

Appendix 2

Further Submissions

Contents

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Submission No: FS-1

From: "Website submission form" <webmaster@mpdc.govt.nz>
Sent: Tue, 25 Feb 2014 07:45:09 +1200
To: "Submissions \Corporate Planning\" <submissions@mpdc.govt.nz>
Subject: TRIM: Further submission on PPC 43 and 44

Name: Kaimai Properties Ltd and Matamata Metal Supplies Ltd

Contact person: Gillian Cockerell

Address for correspondence: PO Box 121, Hamilton 3240

Phone: 07 857 1825

Fax:

Email: gillian.cockerell@aecom.com

Type of submitter: Greater than public interest

Explanation of how you fall within this category: Am a landowner and quarry operator in the District and a primary submitter on the Plan Change directly affected by the provisions

Details of original submission:

Do you support or oppose the original submission?: Support

Original submission number: 14

Name of original submitter: Federated Farmers of NZ

Original submitter's address: PO Box 447, Hamilton

Your submission

The particular parts of the submission I support/oppose are: The rolling review process of the District Plan by a series of plan changes.

The reasons for my support/opposition are:: Concur with the submitter that the rolling review process prevents an integrated and sustainable approach to the management of the natural and physical resources of the District. It is also difficult for potentially affected and interested parties to know at which stage of the rolling review process they should participate to ensure issues that may affect their livelihood/businesses are adequately addressed.

I seek the following decision from Council. That: part ...

if part, precise details: The rolling review process of the District Plan by a series of plan changes.

....Of the original submission be: Allowed

I wish to present at the council planning hearing: yes

I would be prepared to present a joint case at the hearing with others making a similar submission: yes

Kelly Moulder

From: Website submission form [webmaster@mpdc.govt.nz]
Sent: Tuesday, 25 February 2014 08:51
Subject: Further submission on PPC 43 and 44

Name: D and L Swap
Contact person: Gillian Cockerell
Address for correspondence: PO Box 434, Hamilton 3240
Phone: 07 857 1825
Fax:
Email: gillian.cockerell@aecom.com
Type of submitter: Greater than public interest
Explanation of how you fall within this category: Am a landowner in the District and a primary submitter on the Plan Change directly affected by the provisions

Details of original submission:

Do you support or oppose the original submission?: Support
Original submission number: 14
Name of original submitter: Federated Farmers of NZ
Original submitter's address: PO Box 447, Hamilton

Your submission

The particular parts of the submission I support/oppose are: The rolling review process of the District Plan by a series of plan changes

The reasons for my support/opposition are:: Concur with the submitter that the rolling review process prevents an integrated and sustainable approach to the management of the natural and physical resources of the District. It is also difficult for potentially affected and interested parties to know at which stage of the rolling review process they should participate to ensure issues that may affect their livelihood/businesses are adequately addressed

I seek the following decision from Council. That: part ...

if part, precise details: The rolling review process of the District Plan by a series of plan changes

....Of the original submission be: Allowed

I wish to present at the council planning hearing: yes

I would be prepared to present a joint case at the hearing with others making a similar submission: yes

Kelly Moulder

From: Martin Wallace [martin.wallace@clear.net.nz]
Posted At: Wednesday, 26 February 2014 14:43
Conversation: Revised Version of PC 43 & 44 - Further Submissions - Environmental Futures Inc.
Posted To: Submissions (Corporate Planning)
Subject: TRIM: Revised Version of PC 43 & 44 - Further Submissions - Environmental Futures Inc.

Hello again Kelly,

I have attached a different version of the pdf file of the Further Submissions from EF as I found that the earlier one had a couple of formatting errors and was unreadably small when printed. Could you please replace the earlier version sent at 10.46am with this version ?

I m happy to send an xls file if that is easier for planning staff to copy and paste in the course of writing any evaluation.

Many thanks,

Martin Wallace

To Matamata Piako District Council

35 Kenrick Street, PO Box 266, Te Aroha 3342, submissions@mpdc.govt.nz

Further Submission on Proposed District Plan Changes 43 and 44

Further submitter's details:

Name: Environmental Futures Incorporated
Contact person: Martin Wallace
Address for correspondence: C/o The secretary, Harbottle Road, RD2, Morrinsville 3372

Phone: 07 889 7910

Email martin.wallace@clear.net.nz

This is a further submission in support of or in opposition to a submission on Plan Change 43 – Transportation and Plan Change 44 – Works and Network Utilities.

Environmental Futures is a person who has an interest in the proposal that is greater than the interest that the general public has.

Environmental Futures has a long history of interest and involvement in the development of the MPDC District Plan and its objects are:

- a. The protection, preservation, enhancement and conservation of the physical, biological, cultural, social and aesthetic environment, with due regard being taken of the needs of future generations, and the economic conditions where these affect or are affected by the environment.
- b. To encourage and promote sound planning principles and practices.
- c. To promote and encourage community education on any aspects of the environment and planning.
- d. To undertake, coordinate and support public actions to achieve these objects.
- e. To promote changes in legislation pertaining to the objectives of the organisation.

Environmental Futures is also identified in the plan as a person to be consulted as appropriate, by persons applying for resource consent, as part of potentially relevant information.

The submissions are attached as an. xlsx file.

Environmental Futures does wish to present at the council planning hearing

Environmental Futures would be prepared to present a joint case at the hearing with others making a similar submission:

Dated 26 February 2014

Plan change 43 & 44 Further Submissions - Environmental Futures Inc. (EF)								
Further Submission Number	Submitter Number	Submitter	Clause	Clause Description	Change Sought by Submitter	Support /Oppose	Reasons for our Support or Opposition	Decision that EF wants Council to make
1.1	3	Waikato Regional Council	2.4.6	Sustainable Management Strategy - Integrating Land Use and infrastructure Objective O1, bullet-point 3, Policy P1, and consequential	Retain Objective O1. In relation to Objective O1, add the following bullet-point to Policy P1: "Adverse effects on the natural and physical environment can be appropriately avoided, remedied, and mitigated". Make consequential amendments to the rules to ensure this bullet-point is fully implemented.	Support	The suggestion properly fills a gap in the objective and subsequent policies, methods and explanations so that the natural and physical environment is properly considered.	Allow
1.2			2.4.8	Sustainable management strategy - Energy efficiency and renewable energy generation. Policy P2, bullet-point 1 and consequential amendments.	Amend Policy P2, bullet-point 1 as follows: "....their connections to the electricity transmission grid are enabled while managing adverse effects on the environment". Make consequential amendments to the rules to ensure the amended policy is implemented.	Support	There is no justification for restricting attention to avoidance, mitigation and remedy only of "significant" adverse effects.	Allow
1.3			3.7.2.1	Works and network utilities - Community infrastructure Policy P3, bullet-point 1.	Amend Policy P3, bullet-point 1 as follows: "To ensure that works and network utilities are considered having particular regard to: - The degree to which further modification would have adverse effects on the natural and physical environment". Make consequential amendments to the rules to ensure the change to the policy is implemented.	Support	The reasons given by the submitter that just because the environment may have been modified should not prevent consideration of the adverse effects of further modification is supported.	Allow
2.1	5	Kiwirail	5x	New Rule - Setbacks from a rail corridor.	Proposal to insert a new development control requiring all buildings, balconies, decks, trees and shrubs to be set back at least 10m from the rail corridor boundary, fences and walls to be maintained, and storage and service areas screened; as set out in KiwiRail's Submission Point 17.	Oppose	The rules suggested are even more restrictive than those proposed in the plan and are opposed for the reason set out in Environmental Futures' original submissions 10 and 12.	Disallow whole
2.2			15	Definitions - Buffer Corridor	Proposal to add to the definition the following:..... <i>or an area adjacent to a railway corridor as described in Rule 5.X</i> ".	Oppose	As above	Disallow whole

Further Submission Number	Submitter Number	Submitter	Clause	Clause Description	Change Sought by Submitter	Support /Oppose	Reasons for our Support or Opposition	Decision that EF wants Council to make
2.3			15	Definitions - Sensitive activity	Proposed re-definition of Reverse Sensitivity to expand its scope to a wider range of activities under different circumstances. That is to amend the definition of "Sensitive activity" to read: "Sensitive activity" means any use of land and/or buildings which is likely to be susceptible to the effects of noise emitted from nearby pre-existing lawfully established land use in the course of their legitimate operation and functioning ; and for the purposes of this plan, and in the context of state highways and railway lines includes any dwelling (including Primary Outdoor Amenity Areas) , papakainga, visitor accommodation, boarding house, retirement village, supported residential care, educational facilities, hospitals and healthcare services, and care centres, Places of Assembly, including churches, community facilities, restaurants and recreational facilities.	Oppose	In the suggested definition the submitter has suggested the term "which is likely to be susceptible" rather than "which is sensitive". In addition the submitter's definition proposes that the sensitive activity should merely be susceptible to the effects of noise from the operation of the highway or rail corridor rather than being sensitive to the adverse effects being generated by the road or highway. A reasonable application of the original rule would allow analysis of the degree of sensitivity of the sensitive activity, and the degree to which the operator of the road or rail corridor has taken steps to avoid, remedy or mitigate the primary adverse effects it causes. Only after such a consideration would the original rule need to be applied, whereas in the new definition this consideration would be less able to be applied.	Disallow whole
	8	NZTA	2.4.6	Integrating land-use and infrastructure	Proposal to retain as notified but amend all references to "existing infrastructure" and "existing networks" to " <i>existing and planned infrastructure</i> " and " <i>existing and planned networks</i> ".	Oppose	Should not make objectives, policies, methods and explanation that relate to infrastructure "planned" only by an agency that does the planning outside a fully public process.	Disallow whole
3.2			2.4	Sustainable Management Strategy	Proposal to amend reference to " <i>existing infrastructure</i> " to " <i>existing and planned infrastructure</i> ".	Oppose	The plan's intent of integrating land use should refer to existing only. The person undertaking the infrastructure development should not be the sole determinant of what is "planned"	Disallow whole

Further Submission Number	Submitter Number	Submitter	Clause	Clause Description	Change Sought by Submitter	Support /Oppose	Reasons for our Support or Opposition	Decision that EF wants Council to make
3.3			3.5.2 O6	Nuisance Effects	Proposal to amend Objective O6 as follows: " <i>To ensure that subdivision and land use activities are located and sited in a manner that recognises existing and planned infrastructure networks</i> ".	Oppose	How is the public supposed to know what an agency such as NZTA has planned. The obvious answer is for it to seek inclusion of such long term plans in the district plan. Otherwise, if only the NZTA is able to say what it has planned, then there would be no ability for the public to have input.	Disallow whole
3.4			1.1.1(ix) (Wrongly identified in the submission as (x))	Information requirements for resource consents - Written Report	Delete reference to Integrated Transport Assessment Guidelines	Oppose	Deletion of reference to this guide leaves uncertainty as to whether adequate assessment is in fact done and whether such an assessment is done by a qualified person.	Disallow whole
3.5			5.2.9	Internal Noise Limits - railway lines and state highways	Re-titling and introduction of new Permitted Activity performance standard that would make development within new buffer areas non-complying.	Oppose	This proposal further restricts development of property owners' land even if they were to meet the proposed internal noise limits.	Disallow whole
3.6			5.9.2(i)(g)	Integrating land-use and infrastructure - Performance Outcomes	Reference to service or connection by roading and reference to the roading hierarchy.	Oppose	The use of the term "served by" does not need to be changed to "connected by". Also, there is no need to refer to the Roading Hierarchy with respect to existing roads. For new roads this guideline should not be referenced as it is not the exclusive method or reference point to determine what new roads might adequately serve the development.	Disallow whole
3.7			5.9.2(i)(h)	Integrating land-use and infrastructure - Performance Outcomes	Reference to planned infrastructure in sub-clause.	Oppose	It is sufficient for the development to be assessed against efficient use of existing infrastructure networks.	Disallow whole

Further Submission Number	Submitter Number	Submitter	Clause	Clause Description	Change Sought by Submitter	Support /Oppose	Reasons for our Support or Opposition	Decision that EF wants Council to make
3.8			8.1	Matters of discretion/discretionary assessment criteria/guidance for non-complying activities applicable to Sections 8.1–8.5, and 8.8–8.9.	Proposed inclusion of an additional assessment criterion that assesses effects on the roading network	Oppose	This is unnecessary as adverse effects generally are matters already included in 8.10(xxii). It would be unreasonable to single out effects on the roading network as a special case.	Disallow whole
3.9			New Appendix in relation to Rule 1.1.14(ix)	Proposed new Appendix 11	Proposal to remove reference to the “Integrated Transport Assessment Guidelines, November 2010, NZTA Research Report 422” and include a new “Appendix 11 -(Titled Apendix 1 in the submission) Information Requirements for Integrated Transport Assessments”.	Oppose	C.f. reasons given in Further Submission 3.4 above.	Disallow whole
4.1	9	Vector Gas	All Maps		Proposed inclusion of the alignment of gas transmission pipelines within the Planning Maps and identify within the Legend as “Gas Transmission Pipeline”.	Support	The gas infrastructure should reasonably be included.	Allow
5.1	15	Kaimai Properties & Matamata Metal Supplies	Schedule 5 - Development Concept Plans - Barton Road Development Concept Plan (DCP)	Schedule 5 - Development Concept Plans - Barton Road Development Concept Plan (DCP)	Amend the Barton Road DCP to ensure there is appropriate provision for, and correct cross- referencing to, the relevant Network Utility rules which have been amended by the proposed Plan Change.	Oppose in part	Consistency with new changes to the plan should be allowed in the case of the DCP for this site but this plan change is not the place to modify specifically the DCP where it would not be consistent with the underlying zone.	Disallow in part

Further Submission Number	Submitter Number	Submitter	Clause	Clause Description	Change Sought by Submitter	Support /Oppose	Reasons for our Support or Opposition	Decision that EF wants Council to make
6.1	16	D & L Swap	Schedule 5 - Development Concept Plans - DI & JL Swap DCP	Schedule 5 - Development Concept Plans - DI & JL Swap DCP	Amend the Swap DCP to ensure there is appropriate provision for, and correct cross-referencing to, the relevant Network Utility rules which have been amended by the proposed Plan Change.	Oppose in part	Consistency with new changes to the plan should be allowed in the case of the DCP for this site but this plan change is not the place to modify specifically the DCP where it would not be consistent with the underlying zone.	Disallow in part
7.1	17	New Zealand Historic Places Trust	2.4.6	Integrating land-use and infrastructure - Policies P1 - P6	Add the following bullet-point to Policy P1: <i>"The historic heritage of the District is not significantly adversely affected"</i> .	Support	It is important to ensure historic heritage of the district is considered and in the policy is not otherwise covered.	Allow
7.2	18		2.4.7	Regionally significant infrastructure - Objective O2 and Policy P2	Amend Objective O2 as follows: "Operation, maintenance, upgrading, and development of regionally significant infrastructure is enabled, efficiency is promoted, and the asset is protected to promote the economic, social, and cultural wellbeing of national, regional and local communities, while avoiding, remedying or mitigating adverse effects on the environment ". Amend Policy P2 as follows: "Require the development and upgrading of regionally significant infrastructure to avoid, remedy or mitigate adverse effects on the: • Health, safety, and wellbeing of people; • Visual and amenity values; • Natural and physical environment; • Historic heritage and the intrinsic values of scheduled sites; and • Existing sensitive activities".	Support	Deletion of the qualifying statements about the extent of avoidance, remedy or mitigation is supported as it dilutes the duty prescribed in the Act. It is important to include Historic heritage where suggested.	Allow

Further Submission Number	Submitter Number	Submitter	Clause	Clause Description	Change Sought by Submitter	Support /Oppose	Reasons for our Support or Opposition	Decision that EF wants Council to make
8.1	24	Chorus	8.1.1 - New provision - Earthworks and vegetation trimming	Proposed new provision	Insertion of a new rule providing exclusions for telecommunications infrastructure from earthworks and vegetation trimming requirements elsewhere in the Plan.	Oppose	This should not apply with respect to new telecommunication infrastructure	Disallow whole
9.1	26	Ventus Energy NZ Ltd	3.1.2.1	Natural Environment and Heritage - Landscape Character - Policies	Amend the policies as follows: " <i>Protect the elements from inappropriate use or development. Not inappropriately detract from the amenity values of the landscape</i> "	Oppose	It is not clear from the submission just what is proposed and where it is intended to be inserted but it is not appropriate to modify this policy by way of the proposed plan change and it does not serve to adequately meet the objective.	Disallow whole
9.2			Planning Map 3	Planning Map 3	Amend the extent of the Kaitiaki (Conservation) Zone to coincide with the existing bush line	Oppose	The zone boundary as been placed so as to reflect the character and importance of the landscape, and biodiversity of the Kaitiake zone and just because the bush line is set back from the zone boundary does not mean that the protections afforded by the zone rules should not apply. further, such a justification for amendment has in the past led to bush being cleared and than rezoned which would threaten the overall purpose of the zoning as others have.	Disallow whole
9.3			8.3.2(i)(c)	Renewable energy generation - Performance standards	Delete the requirement for monitoring masts to comply with height-to-boundary rules.	Oppose	There is no justification for masts not to comply with height to boundary rules so as to protect neighboring properties from adverse effects. If the particular mast contemplated would not adversely affect the persons beyond the boundary then there may be opportunity to gain a non-complying consent. It should however be assessed in the light of the existing rule.	Disallow whole

Further Submission Number	Submitter Number	Submitter	Clause	Clause Description	Change Sought by Submitter	Support /Oppose	Reasons for our Support or Opposition	Decision that EF wants Council to make
9.4			New rule	Proposed new rule - Large Scale Wind Farms	Proposed inclusion of the following provision for large-scale wind farms: "A turbine or turbines in proposed large-scale wind farms may overhang a Kaitiaki (Conservation) Zone, but the foundations must not be located within the Kaitiaki (Conservation) Zone - Restricted-discretionary activity. Discretionary activity status shall only apply where the foundations are located within the Kaitiaki (Conservation) Zone".	Oppose	This rule would likely depend on the height to boundary rules being breached in any case which is opposed but such a rule would very likely cause adverse effects as the values protected by the zoning and rules would likely be degraded if such a rule were allowed.	Disallow whole
9.5			Schedule 3	Schedule 3 - Outstanding or significant natural features and trees and other protected items - Schedule 213	Proposed amendment to the Schedule to exclude land beyond the extent of the forest. Also exclude the Transpower grid corridor where appropriate.	Oppose	The forest itself is not the sole matter that gives rise to the significance of the natural features and items to be protected by the scheduling. Buffers and management afforded by the applicable rules are necessary to ensure the identified features are properly protected.	Disallow whole

Kelly Moulder

From: Website submission form [webmaster@mpdc.govt.nz]
Posted At: Wednesday, 26 February 2014 09:47
Conversation: Further submission on PPC 43 and 44
Posted To: Submissions (Corporate Planning)

Subject: TRIM: Further submission on PPC 43 and 44

Name: Mike Gribble

Contact person: Mike Gribble

Address for correspondence: No2 RD 32 Scott Road Morrinsville

Phone: 889 5472

Fax:

Email: mgribb@gmail.com

Type of submitter: Greater than public interest

Explanation of how you fall within this category: I am a resident and ratepayer of the district for 38 years. I have had input to submissions to the District Plan since its inception

Details of original submission:

Do you support or oppose the original submission?: Oppose

Original submission number: 5,8,19,23 &14,17

Name of original submitter: As per list

Original submitter's address: As per list

Your submission

The particular parts of the submission I support/oppose are: You website does not accept formatted files

I will email under separate email this portion of my submissions

The reasons for my support/opposition are:: Kiwirail -Submitter number 5

Deborah Hewett

email - deborah.hewett@kiwirail.co.nz

Clause Subject Change sought by submitter Oppose Reason Decision I wish Council

Number /support to make

3.5 2.3 Amenity Amend Objective O6 as follows: "To Oppose There is enough protection

Disallow this request for

ensure that subdivision and afforded by the original words an amendment

land-use activities are located and sited

in a manner that

recognises infrastructure networks and

avoids, remedies, or

mitigates any potential reverse-

sensitivity effects on those

infrastructure networks"

5X New Rule This rule is over prescriptive Disallow this request for

Insert a new development control and unnecessary. a rule change

Oppose

Setback from requiring all buildings,

a rail corridor balconies, decks, trees and shrubs to be

set back at least 10m
 from the rail corridor boundary, fences
 and walls to be maintained,
 and storage and service areas screened;
 as set out in KiwiRail's
 Submission Point 17. Add a new rule
 5.X, or a location in the Plan which will
 have district-wide applicability:
 5.X Setbacks from a Rail Corridor
 Buildings, balconies and decks shall be
 setback at least 10 metres from the
 rail corridor boundary and;
 Trees and shrubs shall be setback at
 least 10 metres from the rail corridor
 boundary and shall not comprise
 nuisance or weed species and;
 Trees and shrubs shall be maintained
 such that they do not encroach into
 the setback and
 Fences or walls adjoining the rail
 corridor boundary shall be
 - setback or sited in a way that enables
 maintenance to be undertaken
 without requiring access to the rail
 corridor, and
 - maintained in a good state of repair fit
 for purpose, and free of graffiti
 and
 Storage and service areas and shall be
 screened so they are not visible
 from the rail corridor and
 Where buildings, other than residential,
 are developed introduce
 appropriate screening and other
 provisions for service areas and storage
 areas facing the rail corridor.
 15 Definitions - This definition defines the term Disallow this
 Sensitive Sensitivity activities beyond the amendment
 activity normal interpretation that would
 be accepted by the general public
 Amend the definition of "Sensitive
 activity" as follows: "means a
 more recently established activity which
 is sensitive to the
 adverse environmental effects being
 generated by a pre-existing
 lawfully established activity any use of
 Oppose
 land and/or buildings

which is likely to be susceptible to the effects of noise emitted from nearby pre-existing lawfully established land-use in the course of their legitimate operation and functioning; and for the purposes of this Plan, and in the context of state highways and railway lines includes any dwelling (including Primary Outdoor Amenity Areas), papakainga, visitor accommodation, boarding house, retirement village, supported residential care, educational facilities, hospitals and healthcare services, and care centres, Places of Assembly, including churches, community facilities, restaurants and recreational facilities".

15

Definitions –

Buffer zone

Amend the definition of “Buffer

Oppose

Corridor” to read:

means a corridor comprising the “red zone” and the “green zone” as follows:

(i) A 16m wide corridor measured from the centreline of the HIN-KPO A transmission line as identified on the planning maps.

(ii) A 32m wide corridor measured from the centreline of the HAM-WHU A and

WHUWKO A transmission lines as identified on the planning maps.

Or an area adjacent to a railway corridor as described in Rule 5.X.

There is enough protection for Disallow this the rail corridor

amendment

NZ Transport Agency- Submitter Number 8

Caitlin Kelly

email - Caitlin.Kelly@nzta.govt.nz

Clause Subject

Number

Change sought by submitter

Oppose

/support

2.4.6 Integrating

Retain as notified but amend all Oppose The planned network land-use and references to "existing

may never happen.

infrastructure infrastructure" and "existing

There are planned

networks" to "existing and

bypass's in the district

planned

that will never go ahead

infrastructure" and "existing and

in future and certainly

planned networks".

within the designated

period they are required

to.

5.2.9 Internal

noise limits

railway

lines and

state

highways

Amend Rule 5.2.9 as set out below:

Oppose

"5.2.9 Internal noise limits – railway

lines and state highways Noise

insulation: noise sensitive activities

(i) Performance Standards

(x) New and altered buildings shall be set back:

- 10m from a state highway where the posted speed is less than 70km/h;

- 20m from a state highway where the posted speed is 70km/h or more.

The set back shall be measured from the edge of the nearest traffic lane.

(a) New buildings or additions to existing buildings to be used for a noise sensitive activity located:

(i) Within 40m of an operational railway line;

(ii) Within 80m of a state highway with where the site's frontage has a posted speed limit of 70km/h or above; or

(iii) On a front site or a corner site that directly adjoins a state highway where the posted speed limit is less than 70km/h and that has accompanying building platform that is within 40m of the state highway with a speed limit of less than 70km/h; Shall be designed, insulated, constructed, or screened by suitable barriers to ensure that noise received within any new bedroom, habitable space, or other space containing a noise sensitive activity, will not exceed the limits below:.....

(b) The distances referred to above are measured from the:

- Edge of a railway track;
- Edge of seal nearest traffic lane of the state highway;
- Face of the closest external wall of a new building or addition to an

Reason

The request is not necessary

Decision I wish

Council to make

Remove the

word

“planned”

from the

requested

amendment

As requested by

submitter No 7

existing building.

(c) If windows are required to be closed to achieve the noise limits above, the building shall be designed and constructed to provide an alternative means of ventilation in accordance with the Clause G4 of the New Zealand Building Code with a ventilation system to achieve the following:

- A quantity of air shall be provided to achieve the requirements of Clause G4 of the New Zealand Building Code. At the same time as meeting this requirement, the sound of the system shall

not exceed 30 dB LAeq(30s) when measured 1m away from any grille or diffuser.

- Either:

- o Air conditioning shall be provided; or:
- o A high air flow rate setting shall provide at least 15 air changes per hour (ACH) in the principal living space of the system shall not exceed 40dB LAeq(30s) in the principal living space and 35 dB LAeq(30s) in all other habitable spaces, when measured 1m away from any grille or diffuser.

The internal air pressure shall be no more than 10 Pa above ambient air pressure due to the mechanical ventilation.

Where a high air flow setting is provided, the system shall be controllable by the occupants to be able to alter the ventilation rate with at least three equal stages up to the high setting.....

(iii) Restricted-discretionary Non-complying activities

A new building or addition to an existing building, to be used for a noise sensitive activity not meeting the performance standards in 5.2.9(i) above is a restricted-discretionary non-complying activity....”

Transpower – Submitter number 19

Peter Hall Boffa Miskell Ltd

Clause

Number

Subject

Change sought by submitter Oppose Reason

/support

Retain as notified

Planning

maps

2.4.7

email peter.hall@boffamiskell.co.nz

Decision I wish

Council to make

Support The disclaimers concerning the

Remove all

in part lack of accuracy of the maps as to disclaimers
the position of the network render
the maps meaningless. s

Regionally

significant

infrastructure

ure - New

Policy P7

Include new Policy P7 as follows:

"Adverse effects including
reverse-sensitivity effects on the National
Grid are avoided".

Oppose

The word reverse is not

required

Remove the following

words

"including

reverse-sensitivity

effects on the

National Grid are

avoided".

Powerco Ltd – Submitter number 23

Burtons Consultants , Georgina McPherson email gmcpherson@burtonconsultants.co.nz

Clause

Number

Planning

map

Subject

Change sought by submitter Oppose Reason

/support

Decision I wish

Council to make

Retain the illustration of Powerco's Support By having a disclaimer it

sub-transmission network on in part Delete all disclaimers

the Planning Maps and retain the diminishes the accuracy of the

associated disclaimer in "Part plan. The plan is either correct

C: Maps and Plans". or incorrect

Federated Farmers – Submitter number 14

Sally Millar

email

smillar@fedfarm.org.nz

Clause Subject

Number

Change sought by submitter

Oppose N/A The rolling

/support Reconsider the current rolling

review

District Plan review process.

process
 adopted by
 MPDC
 prevents a
 holistic
 assessment of
 the policy
 direction.
 Reason Decision I wish
 Council to make
 Support Same reasons as the submitter Implement a single
 The rolling review process plan review
 adopted by MPDC
 prevents a holistic assessment
 of the policy direction.
 NZ Historic Places Trust –Submitter number
 Carolyn McAlley email
 17
 cmcalley@historic.org.nz
 Claus Subject Change sought by submitter Oppose Reason
 eNum /support
 ber
 2.4.6 Add the following bullet-
 point to Policy P1: "The
 historic heritage
 of the District is not
 significantly adversely
 affected".
 Integrating land-
 use and
 infrastructure -
 Policies P1 - P6
 Support
 Decision I wish
 Council to make
 The district historical heritage The change sought by
 is important to retain
 the submitter
 Address
 Kiwi Rail
 Level 1
 Wellington Railway Station
 PO Box 593
 Wellington 6140
 Attention Deborah Hewett
 NZ Transport Agency
 PO Box 973
 Hamilton 3204
 Attention Caitlin Kelly

Transpower
c/- Boffa Miskell Ltd
PO Box 91250
Auckland 1142
Attention Peter Hall
Powerco
c/- Burton Consultants
PO Box 33817
Auckland 0740
Attention Georgina McPherson
Federated Farmers
PO Box 447
Waikato Mail Centre
Hamilton
Attention Sally Millar
Historic Places Trust
PO Box 13339
Tauranga 3141
Attention Carolyn McAlley
I seek the following decision from Council. That: Nothing Selected ...
if part, precise details:
....Of the original submission be: Nothing Selected
I wish to present at the council planning hearing: yes
I would be prepared to present a joint case at the hearing with others making a similar
submission: yes

Kiwirail -Submitter number 5

Deborah Hewett email - deborah.hewett@kiwirail.co.nz

Clause Number	Subject	Change sought by submitter	Oppose /support	Reason	Decision I wish Council to make
3.5 2.3	Amenity	Amend Objective O6 as follows: "To ensure that subdivision and land-use activities are located and sited in a manner that recognises infrastructure networks and avoids, remedies, or mitigates any potential reverse-sensitivity effects on those infrastructure networks"	Oppose	There is enough protection afforded by the original words	Disallow this request for an amendment
5X	New Rule Setback from a rail corridor	<p>Insert a new development control requiring all buildings, balconies, decks, trees and shrubs to be set back at least 10m from the rail corridor boundary, fences and walls to be maintained, and storage and service areas screened; as set out in KiwiRail's Submission Point 17. Add a new rule 5.X, or a location in the Plan which will have district-wide applicability:</p> <p>5.X Setbacks from a Rail Corridor</p> <p>Buildings, balconies and decks shall be setback at least 10 metres from the rail corridor boundary and;</p> <p>Trees and shrubs shall be setback at least 10 metres from the rail corridor boundary and shall not comprise nuisance or weed species and;</p> <p>Trees and shrubs shall be maintained such that they do not encroach into the setback and</p> <p>Fences or walls adjoining the rail corridor boundary shall be</p> <ul style="list-style-type: none"> - setback or sited in a way that enables maintenance to be undertaken without requiring access to the rail corridor, and - maintained in a good state of repair fit for purpose, and free of graffiti and <p>Storage and service areas and shall be screened so they are not visible from the rail corridor and</p> <p>Where buildings, other than residential, are developed introduce appropriate screening and other provisions for service areas and storage areas facing the rail corridor.</p>	Oppose	This rule is over prescriptive and unnecessary.	Disallow this request for a rule change
15	Definitions - Sensitive activity	Amend the definition of "Sensitive activity" as follows: "means a more recently established activity which is sensitive to the adverse environmental effects being generated by a pre-existing lawfully established activity any use of	Oppose	This definition defines the term Sensitivity activities beyond the normal interpretation that would be accepted by the general public	Disallow this amendment

		land and/or buildings which is likely to be susceptible to the effects of noise emitted from nearby pre-existing lawfully established land-use in the course of their legitimate operation and functioning; and for the purposes of this Plan, and in the context of state highways and railway lines includes any dwelling (including Primary Outdoor Amenity Areas), papakainga, visitor accommodation, boarding house, retirement village, supported residential care, educational facilities, hospitals and healthcare services, and care centres, Places of Assembly, including churches, community facilities, restaurants and recreational facilities".			
15	Definitions – Buffer zone	Amend the definition of “Buffer Corridor” to read: means a corridor comprising the “red zone” and the “green zone” as follows: (i) A 16m wide corridor measured from the centreline of the HIN-KPO A transmission line as identified on the planning maps. (ii) A 32m wide corridor measured from the centreline of the HAM-WHU A and WHUWKO A transmission lines as identified on the planning maps. Or an area adjacent to a railway corridor as described in Rule 5.X.	Oppose	There is enough protection for the rail corridor	Disallow this amendment

NZ Transport Agency- Submitter Number 8

Caitlin Kelly email - Caitlin.Kelly@nzta.govt.nz

Clause Number	Subject	Change sought by submitter	Oppose /support	Reason	Decision I wish Council to make
2.4.6	Integrating land-use and infrastructure	Retain as notified but amend all references to "existing infrastructure" and "existing networks" to "existing and planned infrastructure" and "existing and planned networks".	Oppose	The planned network may never happen. There are planned bypass's in the district that will never go ahead in future and certainly within the designated period they are required to.	Remove the word " <i>planned</i> " from the requested amendment
5.2.9	Internal noise limits railway lines and state highways	<p>Amend Rule 5.2.9 as set out below: "5.2.9 Internal noise limits – railway lines and state highways Noise insulation: noise sensitive activities (i) Performance Standards (x) New and altered buildings shall be set back: □ 10m from a state highway where the posted speed is less than 70km/h; □ 20m from a state highway where the posted speed is 70km/h or more. The set back shall be measured from the edge of the nearest traffic lane. (a) New buildings or additions to existing buildings to be used for a noise sensitive activity located: (i) Within 40m of an operational railway line; (ii) Within 80m of a state highway with where the site's frontage has a posted speed limit of 70km/h or above; or (iii) On a front site or a corner site that directly adjoins a state highway where the posted speed limit is less than 70km/h and that has accompanying building platform that is within 40m of the state highway with a speed limit of less than 70km/h; Shall be designed, insulated, constructed, or screened by suitable barriers to ensure that noise received within any new bedroom, habitable space, or other space containing a noise sensitive activity, will not exceed the limits below:..... (b) The distances referred to above are measured from the: • Edge of a railway track; • Edge of seal nearest traffic lane of the state highway; • Face of the closest external wall of a new building or addition to an</p>	Oppose	The request is not necessary	As requested by submitter No 7

		<p>existing building.</p> <p>(c) If windows are required to be closed to achieve the noise limits above, the building shall be designed and constructed to provide an alternative means of ventilation in accordance with the Clause G4 of the New Zealand Building Code with a ventilation system to achieve the following:</p> <p>□ A quantity of air shall be provided to achieve the requirements of Clause G4 of the New Zealand Building Code. At the same time as meeting this requirement, the sound of the system shall not exceed 30 dB LAeq(30s) when measured 1m away from any grille or diffuser.</p> <p>□ Either:</p> <ul style="list-style-type: none"> o Air conditioning shall be provided; or: o A high air flow rate setting shall provide at least 15 air changes per hour (ACH) in the principal living space of the system shall not exceed 40dB LAeq(30s) in the principal living space and 35 dB LAeq(30s) in all other habitable spaces, when measured 1m away from any grille or diffuser. <p>The internal air pressure shall be no more than 10 Pa above ambient air pressure due to the mechanical ventilation.</p> <p>Where a high air flow setting is provided, the system shall be controllable by the occupants to be able to alter the ventilation rate with at least three equal stages up to the high setting.....</p> <p>(iii) Restricted-discretionary Non-complying activities</p> <p>A new building or addition to an existing building, to be used for a noise sensitive activity not meeting the performance standards in 5.2.9(i) above is a restricted-discretionary non-complying activity....”</p>			
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Transpower – Submitter number 19

Peter Hall Boffa Miskell Ltd email peter.hall@boffamiskell.co.nz

Clause Number	Subject	Change sought by submitter	Oppose /support	Reason	Decision I wish Council to make
Planning maps		Retain as notified	Support in part	The disclaimers concerning the lack of accuracy of the maps as to the position of the network render the maps meaningless.s	Remove all disclaimers
2.4.7	Regionally significant infrastructure - New Policy P7	Include new Policy P7 as follows: "Adverse effects including reverse-sensitivity effects on the National Grid are avoided".	Oppose	The word reverse is not required	Remove the following words <i>"including reverse-sensitivity effects on the National Grid are avoided".</i>

Powerco Ltd – Submitter number 23

Burtons Consultants , Georgina McPherson email gmcpherson@burtonconsultants.co.nz

Clause Number	Subject	Change sought by submitter	Oppose /support	Reason	Decision I wish Council to make
Planning map		Retain the illustration of Powerco's sub-transmission network on the Planning Maps and retain the associated disclaimer in "Part C: Maps and Plans".	Support in part	By having a disclaimer it diminishes the accuracy of the plan. The plan is either correct or incorrect	Delete all disclaimers

Federated Farmers – Submitter number 14

Sally Millar email smillar@fedfarm.org.nz

Clause Number	Subject	Change sought by submitter	Oppose /support	Reason	Decision I wish Council to make
N/A	The rolling review process adopted by MPDC prevents a holistic assessment of the policy direction.	Reconsider the current rolling District Plan review process.	Support	Same reasons as the submitter The rolling review process adopted by MPDC prevents a holistic assessment of the policy direction.	Implement a single plan review

NZ Historic Places Trust –Submitter number 17

Carolyn McAlley email cmcalley@historic.org.nz

Claus eNum ber	Subject	Change sought by submitter	Oppose /support	Reason	Decision I wish Council to make
2.4.6	Integrating land-use and infrastructure - Policies P1 - P6	Add the following bullet-point to Policy P1: "The historic heritage of the District is not significantly adversely affected".	Support	The district historical heritage is important to retain	The change sought by the submitter

Address

Kiwi Rail
Level 1
Wellington Railway Station
PO Box 593
Wellington 6140
Attention Deborah Hewett
NZ Transport Agency
PO Box 973
Hamilton 3204
Attention Caitlin Kelly

Transpower
c/- Boffa Miskell Ltd
PO Box 91250
Auckland 1142
Attention Peter Hall

Powerco
c/- Burton Consultants
PO Box 33817
Auckland 0740
Attention Georgina McPherson

Federated Farmers
PO Box 447
Waikato Mail Centre
Hamilton
Attention Sally Millar

Historic Places Trust
PO Box 13339
Tauranga 3141
Attention Carolyn McAlley

Kelly Moulder

From: Georgina McPherson [GMcPherson@burtonconsultants.co.nz]
Posted At: Wednesday, 26 February 2014 11:21
Conversation: Powerco Further submission - PC44
Posted To: Submissions (Corporate Planning)

Subject: TRIM: Powerco Further submission - PC44

Please find attached further submissions lodged on behalf of our client Powerco to submissions on Plan Change 44 Works & Network Utilities.

Please don't hesitate to contact me if you have any questions.

Kind regards

Georgina



Georgina McPherson | Senior Planner

**PO Box 33-817 | Level 1, 2-8 Northcroft Street | Takapuna |
Auckland 0740
DDI: 09 917 4301 | tel: 09 917 4300 | fax: 09 917 4311
Email: gmcpherson@burtonconsultants.co.nz**

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To:

**Matamata-Piako District Council
PO Box 266
Te Aroha 3342**

By E-mail: submissions@mpdc.govt.nz

**Further Submissions by Powerco Limited on
Submissions to Proposed Plan Change 44
(Works and Network Utilities) to the Matamata
Piako District Plan**

Date: 26 February 2014

**FURTHER SUBMISSIONS BY POWERCO LIMITED ON SUBMISSIONS
TO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES TO THE
MATAMATA PIAKO DISTRICT PLAN**

To: Matamata-Piako District Council
PO Box 266
Te Aroha 3342

By E-Mail: submissions@mpdc.govt.nz

Name of further submitter:

Powerco Limited ("Powerco")
Private Bag 2061
NEW PLYMOUTH 4342

- 1. Powerco's further submissions are as contained in the attached Table.**
- 2. Powerco has an interest in the proposed plan change greater than that of the general public.**
- 3. Powerco does wish to be heard in support of its further submissions.**
- 4. Powerco could not gain an advantage in trade competition through this further submission.**
- 5. If others make similar submissions Powerco may be prepared to consider presenting a joint case with them at any hearing.**

Dated at AUCKLAND this 26th day of February 2014

Signature for and on behalf of
Powerco Limited:



Address for service:

BURTON PLANNING CONSULTANTS LTD
Level 1, 2-8 Northcroft Street
PO Box 33-817
Takapuna
AUCKLAND 0740

Attention: Georgina McPherson

Ph: (09) 917 4301 Fax: (09) 917 4311
Email: gmcpherson@burtonconsultants.co.nz

FURTHER SUBMISSIONS ON BEHALF OF POWERCO LIMITED
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES TO THE MATAMATA PIAKO
DISTRICT PLAN

Submission (Submitter Reference)	Provision	Relief Sought By Submitter (additions in bold; deletions in strikethrough)	Position of Further Submitter	Reason For Support / Opposition
Waikato Regional Council (3)	3.7.2 Works and network utilities; 1.Community infrastructure; Policy P3	<p>Amend as follows: <i>"To ensure that works and network utilities are considered having particular regard to: -</i></p> <ul style="list-style-type: none"> <i>The degree to which the environment has already been modified further modification would have adverse effects on the natural and physical environment".</i> <p>Further effects on the already modified environment needs to be considered as part of any assessment.</p>	Oppose	The wording notified by the council should be retained. It is important to take into account the nature of the existing environment and the degree to which it has already been modified when considering the appropriateness of a proposal for works and network utilities. This will avoid any implication that required mitigation or remediation must achieve a higher environmental standard than currently exists. In relation to new overhead electricity line, for example, a higher level of mitigation or remediation is likely to be required if located in a significant natural area in comparison to an industrial area, where the environment will already be heavily modified.
Kiwirail (5)	3.5.2 Amenity; 3. Nuisance effects; Objective O6	<p>Amend Objective O6 as follows:</p> <p><i>"To ensure that subdivision and land- use activities are located and sited in a manner that recognises infrastructure networks and avoids, remedies, or mitigates any potential reverse-sensitivity effects on those infrastructure networks".</i></p>	Support	Support proposed amendment for the reasons set out in the submission.

**FURTHER SUBMISSIONS ON BEHALF OF POWERCO LIMITED
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES TO THE MATAMATA PIAKO
DISTRICT PLAN**

Submission (Submitter Reference)	Provision	Relief Sought By Submitter (additions in bold; deletions in strikethrough)	Position of Further Submitter	Reason For Support / Opposition
Kiwirail (5)	15. Definitions	Amend the definition of "Sensitive activity" as follows: "means a more recently established activity which is sensitive to the adverse environmental effects being generated by a pre-existing lawfully established activity" any use of land and/or buildings which is likely to be susceptible to the effects of noise emitted from nearby pre-existing lawfully established landuse in the course of their legitimate operation and functioning; and for the purposes of this Plan, and in the context of state highways and railway lines includes any dwelling (including Primary Outdoor Amenity Areas), papakainga, visitor accommodation, boarding house, retirement village, supported residential care, educational facilities, hospitals and healthcare services, and care centres, Places of Assembly, including churches, community facilities, restaurants and recreational facilities"	Oppose	The amendments sought by the submitter are opposed. The definition sought inappropriately and unnecessarily limits the scope of effects to noise. Sensitive activities may be sensitive to other nuisance effects such as odour, vibration, risk, visual etc, which can lead to reverse sensitivity effects. There should be scope to consider such effects.

**FURTHER SUBMISSIONS ON BEHALF OF POWERCO LIMITED
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES TO THE MATAMATA PIAKO
DISTRICT PLAN**

Submission (Submitter Reference)	Provision	Relief Sought By Submitter (additions in bold; deletions in strikethrough)	Position of Further Submitter	Reason For Support / Opposition
Macken Farm Ltd (6)	3.5 / 3.6 Activities adjacent to transmission/ subtransmission lines	Limiting permitted development in the "green zone" and within 20m of the centreline of a sub-transmission line, to development that complies with NZCEP 34:2001 is unnecessarily and unduly restrictive. The rule is contrary to the principles of the RMA and to sound resource management practice.	Oppose	NZCEP34:2001 sets minimum safe separation distances for buildings and structures from electrical lines. Compliance with NZCEP34:2001 is mandatory. However, this is not widely recognised. The rule acts as a trigger to raise awareness of the need to comply with NZCEP34:2001.
Macken Farm Ltd (6)	6.1.1.11 Subdivision Activity Table - Clause 11 - Subdivision adjacent to transmission/ sub transmission lines	The imposition of restrictive development activity status on subdivision within the "green zone" is unnecessary and unduly restrictive. The rule is contrary to the principles of the RMA and to sound resource management practice. Accept plan change with amendments (details of amendments required, not stated).	Oppose	NZCEP34:2001 sets minimum safe separation distances for buildings and structures from electrical lines. Compliance with NZCEP34:2001 is mandatory. However, this is not widely recognised. The rule acts as a trigger to raise awareness of the need to comply with NZCEP34:2001. All subdivisions will require a resource consent in any case. The restricted discretionary activity consent status for subdivision within 20m either side of the centreline of a sub-transmission line is not overly onerous.

FURTHER SUBMISSIONS ON BEHALF OF POWERCO LIMITED
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES TO THE MATAMATA PIAKO
DISTRICT PLAN

Submission (Submitter Reference)	Provision	Relief Sought By Submitter (additions in bold; deletions in strikethrough)	Position of Further Submitter	Reason For Support / Opposition
Mike Gribble (7)	Maps and Plans – Planning maps	<p>The sub-transmission line data shown on the Planning Maps is subject to a disclaimer that the information is indicative only. This is unacceptable and gives no certainty to parties.</p> <p>Remove the disclaimer regarding sub-transmission lines from the Planning Maps and require the company to supply accurate data.</p>	Oppose	<p>The lines information Powerco has supplied to the Council is accurate and up to date at the time it was provided. However, the planning maps should not be relied upon as the only source of verifying the location of electricity lines. The scale of the maps means the actual location of lines may vary slightly from where they appear on the planning maps. Further, there may be some lag between Powerco undertaking works to lines (e.g. removal, relocation, installation of new lines) and the new information being updated on the council's planning maps. The best way to confirm the exact location of electricity lines and any requirements when working in close proximity to lines will be to contact the network operator.</p>
NZTA (8)	2.4.6 Integrating land-use and infrastructure	<p>Retain as notified but amend all references to "existing infrastructure" and "existing networks" to "<i>existing and planned infrastructure</i>" and "<i>existing and planned networks</i>".</p>	Support	<p>Support proposed amendment for the reasons set out in the submission.</p>

FURTHER SUBMISSIONS ON BEHALF OF POWERCO LIMITED
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES TO THE MATAMATA PIAKO
DISTRICT PLAN

Submission (Submitter Reference)	Provision	Relief Sought By Submitter (additions in bold; deletions in strikethrough)	Position of Further Submitter	Reason For Support / Opposition
NZTA (8)	3.5.2 Amenity; 3. Nuisance effects; Objective O6	Amend Objective O6 as follows: " <i>To ensure that subdivision and land use activities are located and sited in a manner that recognises existing and planned infrastructure networks</i> ".	Support	Support proposed amendment for the reasons set out in the submission.
New Zealand Historic Places Trust (17)	2.4.7 Regionally Significant Infrastructure; Objective O2 and Policy P2	<p>The wording must be changed to avoid dilution of the intent, and historic heritage should be included in the policy-framework.</p> <p>Amend Objective O2 as follows:</p> <p><i>"Operation, maintenance, upgrading, and development of regionally significant infrastructure is enabled, efficiency is promoted, and the asset is protected to promote the economic, social, and cultural wellbeing of national, regional and local communities, while avoiding, remedying or mitigating adverse effects on the environment to the greatest extent practicable"</i>.</p> <p>Amend Policy P2 as follows:</p> <p><i>"Require the development and upgrading of regionally significant infrastructure to avoid, remedy or</i></p>	Oppose	Due to their extensive linear nature, electricity networks are subject to a range of technical and locational constraints. In some cases a better environmental outcome may be achieved by allowing some localised effects to occur. For example, a requirement to divert a new electricity line around a significant natural area may result in a much greater length of line and more overall effects than allowing a short section of line to traverse that feature. Powerco seeks retention of the words 'to the extent practicable'.

**FURTHER SUBMISSIONS ON BEHALF OF POWERCO LIMITED
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES TO THE MATAMATA PIAKO
DISTRICT PLAN**

Submission (Submitter Reference)	Provision	Relief Sought By Submitter (additions in bold; deletions in strikethrough)	Position of Further Submitter	Reason For Support / Opposition
		<p><i>mitigate adverse effects to the extent practicable on the:</i></p> <ul style="list-style-type: none"> • <i>Health, safety, and wellbeing of people;</i> • <i>Visual and amenity values;</i> • <i>Natural and physical environment;</i> • Historic heritage and the intrinsic values of scheduled sites; <i>and</i> • <i>Existing sensitive activities".</i> 		
Transpower (19)	15 Definitions "Green Zone", "Red Zone", "Buffer Corridor", "Sub-transmission line"	<p>Amend definitions as follows and as detailed in this submission:</p> <p>"National Grid Yard" - similar to "Red Zone". "National Grid Subdivision Corridor" - similar to "Buffer Corridor". "Distribution Line" - same as "Sub-transmission Line". Delete "Transmission line buffer corridor". Make such consequential changes as necessary - including reference to "Red" and "Green" Zones.</p>	Oppose in part	<p>Powerco does not support replacing the term 'sub-transmission line' with 'distribution line.' Sub-transmission lines have a different role and function to both distribution and transmission lines (e.g. the National Grid). They typically operate at a higher voltage than distribution lines, but lower than transmission lines and play an important role in carrying electricity from the transmission network to the local distribution network. In the Matamata-Piako district Powerco operates a network of both sub-transmission and distribution lines. However, it is only the sub-transmission lines, which operate at a voltage of 33kV and above, that are shown on the planning maps and to which the rules in part 3.6 (activities adjacent to sub-transmission lines) and 6.1.1.11 (subdivision adjacent to sub-transmission</p>

FURTHER SUBMISSIONS ON BEHALF OF POWERCO LIMITED
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES TO THE MATAMATA PIAKO
DISTRICT PLAN

Submission (Submitter Reference)	Provision	Relief Sought By Submitter (additions in bold; deletions in strikethrough)	Position of Further Submitter	Reason For Support / Opposition
				<p>lines) apply. The overall length of distribution lines in the Matamata Piako is extensive and Powerco does not seek to have these distribution lines shown on the planning maps or subject to rules in the plan.</p> <p>It is, therefore, important to retain the term 'sub-transmission' in the plan. It is noted that there is a separate definition for Transpower's National Grid, which is sufficiently different to the definition of 'sub-transmission lines' to avoid any risk of confusion.</p> <p>Powerco is neutral on the remainder of the definitions addressed in this submission point.</p>
Horticulture NZ (20)	3.6(i) Development adjacent to sub-transmission lines - Permitted activities	<p>Amend as follows to provide for crop protection structures:</p> <p><i>"New buildings or additions to existing buildings (excluding artificial crop protection structures and crop support structures) within 20m of the centreline of a sub transmission line (identified on the Planning Maps) that have demonstrated compliance with NZECP 34:2001 are a permitted activity".</i></p>	Oppose	<p>The submission states that Horticulture NZ seeks to ensure that growers can establish crop protection structures and crop support structures consistent with NZECP34:2001. The rule already provides for this by permitting new buildings and additions to existing buildings that comply with NZECP34:2001 within 20m of the centreline of sub-transmission lines. The effect of the relief sought is to exempt such structures from the permitted activity status, with the potential implication that they would then become non-complying.</p>

FURTHER SUBMISSIONS ON BEHALF OF POWERCO LIMITED
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES TO THE MATAMATA PIAKO
DISTRICT PLAN

Submission (Submitter Reference)	Provision	Relief Sought By Submitter (additions in bold; deletions in strikethrough)	Position of Further Submitter	Reason For Support / Opposition
Environmental Futures Inc (21)	2.4.Sustainable management strategy; 7. Regionally significant infrastructure; Objective O3	The requirement that reverse- sensitivity effects on regionally significant infrastructure must be avoided, remedied, or mitigated, is too broad. Qualify the objective as follows, and amend Explanation accordingly: "Adverse effects including, where necessary , reverse-sensitivity effects on regionally significant infrastructure are avoided, remedied, or mitigated". Delete/amend AERs 7, 11, and 14 accordingly.	Oppose	Reverse sensitivity effects can result in significant constraints on the operation, maintenance, upgrade and development of infrastructure, which can undermine its efficiency, effectiveness and sustainable management. It is not clear in what circumstances it will not be appropriate to protect a regionally significant resource from reverse sensitivity effects.
Environmental Futures Inc (21)	3.7. Works and network utilities; 2. Provision and benefits	The changes proposed are radical. The changes to Policy P5 are incomplete and the new wording reverses the intent of the original policy.	Oppose	The wording of Policy 5, as notified, is supported. Reverse sensitivity can result in significant constraints on the operation, maintenance, upgrade and development of infrastructure, which can undermine its efficiency, effectiveness and sustainable management. The appropriate management of reverse sensitivity effects on works and network utilities is supported.

**FURTHER SUBMISSIONS ON BEHALF OF POWERCO LIMITED
ON SUBMISSIONS TO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES TO THE MATAMATA PIAKO
DISTRICT PLAN**

Submission (Submitter Reference)	Provision	Relief Sought By Submitter (additions in bold; deletions in strikethrough)	Position of Further Submitter	Reason For Support / Opposition
Telecom NZ (22)	3.8 Activities adjacent to flood control and erosion protection assets.	<p>The rule does not provide consideration of network utilities in flood hazard areas.</p> <p>That network utilities be provided for as permitted where WRC has given its authorization.</p>	Support	Support for the reasons set out in the submission. Due to their linear nature, it will not always be possible for network utilities to completely avoid locating within flood hazard areas.

Kelly Moulder

From: Sally Millar [SMillar@fedfarm.org.nz]
Posted At: Wednesday, 26 February 2014 13:29
Conversation: Further Submission PC 43 & 44
Posted To: Submissions (Corporate Planning)

Subject: TRIM: Further Submission PC 43 & 44

Please find attached Federated Farmers further submission in relation to Plan Change 43 & 44.

A copy will be sent to the original submitters as required

Regards
Sally

SALLY MILLAR
REGIONAL POLICY ADVISOR

Federated Farmers of New Zealand
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Waikato Mail Centre
Hamilton 3240

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FURTHER SUBMISSION



TELEPHONE 0800 327 646 | WEBSITE WWW.FEDFARM.ORG.NZ

To: **Matamata Piako District Council**

From: Federated Farmers of New Zealand

On the: **Matamata Piako Proposed Plan Change 43 & 44 – Transportation and Works and Network Utilities**

Date: **26 February 2014**

Contact: **Sally Millar**
Regional Policy Advisor
Federated Farmers of New Zealand
P O Box 447
Hamilton 3240

P: 07 858 0827
E: smillar@fedfarm.org.nz

Please find following Federated Farmers of New Zealand Further Submission on the Matamata Piako Proposed Plan Change 43 and 44 – Transportation and Works and Network Utilities.

Federated Farmers has an interest in the proposal that is greater than the interest the general public has. The grounds for saying that I come within this category are that:

- Federated Farmers of New Zealand is a representative body for all farmers. The subject matter of the appeal is a matter of interest for the farmers of the Matamata Piako District, and they constitute a sector of the public at large. Federated Farmers is in an appropriate position to represent that interest.

We wish to be heard in support of our submission

A handwritten signature in blue ink, appearing to read "Sally Millar".

Sally Millar

Date: 26 February 2014

Address for Service
Federated Farmers New Zealand
P O Box 447
Hamilton 3240

Phone: 07 858 0827
Fax: 07 838 2960
Email: smillar@fedfarm.org.nz

Submitter Number	Name of Submitter	Provision/ Part of Plan	Support/ Oppose	Reason
3	Waikato Regional Council	3.7.2.1	Support	Support for the reasons given
5	KiwiRail	Definitions - Sensitive Activity	Oppose	The definition of sensitive activity applies not just to activities that are sensitive to noise. The term sensitive activities needs to also apply to those activities that are sensitive to effects of other utilities such as transmission lines
5	KiwiRail	3.4.2	Neither support or oppose	Federated Farmers considers that this submission is outside the scope of the Plan Change. As per our submission we consider the rolling review approach to the District Plan does not provide for integrated management of resources. Further most businesses undertake multiple activities that are interconnected or an activity that that can have a broad range of impacts that cannot be addressed in isolation. We therefore have some sympathy with the submitter seeking these changes and seek direction from Council on how it intends to address these and any other submissions deemed to be outside the scope of this Plan Change
6	Macken Farm Ltd	3.8	Support in part	Support that clarity is required for resource users in how the rules are applied and to which water bodies in the District
7	Mike Gribble	Definitions - Sensitive Activity	Support	Support the amendment proposed, the deleted text is unnecessary
8	New Zealand Transport Agency	2.4.6	Support in part	Support the amendment, subject that the term "planned infrastructure" is limited to as defined in the Waikato Regional Policy Statement and any consequential amendments to the Plan to ensure consistency
8	New Zealand Transport Agency	5.2.9	Oppose	Oppose the proposal to make activities that do not meet the performance standard non complying

17	New Zealand Historic Places Trust	2.4.6	Oppose	Oppose the proposal as unnecessary. To include historic heritage which is a required matter to be considered under s6 of the RMA means that all other s6 matters should also be listed.
	New Zealand Historic Places Trust	2.4.7	Support in part	Support the proposed amendment to Objective 2, however Federated Farmers is opposed to the proposed amendment to Policy 2. While the objective should be to avoid remedy or mitigate it needs to be recognised there may be instances where this is not possible. The development of nationally significant infrastructure is an example.
21	Environmental Futures Inc	2.3.7	Oppose	Oppose the proposed amendments to clarify reverse sensitivity. The reverse sensitivity definition and application should be consistent with the Waikato Regional Policy Statement
21	Environmental Futures Inc	3.1.2	Support	Support for reasons given. Federated Farmers have been advised that we are not to address issues that are outside the scope of the Plan Change and we agree with the submitter that these proposed deletions have nothing to do with transportation or works and network utilities. It is likely there maybe people with an interest in these matters who have not made a submission on the basis that the Plan Change is restricted to Transport, Works and Network Utility matters
26	Ventus Energy (NZ) Ltd	3.1.2.1	Neither support or oppose	Federated Farmers considers that this submission is outside the scope of the Plan Change. As per our submission we consider the rolling review approach to the District Plan does not provide for integrated management of resources. Further most businesses undertake multiple activities that are interconnected or an activity that that can have a broad range of impacts that cannot be addressed in isolation. We therefore have some sympathy with the submitter seeking these changes and seek direction from Council on how it intends to address these and any other submissions deemed to be outside the scope of this Plan Change

Kelly Moulder

From: Jo Young [Jo.Young@boffamiskell.co.nz]
Posted At: Wednesday, 26 February 2014 13:57
Conversation: Transpower - Further submissions on Plan Change 44
Posted To: Submissions (Corporate Planning)

Subject: TRIM: Transpower - Further submissions on Plan Change 44

Please find attached further submissions by Transpower in relation to Plan Change 44 – Works and Network Utilities. Please do not hesitate to contact me if you have any queries.

Kind regards



Jo Young | Planner

email: jo.young@boffamiskell.co.nz | ddi: 64 9 357 44 15 | tel: 64 9 358 25 26 | fax: 64 9 359 53 00
PO BOX 91 250 | LEVEL 3, IBM CENTRE | 82 WYNDHAM STREET | AUCKLAND 1142 | NEW ZEALAND
www.boffamiskell.co.nz

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Further Submission on Proposed District Plan Change

Clause 8 of Schedule 1 of the Resource Management Act 1991



Further submitter's details:

Name: Transpower
Contact person: Jo Young, Boffa Miskell Limited
Address for correspondence: PO Box 91250, Auckland 1142
Phone: 09 357 4415 Fax: _____
E-mail: jo.young@boffamiskell.co.nz

This is a further submission in support of or in opposition to a submission on Plan Change 43 – Transportation and Plan Change 44 – Works and Network Utilities.

I am (tick one):

☐ A person representing a relevant aspect of the public interest (please explain how you fall within this category):

☐ A person who has an interest in the proposal that is greater than the interest that the general public has (please explain how you fall within this category):

I support /oppose the submission of: see attached

Original Submission Number: _____

Name of Original Submitter: _____

Original Submitter's Address: _____

The particular parts of the submission I support or oppose are:

Office use only:

TRIM # _____ NAR # _____ Container 13/6751

The reasons for my support or opposition are (attach additional pages if necessary): _____

I seek the following decision from Council. That:

☐ The whole ☐ The Part (please give precise details): _____

Of the original submission be:

☐ Allowed ☐ Disallowed

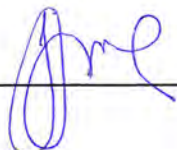
I wish to present at the council planning hearing:

☒ Yes ☐ No

I would be prepared to present a joint case at the hearing with others making a similar submission:

☒ Yes ☐ No

Signed: _____ Date: 26/2/14



Notes:

- If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
- A copy of your further submission must be sent to the original submitter within five working days of sending your further submission to Council.
- Please send the completed form to: Matamata-Piako District Council, 35 Kenrick Street, PO Box 266, Te Aroha 3342, or drop it off at any Council office before the closing date.
- **Further submissions close at 5.00pm on Wednesday 26 February 2014.**

FURTHER SUBMISSION BY TRANSPOWER NEW ZEALAND LIMITED ON SUBMISSIONS TO THE
MATAMATA PIAKO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES

To: Matamata Piako District Council

Email: submissions@mpdc.govt.nz

Name of Further Submitter: Transpower New Zealand Limited
PO Box 1021
Wellington 6140

Address for Service: Jo Young
Boffa Miskell Limited
Level 3, IBM Centre
PO Box 91250
Auckland 1142

I note that the following matters were not covered by the “Summary of Submissions” document prepared by Matamata Piako District Council. Transpower still seek to submit on these matters:

<u>Relevant section</u>	<u>Part not covered in the Summary of Submissions</u>
<p><u>Section 1 General comments</u> (page 8 of Transpower submission)</p> <p>General Relief sought</p> <ol style="list-style-type: none"> 1. Full effect is given to the NPSET 2008. 2. Recognise the NES-ET activities and ensure that there are no conflicts with provisions of the District Plan and NES-ET (s44A of the RMA). 	<p>These two relief have been omitted from the summary of submissions</p>
<p><u>Section 7 : 3.5 Activities adjacent to transmission lines</u> (page 17 of Transpower submission)</p> <ol style="list-style-type: none"> 1. Amend title of section 3.5 as follows: Section 3.5 Activities Adjacent to Transmission Line <u>The National Grid</u> 	<p>This relief sought has been omitted from the summary of submissions.</p>
<p><u>Section 7 : 3.5 Activities adjacent to transmission lines</u> (page 21 of Transpower submission)</p> <p>5. (iii) Matters for discretion...</p> <p>(d)<i>The extent to which the adverse effects from the line, and of the new activity <u>on the line</u> can be avoided, remedied, or mitigated;</i></p>	<p>The phrase “on the line” has been omitted from the summary of submissions.</p>

FURTHER SUBMISSION BY TRANSPower NEW ZEALAND LIMITED ON SUBMISSIONS TO THE MATAMATA PIAKO PROPOSED PLAN CHANGE 44 – WORKS AND NETWORK UTILITIES

Submission Number	Submitter	The specific part of the original submission to which my further submission relates is: <i>(list one provision per box)</i>	State whether you support or oppose this specific part of the original submission	State the reason for your support or opposition	What decision do you seek from Council on this submission (or part of a submission) I seek that the whole (or part [describe below]) of the submission be either: Allowed / Disallowed
3	Waikato Regional Council	<u>2.4.6 Policy 1</u> Add the following bullet point to Policy 1: <i>“Adverse effects on the natural and physical environment can be appropriately avoided, remedied and mitigated”</i> . Make consequential amendments to the rules to ensure this bullet-point is fully implemented.	Support in Part	It is important that the benefits and constraints on the National Grid can be considered as part of any development of the National Grid. If a policy like this is introduced then it is important that the benefits and constraints can be recognised through the retention of the word ‘appropriately’ or similar in the policy.	Allow
3	Waikato Regional Council	<u>2.4.8 Policy 1</u> Amend Policy P2, bullet-point 1 as follows: "...their connections to the electricity transmission grid are enabled while managing: - Significant adverse effects on the environment". .	Oppose in part	It is important that the benefits and constraints on the National Grid can be considered as part of any development of the National Grid. It is important that not all adverse effects must be avoided.	Disallow in part

Submission Number	Submitter	The specific part of the original submission to which my further submission relates is: <i>(list one provision per box)</i>	State whether you support or oppose this specific part of the original submission	State the reason for your support or opposition	What decision do you seek from Council on this submission (or part of a submission) I seek that the whole (or part [describe below]) of the submission be either: Allowed / Disallowed
5	KiwiRail	Amend Objective O4 as follows: <i>"Subdivision of land in a manner that does not adversely affect the function or capacity of transportation networks within the district, <u>including the avoidance, remediation, or mitigation of potential reverse-sensitivity effects</u>".</i> Alter the wording in the policy column associated with Objective O4, as follows: <i>"See <u>Sustainable Management Strategy Sections 2.4.6 (Sustainable Management Strategy, Integrating land-use and infrastructure) and 2.4.7 (Regionally significant infrastructure)</u>".</i>	Support	Transpower also considers that potential reverse sensitivity effects should be considered at the time of subdivision.	Allow
5	KiwiRail	Amend Objective O6 as follows: <i>"To ensure that subdivision and land-use activities are located and sited in a manner that recognises infrastructure networks <u>and avoids, remedies, or mitigates any potential reverse-sensitivity effects on those infrastructure networks</u>".</i>	Support	Transpower also considers that potential reverse sensitivity effects on infrastructure should be considered.	Allow

Submission Number	Submitter	The specific part of the original submission to which my further submission relates is: <i>(list one provision per box)</i>	State whether you support or oppose this specific part of the original submission	State the reason for your support or opposition	What decision do you seek from Council on this submission (or part of a submission) I seek that the whole (or part [describe below]) of the submission be either: Allowed / Disallowed
5	KiwiRail	<p><u>15 Definition – Sensitive Activity</u></p> <p>Amend the definition of "Sensitive activity" as follows: "means a more recently established activity which is sensitive to the adverse environmental effects being generated by a pre-existing lawfully established activity <u>any use of land and/or buildings which is likely to be susceptible to the effects of noise emitted from nearby pre-existing lawfully established landuse in the course of their legitimate operation and functioning; and for the purposes of this Plan,</u> and in the context of state highways and railway lines includes any dwelling <u>(including Primary Outdoor Amenity Areas)</u>, papakainga, visitor accommodation, boarding house, retirement village,</p>	Oppose	Noise is not the only issue can result in reverse sensitivity effects on the National Grid infrastructure.	Disallow or specifically define sensitive activities in relation to the National Grid.

Submission Number	Submitter	The specific part of the original submission to which my further submission relates is: <i>(list one provision per box)</i>	State whether you support or oppose this specific part of the original submission	State the reason for your support or opposition	What decision do you seek from Council on this submission (or part of a submission) I seek that the whole (or part [describe below]) of the submission be either: Allowed / Disallowed
		<i>supported residential care, educational facilities, hospitals and healthcare services, and care centres, <u>Places of Assembly, including churches, community facilities, restaurants and recreational facilities.</u></i>			
6	Macken Farms Ltd	<p><u>3.5/3.6 Activities adjacent to transmission / sub-transmission lines</u></p> <p>Limiting permitted development in the "green zone" and within 20m of the centreline of a sub-transmission line, to development that complies with NZCEP 34:2001 is unnecessarily and unduly restrictive. The rule is contrary to the principles of the RMA and to sound resource management practice.</p>	Support in part	<p>Transpower's submission supports a more permissive approach than the notified version of Plan Change 44.</p> <p>Many land uses can be undertaken within the corridors without the need for consent. Transpower's submission seeks to clarify the nature of such activities, which include in the corridors cropping, grazing and some uninhabitable horticultural and farm buildings.</p>	Allow and adopt the relief sought in Transpower's submission.
6	Macken Farms Ltd	The imposition of restrictive development activity status on subdivision within the "green zone" is unnecessary and unduly restrictive.	Oppose	Subdivision is often a precursor for future development. Transpower considers that subdivision is an appropriate time to ensure that future	Disallow and adopt the relief sought in Transpower's submission

Submission Number	Submitter	The specific part of the original submission to which my further submission relates is: <i>(list one provision per box)</i>	State whether you support or oppose this specific part of the original submission	State the reason for your support or opposition	What decision do you seek from Council on this submission (or part of a submission) I seek that the whole (or part [describe below]) of the submission be either: Allowed / Disallowed
		The rule is contrary to the principles of the RMA and to sound resource management practice.		development can be appropriately integrated with the existing National Grid lines. Transpower can and does support appropriately designed subdivision around the National Grid. Given that a resource consent is already required for subdivision, Transpower does not consider this to be overly onerous and is willing to work with developers and landowners on subdivision proposals.	
7	Mike Gribble	<u>15 Definitions – Sensitive Activity</u> Amend the definition of "Sensitive activity" as below: <i>"means a more recently established activity which is sensitive to the adverse environmental effects being generated by a pre-existing lawfully established activity, and in the context of state highways and railway lines includes any dwelling, papakainga, visitor</i>	Oppose in part	Transpower considers that that it can be beneficial to have sensitive activities in relation to the National Grid clearly defined.	Disallow and amend the definition of "Sensitive activity" as noted in our submission section 2:

Submission Number	Submitter	The specific part of the original submission to which my further submission relates is: <i>(list one provision per box)</i>	State whether you support or oppose this specific part of the original submission	State the reason for your support or opposition	What decision do you seek from Council on this submission (or part of a submission) I seek that the whole (or part [describe below]) of the submission be either: Allowed / Disallowed
		<i>accommodation, boarding house, retirement village, supported residential care, educational facilities, hospitals and healthcare services, and care centres".</i>			
8	New Zealand Transport Agency	<u>2.4.6 Integrating landuse and infrastructure</u> Retain as notified but amend all references to "existing infrastructure" and "existing networks" to " <i>existing and planned infrastructure</i> " and " <i>existing and planned networks</i> ".	Support	Large scale infrastructure can have significant planning and consenting timeframes. Transpower supports the recognition that land use should be integrated with planned and existing infrastructure.	Allow.
17	New Zealand Historic Places Trust	<u>2.4.7 Objective 2</u> Amend Objective O2 as follows: <i>"Operation, maintenance, upgrading, and development of regionally significant infrastructure is enabled, efficiency is promoted, and the asset is protected to promote the economic, social, and cultural wellbeing of national,</i>	Oppose in part	It is important that the benefits and constraints on the National Grid can be considered as part of any development of the National Grid. Transpower considers that it is important for the purposes of giving effect to the National Policy Statement on Electricity Transmission 2008 that the	Disallow in part

Submission Number	Submitter	The specific part of the original submission to which my further submission relates is: <i>(list one provision per box)</i>	State whether you support or oppose this specific part of the original submission	State the reason for your support or opposition	What decision do you seek from Council on this submission (or part of a submission) I seek that the whole (or part [describe below]) of the submission be either: Allowed / Disallowed
		<p><i>regional and local communities, while avoiding, remedying or mitigating adverse effects on the environment to the greatest extent practicable".</i></p> <p><u>2.4.7 Policy 2</u> Amend Policy P2 as follows: "<i>Require the development and upgrading of regionally significant infrastructure to avoid, remedy or mitigate adverse effects to the extent practicable on the:</i></p> <ul style="list-style-type: none"> • <i>Health, safety, and wellbeing of people;</i> • <i>Visual and amenity values;</i> • <i>Natural and physical environment;</i> • <i>Historic heritage and</i> <i>the intrinsic values of scheduled sites;</i> <i>and</i> • <i>Existing sensitive activities".</i> 		<p>wording 'to the extent practicable' or similar is retained.</p> <p>The importance of the need to protect historic heritage is recognised and supported by Transpower.</p>	
20	Horticulture NZ	<u>15 Definitions – "Buffer corridor", "red zone" and "green zone"</u>	Support	The Transpower submission supports the deletion of these definitions and the inclusion of a "National Grid Yard"	Allow and adopt the definitions of National Grid Yard" and a

Submission Number	Submitter	The specific part of the original submission to which my further submission relates is: <i>(list one provision per box)</i>	State whether you support or oppose this specific part of the original submission	State the reason for your support or opposition	What decision do you seek from Council on this submission (or part of a submission) I seek that the whole (or part [describe below]) of the submission be either: Allowed / Disallowed
		Delete definitions and replace with provision for permitted activities to a setback around towers consistent with NZECP34.		and a “National Grid Subdivision Corridor”. These definitions support the proposed section 3.5 “Activities Adjacent to The national Grid” which is outlined in the Transpower submission. Transpower has recognises that some Horticultural structures can be permitted around support structures.	“National Grid Subdivision Corridor” as outlined in Transpower’s submission
	Horticulture NZ	<u>3.5.1(i) Activities within the Red Zone – Permitted activities</u> Include as a permitted activity, and artificial crop protection structure or crop support structure set back at least 12m from the outer visible edge of a transmission tower support structure unless Transpower has given written approval in accordance with clause 2.4.1 of NZECP34 to a lesser setback,	Support	Transpower can support a permitted activity status for a horticulture structure where Transpower has provided written approval under clause 2.4.1 of NZECP34 to locate around the National Grid support structures.	Allow

Kelly Moulder

From: Geeta Negi [Geeta.Negi@hortnz.co.nz]
Posted At: Wednesday, 26 February 2014 14:20
Conversation: Further Submission on the Matamata Piako District Council: Proposed Plan Change 43 Transportation and Plan Change 44 Works and Network Utilities
Posted To: Submissions (Corporate Planning)
Subject: TRIM: Further Submission on the Matamata Piako District Council: Proposed Plan Change 43 Transportation and Plan Change 44 Works and Network Utilities

Greetings

On behalf of HortNZ, please find attached further submission on the Matamata Piako District Council: Proposed Plan Change 43 Transportation and Plan Change 44 Works and Network Utilities.

Kindly confirm the receipt.

Thanks

Regards

Geeta Negi

Resource Management & Environment Coordinator

Horticulture New Zealand | Our Growth Industry

ddi + 64 4 470 5668 | Mobile 027 3334447 | fax + 64 4 471 2861

Level 4, The Co-operative Bank House | 20 Ballance Street | PO Box 10232 | Wellington 6011

New Zealand

Further Submission on the Matamata Piako District Council: Proposed Plan Change 43 Transportation and Plan Change 44 Works and Network Utilities

(Closing date: 26 February 2014 5pm)

To: Matamata Piako District Council
P O Box 266
Te Aroha 3342

Email: submissionsWmpdc.govt.nz

Full Name of Further Submitter:
Horticulture NZ

Full Postal Address:
P O Box 10 232
Wellington

Attn: Chris Keenan

Telephone Number:
DDI: 64 4 470 5669
Mobile 0274 668 0142
Fax: 64 4 471 2861
Email: chris.keenan@hortnz.co.nz

I do wish to be heard in support of my submission

Horticulture New Zealand represents horticultural growers in the Matamata Piako District, so represents a relevant aspect of the public interest.

If others make a similar submission, I **would** be prepared to consider preparing a joint case with them at any hearing.

The particular further submissions are detailed in the attached table.



Chris Keenan
Manager, Natural Resources and Environment

Date:
26 February 2014

Submitter	Sub No.	Support/ Oppose	Plan Provision	Reason	Decision sought
KiwiRail	5	Oppose	Definition Sensitive Activity	The definition of sensitivity activity needs to be address a range of environmental effects, not just noise.	Submission be disallowed
NZTA	8	Oppose	Definition built environment	The submitter seeks that the definition of built environment be amended to be give effect to the PWRPS. However there needs to be an assessment of the effect of amending the definition to include rural areas as it could change the current provisions in the Plan without a proper s32 analysis and Schedule 1 process. Once the PWRPS is operative council will need to consider a range of matters to give effect to the RPS.	Submission be disallowed
Piako Gliding Club	13	Support in part	Part E 3.1 and 3.2	Recognition of potential reverse sensitivity effects on the airfield is supported	Submission be allowed
Piako Gliding Club	13	Support in part	Part E 6.3	An objective to protect the airfield and recognition of potential reverse sensitivity effects on the airfield is supported	Submission be allowed
Federated Farmers	14	Support	9.1.2 (vi) a) ii)	The need for clarification is supported	Submission be allowed
Federated Farmers	14	Oppose	Definition built environment	The submitter seeks that the definition of built environment be amended to be give effect to the PWRPS. However there needs to be an assessment of the effect of amending the definition to include rural areas as it could change the current provisions in the Plan without a proper s32 analysis and Schedule 1 process. Once the PWRPS is operative council will need to consider a range of matters to give effect to the RPS.	Submission be disallowed
Transpower	19	Support	Definitions Green zone, Red Zone, Buffer corridor Sub transmission line	The changes sought provide greater clarity and are consistent with the approach taken in other council areas.	Submission be allowed
Transpower	19	Support	Definition Intensive Farming	The changes sought provide greater clarity and are consistent with the approach taken in other council areas.	Submission be allowed
Transpower	19	Support	Definition National Grid	The changes sought provide greater clarity and are consistent with the approach taken in other council areas.	Submission be allowed
Transpower	19	Support	Definition Sensitive activity	The changes sought provide greater clarity and are consistent with the approach taken in other council areas.	Submission be allowed

Submitter	Sub No.	Support/ Oppose	Plan Provision	Reason	Decision sought
Transpower	19	Support in part	3.5 Activities adjacent to transmission lines	The changes sought are consistent with the approach taken in other council areas. However Horticulture NZ seeks that there is a provision for horticultural structures to be a permitted activity where the written consent of the National Grid operator is given in accordance with clause 2.4.1 of NZECP 34:2001. This is consistent with changes taken in other council areas and the submission of Horticulture NZ and allows for the provisions in NZECP34:2001.	Submission be allowed with amendments.
Powerco	23	Oppose	2.4.7 Regionally significant infrastructure Objective O2	The deletion of recognition of communities is not supported.	Submission be disallowed.
Powerco	23	Oppose	Definition Regionally significant infrastructure	The submitter seeks that the definition of Regionally significant infrastructure be amended to be give effect to the PWRPS. However there needs to be an assessment of the effect of amending the definition as it could change the current provisions in the Plan without a proper s32 analysis and Schedule 1 process. Once the PWRPS is operative council will need to consider a range of matters to give effect to the RPS.	Submission be disallowed.

Further Submission on Proposed District Plan Change

Clause 8 of Schedule 1 of the Resource Management Act 1991



Further submitter's details:

Name: Te Aroha Business Association

Contact person: Shaun O'Neill - Chairman

Address for correspondence: PO Box 86
Te Aroha

Phone: 027 415 3574 Fax: 884 4180

E-mail: shaun@geomatrix.co.nz

This is a further submission in support of or in opposition to a submission on Plan Change 43 – Transportation and Plan Change 44 – Works and Network Utilities.

I am (tick one):

☐ A person representing a relevant aspect of the public interest (please explain how you fall within this category):

☒ A person who has an interest in the proposal that is greater than the interest that the general public has (please explain how you fall within this category):

Te Aroha business owners

I support / ~~oppose~~ the submission of:

Original Submission Number: 28

Name of Original Submitter: GeoMatrix

Original Submitter's Address: PO Box 152, Te Aroha

The particular parts of the submission I support or oppose are:

Rules 5.9.4

8.6.1.2

9.1.3

Office use only:

TRIM # _____ NAR # _____ Container 13/6751

The reasons for my support or opposition are (attach additional pages if necessary):

please see attached document

I seek the following decision from Council. That:

☒ The whole ☒ The Part (please give precise details): Rules 5.94,
8.6.1.2 and 9.1.3

Of the original submission be:

☒ Allowed ☐ Disallowed

I wish to present at the council planning hearing:

☒ Yes ☐ No

I would be prepared to present a joint case at the hearing with others making a similar submission:

☒ Yes ☐ No

Signed: [Signature] Date: 25/02/14

Notes:

- If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
- A copy of your further submission must be sent to the original submitter within five working days of sending your further submission to Council.
- Please send the completed form to: Matamata-Piako District Council, 35 Kenrick Street, PO Box 266, Te Aroha 3342, or drop it off at any Council office before the closing date.
- **Further submissions close at 5.00pm on Wednesday 26 February 2014.**



TABA

Te Aroha Business Association

Tuesday, 25 February 2013

FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 43 – TRANSPORTATION

TE AROHA BUSINESS ASSOCIATION supports the submission made by GeoMetrix (MPDC Submission number 28) to oppose proposed rule to rule 5.9.4. We support GeoMetrix's position that business should be encouraged, not restricted. Many of our businesses generate in excess of 100 vehicles per day. We believe that imposition of this rule could hinder business.

TE AROHA BUSINESS ASSOCIATION supports the submission made by GeoMetrix (MPDC Submission number 28) with regard to rule 8.6.1.2. We should be encouraging the installation of cycleways and footpaths in our District, and capitalizing on the positive community initiatives. When living adjacent to a legal road, it is expected that the types of activities outlined in this rule will be carried out in the road reserve. Given that the Hauraki Rail Trail Cycleway has already provided positive benefits for our community, and that future development of the cycleway is proposed, activities of this type should be encouraged.

TE AROHA BUSINESS ASSOCIATION supports the submission made by GeoMetrix (MPDC Submission number 28) to oppose the proposed rule 9.1.3 with regard to on-site loading. There are a number of properties that could potentially not meet this criteria. With the alternative being the payment to Council for parking, this could stifle progress and deter start up business from coming to our towns.

Shaun O'Neill

Chairman, Te Aroha Business Association

25 February 2013

RECEIVED JB. 1.33pm

20 FEB 2014

MATAMATA-PIAKO
DISTRICT COUNCIL

FURTHER SUBMISSION ON PLAN CHANGE 43 AND 44 – TRANSPORTATION, WORKS AND NETWORK UTILITIES – MATAMATA PIAKO DISTRICT PLAN

TO:

A van Kuijk
Matamata Piako District Council
PO BOX 266
TE AROHA 3342

NAME OF SUBMITTER:

Tidmarsh Holdings Ltd

ADDRESS FOR SERVICE:

PO Box 406
Matamata 3440

Attention: Jason Tidmarsh
Ph: 07 881 9160
Fax: 07 881 9158
Email: jason@pearsonengineering.co.nz

Tidmarsh Holdings Ltd wishes to be heard in support of this further submission.

Tidmarsh Holdings Ltd has an interest in the proposal that is greater than the interest that the general public has as landowners of multiple properties in the central area of Matamata township.

Tidmarsh Holdings Ltd further submission on Plan Change 43 and 44 – Matamata Piako District Plan

Original Submitter's Name	Original Submission Number	Plan Provision	Support /Oppose	Reasons
Progressive Enterprises Ltd	2	3.8.1 9.1.2 9.1.3 9.1.5	Support All	Allow the submissions. The submissions propose changes to the Plan that better provide for the access, loading and parking environment in the District.
NZ Transport Authority	8	9.1.2(vii)	Oppose	Do not allow the submission. The standards proposed are confusing enough without having to also refer to relevant road controlling authorities. Set the standard and then all parties understand the requirements.
NZ Transport Authority	8	9.1.4	Oppose	Do not allow the submission. Submission states that there should be no parking on strategic roads. This includes State highways which run through some of our town centres. Submitter proposes that all properties with access to a strategic road shall provide all parking and manoeuvring on site. A totally unfeasible suggestion for our town centres which require parking close to the destination. Do not allow the submission.
GeoMetrix	28	9.1.2	Support	Allow the submission. Agree that the provisions need to be reviewed. The provisions are hugely complex, the references are vague and the triggers are too low.

Jason Tidmarsh
Director, Tidmarsh Holdings Ltd



cc:

Shaun O'Neill
Director
GeoMetrix.
PO Box 152
Te Aroha 3342

Mike Foster
Progressive Enterprises Ltd
C/- Zomac Planning Solutions Ltd
PO Box 103
Whangaparoa 0943

NZTA
Attn; Andrew McKillop
PO Box 973
Waikato Mail Centre
Hamilton 3240



NZ TRANSPORT AGENCY
WAKA KOTAHI

Document No.

NATIONAL OFFICE
50 Victoria Street
Private Bag 6995
Wellington 6141
New Zealand
T 64 4 894 5400
F 64 4 894 6100
www.nzta.govt.nz

19 February 2014

Don McLeod
Matamata Piako District Council
PO BOX 266
Te Aroha 3342

Dear Don

NZ Transport Agency Further Submission to the Proposed Plan Change 43 -Transportation and the Proposed Plan change 44 - Works and Network Utilities


The NZ Transport Agency (Transport Agency) would like to thank Matamata-Piako District Council for the opportunity to make a further submission on the Proposed Plan sections. We look forward to continuing to work with Matamata-Piako District Council.

The Transport Agency is generally supportive of the Proposed Plan Sections. This is detailed in our submission and further submission.

Please find our further submission attached.

If you have any questions, please feel free to contact Caitlin Kelly, Resource Planner in the Hamilton office on (07) 958 7949 or email at Caitlin.Kelly@nzta.govt.nz.

Yours sincerely

 **Katherine Davies**
Principal Planner

RECEIVED
24 FEB 2014

MATAMATA-PIAKO DISTRICT COUNCIL

Submission/Point & Name	Plan Change Provision (Summary of Submission	Summary of Submissions Page Ref (Support or Oppose	Reasons for Support or Opposition
4 Ministry of Education	9.1.2(iii)(a)(iii)	Insert an exclusion for educational facilities up to a maximum of 10 pupils from compliance with the access performance standard in Clause 9.1.2(iii)(a)(iii).	4	Oppose	The Transport Agency opposes the intent of this submission. Any activity with the potential to have an effect on the roading network should have that potential effect assessed to ensure that any effects are mitigated.
7 Mike Gribble	15 Definitions – Reverse Sensitivity	Amend the definition of "Sensitive activity" as below: <i>"means a more recently established activity which is sensitive to the adverse environmental effects being generated by a pre-existing lawfully established activity, and in the context of state highways and railway lines includes any dwelling, papakainga, visitor accommodation, boarding house, retirement village, supported residential care, educational facilities, hospitals and healthcare services, and care centres"</i>	8	Oppose	The Transport Agency opposes the submission as the proposed change would impact on the clear application of the definition and associated rules. .
14 Federated Farmers	9.1.2(vi)(a)(i i)	Amend, to provide clarity as to what constitutes a nuisance effect.	14	Support in part	The Transport Agency supports the intent of the provision as further clarification may be beneficial. Loose material tracked onto the road increases the risk of vehicles skidding. Loose material also increases the likelihood of chips flying up and contributes to driver distraction.
14 Federated Farmers	8.7 Stock Movements and Stock Crossings	Except for underpasses, remove the rest of the provision from the District Plan and manage stock movements and stock crossings through the Bylaw provisions.	14	Oppose	The Transport Agency opposes the decision requested by the submission to delete provisions in relation to stock crossing and stock movement along roads. It is acknowledged that some of the provisions in Section 8.7 are duplicated in the Land Transport Bylaw 2008, however, Section 8.7 provides clarification on the activity status for stock movement and crossings and clearly sets out the matters over which discretion is reserved.
15 Kaimai Properties and Matamata Metal Supplies	5.9.2	Amend the first advice note under 5.9.2 as follows: <i>"Advice Note: In assessing whether the performance outcomes are being achieved, the Council will require recommends evidence of consultation with NZTA be provided where applications have the potential to affect the integration of land use with the state highway network"</i> .	15	Oppose	The point of this submission is understood. Whilst the Transport Agency supports Council, the Agency would like to be a party to any discussions relating to this matter as the outcomes has the potential to affect the safe and efficient functioning of the state highway network.
23 Powerco Ltd	3.7.2.1	Amend as follows: <i>"The nature, timing, and sequencing of land use, development and subdivision must: - Prioritise the development of identified growth areas and areas with existing infrastructure capacity in order to achieve the efficient use of existing network utilities; - Be co-ordinated with</i>	24	Support	The Transport Agency supports the proposed amendment as it is considered to better promote the integration of land use and infrastructure.

Submission/Point & Name	Plan Change Provision (Summary of Submission	Summary of Submissions Page Ref (Support or Oppose	Reasons for Support or Opposition
		<i>the funding, implementation, and operation of the associated requirements for works and network utilities; - Optimise the efficient and affordable provision of works and network utilities; - Maintain and enhance the operational efficiency, effectiveness, viability, and safety of works and network utilities; - Protect investment in existing works and network utilities; - Ensure new development does not occur until appropriate infrastructure services are in place or alternative infrastructure has been provided by the development; and-- Retain the ability to maintain and upgrade works and network utilities".</i>			
27 Barr and Harris	6.1.3(vi)	Section 9 criteria should only be addressed in the context of the effects of the boundary movement.	28	Support in part	While the Agency accepts that Council should only assess the effects of a boundary movement, there may still be wider implications of the boundary adjustment which require considered. , As drafted, 6.1.3(vi) enables this consideration.
28 Geometrix	1.1.1(x)	Delete, or alternatively detail the specific circumstances when a ITA will be required.	29	Oppose	The Transport Agency opposes this submission as limiting the circumstances where an ITA is required reduces the ability of Council and the Transport Agency to undertake a full assessment of the potential effects of a resource consent application.
28 Geometrix		Delete. Business and development should be encouraged - not restricted. The roads are designed to carry traffic. Other than for site access, roading should not restrict a site's development.			The Transport Agency opposes the deletion of rule 5.9.4. Development has the potential to have an effect wider than that which can be addressed by the standard of accessway alone. The deletion of the rule would reduce the Road Controlling Authority's ability to ensure the safe and efficient function of the roading network.

Section	Provision	Support/ Oppose/ Amend	Reasons	Decision Sought
PART A: Issues, Objectives and Policies				
General				
Entirety of Plan Change 43 Transportation and 44 Works and Network Utilities		Support	The NZ Transport Agency generally supports the notified District Plan subject to the submission points below.	Retain the District Plan as notified subject to submission points below.
Entirety of Plan Change 43 Transportation and 44 Works and Network Utilities		Amend	The NZ Transport Agency is no longer known as the NZTA and would prefer that the plan referenced the NZTA as the 'NZ Transport Agency' or the 'Transport Agency'	Amend all references to the New Zealand Transport Agency to read the 'NZ Transport Agency' or 'the Transport Agency' Any other consequential amendments (including to the definitions section) are also supported.
1 Introduction				
1.2 Development suitability	1.2.1 Activity status criteria	Amend	The Transport Agency seeks certainty as to which activity status or criteria will be deemed appropriate in situations where there is a conflict of provisions. Requiring applicants to comply with the more onerous activity status will promote a precautionary approach within the plan and provide certainty to the Transport Agency.	Add a provision to the plan requiring that in the case of a conflict between provisions or activity status, the more onerous provisions and activity status will apply.
2. Sustainable Management Strategy				
2.3 Significant resource management issues	2.3.6 Integrating land use and infrastructure and 2.3.7 Regionally	Support	The Transport Agency supports the issue statements which give greater recognition to the importance of integrating land use and infrastructure from a strategic	Retain as notified

	significant infrastructure networks		and investment perspective.	
2.4 Sustainable management strategy	2.4.6 Integrating land-use and infrastructure	Support with Amendment	The Transport Agency generally supports the objectives, policies, methods & explanation. However, P1, P4 and the explanation only refer to “existing infrastructure” and “existing networks”. Infrastructure has a long lead time, therefore it is important that existing and planned infrastructure is recognised in the District Plan to ensure that planned infrastructure investments are not compromised by ad hoc land development.	Retain as notified sustainable management strategies 2.4.6 subject to the exception of the following: Amend references to “ <i>existing infrastructure</i> ” and “ <i>existing networks</i> ” to “ <i>existing and planned infrastructure</i> ” or “ <i>existing and planned networks</i> ”
2.4 Sustainable management strategy	2.4.7 Regionally significant infrastructure	Support	The Transport Agency generally supports the objectives, policies, methods & explanation.	Retain as notified sustainable management strategy 2.4.7.
2.4 Sustainable management strategy	Anticipated environmental result No. 10	Support with Amendment	The Transport Agency generally supports anticipated environmental result 10. However efficient investment in “existing” infrastructure needs to be clarified to also include planned infrastructure that is not yet constructed but planned and invested in.	Amend reference to “existing infrastructure” to “ <i>existing and planned infrastructure</i> ”
3. Environment				
3.2 Subdivision	3.4.2 Subdivision 04	Support	The Agency supports this objective as it promotes the safe and efficient function of the transport network	Retain as notified

3.5 Amenity	3.5.2 Nuisance Effects 06	Support with amendment	The Transport Agency generally supports the objectives, policies, methods & explanation. However, 06 only refers to “infrastructure networks”. Infrastructure has a long lead time, therefore it is important that existing and planned infrastructure is recognised in the District Plan to ensure that planned infrastructure investments are not compromised by ad hoc land development.	Amend 3.5.2 as follows: <i>To ensure that subdivision and land use activities are located and sited in a manner that recognises <u>existing and planned transport infrastructure networks</u>.</i>
PART B: RULES				
1 General provisions				
1.1 Information requirements for resource consent applications	1.1.14 Written Report (x)	Amend	Whilst the requirement for an Integrated Transport Assessment is supported, it is recommended that the document “Integrated Transport Assessment Guidelines”, November 2010, NZTA Research Report 422 is not directly referenced.	Add another appendix to the plan (provided in appendix 1 to this submission) and amend as follows: <i>Applications that have the potential to result in adverse traffic effects shall be accompanied by an ITA prepared in accordance with the “Integrated Transport Assessment Guidelines”, November 2010, NZTA Research Report 422. <u>the information and guidance found in Appendix 11</u></i> The Transport Agency also supports any other consequential amendments required to give effect to the intent of this submission.
5 Performance Standards – all activities				
5.2.9 Noise	5.2.9 Internal	Amend	The Transport Agency generally	

standards for works and network utilities	noise limits – railway lines and state highways (entire section)		<p>supports the management of reverse sensitivity issues in the District Plan but request amendments to better address this issue.</p> <p>The title for 5.2.9 - '<i>Internal Noise Limits – railway lines and state highways</i>' is misleading as it suggests that the purpose of the provisions is to limit the amount of sound which can be created internally.. However, the actual intention of the provisions is to protect dwellings, noise sensitive activities and etc from external noise. The Transport Agency requests that this is amended to better reflect the intended purpose.</p> <p>Adjacent to a state highway there are two areas of interest as follows:</p> <p>1 Environmental Buffer Area The area closest to the state highway is the “environmental buffer area” and sensitive activities both indoors and outdoors within this area have the potential to experience significant vibration and noise</p>	<p>That the title to provisions within 5.2.9 is amended as follows:</p> <p><i>Internal Noise Limits – railway lines and state highways</i></p> <p><u><i>Noise insulation: noise sensitive activities</i></u></p> <p>That the potential reverse sensitive effects within the environmental buffer area are managed as follows, with a standard setback performance standard that avoids future reverse sensitivity effects:</p> <p><i>Environmental Buffer Area</i> A permitted activity performance standard that requires new and altered buildings to be set back within</p> <ul style="list-style-type: none"> • 10m of a state highway 70km/h or less • 20m of a state highway 70km/h or more <p><i>Measured from the edge of the nearest traffic lane. Non compliance with this standard results in the activity</i></p>
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			<p>effects. This issue is easiest avoided by permitted activity performance setbacks determined by the level of traffic on the state highway. This would ensure road vibration and noise inside the buildings is within reasonable criteria and will avoid adverse effect such as sleep disturbance and ensure that appropriate outdoor amenity can be provided. Non compliance with these standards would result in the activity becoming non-complying as this would result in the building not meeting world health organisation standards.</p> <p>2 Road Noise Effects Area The area up to 80m from the road edge has the potential for reverse sensitivity effects which may be managed by ensuring noise sensitive activities provide appropriate insulation and ventilation to ensure that activities such as sleep are not interrupted.</p> <p>The notified version of Section 5.2.9 only attempts to address the issue of the wider road noise</p>	<p><i>becoming non-complying.</i></p> <p><i>Non- compliance with these standards results in non-complying activity status.</i></p> <p>Please note that the Transport Agency also requests amendments to 5.2.9 to better manage reverse sensitivity effects within the wider road noise effects area.</p>
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			<p>effects area requiring buildings to be built to provide mitigation to ensure an internal noise limit of 40dB LAeq(24) with ventilation requirements.</p> <p>The Transport Agency requests that additional provisions are inserted to manage the increased effects within the environmental buffer area and amendments are made to 5.2.9 to better manage effects within the wider road noise effects area.</p>	
5.2.9 Noise standards for works and network utilities	5.2.9(i)(a)(ii) and 5.2.9(i)(a)(iii) Internal noise limits – railways lines and state highways	Amend	<p>The Transport Agency request that 5.2.9(i)(a)(ii) & (iii) is clarified to ensure that any building to be used for sensitive activities within the road noise effects area is built to an appropriate standard to mitigate potential reverse sensitivity effects.</p>	<p>Amend as follows:</p> <p><i>5.2.8(i)(a)(ii) Within 80m of a state highway with a where the site's frontage has a posted speed limit of 70km/h or above; and/or</i></p> <p><i>5.2.8(i)(a)(iii) On a front site or a corner site that directly adjoins a state highway where the posted speed limit is less than 70km/h and that has a complying building platform that is within 40m of the state highway with a speed limit of less than 70km/hr;</i></p>
5.2.9 Noise standards for works and network utilities	5.2.9(b) Internal noise limits – railways lines and state highways	Amend	<p>The Transport Agency requests that 5.2.9(i)(b) is amended to clarify that the distance of the reverse sensitivity provisions will be measured from is the edge of</p>	<p>Amend as follows:</p> <p><i>5.2.9(i)(b) The distances referred to above are measured from the:</i></p> <ul style="list-style-type: none"> • <i>Edge of a railway track;</i>

			the nearest traffic lane. The edge of the seal may be significantly wider and does not reflect an accurate measurement from where the noise is coming from.	<ul style="list-style-type: none"> • <i>Edge of seal nearest traffic lane of the state highway;</i>
5.2.9 Noise standards for works and network utilities	5.2.9(c) Internal noise limits – railways lines and state highways	Amend	The Transport Agency seeks amendments to the proposed ventilation standard. The proposed Building Code standard provides some air to inhabitants however, it does not provide any thermal comfort. Therefore occupants would still need to open a window which negates the necessary sound insulation.	<p>Amend as follows:</p> <p><i>5.2.9(i)(c) If windows are required to be closed to achieve the noise limits above, the building shall be designed and constructed to provide an alternative means of ventilation in accordance with the Clause G4 of the New Zealand Building Code. with a ventilation system to achieve the following:</i></p> <ul style="list-style-type: none"> • <i>A quantity of air shall be provided to achieve the requirements of Clause G4 of the New Zealand Building Code. At the same time as meeting this requirement, the sound of the system shall not exceed 30 dB $L_{Aeq(30s)}$ when measured 1 m away from any grille or diffuser.</i> • <i>Either</i> <ul style="list-style-type: none"> (i) <i>air conditioning shall be provided, or</i> (ii) <i>a high air flow rate setting shall provide at least 15 air changes per hour (ACH) in the principal living space and at least 5 ACH in all other habitable spaces</i> • <i>At the same time as meeting the above requirement, the sound of the system shall not exceed 40 dB $L_{Aeq(30s)}$ in the principal living space and 35 dB $L_{Aeq(30s)}$ in all other habitable spaces, when measured 1m away from any grille or diffuser.</i> • <i>The internal air pressure shall be no more than 10 Pa above ambient air pressure due to the mechanical</i>

				<p><u>ventilation.</u></p> <ul style="list-style-type: none"> • <u>Where a high air flow rate setting is provided, the system shall be controllable by the occupants to be able to alter the ventilation rate with at least three equal stages up to the high setting.</u>
5.2.9 Noise standards for works and network utilities	5.2.9(iii) Internal noise limits – railways lines and state highways	Amend	<p>The Transport Agency requests that any new building or addition to an existing building to be used for a noise sensitive activity not meeting the performance standards is a non-complying activity. This is because failure to meet these standards will result in buildings housing noise sensitive activities failing to meet world health organisation standards. Effects of such failure include sleep disturbance, interferences with communication, general annoyance and general deterioration in performance¹. Such effects of non-compliance are difficult to mitigate, other than by the insulation standards referred to in these provisions. Therefore uninsulated noise sensitive activities within ‘environmental buffer area’ should not be enabled.</p>	<p>Amend as follows:</p> <p><i>5.2.9(iiii) Restricted discretionary <u>Non-complying activity activities</u></i></p> <p><i>A new building or addition to an existing building, to be used for a noise sensitive activity not meeting the performance standards in 5.2.9(i) above is a restricted discretionary <u>non-complying activity</u>.</i></p> <p>Or similar amendments to achieve the same outcome.</p> <p>The Agency also supports any consequential amendments required.</p>

¹ Bluhm G, Nordling E, Berglind N. Road traffic noise and annoyance-an increasing environmental health problem. Noise Health 2004;6:43-9

5.9.2 Performance outcomes	5.9.2(i) Integrating land use and infrastructure	Support with amendments	<p>The Transport Agency supports section 5.9.2(i) including the advice notes, but requests the following amendments:</p> <p>That (g) is amended to indicate that there is a guideline (the roading hierarchy) as to which roads will best serve the different types of development.</p> <p>That (h) is amended to reflect the importance of existing and planned infrastructure. To ensure that planned infrastructure investments are not compromised by ad hoc land development.</p>	<p>Amend as follows:</p> <p><i>5.9.2(i)(g) That the development will be <u>connected</u> by existing and or new roads-identified in the roading hierarchy as appropriate for serving <u>designed for the purpose of carrying</u> the type and volume of traffic that will be generated...</i></p> <p><i>5.9.2(i)(h) That the development will lead to the investment in existing <u>and planned</u> infrastructure networks being used efficiently...</i></p>
5.9.3 Non-compliance with performance standards and outcomes	5.9.3(iv) Transportation	Support	The Transport Agency supports section 5.9.3 and the restricted discretionary activity status for activities that fail to meet the performance standards.	Retain 5.9.3(iv) as notified.
8 Works and network utilities				
8.6 Transport Network	8.6	Support	The Transport Agency supports section 8.6, in particular the link to assessing against the performance standards in section 9 and 5.9.2(i).	Retain 8.6 as notified
8.10 Matters of discretionary/discretionary assessment criteria/guidance for non-complying	8.10 Matters of discretionary ...	Support with amendment	The Transport Agency seeks an additional assessment criteria that assesses the effect of the potential “miscellaneous” works and network utilities against the,	<p>Insert additional assessment criteria into 8.10 as follows:</p> <p><i><u>Adverse effects on the safety, efficiency and effectiveness of the state highway network.</u></i></p>

activities applicable to section ...			safety, efficiency and effectiveness of the roading network. The concern is that additional traffic movements generated from activities such as solid waste and recycling transfer stations also need to be carefully assessed and managed.	
9 Transportation				
9.1 Roding	9.1.1 Roding hierarchy	Support with amendment	<p>The Transport Agency supports a regionally consistent roading hierarchy.</p> <p>To provide plan users with greater understanding of the roading hierarchy when considering development and to promote performance outcome 5.9.2(i)(g), it is recommended that the function of the different types of road is defined, as per the one network roading strategy. It is therefore requested that the function of roads in each tier of the roading hierarchy is explained.</p>	<p>Retain as a regionally consistent roading hierarchy, and;</p> <p>Insert explanations of the function of each of the roading hierarchy tiers either within this section or within the definitions section of the Proposed Plan.</p>
9.1.2 Access	9.1.2 Access (entire section)	Support	<p>The Transport Agency supports a collaborative approach to managing the transport network, particularly on significant roads</p>	Retain 9.1.2 as notified (with the following sub sequential amendments)

			<p>with a low speed environment of 50km/hr or less.</p> <p>The Transport Agency also supports restricted discretionary activity status for existing vehicle crossings (in a speed environment over 50km/h) that change in character, scale, or intensity as this allows effects to be carefully assessed and managed.</p>	
9.1.2 Access	9.1.2(iii)(a)(ii) Access to significant roads and arterial roads	Support with amendments	<p>Whilst the Transport Agency supports the intention of this section, it is noted that there is only reference to the Council development manual with no explicit reference to the Transport Agency.</p> <p>It is acknowledged that there is an advice note within the Development Manual requiring consultation with the Transport Agency as to the siting and detail. However, this provision needs to be widened to ensure the appropriate road controlling authority can manage the safety of access onto the state highway network.</p>	<p>Amend as follows:</p> <p><i>9.1.2(iii) The vehicle crossing shall be designed, formed and constructed in accordance with the Development Manual; or if accessing a state highway network, to the <u>standard required by the NZ Transport Agency in speed environments of 70km/h and over</u></i></p>
9.1.2 Access	9.1.2(viii)(a)(ii) General Access	Support with amendments	The Transport Agency supports the requirement for all accesses to be	Amend 9.1.2(viii)(a)(ii) as follows:

	Standards (all roads)		of an appropriate standard for safety of use, but notes that not all safe access way designs will need to conform to the standards specified in this provision. It is recommended that a provision is added to allow the relevant Road Controlling Authority's discretion as to the appropriate accessway design.	<i>The primary access to a lot shall be designed and constructed in accordance with the relevant standards being DG307, DG308, or Diagrams C, D, or E in the MPDC Development Manual 2010, or to the relevant Road Controlling Authority's satisfaction....</i>
9.1.4 Parking	9.1.4 On-site parking	Amend	It is important to ensure that there is no provision for parking on the state highway network. Parking on significant roads (with a function of linking different regions, economic areas or tourist spots) has the potential to impede traffic flow which affects road function and safety.	<p>Insert an additional provision to 9.1.4 as follows:</p> <p><u>All properties with legal access to a strategic road shall provide all parking and manoeuvring on site.</u></p> <p><u>Or</u></p> <p>cross-reference to provision 9.1.2(iii)(iv)</p> <p>The Transport Agency supports all consequential amendments required.</p>
15. Definitions				
15 Definitions	"Built Environment"	Amend	Amend the definition of built environment to give effect to the Proposed Regional Policy Statement (RPS)	<p>Amend as follows:</p> <p><i>"Built environment" means buildings, physical infrastructure and other structures in urban as well as rural areas, and their relationships to natural resources, land use and people areas.</i></p>

Appendix 1

Information Requirements for Integrated Transport Assessments

An Integrated Transport Assessment (ITA) is a comprehensive review of all the potential transport impacts of a development proposal. Its purpose is to identify appropriate transport information that is required to assist in better aligning land use and multi-modal transport at both the local and regional level and to provide information on how a proposed development is located, designed and managed to promote access by a choice of modes and to identify any mitigation required to address the adverse impacts of a proposal on the transport system, including the state highway network.

Council staff can give guidance as to the level of detail that will be commensurate with the activity proposed. ITAs may vary in terms of the level of detail and breadth of assessment required. For developments where there is potential for adverse effects that may be more than minor, the ITA will need to be prepared by a suitably qualified person. Below is some guidance as to the content required for ITAs.

- **Outline of relevant development parameters** (location, size, hours of operation, configuration of access and vehicle circulation on-site).
- **Baseline conditions of the road network** (traffic/pedestrian movements, intersection and accessway capacities, provision for public transport, walking & cycling).
- **Future conditions of road network** (analysis of likely traffic generation, impact of proposed development, provision for public transport, walking & cycling).
- **Cumulative Effects** (Analysis of cumulative effects in considering permitted and consented activities in the existing environment).
- **Mitigation** (Road network improvement measures, public transport improvement measures, walking/cycling facilities/parking management/Travel Plan).
- **Safety Audit of access proposals and any related changes to the network through mitigation**
- **Construction effects**

A more comprehensive guide on ITA content requirements is available from in the New Zealand Transport Agency research report 422 – Integrated transport assessment guidelines November 2012. That document is available at <http://www.nzta.govt.nz/resources/research/reports/422/>.