation to air discharges such as dust are appropriately dealt with by the Waikato Regional Council or other legislation such as the
Ford Road Body Corporation	20.5	Reject		

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Ford Road Body Corporation	20.6	Reject		Health Act 1956. This is not a territorial authority function under the RMA and no additional provisions are required via PC2.

SUB-TOPIC - Ecology

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Waikato Regional Council	11.1	Accept in Part	The Hearing Panel recommends an additional subdivision standard be added to 8.6.16.7 (1)(g) and 8.6.17.7 (1)(g) as well as 8.6.17.5 Policies (5)(c) as shown in Attachment A – Ford Road, Waihi (Industrial) 8.6.16.7 (1)(g) Subdivision Standards and Bradford Street, Waihi (Residential) 8.6.17.7 (1)(g) Subdivision Standards and 8.6.17.5 (5)(c) Policies.	The Hearing Panel acknowledges the additional assessment completed and recommended changes to provisions suggested by the Section 42A reporting officer. The Hearing Panel considers the amended provisions will ensure appropriate consideration in relation to bats that may be present in the vicinity of W2 and W6 areas.
Waikato Regional Council	11.2	Accept	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel acknowledges the support for rule 8.6.16.7 presented by the Submitter. The Hearing Panel considers that the planning and technical evidence presented confirms rule 8.6.16.7 is appropriate.
Waikato Regional Council	11.4	Accept in Part	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel acknowledges the additional assessment completed by the Section 42A reporting officer. The Hearing Panel considers the existing provisions ensure there will be appropriate consideration in relation to indigenous biodiversity that may be associated with W2 and W6 areas.

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Waikato Regional Council	11.5	Accept in Part	The Hearing Panel recommends the inclusion of an advice note under subdivision standard 8.6.16.7 as shown in Attachment A – Note associated with 8.6.16.7 (1)(g) Subdivision Standards.	The Hearing Panel accepts the Section 42A reporting officer's recommendations in relation to the inclusion of a further advice note to alert persons undertaking activities within the Structure Plan areas of their responsibilities under the Wildlife Act 1953. The amended Structure Plan provisions, as a whole, will appropriately achieve management of indigenous biodiversity, including bats.
Waikato Regional Council	11.6	Accept in Part	The Hearing Panel recommends the inclusion of an additional subdivision standard 8.6.16.7 as shown in Attachment A – 8.6.16.7 (1)(g) Subdivision Standards.	The Hearing Panel accepts the Section 42A reporting officer's recommendations. The amended Structure Plan provisions will appropriately achieve management of indigenous biodiversity, including bats, wetlands, and other indigenous vegetation.
Waikato Regional Council	11.7	Accept in Part	The Hearing Panel recommends the inclusion of an additional policy under 8.6.17.5 as shown in Attachment A – 8.6.17.5 (5)(c) Policies.	The Hearing Panel accepts the Section 42A reporting officer's recommendations to include policy 8.6.17.5 regarding bat-friendly lighting. The amended Structure Plan provisions will appropriately achieve management of indigenous biodiversity, specifically bats.
Ford Road Body Corporation	20.8	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel agrees with the technical evidence provided by the Council's Engineer and the Ecologist that the potential operational phase effects have been dealt with in the proposed subdivision stormwater standards (8.6.16.7(1)(d) and (e)), and activity specific standard (8.6.16.9(1)) which require comprehensive stormwater design, including reticulation for the whole structure plan area, hydraulic neutrality and treatment of stormwater.

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
				The Hearing Panel agrees that these controls and Waikato Regional Council rules are robust enough to ensure that there will be no adverse effects, including sedimentation, on the Waimata Stream.

SUB-TOPIC - Environmental Risks

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Horticulture New Zealand	12.2	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel agrees that the potential effects associated with the rezoning are appropriately addressed via the existing and proposed District Plan provisions.
James McHardy	15.3	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area proposed within W2. Matters in relation to air discharges such as odour and dust are appropriately dealt with by the Waikato Regional Council or other legislation such as the Health Act 1956. This is not a territorial authority function under the RMA and no additional provisions are required via PC2.
James McHardy	15.5	Accept in Part	The Hearing Panel recommends that the Structure Plan Map for W2 be amended to extend the APA along the entire length of the northern boundary of the W2 area as shown in Attachment A – 8.6.16.11 Structure Plan Map – Ford Road, Waihi (Industrial).	The Hearing Panel notes that provisions in relation to the Amenity Protection Area already exist within the District Plan (refer section 5.12.4.2 C2). The existing Industrial Zone provisions will apply to the W2 area. The Hearing Panel acknowledges and accepts the recommendation of the Section 42A reporting officer in relation to extending the area covered by the APA along the entire length of the northern boundary of W2 to address amenity related effects.

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
				The Hearing Panel considers that the buffer area in conjunction with the APA are an appropriate means to address effects on sensitive receivers to the north.
Dustin Keys	21.2	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel acknowledges the role of other legislation, organisations and procedures that control the adverse effects of industrial activities. National Environmental Standards (Air Quality 2004, Storing Tires Outdoors 2021, Greenhouse Gas Emissions from Industrial Process Heat 2023), that would apply, should activities of this nature be undertaken within the W2 area. The Hearing Panel is aware that legislation such as the Hazardous Substances and New Organisms Act 1996, which prevent and manage the adverse effects of hazardous substances, take precedence over the requirements of the HDP. Likewise, the WRC, via the provisions of the WRP, control discharges to air, water and land. The Hearing Panel considers these are the appropriate means by which such matters are regulated. The Hearing Panel agrees that the effects will be appropriately addressed via legislative means and the existing District Plan provisions.
Katherine Lucas	26.4	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel acknowledges that there are existing amenity provisions within the District Plan in relation to lighting and glare. The Hearing Panel considers that the existing provisions of the District Plan are an acceptable means of ensuring the effects of noise are

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
				appropriately managed while acknowledging that these will apply only to surrounding rural zoned properties. The Hearing Panel also acknowledges the requirement of Section 16 of the RMA in relation to an individual's duty to avoid unreasonable noise. The Hearing Panel considers stormwater effects will be appropriately managed via the proposed provisions including stormwater management plans. No matters of a technical nature were raised by the Ecologist in relation to bird corridors or insect habitat. The Hearing Panel accepts the technical evidence in this regard. The Hearing Panel agrees that the effects will be appropriately addressed via legislative means and the existing District Plan provisions.

SUB-TOPIC - Future Uses

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Horticulture New Zealand	12.5	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel accepts that the location of W2 is appropriate given its proximity to an existing industrial area, its identification within the Growth Strategy, access to main traffic routes and infrastructure as well as its overall proximity to Waihi Town.

Ian and Elizabeth Keys	17.8	Reject	The Hearing Panel does not recommend any amendments in response to these submission points.	The Hearing Panel agrees that the existing provisions of the Industrial Zone are clear with regard to the nature of activities that can be expected within W2, while acknowledging that this could include a range of scale and type. The Hearing Panel notes that the Structure Plan and zone provisions do not pre determine the nature and scale of Industrial Activities, but set Zone Development Standards, Activity Specific Standards and amenity standards which must be complied with to remain as a permitted activity. The Hearing Panel considers the existing and proposed provisions are appropriate for W2.
Ford Road Body Corporation	20.9	Reject		

SUB-TOPIC - Heritage

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Heritage New Zealand Pouhere Taonga	14.1	Accept	The Hearing Panel recommends that the full extent of the rezoning of W2 (rural to industrial) be retained.	The Hearing Panel accepts that the HNZPT Act appropriately deals with matters in relation to archaeological sites and considers additional site survey is not required prior to development.

SUB-TOPIC - Infrastructure

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Horticulture New Zealand	12.3	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel acknowledges the technical information provided by Council's Engineering staff confirming that site servicing can be appropriately achieved. The Hearing Panel considers the servicing of the W2 area will be appropriately addressed via the existing and proposed District Plan provisions.

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
James McHardy	15.4	Accept in Part	The Hearing Panel recommends the addition of references to the Water Supply Bylaw at 8.6.16.1 (2)(b) and the Water Supply, Tradewaste and Wastewater Bylaws as a note after 8.6.16.8 (1), (2) and (3) as shown in Attachment A – 8.6.16.1 (2)(b) Water and as a note after 8.6.16.8 (1), (2) and (3) Activity Status and Rules for Development.	The Hearing Panel recognises that compliance with the relevant Bylaws will assist in preventing environmental degradation. The inclusion of the additional notes assists Plan users comprehensive planning of developments consistent with all Council requirements.

SUB-TOPIC - Land Class (NPSHPL)

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Horticulture New Zealand	12.4	Reject	The Hearing Panel recommends that the full extent of the rezoning of W2 (rural to industrial) be retained.	The Hearing Panel accepts that the location of W2 is appropriate given its proximity to an existing industrial area, its identification within the Growth Strategy, access to main traffic routes and infrastructure as well as its overall proximity to Waihi Town. Notwithstanding the presence of LUC2 land, the Hearing Panel acknowledges that the NPS-HPL is not applicable to W2 on the basis that this area is specifically identified within a Growth Strategy. The Hearing Panel also acknowledges the written statement from WRC following the circulation of the Section 42A reporting officer's report, where WRC has advised general support of the reporting officer's recommendations.
Janice Lynn McHardy	18.2	Reject		
Katherine Lucas	26.3	Reject		

SUB-TOPIC - Land Value

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Stops Family Trust	6.3	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel notes that provisions in relation to the Amenity Protection Area already exist within the District Plan (refer section 5.12.4.2 C2). The existing Industrial Zone provisions will apply to the W2 area. The Hearing Panel agrees that the effects will be appropriately addressed via the existing and proposed District Plan provisions.

SUB-TOPIC - Map

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
James McHardy	15.2	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel acknowledges the proposed provisions already address matters in relation to Natural Inland Wetlands. No further provisions are required in this regard. The Hearing Panel agrees with the technical evidence provided by the Council's Engineer and the Ecologist that the potential operational phase effects have been dealt with in the proposed subdivision stormwater standards (8.6.16.7(1)(d) and (e)), and activity standard (8.6.16.9(1)) which require comprehensive stormwater design, including reticulation for the whole structure plan area, hydraulic neutrality and treatment of stormwater. The Hearing Panel agrees that these controls and WRC rules are robust enough to ensure that there will be no adverse effects, including sedimentation, on the Waimata Stream.

SUB-TOPIC - Natural Hazards

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Waikato Regional Council	11.19	Accept in Part	The Hearing Panel recommends the inclusion of additional wording under 8.6.16.1 (d) as shown in Attachment A – 8.6.16.1 (d) Stormwater.	While the Hearing Panel agrees with the technical evidence provided by the Council's Engineer and the Ecologist that the potential operational phase effects have been dealt with in the proposed subdivision stormwater standards (8.6.16.7(1)(d) and (e)), and activity standard (8.6.16.9(1)) which require comprehensive stormwater design, including reticulation for the whole structure plan area, hydraulic neutrality and treatment of stormwater, the Hearing Panel also considers that additional wording should be added to 8.6.16.1 (d) to clarify that potential upstream effects should also be assessed as part of any subdivision proposal.

SUB-TOPIC - Objectives

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Horticulture New Zealand	12.7	Oppose	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel notes that the Structure Plan objectives and policies are to be read in conjunction with the existing Industrial Zone objectives and policies already present in the HDP. These are appropriate to avoid, remedy or mitigate adverse effects on adjoining land, activities and zones.

SUB-TOPIC - Reverse Sensitivity

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Dorothy McHardy	4.6	Accept in Part	The Hearing Panel recommends an additional subdivision standard be added to 8.6.16.7 to clarify how the buffer area will be developed to achieve its various interrelated functions as shown in Attachment A – 8.6.16.7 (1)(h) Subdivision Standards.	The Hearing Panel acknowledges the rezoning of W2 creates efficiencies by clustering industrial land together (noting there is already Industrial Zone land adjoining the site to the west), in an appropriate, and previously identified location away from existing residentially zoned areas. The Hearing Panel notes that W2 is intended to build on the presence of existing industrial land and activities along Ford Road, as there are already industrial scale effects enabled by the HDP in this location. The Hearing Panel agrees that with the extension of the APA provisions and clarification of the Buffer and Stormwater Management Area purpose along with implementation and compliance with all other legislation, that the potential for reverse sensitivity effects from existing sensitive activities in the rural zone will be appropriately controlled.
Horticulture New Zealand	12.6	Reject	The Hearing Panel also recommends that the Structure Plan Map for W2 be amended to extend the APA along the entire length of the northern boundary of the W2 area as shown in Attachment A – 8.6.16.11 Structure Plan Map – Ford Road, Waihi (industrial).	
Katherine Lucas	26.2	Reject		

SUB-TOPIC – Regional Policy Statement (RPS)

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Waikato Regional Council	11.11	Accept in Part	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to rezone the entirety of the area proposed within W2.
Waikato Regional Council	11.24	Accept in Part		The Hearing Panel accepts the further assessment in relation to the submission point undertaken by the Section 42A reporting officer. The Hearing Panel acknowledges the written statement from WRC following the circulation of the section 42A reporting officer's report, where WRC has advised general support of the reporting officer's recommendations.

SUB-TOPIC - Stormwater

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Dorothy McHardy	4.5	Accept in Part	The Hearing Panel recommends an additional subdivision standard be added to 8.6.16.7 to clarify how the buffer area will be developed to achieve its various interrelated functions as shown in Attachment A – 8.6.16.7 (1)(h) Subdivision Standards.	The Hearing Panel agrees with the technical evidence provided by the Council's Engineer and the Ecologist that the potential operational phase effects have been dealt with in the proposed subdivision stormwater standards (8.6.16.7(1)(d) and (e)), and activity standard (8.6.16.9(1)) which require comprehensive stormwater design, including reticulation for the whole structure plan area, hydraulic neutrality and treatment of stormwater.
Ian and Elizabeth Keys	17.6	Accept in Part		The Hearing Panel agrees that these controls, with minor amendments to 8.6.16.7, are robust enough to ensure that there will be no adverse off-site effects.

SUB-TOPIC - Traffic

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Stops Family Trust	6.4	Accept in Part	The Hearing Panel recommends an additional Structure Plan Activity Specific Standard be added to 8.6.16.9 as point (10) to clarify when commencement of the design of the new roundabout is triggered as shown in Attachment A – 8.6.16.9 (10) Structure Plan Activity Specific Standards.	The Hearing Panel acknowledges that there are two options to access the W2 site, with the roundabout only being triggered to start design and commence construction at certain vehicle movements per day through the intersection. The Hearing Panel acknowledges that this will ensure a roundabout is not funded and built unnecessarily in advance of development.
New Zealand Transport Agency – Waka Kotahi	16.1	Accept		
Waikato Regional Council	11.12	Accept	The Hearing Panel does not recommend any amendments in response to these submission points.	The Hearing Panel acknowledges the support for the provisions of rule 8.6.16.9 in relation to traffic and transportation matters as tabled by the Submitter.
Waikato Regional Council	11.13	Accept		

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Waikato Regional Council	11.14	Accept		The Hearing Panel considers that the planning and technical evidence presented confirms these provisions are appropriate.
Waikato Regional Council	11.15	Accept		
Waikato Regional Council	11.16	Accept		
Waikato Regional Council	11.17	Accept		
Waikato Regional Council	11.18	Accept		
Ian and Elizabeth Keys	17.7	Accept in Part	The Hearing Panel recommends an additional subdivision standard be added to 8.6.16.7 (1)(b) to clarify how left turn only movements from the W2 site onto Ford Road can be achieved as shown in Attachment A - 8.6.16.7 (1)(b)(iv) Subdivision Standards.	The Hearing Panel acknowledges that given there are existing industrial and rural activities south-west of W2, it would be impractical to implement and monitor limitations on heavy traffic travelling the entire length of Ford Road. However, the Hearing Panel accepts that a no right turn for heavy vehicles exiting the W2 site onto Ford Road is appropriate to ensure that these vehicles turn left from W2 and travel only a short length of Ford Road before joining State Highway 2.
Janice Lynn McHardy	18.4	Accept in Part	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel notes that Ford Road is currently appropriate for its use (Rural Collector Road <700 vehicle/day), however, it is likely to need incremental upgrades in line with the existing HDP provisions, Appendix 1, Table 3.1 (Rural Areas), as traffic volumes increase (for example, widening of lanes, addition of shoulders, etc.). The Hearing Panel accepts that the TIA required as part of the subdivision provisions may include requirements for upgrading based on additional traffic volumes, but this will be assessed on a case-by-case basis.
Michael McHardy -	19.2	Accept	The Hearing Panel does not recommend any	The Hearing Panel acknowledges the Submitter's support for the provisions of rule 8.6.16.9 in relation

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
McHardy Farms Limited / McHardy Family Trust			amendments in response to this submission point.	to the implementation of a roundabout. The Hearing Panel considers that the planning and technical evidence presented confirms these provisions are appropriate.
Ford Road Body Corporation	20.2	Accept in Part	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel notes that Ford Road is currently appropriate for its use (Rural Collector Road <700 vehicle/day), however, it is likely to need incremental upgrades in line with the existing HDP provisions, Appendix 1, Table 3.1 (Rural Areas), as traffic volumes increase (for example, widening of lanes, addition of shoulders, etc.). The Hearing Panel accepts that the TIA required as part of the subdivision provisions may include requirements for upgrading based on additional traffic volumes, but this will be assessed on a case-by-case basis.
Ford Road Body Corporation	20.3	Reject	The Hearing Panel does not recommend any amendments in response to these submission points.	The Hearing Panel considers that while the TIA required with subdivision applications will address the construction quality of Ford Road, the Fencing Act 1978 makes landowners responsible for fencing road frontages should they wish, and the Land Transport Act 1998 ensures normal road rules for safe travel will apply to all road users.
Dustin Keys	21.5	Reject		

TOPIC - STRUCTURE PLAN K5 – BRADFORD STREET (W6)

SUB-TOPIC - Amenity

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Grant Derecourt	22.2	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel agrees that matters in relation to air discharges such as odour and dust are appropriately dealt with by the Waikato Regional Council or other legislation such as the Health Act 1956. This is not a territorial authority function under the RMA and no additional provisions are required via PC2. The Hearing Panel agrees that other amenity effects will be appropriately addressed via legislative means and the existing District Plan provisions.
The Jamira Trust	F27.9	Accept	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel agrees with the Further Submitter that the proposed rezoning supports the sustainable management of the land as it is an efficient use of the urban land resource.

SUB-TOPIC - Ecology

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Waikato Regional Council	11.3	Accept	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel acknowledges the support of the Submitter in relation to the inclusion of appropriate wetland delineation and management measures.
Waikato Regional Council	11.8	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel recognises that the provisions as notified already include appropriate objectives, policies and rules. Nothing additional is required.
Waikato Regional Council	11.9	Accept	The Hearing Panel recommends the inclusion of an additional policy under 8.6.17.5 as shown in Attachment A – 8.6.17.5 (5)(c) Policies.	The Hearing Panel accepts the Section 42A reporting officer's recommendations to include policy 8.6.17.5 regarding bat-friendly lighting. The amended Structure Plan provisions will appropriately achieve management of indigenous biodiversity, specifically bats.
Waikato Regional Council	11.10	Accept in Part	The Hearing Panel recommends the inclusion of an	The Hearing Panel accepts the Section 42A reporting officer's recommendations to include an

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
			additional subdivision standard under 8.6.17.7 (1)(g) and associated note as shown in Attachment A – 8.6.17.7 (1)(g) Subdivision Standards.	additional subdivision standard and associated note under 8.6.17.7 (1)(g). The amended Structure Plan provisions will appropriately achieve management of indigenous biodiversity.

SUB-TOPIC - Heritage

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Heritage New Zealand Pouhere Taonga	14.3	Accept	The Hearing Panel recommends that the rezoning be retained for the full extent of W6.	The Hearing Panel considers that the planning and technical evidence presented confirms it is appropriate to increase the density over the entirety of the area proposed within W6 The Hearing Panel accepts that the HNZPT Act appropriately deals with matters in relation to archaeological sites.

SUB-TOPIC - Map

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Peter and Leonie Rogers	5.2	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel acknowledges that its recommendation is to rezone the entirety of W6 to Residential. The Panel is aware that the Submitter provided an amended scheme plan at the Hearing with access to the site differing from the Structure Plan as appended to the Section 42A reporting officer's report. No additional evidence to support the Submitters requested change in location for the access was provided. The Hearing Panel intends to rely on the technical evidence provided by Council's Consultant Traffic Engineer and does not recommend any amendments to the Structure Plan road layout for W6.
The Jamira Trust	F27.1	Reject		
The Jamira Trust	27.2	Accept in Part	The Hearing Panel recommends the amendment of	The Hearing Panel supports the increased pedestrian and cycle

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
The Jamira Trust	27.3	Accept in Part	8.6.17.16 the Bradford Street Structure Plan map as shown in Attachment A – 8.6.17.16 Structure Plan Map Bradford Street Waihi (Residential).	connectivity from Bradford Street to the Ohinemuri River. The Hearing Panel considers a legal width of 3m and a formed width of 2.5m is sufficient to accommodate cycle and pedestrian access. The Hearing Panel agrees that a pedestrian and cycle connection between Bradford Street, the W6 internal road network and the public 'esplanade' on the northwest bank of the Ohinemuri River is desirable.
The Jamira Trust	27.6	Accept in Part		
The Jamira Trust	27.7	Accept in Part		

SUB-TOPIC - Natural Hazards

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Waikato Regional Council	11.20	Accept in Part	The Hearing Panel recommends the inclusion of additional wording under 8.6.16.1 (d) as shown in Attachment A – 8.6.16.1 (d) Stormwater.	While the Hearing Panel agrees with the technical evidence provided by the Council's Engineer and the Consulting Ecologist that the potential operational phase effects have been dealt with in the proposed subdivision stormwater standards (8.6.16.7(1)(d) and (e)), and activity standard (8.6.16.9(1)) which require comprehensive stormwater design, including reticulation for the whole structure plan area, hydraulic neutrality and treatment of stormwater, the Hearing Panel also considers that additional wording should be added to 8.6.16.1 (d) to clarify that potential upstream effects should also be assessed as part of any subdivision proposal.
Waikato Regional Council	11.21	Accept	The Hearing Panel does not recommend any amendments in response to these submission points.	The Hearing Panel acknowledges the Submitter's support for 8.6.17.7 and 8.6.17.11 (1)(b).
Waikato Regional Council	11.22	Accept		

SUB-TOPIC - Traffic

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Patricia and Keith McCreedy	10.1	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel does not consider measures, such as yellow no stopping lines, are appropriate to be included as a District Plan rule. Any such measures will be addressed post

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
				subdivision/construction should this be necessary. Traffic volumes and effects within and along Council roads are monitored by HDC as part of its normal functions as a road controlling authority. These measures do not need to be specified within the structure plan provisions.
New Zealand Transport Agency – Waka Kotahi	16.3	Accept	The Hearing Panel recommends that the rezoning extent of W6 (low density residential to residential) be retained as notified.	The Hearing Panel acknowledges the support for W6 presented by the Submitter. The Hearing Panel agrees that the proposed rezoning of W6 will not have an adverse effect on the safety performance of the state highway network.
The Jamira Trust	27.4	Reject	The Hearing Panel does not recommend any amendments in response to these submission points.	The Hearing Panel acknowledges the withdrawal of these submission points relating to roading matters which were addressed by the Submitter during his presentation at the hearing. The Hearing Panel agrees that the layout of the Structure Plan for W6 is appropriate.
The Jamira Trust	27.5	Reject		

TOPIC - OTHER

SUB-TOPIC - Power / Transformer

Submitter Name	Submission No.	Accept/Reject/ Accept in Part	Recommendation	Reasons
Glen Sollner	2.2	Reject	The Hearing Panel does not recommend any amendments in response to this submission point.	The Hearing Panel agrees with the findings of the Section 42A reporting officer's report that the upgrade or replacement of power supply networks is outside the scope of PC2. These decisions are made by the electricity providers and will be based on applications for supply at the time of subdivision consent. The Hearing Panel agrees that the need to upgrade power supply/infrastructure will be assessed by the providers based on current capacity and availability of network connectivity. This is not a matter for PC2.