

# **Appendix 4**

Recommendations on  
specific submission  
points



**Table 6.1 – Submissions on the rolling review process**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.1	Federated Farmers	N/A	N/A	Oppose	The rolling review process adopted by MPDC prevents a holistic assessment of the policy direction.	Reconsider the current rolling District Plan review process.	Support	<b>Kaimai Properties/ Matamata Metal Supplies</b> Rolling review prevents an integrated and sustainable approach to the management of natural and physical resources. Difficult for parties to know at which stage of the process they should participate to ensure their issues are addressed.	That the rolling review process be reconsidered	<b>123. Reject</b>  <b>Reasons</b> i. The RMA provides for the rolling review of District Plans. ii. The submissions are beyond the scope of the plan changes. iii. The relief sought is outside Council's authority under Section 75 RMA.
							Support	<b>D &amp; L Swap</b> Rolling review prevents an integrated and sustainable approach to the management of natural and physical resources. Difficult for parties to know at which stage of the process they should participate to ensure their issues are addressed.	That the rolling review process be reconsidered	
							Support	<b>Mike Gribble</b> The rolling review process adopted by MPDC prevents a holistic assessment of the policy direction.	Implement a single plan review	

**Table 6.2 - 'Whole of plan' submissions**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.2	New Zealand Transport Agency	N/A	N/A	Support in part	NZTA supports the plan change as notified, except where specific amendments have been requested.	Retain the plan change as notified, except where specific amendments have been requested.				<b>64.1. Accept in part.</b>  <b>Reason:</b> The plan changes are required to meet the statutory requirements under the RMA to give effect to/ not be inconsistent with/ have regard to relevant national and regional planning documents.
6.2	New Zealand Transport Agency	N/A	N/A	Seek amendments	NZTA is now known as "NZ Transport Agency" or the "Transport Agency".	Change all references to NZTA, to "NZ Transport Agency" or "the Transport Agency".				<b>64. Accept.</b>  <b>Reason:</b> The change in reference to the "NZ Transport Agency" or the "Transport Agency" has no resource management implications.
6.2	Tidmarsh Holdings Ltd	N/A	N/A	Support in part	Retain all amended provisions as notified, except for specific changes requested.	Retain all provisions as notified, except for specific changes requested.				<b>85. Accept in part</b>  <b>Reason:</b> The plan changes are required to meet the statutory requirements under the RMA to give effect to/ not be inconsistent with/ have regard to relevant national and regional planning documents.
6.2	M & C O'Callaghan	N/A	N/A	Support in part	Retain all amended provisions as notified, except where specific changes have been requested.	Retain all amended provisions as notified, except for specific changes requested.				<b>99. Accept in part.</b>  <b>Reason:</b> The plan changes are required to meet the statutory requirements under the RMA to give effect to/ not be inconsistent with/ have regard to relevant national and regional planning documents.
6.2	Waikato Regional Council	N/A	N/A	Support in part	Generally supports the intent of Plan Change 43 and 44, except where amendments have been requested.	Retain Plan Change 43 and 44, except for specific changes requested.				<b>10. Accept in part.</b>  <b>Reason:</b> The plan changes are required to meet the statutory requirements under the RMA to give effect to/ not be inconsistent with/ have regard to relevant national and regional planning documents.
6.2	Waikato Regional Council	N/A	N/A	Support in part	Generally in support of PC 44. However, seeks a number of minor changes.	Retain PC 44, subject to minor changes to clarify the intent of certain provisions.				<b>10.1 Accept in part.</b>  <b>Reason:</b> The plan changes are required to meet the statutory requirements under the RMA to give effect to/ not be inconsistent with/ have regard to relevant national and regional planning documents.
6.2	Transpower	N/A	N/A	Support in part	Overall, while generally supported by Transpower, some modifications and/or clarifications are required.	Retain PC 44, subject to modifications/ clarifications as set out in submission. That full effect is given to the NPSET 2008; That NES-ET activities are recognised and that there is no conflict with the District Plan provisions				<b>153. Accept in part.</b>  <b>Reason:</b> The plan changes are required to meet the statutory requirements under the RMA to give effect to/ not be inconsistent with/ have regard to relevant national and regional planning documents.

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
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6.2	Transpower	N/A	N/A	Support in part.	Ensure full effect is given to the NPS-ET; and: Ensure there are no conflicts with provisions of the District Plan and the NES-ET.	Retain PC 44, subject to modifications/ clarifications as set out in submission.				<p><b>10.2 Accept.</b></p> <p><b>Reason:</b> The plan changes are required to meet the statutory requirements under the RMA to give effect to/ not be inconsistent with/ have regard to relevant national and regional planning documents.</p>

**Table 6.3 – Submissions on Part A, Section 1: Introduction**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.3	Heritage NZ	A.1.1	Purpose of the Plan	Support	Support the inclusion of s6(f) and 6(g) RMA in "Section 1.1 Purpose of the Plan".	Retain as notified.				<b>137. Accept.</b>  <b>Reason:</b> Updating Paragraph 1.1 "Purpose of the plan" to include subsequent changes to s6 and s7 of the RMA is a statutory requirement.
6.3	Geometrix	A.3.1.2	Natural environment and heritage	Oppose	The environment and heritage are important to the District.	Reconsider the stance on natural environment and heritage.				<b>273. Accept.</b>  <b>Reasons:</b> i. The deletion of the strategic objectives and policies that are not concerned with transportation and works/network utilities is beyond the scope of the plan changes; ii. The deletion of the relevant objectives and policies could result in a policy "gap" and should be comprehensively reviewed under the appropriate part of the upcoming District Plan rolling review process.
6.3	Environmental Futures Inc	A.3.1.2	Natural environment and heritage	Oppose	These changes do not relate to transportation and infrastructure and should not be made until the plan change relating to Natural Environment and Heritage is undertaken	Retain current Operative provisions until plan change relating to Natural Environment and Heritage is undertaken.	Support	<b>Federated Farmers</b>  Support for reasons given. Federated Farmers have been advised that they are not to address issues that are outside the scope of the plan change.	Accept the submission	<b>187. Accept.</b>  <b>Reasons:</b> i. The deletion of the strategic objectives and policies that are not concerned with transportation and works/network utilities is beyond the scope of the plan changes; ii. The deletion of the relevant objectives and policies could result in a policy "gap" and should be comprehensively reviewed under the appropriate part of the upcoming District Plan rolling review process.
6.3	Heritage NZ	A.3.1.2.3	Natural environment and heritage - Heritage	Oppose in part	The deletion of the policies leaves a policy gap. The policies should be amended in the context of a review of the Historic Heritage provisions of the Plan.	Further consultation in relation to the deletion of Policies SP1 - SP6 is required.				<b>141. Accept.</b>  <b>Reasons:</b> i. The deletion of the strategic objectives and policies that are not concerned with transportation and works/network utilities is beyond the scope of the plan changes; ii. The deletion of the relevant objectives and policies could result in a policy "gap" and should be comprehensively reviewed under the appropriate part of the upcoming District Plan rolling review process.

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6.3	Environmental Futures Inc	A.3.2.2	Natural Hazards - Land Movement - Policies	Oppose	Oppose the deletions as these have worked well in the past.	Retain the status quo.				<p><b>141. Accept.</b></p> <p><b>Reasons:</b></p> <ul style="list-style-type: none"> <li>i. The deletion of the strategic objectives and policies that are not concerned with transportation and works/network utilities is beyond the scope of the plan changes;</li> <li>ii. The deletion of the relevant objectives and policies could result in a policy “gap” and should be comprehensively reviewed under the appropriate part of the upcoming District Plan rolling review process.</li> </ul>
6.3	Environmental Futures Inc	A.3.2.2	Natural Hazards - Flooding – Policies.	Oppose	Deletion of SP1 is not supported.	Retain status quo				<p><b>188.1. Accept.</b></p> <p><b>Reasons:</b></p> <ul style="list-style-type: none"> <li>i. The deletion of the strategic objectives and policies that are not concerned with transportation and works/network utilities is beyond the scope of the plan changes;</li> <li>ii. The deletion of the relevant objectives and policies could result in a policy “gap” and should be comprehensively reviewed under the appropriate part of the upcoming District Plan rolling review process.</li> </ul>

**Table 6.4 – Part A, Section 2 Sustainable management strategy**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.4	KiwiRail	A. 2.2, fifth paragraph	Significant resources of the District	Support	Support for rail being recognised as a significant resource in the District.	Retain Section 2.2, fifth paragraph as notified.				<b>31. Accept.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Barr & Harris	A.2.3.1	Residential growth - Urban settlements	Amend	The population estimates are out of date.	Amend to include new released statistics.				<b>256. Reject.</b>  <b>Reason:</b> The population estimates included in the notified version of Paragraph 2.3.1 are consistent with that on which the Council's current Long-Term Plan (LTP) adopted in 2012 is based. Therefore, staff consider that the revised Paragraph 2.3.1 as notified should be adopted as it is consistent with the LTP, as opposed to the operative version which is now well out of date.  As part of the review of the LTP, the Council is currently revising these population estimates to take into account the 2013 census results. The Council has recently appointed consultants to undertake a review of the District Plan's urban development section, as the next priority in the rolling review process.  This plan change will present the opportunity to again update the population estimates to take into account the 2013 census results.
6.4	Transpower	A.2.3.6	Integrating land-use and infrastructure	Support	Support issue description	Retain as notified				<b>163. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	New Zealand Transport Agency	A..2.3.6	Integrating land-use and infrastructure.	Support	The issue statement is supported.	Retain as notified.				<b>66. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Piako Gliding Club	A.2.3.6	Integrating land-use and infrastructure	Amend	Include reference to the Matamata airfield as being significant infrastructure and transport network	Include reference to the Matamata airfield as being significant infrastructure and transport network				<b>113. Reject</b>  <b>Reason:</b> Staff do not consider the airfield as "regionally significant". The provisions as notified recognise the airfield as important local infrastructure.



Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.4	KiwiRail	A. 2.3.6	Integrating land-use and infrastructure (including transport)	Support, subject to amendment of fifth bullet-point	The wording can be construed to set an expectation that network providers, rather than developers, will mitigate reverse-sensitivity effects.	Amend Section 2.3.6, fifth bullet-point as follows: <i>Integrating land-use, transport and other infrastructure is an important issue. <del>because</del> <del>Locating new development or allowing expansion where it will hinder strategic networks or where the networks have insufficient capacity, mean that we are not using our existing investment efficiently. It can result in significant expenditure by network providers to mitigate effects on incompatible development</del> <b>reverse sensitivity effects arising on strategic networks</b>, or expose our Council....."</i>				<b>32. Accept.</b>  <b>Reason:</b> The proposed amendment is necessary to avoid a perception that network providers alone, will mitigate reverse-sensitivity effects.
6.4	Transpower	A.2.3.7	Regionally significant infrastructure networks	Support	Support issue description	Retain as notified				<b>164. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Environmental Futures Inc	A.2.3.7	Regionally significant infrastructure networks	Amend	There is lack of clarity of the balance required between recognition of public benefits, and adverse effects. In addition, modify the paragraph referring to reverse-sensitivity effects to clarify that reverse-sensitivity effects need only be managed when existing infrastructure is constrained to the extent that the adverse effects of the infrastructure on the receiving environment cannot reasonably be avoided or mitigated.	Amend to give effect to the submission points as noted in this submission.	Oppose	<b>Federated Farmers</b>  Oppose the proposed amendments to clarify reverse sensitivity. The reverse-sensitivity definition and application should be consistent with the Proposed Waikato Regional Policy Statement.	Reject the proposed amendments to clarify reverse-sensitivity.	<b>183. Reject</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	KiwiRail	A.2.3.7	Regionally significant infrastructure networks	Support, subject to amendment of first bullet-point	Amend to ensure that the entire rail network within the District is included under "regionally significant infrastructure".	Amend Section 2.3.7, first bullet-point, as follows: " <i>The significant infrastructure ... road corridors (including the state highways), <del>significant the</del> rail corridors <b>(including the East Coast Main Trunk, Waitoa Branch and Kinleith Branch Lines)</b>...."</i>				<b>33. Accept.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.

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6.4	Environmental Futures Inc	A.2.3.8	Renewable electricity generation - Energy efficiency	Amend	Amend to improve grammar and make the Plan easier to read and understand.	Amend as follows: " <i>By reducing the growth in demand, less energy is required, consequently:</i> <ul style="list-style-type: none"> <li>• <del>Less</del> <b>Fewer</b> resources required to generate energy are used up;</li> <li>• Less transmission capacity is required to convey the energy from where it is generated to the end-user;</li> <li>• With less energy generation and transmission capacity required, investment in new infrastructure can be delayed resulting in cost savings;</li> <li>• <del>Less</del> <b>Fewer</b> of the adverse effects associated with the generation and transmission of additional energy are created;</li> <li>• The risks of climate change are reduced, by reducing the greenhouse gas emissions caused by the production and use of additional energy".</li> </ul>				<b>184. Accept.</b>  <b>Reason:</b> The change improves the clarity of the provision.
6.4	Ventus Energy (NZ) Ltd	A.2.3.6; A.2.3.7; and A.2.3.8	Integrating land-use and infrastructure, Regional significant infrastructure networks; and Renewable electricity generation	Support	The issues, objectives, and policies as notified are supported	Retain as notified.				<b>232. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.

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							Support/ Oppose	Reasons	Decision requested	
6.4	Powerco	A.2.4.6	Integrating land-use and infrastructure - Objective O1 and Policies P1, P2, P4, P5 and P6	Support	Support	Retain as notified				<b>200. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Environmental Futures Inc	A.2.4.6	Sustainable management strategy - Integrating land-use and infrastructure - Objective, Policies, and Explanation	Amend	The provisions as notified are sweeping, unbalanced, and circular. The third bullet point is unnecessary.	Amend to give effect to the submission points as noted in this submission. Third bullet point should be deleted.				<b>185. Reject.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Geometrix	A.2.4.6	Integrating land-use and infrastructure	Support in part	These provisions will restrict industrial development. Industrial development should be promoted, not just restricted.	Amend to promote industry, especially primary production and equine industry.				<b>270. Reject.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Barr & Harris	A.2.4.6	Sustainable management strategy	Amend	Support the concept of coordinating land-use/subdivision with infrastructure.	Add " <b><u>recognise the potential benefits of cooperation between development and upgrading of existing infrastructure</u></b> ".				<b>257. Reject</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Heritage NZ	A.2.4.6	Integrating land-use and infrastructure - Policies P1 - P6	Support with changes to P1	The policy-framework should make more explicit reference to historic heritage	Add the following bullet-point to Policy P1: " <b><u>The historic heritage of the District is not significantly adversely affected</u></b> ".	Support	<b>Environmental Futures</b> It is important to ensure historic heritage of the District is considered.	Allow	<b>138. Reject</b>  <b>Reason:</b> There is no justification to include historic heritage, but not the other s6 RMA matters that must equally be recognised and provided for as matters of national importance.
							Support	<b>Mike Gribble</b> It is important to retain the District's historic heritage.	Allow	
							Oppose	<b>Federated Farmers</b> The proposed amendment is unnecessary. To include historic heritage which is required to be considered under s6, means that all other s6 matters must also be listed.	Reject submission	
6.4	Piako Gliding Club	A.2.4.6	Integrating land-use and infrastructure - Policies and methods	Amend	The Plan Change does not clarify where the airfield rests within the policy-framework.	Include a new sub-clause in Policies P1 and P2 that makes specific reference to the transportation network.				<b>118. Reject.</b>  <b>Reason:</b> Policies P1 and P2 refer to all infrastructure. It is not appropriate to refer to specific infrastructure networks, and not to others.

6.4	Piako Gliding Club	A.2.4.6	Integrating land-use and infrastructure - Objective	Conditional support	Support the objective and make reference to the role of the airfield.	Retain the objective and make reference to the role of the airfield.				<b>117. Reject.</b>  <b>Reason:</b> Objective O1 refers to the integration of all infra-structure. It is not appropriate to refer to specific infrastructure networks, and not to others.
6.4	Transpower	A.2.4.6	Integrating land-use and infrastructure - Objective O1	Amend	Include "subdivision".	Amend as follows: " <i>Land-use, <u>subdivision</u> and infrastructure are planned in an integrated manner that....</i> "				<b>165. Accept.</b>  <b>Reason:</b> The amendment requested represents the appropriate resource management response to the PRPS policy-framework.
6.4	Transpower	A.2.4.6	Integrating land-use and infrastructure - Policies P2 and P4	Support	Support these policies	Retain as notified.				<b>166. Accept.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Waikato Regional Council	A. 2.4.6	Sustainable management strategy - Integrating land-use and infrastructure. Policy P6.	Support	District Plan recognition/ encouragement of alternative infrastructure such as rainwater harvesting, rain gardens, and grey water recycling; is supported.	Retain Policy P6.				<b>14. Accept.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Waikato Regional Council	A. 2.4.6	Sustainable management strategy - Integrating land-use and infrastructure. Policies P1 - P5.	Support	Support this set of policies as consistent with PWRPS Policies 6.1 and 6.3 and the Waikato Regional Land Transport Strategy (RLTS) policy principles 3 and 6.	Retain Policies P1 - P5.				<b>13. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Waikato Regional Council	A. 2.4.6	Sustainable management strategy - Integrating land-use and infrastructure. Objective O1, bullet-points 1 and 2.	Support	Support bullet points 1 and 2 under Objective O1 as being consistent with Policies 6.1 and 6.3 of the Proposed Waikato Regional Policy Statement (PWRPS). Support the special consideration being given to "regionally significant infrastructure" under this objective. This will ensure that regionally significant infrastructure is protected from inappropriate development.	Retain Objective O1.				<b>11. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.

6.4	Waikato Regional Council	A. 2.4.6	Sustainable management strategy - Integrating land-use and infrastructure. Objective O1, bullet-point 3, Policy P1, and consequential amendments.	Support in part.	Objective O1, bullet-point 3 acknowledges that the integration of land-use and infrastructure needs to also consider the sustainable management of natural resources. However, the related policies do not reflect this requirement.	Retain Objective O1. In relation to Objective O1, add the following bullet-point to Policy P1: " <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	<b>Environmental Futures</b> The suggested change fills a gap in the objective and subsequent policies, methods, and explanations so that the natural and physical environment is properly considered.	Allow	<b>12. Accept.</b>  <b>Reason:</b> The amendment requested represents the appropriate resource management response.
							Support in part.	<b>Transpower</b> 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	
6.4	New Zealand Transport Agency	A.2.4	Sustainable management strategy - Anticipated environmental result No. 10	Support with amendment	The anticipated result should refer to both "existing" and "planned" infrastructure.	Amend reference to " <i>existing infrastructure</i> " to " <i>existing <u>and planned</u> infrastructure</i> ".	Oppose	<b>Environmental Futures</b> The plan's intent of integrating land-use should refer to existing infrastructure only. The person undertaking the infrastructure development should not be the sole determinant of what is "planned".	Disallow whole	<b>69. Accept in part.</b>  <b>Reason:</b> The amendment requested represents the appropriate resource management response to the PRPS policy-framework. However, the plan change should in addition clarify that "planned infrastructure" has the same meaning as in the PRPS.

6.4	New Zealand Transport Agency	A..2.4.6	Integrating land-use and infrastructure	Support with amendment	The provisions are generally supported. However, the provisions should include both "existing" and "planned" infrastructure.	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	<b>Environmental Futures</b> Provisions should not be made that relate to "planned" infrastructure as that takes the planning of such infrastructure outside of a fully public process.	Disallow whole	<b>67. Accept in part.</b>  <b>Reason:</b> The amendment requested represents the appropriate resource management response to the PRPS policy-framework. However, the plan change should in addition clarify that "planned infrastructure" has the same meaning as in the PRPS.
							Oppose	<b>Mike Gribble</b> The planned network may never happen. There are planned by-passes in the District that will never go ahead in future, and certainly not within the designation time period.	Remove the word "planned" from the requested amendment.	
							Support	<b>Powerco</b> Support the proposed amendment for the reasons set out in the submission.	Allow	
							Support in part	<b>Federated Farmers</b> Support the amendment subject to the term "planned infrastructure" being limited as defined in the Proposed Waikato Regional Policy Statement and that any consequential amendments to the Plan are made to ensure consistency.	Limit the term "planned infrastructure" as defined in the RPS. Make consequential amendments to the rest of the plan change.	
							Support	<b>Transpower</b> 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	

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6.4	Waikato Regional Council.	A. 2.4.7	Sustainable management strategy - Regionally significant infrastructure. Objectives O1 - O3 and Policies P1 - P6.	Support	This set of objectives and policies gives effect to Policy 6.6 of the PWRPS by ensuring that the strategic function of regionally significant infrastructure is recognised and protected in the District Plan.	Retain Objectives O1 - O3 and Policies P1 - P6.				<b>201.1 Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Powerco	A.2.4.7	Regionally significant infrastructure - Objective O1 and Policies P1, P2, P4, P5, and P6	Support	Support	Retain as notified				<b>201. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Powerco	A.2.4.7	Regionally significant infrastructure - Policy P3	Amend	Remove reference to co-siting of infrastructure.	Amend as follows: " <i>Substantial upgrades of regionally significant infrastructure should, where practicable, be used as an opportunity to reduce existing significant adverse effects such as by promoting co-siting of infrastructure</i> ".				<b>203. Reject.</b>  <b>Reason:</b> Co-siting of infrastructure is a useful way to mitigate adverse effects.
6.4	Powerco	A.2.4.7	Regionally significant infrastructure - Objective O2	Amend	Amend to simplify interpretation.	Amend 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, regional and local communities, while avoiding, remedying or mitigating adverse effects on the environment to the greatest extent practicable</i> ".	Oppose	<b>Horticulture NZ</b> The deletion of recognition of communities is not supported.	Disallow	<b>202. Reject.</b>  <b>Reason:</b> The provisions as notified represent a balanced resource management response.

6.4	Environmental Futures Inc.	A.2.4.7	Sustainable management strategy - Regionally significant infrastructure - Objective O3	Amend	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: " <i>Adverse effects including, <u>where necessary</u>, reverse-sensitivity effects on regionally significant infrastructure are avoided, remedied, or mitigated</i> ". Delete/amend AERs 7, 11, and 14 accordingly.	Oppose	<b>Powerco</b> 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.	Disallow	<b>186. Reject.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	KiwiRail	A.2.4.7	Regionally significant infrastructure	Support	Support the objective and policy framework under Section 2.4.7, particularly Objective O3.	Retain Section 2.4.7 as notified.				<b>34. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	New Zealand Transport Agency	A.2.4.7	Regionally significant infrastructure	Support	The provisions are supported.	Retain as notified.				<b>68. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Geometrix	A.2.4.7	Regionally significant infrastructure	Support in part	Recognise the ability to increase the use of existing infrastructure and to promote the development of industry that, in turn, enhances the viability of the infrastructure.	Amend, or include an additional policy that encourages additional use of existing infrastructure.				<b>271. Reject.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Transpower	A.2.4.7	Regionally significant infrastructure - Objective O1	Support	Support the objective	Retain as notified				<b>167. Accept.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Transpower	A.2.4.7	Regionally significant infrastructure - Objective O2	Amend	Delete the word "greatest" which creates an expectation of onerous mitigation	Amend 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, regional and local communities, while avoiding, remedying or mitigating adverse effects on the environment to the <del>greatest</del> extent practicable</i> ".				<b>168. Reject</b>  <b>Reason:</b> The amendment requested does not represent the appropriate resource management response.



6.4	Transpower	A.2.4.7	Regionally significant infrastructure - Policies P1, P4, P5, P6 and AERs	Support	Support these provisions	Retain as notified.				<b>170. Accept.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the PRPS policy-framework.
6.4	Transpower	A.2.4.7	Regionally significant infrastructure - Policy P2	Amend	Amend to signal that minor upgrades will be permitted activities	Amend as follows: " <i>Require the development and <b>major</b> upgrading of regionally significant infrastructure to avoid, remedy or mitigate adverse effects to the extent practicable...</i> "				<b>171. Accept.</b>  <b>Reason:</b> The submission gives effect to the NPS-ET.
6.4	Transpower	A.2.4.7	Regionally significant infrastructure - New Policy P7	Amend	Include a new policy that refers specifically to the National Grid.	Include new Policy P7 as follows: " <b><u>Adverse effects including reverse-sensitivity effects on the National Grid are avoided</u></b> ".	Oppose	<b>Mike Gribble</b> The word "reverse" is not required.	Remove the following words "including reverse-sensitivity effects on the National Grid are avoided".	<b>169. Accept.</b>  <b>Reason:</b> The submission gives effect to the NPS-ET.
6.4	Heritage NZ	A.2.4.7	Regionally significant infrastructure - Objective O2 and Policy P2	Support with changes	The wording must be changed to avoid dilution of the intent, and historic heritage should be included in the policy-framework.	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, regional and local communities, while avoiding, remedying or mitigating adverse effects on the environment to the <del>greatest extent practicable</del></i> ". 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> • Health, safety, and wellbeing of people; • Visual and amenity values; • Natural and physical environment; • <b><u>Historic heritage and the intrinsic values of scheduled sites;</u></b> and • Existing sensitive activities".	Support	<b>Environmental Futures</b> Deletion of the qualifying statements about the extent of avoidance, remediation, or mitigation is supported as it dilutes the duty prescribed in the Act. It is important to include historic heritage where suggested.	Allow	<b>139. Reject.</b>  <b>Reasons:</b> <ul style="list-style-type: none"> <li>The provisions as notified, subject to the amendment to Objective O2 requested by Transpower, represent the appropriate resource management response to the PRPS and the NPS-ET.</li> <li>Historic heritage is included in "the intrinsic values of scheduled sites."</li> </ul>
							Oppose	<b>Powerco</b> 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 localized 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".	

						<p>Support in part/ Oppose in part.</p>	<p><b>Federated Farmers</b> Support the proposed amendment to Objective 2. Oppose the proposed amendment to Policy 2. While the objective should be to avoid, remedy, or mitigate; it needs to be recognised that there may be instances where this is not possible. The development of nationally significant infrastructure is an example.</p>	<p>Accept the amendment to Objective 2. Reject the amendment to Policy 2.</p>
						<p>Oppose in part</p>	<p><b>Transpower</b> <u>Objective 2:</u> 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 it is important for the purposes of giving effect to the NPS on Electricity Transmission that the wording "to the extent practicable" or similar be retained. <u>Policy 2:</u> The importance of the need to protect historic heritage is recognised and supported by Transpower.</p>	<p>Disallow in part</p>

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.4	Geometrix	A.2.4.8	Energy efficiency and renewable energy generation.	Support	Support	Retain as notified				<b>272. Accept in part.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the policy-framework.
6.4	Waikato Regional Council	A. 2.4.8	Sustainable management strategy - Energy efficiency and renewable energy generation.	Support	Support this section as consistent with PWRPS Objective 3.4: Energy; Policy 6.5: Energy demand management; and 6A Development principle k).	Retain this section as a whole, except where amendments are sought below.				<b>16. Accept.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response to the policy-framework.
6.4	Waikato Regional Council	A. 2.4.8	Sustainable management strategy - Energy efficiency and renewable energy generation. Policy P2, bullet-point 1 and consequential amendments.	Oppose	Oppose the requirement to manage only "significant" adverse effects. Consideration needs to be given to <b>all</b> adverse effects on the environment, direct and indirect, in order to avoid cumulative impacts.	Amend Policy P2, bullet-point 1 as follows: "... <i>their connections to the electricity transmission grid are enabled while managing</i> : - <del>Significant</del> <i>adverse effects on the environment</i> ". Make consequential amendments to the rules to ensure the amended policy is implemented.	Support	<b>Environmental Futures</b> There is no justification for restricting attention to avoidance, mitigation and remediation only of "significant" adverse effects.	Allow	<b>17. Accept in part.</b>  <b>Reason:</b> The amendment below is preferred and will bring the policy in line with PRPS Method 6.1.1(ba)(iv).
							Oppose in part	<b>Transpower</b> 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	"... <i>their connections to the electricity transmission grid are enabled while managing</i> : - <i>Significant adverse effects on the environment</i> <b>and ensuring that any residual environmental effects which cannot be avoided, remedied or mitigated can be offset or compensated to benefit the affected community or the region</b> ".
6.4	Heritage NZ	A.2.4.8	Energy efficiency and renewable energy generation - Objective O2 and Policy P2	Support in part	The objective is supported, subject to amendments to Policy P2 to avoid adverse effects on historic heritage.	Amend Policy P2 as follows: " <i>Investigation into, operation, maintenance, upgrading, and development of new and existing renewable energy generation activities (including small and community scale renewable electricity generation) and their connections to the electricity transmission grid are enabled including while managing the avoidance of:</i> • <i>Significant adverse effects on the environment; and:</i> • <i>The potential for conflict with existing land uses/natural and physical resources</i> ".				<b>140. Accept in part.</b>  <b>Reason:</b> The amendment below is preferred and will bring the policy in line with PRPS Method 6.6.1(ba)(iv).  "... <i>their connections to the electricity transmission grid are enabled while managing</i> : - <i>Significant adverse effects on the environment</i> <b>and ensuring that any residual environmental effects which cannot be avoided, remedied or mitigated can be offset or compensated to benefit the affected community or the region</b> ".

**Table 6.5 – Submissions on Part A, “Section 3.1 Natural environment and heritage”, Section 3.2 Natural Hazards”, “Section 3.4 Subdivision” and “Section 3.5 Amenity”**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.5	Ventus Energy (NZ) Ltd	A.3.1.2.1	Natural Environment and Heritage - Landscape Character - Policies	Amend	Amend to be consistent with s6(b) RMA	Amend the policies as follows: <b><u>"Protect the elements from inappropriate use or development. Not inappropriately detract from the amenity values of the landscape"</u></b>	Oppose	<b>Environmental Futures</b> 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	<b>233. Reject.</b>  <b>Reason:</b> This submission is outside of the scope of this plan change.
6.5	Environmental Futures Inc	A.3.2.2	Natural Hazards - Flooding - Policies, Explanation, and AER 6	Oppose	Policy P5 is a risky approach.	Retain status quo				<b>188. Reject.</b>  <b>Reason:</b> This policy and its associated AER have been moved from 3.7.2(1) P4, to Natural Hazards and will require to be reviewed as part of the upcoming hazards plan change.
6.5	New Zealand Transport Agency	A.3.4.2.1	Subdivision - Objective O4	Support	The objective promotes safe and efficient functioning of the transport network.	Retain as notified.				<b>70. Accept in part.</b>  <b>Reason:</b> The provision as notifies, subject to the change below, represents the appropriate resource management response.
6.5	KiwiRail	A.3.4.2, Objective O4 and associated policies.	Subdivision	Seek amendment	Reverse-sensitivity effects need to be recognized in the "Subdivision" objective and policy framework.	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, including the avoidance, remediation, or mitigation of potential reverse-sensitivity effects"</i> . Alter the wording in the policy column associated with Objective O4, as follows: <b><u>"See Sustainable Management Strategy Sections 2.4.6 (Sustainable</u></b>	Neither support or oppose	<b>Federated Farmers</b> Federated Farmers considers that this submission is outside the scope of the plan change. As per their submission they consider that 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 can have a broad range	Federated Farmers 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.	<b>35. Accept.</b>  <b>Reason:</b> Staff's position is that the subject matter is within the scope of PC43/44. Staff support the position that reverse-sensitivity should be considered at the time of subdivision.

						<i>Management Strategy, Integrating land-use and infrastructure) and 2.4.7 (Regionally significant infrastructure).</i> "		of impacts that cannot be addressed in isolation. Federated Farmers therefore have some sympathy with the Submitter seeking these changes.		
							Support	<b>Transpower</b> Transpower also considers that potential reverse sensitivity effects should be considered at the time of subdivision.	Allow	
6.5	Environmental Futures Inc	A.3.5.2.3	Amenity - Nuisance effects - Objective O6	Amend	Oppose the inclusion of "planned infrastructure networks". The term is too broad to enable an adequate understanding by plan users.	Amend as follows: " <i>To ensure that subdivision and land use activities are located and sited in a manner that recognises <u>existing</u> infrastructure networks</i> ".				<b>190. Accept in part.</b>  <b>Reason:</b> It is appropriate, within the PRPS framework, to include reference to "planned" infrastructure, subject to clarification of the meaning of the term.
6.5	New Zealand Transport Agency.	A.3.5.2.3	Amenity - Nuisance effects - Objective O6	Support with amendment	The objective is supported but should refer to both existing and planned infrastructure.	Amend Objective O6 as follows: " <i>To ensure that subdivision and land use activities are located and sited in a manner that recognises <u>existing and planned</u> infrastructure networks</i> ".	Oppose	<b>Environmental Futures</b> 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 public to have input.	Disallow whole	<b>71. Accept.</b>  <b>Reason:</b> It is appropriate, within the PRPS framework, to include reference to "planned" infrastructure, subject to clarification of the meaning of the term. See previous comment at 67
							Support	<b>Powerco</b> Supports the proposed amendment for the reasons set out in the submission.	Allow	
6.5	KiwiRail	A.3.5.2.3, Objective O6	Amenity - Nuisance effects	Seek amendment	Reverse-sensitivity effects need to be recognised in the "Amenity" objective and policy framework.	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> ".	Oppose	<b>Mike Gribble</b> There is enough protection afforded by the original wording.	Disallow	<b>36. Accept.</b>  <b>Reason:</b> It is appropriate within the PRPS framework to recognise reverse sensitivity effects in the context of "Amenity".
							Support	<b>Powerco</b> Supports the proposed amendment for the reasons set out in the submission.	Allow	
							Support	<b>Transpower</b> Transpower also considers that potential reverse-sensitivity effects on infrastructure should be considered.	Allow	

**Table 6.5 – Submissions on Part A, “Section 3.1 Natural environment and heritage”, Section 3.2 Natural Hazards”, “Section 3.4 Subdivision” and “Section 3.5 Amenity”**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.5	Ventus Energy (NZ) Ltd	A.3.1.2.1	Natural Environment and Heritage - Landscape Character - Policies	Amend	Amend to be consistent with s6(b) RMA	Amend the policies as follows: <b><u>"Protect the elements from inappropriate use or development. Not inappropriately detract from the amenity values of the landscape"</u></b>	Oppose	<b>Environmental Futures</b> 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	<b>233. Reject.</b>  <b>Reason:</b> This submission is outside of the scope of this plan change.
6.5	Environmental Futures Inc	A.3.2.2	Natural Hazards - Flooding - Policies, Explanation, and AER 6	Oppose	Policy P5 is a risky approach.	Retain status quo				<b>188. Reject.</b>  <b>Reason:</b> This policy and its associated AER have been moved from 3.7.2(1) P4, to Natural Hazards and will require to be reviewed as part of the upcoming hazards plan change.
6.5	New Zealand Transport Agency	A.3.4.2.1	Subdivision - Objective O4	Support	The objective promotes safe and efficient functioning of the transport network.	Retain as notified.				<b>70. Accept in part.</b>  <b>Reason:</b> The provision as notifies, subject to the change below, represents the appropriate resource management response.
6.5	KiwiRail	A.3.4.2, Objective O4 and associated policies.	Subdivision	Seek amendment	Reverse-sensitivity effects need to be recognized in the "Subdivision" objective and policy framework.	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, including the avoidance, remediation, or mitigation of potential reverse-sensitivity effects"</i> . Alter the wording in the policy column associated with Objective O4, as follows: <b><u>"See Sustainable Management Strategy Sections 2.4.6 (Sustainable</u></b>	Neither support or oppose	<b>Federated Farmers</b> Federated Farmers considers that this submission is outside the scope of the plan change. As per their submission they consider that 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 can have a broad range	Federated Farmers 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.	<b>35. Accept.</b>  <b>Reason:</b> Staff's position is that the subject matter is within the scope of PC43/44. Staff support the position that reverse-sensitivity should be considered at the time of subdivision.

						<i>Management Strategy, Integrating land-use and infrastructure) and 2.4.7 (Regionally significant infrastructure).</i> "		of impacts that cannot be addressed in isolation. Federated Farmers therefore have some sympathy with the Submitter seeking these changes.		
							Support	<b>Transpower</b> Transpower also considers that potential reverse sensitivity effects should be considered at the time of subdivision.	Allow	
6.5	Environmental Futures Inc	A.3.5.2.3	Amenity - Nuisance effects - Objective O6	Amend	Oppose the inclusion of "planned infrastructure networks". The term is too broad to enable an adequate understanding by plan users.	Amend as follows: " <i>To ensure that subdivision and land use activities are located and sited in a manner that recognises existing infrastructure networks</i> ".				<b>190. Accept in part.</b>  <b>Reason:</b> It is appropriate, within the PRPS framework, to include reference to "planned" infrastructure, subject to clarification of the meaning of the term.
6.5	New Zealand Transport Agency.	A.3.5.2.3	Amenity - Nuisance effects - Objective O6	Support with amendment	The objective is supported but should refer to both existing and planned infrastructure.	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	<b>Environmental Futures</b> 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 public to have input.	Disallow whole	<b>71. Accept.</b>  <b>Reason:</b> It is appropriate, within the PRPS framework, to include reference to "planned" infrastructure, subject to clarification of the meaning of the term. See previous comment at 67
							Support	<b>Powerco</b> Supports the proposed amendment for the reasons set out in the submission.	Allow	
6.5	KiwiRail	A.3.5.2.3, Objective O6	Amenity - Nuisance effects	Seek amendment	Reverse-sensitivity effects need to be recognised in the "Amenity" objective and policy framework.	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 and avoids, remedies, or mitigates any potential reverse-sensitivity effects on those infrastructure networks</i> ".	Oppose	<b>Mike Gribble</b> There is enough protection afforded by the original wording.	Disallow	<b>36. Accept.</b>  <b>Reason:</b> It is appropriate within the PRPS framework to recognise reverse sensitivity effects in the context of "Amenity".
							Support	<b>Powerco</b> Supports the proposed amendment for the reasons set out in the submission.	Allow	
							Support	<b>Transpower</b> Transpower also considers that potential reverse-sensitivity effects on infrastructure should be considered.	Allow	

**Table 6.6 – Submissions on Part A, Section 3.7 Works and Network Utilities**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.6	KiwiRail	A.3.7.1	Works and network utilities - Significant resource management issues	Support	The significant resource management issues identified in this section are supported, in particular the cross-reference to regionally significant infrastructure, and the recognition that works and network utilities must be protected from incompatible use and reverse-sensitivity effects.	Retain Section 3.7.1 as notified.				<b>37. Accept.</b>  <b>Reason:</b> The wording captures the key resource management issues.
6.6	Environmental Futures Inc.	A.3.7.1	Works and network utilities - Significant resource management issues - Fourth paragraph	Amend	Reverse-sensitivity protection of infrastructure should not be introduced as a certainty, when it should be the primary effect (the odour or noise - for example) that should be avoided or mitigated, rather than simply restricting the uses of land by those nearby.	This paragraph should be reworded to provide for "consideration" of such reverse-sensitivity protection for existing infrastructure only, and only in cases where the primary source of the primary effect cannot be avoided.				<b>191. Reject.</b>  <b>Reason:</b> The description deals appropriately with the issue of reverse-sensitivity. Case law provides further guidance on the implementation of reverse-sensitivity provisions.
6.6	Powerco	A.3.7.2.1	Works and network utilities - Community infrastructure - Objectives O1 and O2	Support	Support	Retain as notified				<b>204. Accept.</b>  <b>Reason:</b> The objectives are the appropriate means of addressing the key resource management issues.
6.6	Powerco	A.3.7.2.1	Works and network utilities - Community infrastructure - Policy P2	Amend	Remove reference to "adjacent lands".	Amend as follows: " <i>To protect works and network utilities from incompatible development, use or subdivision of adjacent lands</i> ".				<b>205. Accept.</b>  <b>Reason:</b> The phrase "of adjacent lands" is potentially confusing and does not assist in clarifying the policy intent.



6.6	Waikato Regional Council	A. 3.7.2.1	Works and network utilities - Community infrastructure. Policy P3, bullet-point 1.	Support in part.	Further effects on the already modified environment needs to be considered as part of any assessment.	Amend Policy P3, bullet-point 1 as follows: <i>"To ensure that works and network utilities are considered having particular regard to: - The degree to which <del>the environment has already been modified</del> further modification would have adverse effects on the natural and physical environment"</i> . Make consequential amendments to the rules to ensure the change to the policy is implemented.	Support	<b>Environmental Futures</b> 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.	Allow	<b>19. Accept in part.</b>  <b>Reason:</b> The change below is preferred and will bring the policy in line with the RMA statutory framework: : <i>"To ensure that works and network utilities are considered having particular regard to: - <del>The degree to which the environment has already been modified</del> <b><u>The environment as it exists</u></b>"</i>
							Oppose	<b>Powerco</b> 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 proposed 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.	Retain wording as notified	
6.6	Waikato Regional Council	A. 3.7.2.1	Works and network utilities - Community infrastructure. Policy P3, bullet-point 4.	Support	Support this provision as consistent with the PWRPS.	Retain as drafted. Ensure this policy provision is fully implemented through District Plan rules.	Support	<b>Federated Farmers</b> Support for the reasons given	Allow	<b>18. Accept.</b>  <b>Reason:</b> The provision is the appropriate resource management response to the PRPS policy framework.
6.6	Environmental Futures Inc	A.3.7.2	Works and network utilities - Provision and benefits	Oppose	The changes proposed are radical. The changes to Policy P5 are incomplete and the new wording reverses the intent of the original policy.	Retain the original wording.	Oppose	<b>Powerco</b> The wording of Policy 5 as notified is supported. 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. The appropriate management of reverse-sensitivity effects on works and network utilities is supported.	Disallow	<b>192. Reject.</b>  <b>Reason:</b> The proposed policy-framework provides the appropriate balance between managing the adverse effects of infrastructure networks on the environment and the effects of sensitivity activities on the networks. The wording is the appropriate resource management response to the PRPS policy framework, particularly Method 6.1.1A.

6.6	Powerco	A.3.7.2.1	Works and network utilities - Community infrastructure - Policy P6	Amend	Remove clauses that relate to protection from inappropriate development (already dealt with elsewhere) and include a requirement to prioritise the development of planned growth areas.	Amend as follows: " <i>The nature, timing, and sequencing of land use, development and subdivision must: - <b><u>Prioritise the development of identified growth areas and areas with existing infrastructure capacity in order to achieve the efficient use of existing network utilities</u></b>; - Be co-ordinated with 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; - <del>Maintain and enhance the operational efficiency, effectiveness, viability, and safety of works and network utilities</del>; - <del>Protect investment in existing works and network utilities</del>; - Ensure new development does not occur until appropriate infrastructure services are in place or alternative infrastructure has been provided by the development; and: - <del>Retain the ability to maintain and upgrade works and network utilities</del>".</i>	Support	<b>New Zealand Transport Agency</b> The amendment will promote the integration of land-use and infrastructure.	Allow	<b>206. Accept in part.</b>  <b>Reason:</b> The additional reference to prioritising development of identified growth areas will assist in the integration of development with infrastructure. However, the clauses referring to maintaining the efficiency and ability to upgrade networks are also relevant considerations when the nature, timing, and sequencing of development are considered.
6.6	Barr & Harris	A.3.7.2.1	Community infrastructure	Amend	Support the concept of coordinating land-use/subdivision with infrastructure. Support Policy P9 (total catchment approach).	Add " <b><u>recognise the potential benefits of cooperation between development and upgrading of existing infrastructure</u></b> ". Need planning on the basis of the "total catchment approach" to provide for coordinated improvement of existing stormwater servicing.				<b>258. Reject.</b>  <b>Reason:</b> The potential for development to benefit the upgrading of existing infrastructure is already recognised in Policy P6 that requires the sequencing of development to take into account the efficiency of network utilities and investment in existing networks.

**Table 6.7 – Submissions on Section 3.8 Transportation**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.7	Progressive Enterprises	A. 3.8.1	Significant resource management issues	Support	The proposed amendments are supported in principle.	Adopt amendments without modification.	Support	<b>Tidmarsh Holdings Ltd</b> The provisions propose changes to the Plan that better provide for the access, loading and parking environment in the District.	Allow	<b>2. Accept in part.</b> <b>Reason:</b> The description in Paragraph 3.8.1 of the District Plan, subject to the changes below, characterises the key resource management issues.
6.7	Piako Gliding Club	A.3.8.1	Integrating land-use and infrastructure	Amend	The issue and explanation should refer to transportation networks as well, and should recognise the airfield.	Amend the s32 analysis should refer to the airfield (or transportation networks) and make specific reference to avoiding reverse-sensitivity effects from zoning and new development on neighbouring areas in relation to the airfield.	Support in part	<b>Horticulture NZ</b> Recognition of potential reverse-sensitivity effects on the airfield is supported.	Allow	<b>116. Reject.</b> <b>Reason:</b> The matter is adequately dealt with in 2.4.6, Policy P1 that requires that development/intensification take place where the operation, maintenance, upgrading or development of infrastructure is not compromised. The above provision applies to all infrastructure, including transport networks which encompasses the Matamata Airfield. Proposed changes to Policy P9 may assist in addressing the submitters' concerns.
6.7	Piako Gliding Club	A.3.8.1	Air transport	Amend	Make reference to the use of the airport for commercial activities.	Amend the s32 analysis to make mention of the use of the airport for commercial activities.				<b>115. Accept.</b> <b>Reason:</b> Commercial use of the airfield is not recognised in the wording as notified.
6.7	M & C O'Callaghan Tidmarsh Holdings Ltd	A.3.8.1	Transportation - Significant resource management issues - Local transport infrastructure – 1 <sup>st</sup> paragraph p3:43	Support	More lenient parking and loading requirements for the "shopping frontage" areas of the town centres are supported.	Retain as notified				<b>88 &amp; 100. Accept.</b>  <b>Reason:</b> The provision balances the need for parking with the need to preserve the character of the town centres.
6.7	M & C O'Callaghan Tidmarsh Holdings Ltd	A.3.8.1	Transportation - Significant resource management issues - Local transport infrastructure - Second paragraph p3:43	Support with amendment	Energy efficient urban form is supported. Reference needs to also be made to protection of the integrity of the town centres.	Amend as follows: "...coupled with a .....minimises travel distances. <b><u>Within town centres, Council is seeking to maintain the compact nature of these areas to avoid the cumulative effects on the transport network of dispersal of office and retail activity. Development should encourage safe and hospitable pedestrian environments along shopping frontages, allow for a higher level of development intensity to support pedestrian use of the town centre, and protect amenity at street level!</u></b> "				<b>89 &amp; 101. Reject.</b>  <b>Reason:</b> The submission falls beyond the scope of the plan changes and should more appropriately be considered under the upcoming urban plan change.

6.7	Tidmarsh Holdings Ltd	A.3.8.1	Transportation - Significant resource management issues - Local transport infrastructure - Third paragraph	Support	Recognition that parking and loading requirements must take into account the need to use land efficiently, and must avoid standards that are so onerous as to constrain development, is supported.	Retain as notified.				<b>87. Accept.</b>  <b>Reason:</b> The efficient use of natural and physical resources is a s7 RMA matter to which the Council must have particular regard.
6.7	Tidmarsh Holdings Ltd	A.3.8.1	Transportation - Significant resource management issues - First bullet-point.	Support	Recognition of the economic importance of the transport network is supported.	Retain first bullet-point as notified.				<b>86. Accept.</b>  <b>Reason:</b> The transport network supports the economic wellbeing of the community.
6.7	KiwiRail	A.3.8.1	Transportation - Significant resource management issues - Significant transport infrastructure	Support subject to minor amendment	The issues as identified are generally supported, subject to amendments to ensure consistent reference to railway lines and to ensure all railway lines are recognised as "significant transport infrastructure".	Amend the fourth paragraph under Section 3.8.1 as follows: <i>"The railway network in our District comprises: - The Kinleith Branch Line <del>Railway</del>; <b>Waitoa Branch Line</b> and the East Coast Main Trunk <b>Line Railway</b> that <del>passes</del> <b>carry significant volumes of freight, including dairy and forestry goods</b>, through the District <b>generally</b> en-route to the Port of Tauranga, with freight stations at Waharoa and Morrinsville; and <del>The Waitoa Industrial Rail Line, currently used only by Fonterra, connecting the Waitoa and Morrinsville dairy factories.</del>"</i> Alter the eight paragraph to read: <i>"...For the railway network, the RLTS identifies the East Coast Main Trunk Line <del>Railway</del> as nationally significant, and the Kinleith Branch <del>Railway</del> Line as regionally significant. <b>It should be noted however that all rail corridors in the District are considered to be Regionally Significant Infrastructure under the definition provided in Section 15 of this District Plan.</b>"</i>				38. Accept in part.  <b>Reason:</b> The amendment ensures consistency throughout the District Plan. It is appropriate that all rail corridors identified in the PRPS, be considered as regionally significant infrastructure.  An amendment to the wording suggested by KiwiRail (see Appendix 5) is recommended to ensure consistency with the PRPS.
6.7	Geometrix	A.3.8.2	Transportation	Support in part	Support - except as detailed below.	Retain - except as detailed below.				<b>274. Accept in part.</b>  <b>Reason:</b> The objectives and policies, subject to the changes below, represent the appropriate resource management response to the PRPS.

6.7	Barr & Harris	A.3.8.2	Transportation	Amend	Transportation design criteria need to be balanced with urban design principles.	Add objectives/policies noting the need to provide balance between road standards and urban design principles.				<b>259. Reject.</b>  <b>Reason:</b> This submission is beyond the scope of this plan change and should more appropriately be addressed through the upcoming urban plan change.
6.7	Piako Gliding Club	A.3.8.2	Safety and efficiency of our transportation network - Objectives	Amend	The objectives do not recognise the importance of the airfield and the need to protect it from land-use activities that could impact on the operational requirements.	Include a specific objective to protect the existing and future operations at the airfield.	Support in part	<b>Horticulture NZ</b> An objective to protect the airfield and recognition of potential reverse-sensitivity effects on the airfield is supported.	Allow	<b>119. Reject.</b>  <b>Reason:</b> Objective O2 and Policy P3 provide for an integrated and efficient transport network, including the airfield.
6.7	Tidmarsh Holdings Ltd M & C O'Callaghan	A.3.8.2	Transportation - Objective O7	Support	Objective O7 is supported.	Retain as notified.				<b>90 &amp; 102. Accept.</b>  <b>Reason:</b> Objective O7 balances the need for parking, with the ability to use land efficiently.
6.7	KiwiRail	A.3.8.2	Transportation - Objectives	Support objectives - particularly O1 and O2.		Retain Objectives O1 and O2 in Section 3.8.2 as notified.				<b>39. Accept.</b>  <b>Reason:</b> The objectives represent the appropriate response to the PRPS.
6.7	Waikato Regional Council	A. 3.8.2	Transportation Objective O8, and Policies P2, P4, P21 and P22.	Support	The provisions are supported as being consistent with the policy direction identified in the RLTS.	Retain Objective O8 and Policies P2, P4, P21 and P22 as drafted.				<b>21. Accept.</b>  <b>Reason:</b> The objectives and policies represent the appropriate response to the PRPS.
6.7	Waikato Regional Council	A. 3.8.2	Transportation Objective O1 and Policies P2 and P4.	Support	The provisions are supported as being consistent with Policy 6.6 of the PWRPS, and the RLTS's strategic corridor approach.	Retain Objective O1, and Policies P2 and P4 as drafted.				<b>20. Accept.</b>  <b>Reason:</b> The objectives and policies represent the appropriate response to the PRPS.
6.7	Piako Gliding Club	A.3.8.2	Safety and efficiency of our transportation network - Policies P3 and P12	Support	Policies P3 and P12 are strongly supported.	Retain Policies P3 and P12 as notified.				<b>120. Accept.</b>  <b>Reason:</b> The objectives and policies represent the appropriate response to the PRPS.
6.7	Tidmarsh Holdings Ltd M & C O'Callaghan	A.3.8.2	Transportation - Policy P18	Support	Policy P18 is supported.	Retain as notified.				<b>92 &amp; 103. Accept.</b>  <b>Reason:</b> The policy represents the appropriate balance between requiring parking and ensuring efficient development.
6.7	KiwiRail	A.3.8.2	Transportation - Policies	Policies P3 and P6 are supported.	Policies P3 and P6 are strongly supported.					<b>40. Accept.</b>  <b>Reason:</b> The policies represent the appropriate response to the key resource management issues.

6.7	KiwiRail	A.3.8.2	Transportation - Policies	An amendment to Policy P9 is sought.	An amendment to Policy P9, that provides awareness that reverse-sensitivity effects are not limited to noise only, is sought.	Amend Policy P9 as follows: <i>"To implement <del>noise abatement measures along</del> <b>reverse-sensitivity controls for land near</b> state highways, district arterials, <del>operational</del> <b>the railway corridor lines</b>, and the Matamata airports.</i>				<b>40.1. Accept in part.</b>  <b>Reason:</b> It is accepted that reverse-sensitivity effects are not limited to noise only. However, the use of the word "controls" is not supported. Reference to "significant transport infrastructure", as opposed to "the railway corridor" is preferred. The following amended wording is proposed: <i>"To implement <del>noise abatement measures along</del> <b>to avoid, or mitigate reverse-sensitivity effects on land near significant transport infrastructure</b> state highways, district arterials, <del>operational railway lines</del>, and the Matamata airports.</i>
6.7	Tidmarsh Holdings Ltd	A.3.8.2	Transportation - Policy P12	Amend	Typo	Change "takes" to "take".				<b>91. Accept.</b>  <b>Reason:</b> The amendment rectifies a typographical error.
6.7	Tidmarsh Holdings Ltd M & C O'Callaghan	A.3.8.2	Transportation - Policy P19 - Provide for case-by-case assessment of loading requirements	Amend	There is a disconnect between Policies P18 and P19.	Amend Policy P19: To specify which areas the provisions apply to. Provide policy direction for the case-by-case assessment of loading requirements in the "shopping frontage" areas. Address the disconnect between P18 (avoid constraining development through parking/loading provisions that affect the character of the areas) and P 19 (seeks that the amenity of town centres is not adversely affected by loading and lack of parking).				<b>93 &amp; 104. Reject.</b>  <b>Reason:</b> Staff do not consider that there is disconnect between Policies 18 and 19. The policies highlight the "tension" between the desired outcomes (maintaining amenity/not constraining development versus avoiding traffic safety). All of these issues need to be balanced and managed. Hence the need for policies to cover all the issues. Case-by-case assessment of loading requirements is implicit in the policy-framework.
6.7	Tidmarsh Holdings Ltd M & C O'Callaghan	A.3.8.2	Transportation - Anticipated environmental results - AER 7	Amend	The AER requires amendment to specify that self-sufficiency in regards to parking and loading spaces is not required in the "shopping frontage" areas of town centres.	Amend AER 7 as follows: <i>"Increase in the number of activities <b>outside of "shopping frontage" areas</b> which are self-sufficient in terms of parking and loading space provision".</i>				<b>94 &amp; 105. Accept.</b>  <b>Reason:</b> The amendment requested better characterises the anticipated environmental result.
6.7	Tidmarsh Holdings Ltd M & C O'Callaghan	A.3.8.2	Transportation - Anticipated environmental results - AER 9	Support	AER 9 is supported	Retain AER 9 as notified.				<b>95 &amp; 106. Accept.</b>  <b>Reason:</b> The AER is the appropriate environmental result from implementing the proposed policy framework.
6.7	Environmental Futures Inc.	A.3.8.1	Transportation - Significant resource management issues	Amend	The provisions as notified are sweeping, unbalanced, and circular.	Amend to give effect to the submission points as noted in this submission.				<b>185. Reject.</b>  <b>Reason:</b> Staff consider that the issue description as notified provides context and consistency

											with the PRPS, to which the plan change will ultimately be required to "give effect to".
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**Table 6.8 – Submissions on Part B, Section 1 General provisions & Section 2 Activity table**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.8	Waikato Regional Council	B. 1	General provisions.	Support in part.	There will be circumstances where resource consents will be required from both the district and regional council.	Include a provision that identifies that resource consent may also be required under the regional plan.				<b>23. Accept.</b>  <b>Reason:</b> The amendment will ensure that applicants are aware that consents may also be required under the Waikato Regional Plan.
6.8	Transpower	B.1.1.1	General provisions - Written report	Amend	Include Transpower in 1.1.1(vi) which lists potential consultation parties	Amend as follows: "As part of an assessment of effects, the applicant may be required, unless it is unreasonable in the circumstances, to consult as part of the assessment with the following persons as appropriate: • The owner(s) and occupier(s) of the subject land; • Persons likely to be directly affected by the proposed activity; • The District and Regional Council; • <b>Transpower NZ Ltd</b> :....."				<b>172. Accept.</b>  <b>Reason:</b> Consultation with Transpower regarding potential adverse effects on the National Grid will assist the resource management process.
6.8	KiwiRail	B.1.1.1(vi)	General provisions - Written report	Seek amendment	The New Zealand Railways Corporation no longer exists as an entity and has been replaced by "KiwiRail Holdings Limited" trading as "KiwiRail".	Amend the fifth bullet-point under sub-clause 1.1.1(vi) as follows: " <del>New Zealand Railways Corporation</del> <b>KiwiRail Holdings Limited</b> (KiwiRail);"				<b>41. Accept.</b>  <b>Reason:</b> The amendment is necessary to reflect the change in the name of the former New Zealand Railways Corporation.
6.8	New Zealand Transport Agency	B.1.2.1	Activity status criteria	Amend	Provide clarification that in the case of a conflict of provisions, the more restrictive activity status shall apply.	Add a provision requiring that in the case of a conflict between provisions or activity status, the more onerous provisions and activity status will apply.				<b>65. Accept.</b>  <b>Reason:</b> The amendment will provide additional clarification that will assist in the implementation of the District Plan.
6.8	Barr & Harris	B.1.4	Assessment criteria for restricted-discretionary, discretionary, and non-complying activities	Amend	Provide clarity of the statement: "For discretionary activities these matters do not restrict Council's discretionary power".	Include clarification of this matter.				<b>261. Reject.</b>  <b>Reason:</b> The RMA clarifies that full discretionary activities do not restrict Council's discretion (i.e. are not restricted-discretionary).
6.8	Barr & Harris	B.1.3.4	Subdivision	Amend	Transportation design criteria need to be balanced with urban design principles.	Include reference that Transportation Section (Section 9) must be balanced against urban design criteria.				<b>260. Reject.</b>  <b>Reason:</b> The submission is outside the scope of these plan changes.



6.8	Heritage NZ	B.2.1.2	Guide to Activity Table	Support	The proposed inclusion of "Natural Environment and Heritage (Section 10)" provisions as matters of control, is supported.	Retain as notified.				<b>142. Accept.</b>  <b>Reason:</b> The wording as notified provides clarity on Plan implementation.
6.8	Progressive Enterprises	B. 1.1.1(x)	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.	Support	The inclusion of sub-clause (x) represents good industry practice.	Retain sub-clause (x).				<b>3. Accept in part.</b>  <b>Reason:</b> Clarification of the circumstances when an ITA is required, and the scope of matters to be included in the assessment under different circumstances, needs to be provided.
6.8	Waikato Regional Council	B. 1.1.1	Written report. Sub-clause (x) and consequential amendments.	Support in part.	The use of Integrated Transport Assessment (ITA) is supported as being consistent with the PWRPS Method 6.3.9. However, further guidance on the use of ITAs through the inclusion of specific policy, rule, and assessment criteria is required.	Where appropriate, policy, rule, and assessment criteria should be included in the District Plan to guide the use of ITAs.				<b>24. Accept.</b>  <b>Reason:</b> Clarification of the circumstances when an ITA is required, and the scope of matters to be included in the assessment under different circumstances, needs to be provided.
6.8	New Zealand Transport Agency	B.1.1.1	General provisions - Written report - Sub-clause (x)	Amend	Exclude reference to "Integrated Transport Assessment Guidelines, November 2010, NZTA Research Report 422".	Replace reference to "Integrated Transport Assessment Guidelines, November 2010, NZTA Research Report 422" with reference to a new Appendix 11 "Information requirements for Integrated Transport Assessments" as outlined in the submission.	Oppose	<b>Environmental Futures</b> 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	<b>72. Accept in part.</b>  <b>Reason:</b> Clarification of the circumstances when an ITA is required, and the scope of matters to be included in the assessment under different circumstances, needs to be provided.
6.8	New Zealand Transport Agency	New Appendix 11	Information requirements for Integrated Transport Assessments	Amend	Remove reference to the "Integrated Transport Assessment Guidelines, November 2010, NZTA Research Report 422" and include a new "Appendix 11 - Information Requirements for Integrated Transport Assessments".	Include new Appendix 11 as set out in p13 of the Transport Agency's submission.	Oppose	<b>Environmental Futures</b> 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	<b>82. Accept in part.</b>  <b>Reason:</b> Clarification of the circumstances when an ITA is required, and the scope of matters to be included in the assessment under different circumstances, needs to be provided.

6.8	Geometrix	B.1.1.1(x)	General provisions - Written report	Oppose	The requirement for an ITA when applications have the potential to result in adverse effects, is too open to interpretation (all applications "have the potential to result in adverse traffic effects).	Delete, or alternatively detail the specific circumstances when an ITA will be required.	Oppose	<b>New Zealand Transport Agency</b> 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.	Disallow	<b>275. Accept.</b> <b>Reason:</b> Clarification of the circumstances when an ITA is required, and the scope of matters to be included in the assessment under different circumstances, needs to be provided.
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**Table 6.9 – Submissions on Provisions relating to the National Grid and Sub-Transmission Lines (Part B, Section 3.5, 3.6, 6.1.1. and 6.1.3(x))**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.9	Transpower	B.3.5	Activities adjacent to transmission lines	Oppose	Change heading as follows: <del>3.5 Activities adjacent to transmission lines</del> <u>The National Grid</u>	Amend text to: <del>3.5 Activities adjacent to transmission lines</del> <u>The National Grid</u>				<b>154. Accept.</b>  <b>Reason:</b> The amendment will ensure consistency with other district plans.
6.9	Transpower	B.3.5	Activities adjacent to transmission lines	Amend	Amend for national consistency. Recognise existing development on Lot 1 DPS 18429	Delete Rules 3.5.1 and 3.5.2 and replace with the following: <b><u>“3.5.1 National Grid Yard (i) Permitted Activities 1. Under the National Grid Conductors (wires): (a) On all sites within any part of the National Grid Yard any buildings and structures must: (i) If they are for a sensitive activity, not involve an increase in the building height or footprint where alterations and additions to existing buildings occur; or (ii) Be a fence; or (iii) Be network utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid; or (iv) Be an uninhabitable farm building or structure for farming activities (but not a milking/dairy shed, commercial greenhouse or intensive farming building (excluding ancillary structures)); or (v) Be an uninhabited horticultural building (but not a commercial greenhouse) or structure; or (vi) Be any public sign required by law or provided by any statutory body in accordance with its powers under any law. (b) All buildings or structures permitted by a) must comply with at least one of the following conditions: (i) A minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines; or (ii) Demonstrate that safe electrical clearance distances required by NZECP34 are maintained</u>”</b>	Support in part	<b>Horticulture NZ</b> 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 NZECP34:2001. This is consistent with the approach taken in other council areas and the submission of Horticulture NZ and allows for the provisions in NZECP34:2001.	Allow with amendments	<b>173. Accept in part.</b>  <b>Reason:</b> The amendments with further changes proposed by Transpower after the pre-hearing meeting are accepted as the appropriate resource management response to the NPS-ET, s7 RMA, and the PRPS.

						<p><u>under all National Grid line operating conditions.</u></p> <p><u>2. Around National Grid support structures:</u></p> <p><u>Buildings and structures shall be at least 12m from a National Grid support structure unless it is a:</u></p> <p><u>(a) Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid.</u></p> <p><u>(b) Fence less than 2.5m in height and more than 5m from the nearest support structure.</u></p> <p><u>(c) Horticultural structure between 8m and 12m from a pole support structure that:</u></p> <p><u>(i) Meets the requirements of the NZECP34 for separation distances from the conductor;</u></p> <p><u>(ii) Is no more than 2.5m high;</u></p> <p><u>(iii) Is removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance and emergency repair purposes; and</u></p> <p><u>(iv) Allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.</u></p> <p><u>3. Earthworks; subject to compliance with the following:</u></p> <p><u>(a) That they be no deeper than 300mm within 12m of any National Grid support structure foundation;</u></p> <p><u>Except that Vertical holes not exceeding 500mm in diameter beyond 1.5 from the outer edge of pole support structure or stay wire are exempt.</u></p> <p><u>(b) Not create an unstable batter that will affect a National Grid support structure; and</u></p> <p><u>(c) Not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34.</u></p> <p><u>Provided that the following are exempt from point (c)(i) above:</u></p> <ul style="list-style-type: none"> <li><u>• Earthworks undertaken by a Network Utility Operator;</u></li> <li><u>or</u></li> <li><u>• Earthworks undertaken as</u></li> </ul>			
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					<p><u>part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track.</u></p> <p><u>Note: Vegetation to be planted within the transmission corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u></p> <p><u>Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) contains restrictions on the location of structures and activities in relation to the lines.</u></p> <p><u>Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.</u></p> <p><u>(ii) Restricted Discretionary Activities</u></p> <p><u>1. Within the National Grid Yard any earthworks not permitted by 3.5.1(i)3(a).</u></p> <p><u>2. Matters of discretion:</u></p> <p><u>The Council has restricted its discretion to the following matters, and may impose conditions relating to these matters if consent is granted:</u></p> <p><u>(a) The ability for operating, upgrading, maintenance and inspection of lines, including ensuring access;</u></p> <p><u>(b) The risk to people and property posed by the operation of the line;</u></p> <p><u>(c) The risk to people and property posed, should the line fail;</u></p> <p><u>(d) The extent to which the adverse effects from the line, and of the new activity on the line can be avoided, remedied, or mitigated;</u></p> <p><u>(e) Any technical advice provided by the line owner/operator”.</u></p> <p><u>(iii) Non-Complying Activities</u></p> <p><u>1. Within the National Grid Yard:</u></p> <p><u>(a) Any building or addition to a building for a sensitive activity.</u></p> <p><u>(b) Any change of use to a sensitive activity or the establishment of a new sensitive activity.</u></p>				
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						<p><u>(c) Intensive farm buildings and dairy/milking sheds, commercial greenhouses or buildings excluding associated ancillary structures.</u></p> <p><u>(d) Any earthworks not permitted by 3.5.1(i) 3.(b) or (c).</u></p> <p><u>(e) Any building or structure that is not permitted under Rule 3.5.1 (i).</u></p> <p><u>For the site located between Bolton Road and Morrinsville – Walton Road legally described as Lot 1 DPS18429 the following exemptions shall apply:</u></p> <p><u>3.5.2 National Grid Yard</u></p> <p><u>Note: This rule only applies to the site legally described as Lot 1 DPS18429.</u></p> <p><u>(i) Permitted Activities</u></p> <p><u>Any building less than 2.5m high and 10m<sup>2</sup> in area is permitted.</u></p> <p><u>(ii) Discretionary Activities</u></p> <p><u>Any building or structure not permitted by Rule 3.5.1 or non-complying under Rule 3.5.1(iii)1(a) to (d) above shall be a discretionary activity.</u></p> <p><u>Note: Vegetation to be planted within the transmission corridor should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.</u></p> <p><u>Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) contains restrictions on the location of structures and activities in relation to the lines.</u></p> <p><u>Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.”</u></p>					
6.9	Transpower	B.3.5	Activities adjacent to transmission lines	Amend	It is unclear whether Rule 3.5 is an "overlay" so that the underlying zoning still applies, except as modified through Rule 3.5.	Amend to clarify that the underlying zone rules apply unless specifically modified by 3.5.1 and 3.5.2.					<p><b>156. Accept.</b></p> <p><b>Reason:</b> The amendment will provide additional clarification on the implementation of the provisions.</p>
6.9	Transpower	B.3.5.1(iii)	Matters of discretion	Amend	Amend for national consistency.	Amend as follows: "The Council has restricted its discretion to the following matters, and may impose conditions relating to these					<p><b>174. Accept in part.</b></p> <p><b>Reason:</b> The amendments with further changes proposed by Transpower after the pre-</p>

						<p>matters if consent is granted:</p> <p>(a) The ability for <b>operating</b>, upgrading, maintenance and inspection of lines, including ensuring access;</p> <p>(b) The risk to people and property posed by the operation of the line;</p> <p>(c) The risk to people and property posed, should the line fail;</p> <p>(d) The extent to which the adverse effects from the line, and of the new activity <b>on the line</b> can be avoided, remedied, or mitigated;</p> <p>(e) <del>The outcome of any consultation with the affected line owner/operator</del> <b>Any technical advice provided by the line owner/operator</b>.</p>				hearing meeting are accepted. These changes more appropriately reflect the matters to which discretion should be restricted.
6.9	Federated Farmers	N/A	All provisions relating to the National Grid.	Amend	With regard to the National Grid, Federated Farmers seek the adoption of the Transpower submission, subject to any specific amendments through the further submission and hearing process.	Amend all provisions relating to the National Grid in accordance with the Transpower submission.				<p><b>127. Accept.</b></p> <p><b>Reason:</b> The amendments with further changes proposed by Transpower after the pre-hearing meeting are accepted as the appropriate resource management response to the NPS-ET, s7 RMA, and the PRPS.</p>
6.9	Powerco	B.3.6	Development adjacent to sub-transmission lines	Support	Support	Retain as notified				<p><b>207. Accept.</b></p> <p>The provisions represent the appropriate resource management response to s7 RMA, and the PRPS.</p>
6.9	Horticulture NZ	B.3.5.1(i)	Activities within the Red Zone - Permitted activities	Amend	Provide for crop protection structures as permitted activities	Include, as a permitted activity, any 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	<b>Transpower</b> Transpower can support permitted activity status for a horticultural structure where Transpower has provided written approval under clause 2.4.1 of NZECP34 to locate around the National Grid support structures.	Allow	<p><b>181. Accept in part.</b></p> <p><b>Reason:</b> The amendments with further changes proposed by Transpower after the pre-hearing meeting are accepted as the appropriate resource management response to the NPS-ET, s7 RMA, and the PRPS.</p>
6.9	Horticulture NZ	B.3.6(i)	Development adjacent to sub-transmission lines - Permitted activities	Amend	Provide for crop protection structures	Amend as follows: "New buildings or additions to existing buildings <b>(excluding artificial crop protection structures and crop support structures)</b> 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".	Oppose	<b>Powerco</b> The submission states that Hort NZ seeks to ensure that growers can establish crop protection/ support structures consistent with NZECP34:2001. The rule already provide for this by permitting new buildings and additions that comply with NZECP34:2001 within 20m of the centreline of sub-transmission lines as permitted activities. 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.	Disallow	<p><b>182. Reject.</b></p> <p><b>Reason:</b> The effect of the relief sought is to exempt crop protection structures from permitted activity status, with the potential implication that they would then become non-complying.</p>

6.9	Macken Farm Ltd	B.3.5/ 3.6	Activities adjacent to transmission/ sub-transmission lines	Oppose	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.	Accept plan change with amendments (details of amendments required, not stated).	Oppose	<b>Powerco</b> NZCEP34:2001 sets minimum safe separation distances for buildings and structures from electrical lines. Compliance with NZCEP34:2001 is mandatory but is not widely recognized. The rule acts as a trigger to raise awareness of the need to comply.	Disallow	<b>58. Accept in part.</b>  <b>Reason:</b> The amendments with further changes proposed by Transpower after the pre-hearing meeting are accepted as the appropriate resource management response to the NPS-ET, s7 RMA, and the PRPS.  These changes may give partial relief to the submitter.
							Support in part	<b>Transpower</b> Transpower's submission supports a more permissive approach than the notified version of Plan Change 44. 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 cropping, grazing, and some uninhabitable horticultural and farm buildings.	Allow and adopt the relief sought in Transpower's submission.	

See table below for changes to Section 6: Subdivision



Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.9	Transpower	B.6	Subdivision	Amend	Consequential changes are necessary to recognise new terminology proposed in this submission.	Make consequential changes to recognise new terminology as proposed in this submission.				<b>175. Accept in part.</b>  <b>Reason:</b> The amendments with further changes proposed by Transpower after the pre-hearing meeting are accepted as the appropriate resource management response to the NPS-ET, s7 RMA, and the PRPS.
6.9	Powerco	B.6.1.1.11; 6.1.3(x)(a)(ii); 6.1.3(x)(b); 6.1.3(x)(c); 6.1.1.10; and 6.1.3(vii)(a)(b), & (c);	Subdivision - Activity Table; Subdivision near a sub-transmission line; Subdivision for works and network utilities	Support	Support	Retain as notified.				<b>210. Accept in part.</b>  <b>Reason:</b> The provisions as notified with further changes proposed by Transpower after the pre-hearing meeting are accepted as the appropriate resource management response to the NPS-ET, s7 RMA, and the PRPS.
6.9	Macken Farm Ltd.	B.6.1.1.11	Subdivision Activity Table - Clause 11 - Subdivision adjacent to transmission/ sub transmission lines	Oppose	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	<b>Powerco</b> NZECP34:2001 sets minimum safe separation distances for buildings and structures from electrical lines. Compliance with NZECP34:2001 is mandatory but is not widely recognized. The rule acts as a trigger to raise awareness of the need to comply with NZECP34:2001. 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.	Disallow	<b>60. Accept in part.</b>  <b>Reason:</b> The provisions as notified with further changes proposed by Transpower after the pre-hearing meeting are accepted as the appropriate resource management response to the NPS-ET, s7 RMA, and the PRPS.
							Oppose	<b>Transpower</b> Subdivision is often a precursor for development. Transpower considers that subdivision is an appropriate time to ensure that future development can be appropriately integrated with the existing National Grid lines. 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 land owners on subdivision proposals.	Disallow and adopt the relief sought in Transpower's submission.	

**Table 6.10 – Submissions on activities adjacent to WRC flood control works (Section 3.8)**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
28	Telecom NZ	B.3.8	Activities adjacent to flood control and erosion protection assets.	Oppose in part	The rule does not provide consideration of network utilities in flood hazard areas.	That network utilities be provided for as permitted where WRC has given its authorization.	Support	<b>Powerco</b> The amendment is supported for the reasons set out in the original submission. Due to their linear nature, it will not always be possible for network utilities to completely avoid locating within flood hazard areas.	Allow	<b>194. Accept.</b>  <b>Reason:</b> The amendment requested aligns with the works and network utilities objectives and policies.
17 18	Chorus NZ	B.3.8	Activities adjacent to flood control and erosion protection assets.	Oppose in part	The rule does not provide consideration of network utilities in flood hazard areas.	That network utilities be provided for as permitted where WRC has given its authorization.				<b>222. Accept.</b>  <b>Reason:</b> The amendment requested aligns with the works and network utilities objectives and policies.
28	Federated Farmers	B.3.8	Activities adjacent to flood control and erosion protection assets.	Support with amendment	The provisions are generally supported but the provisions should be clarified by the addition of a diagram to improve reader understanding.	Add a diagram to improve reader understanding of where the provisions apply.				<b>124. Accept.</b>  <b>Reason:</b> Additional clarification of the provisions will assist with the implementation of the Plan.
28	Macken Farm Ltd	B.3.8	Activities adjacent to flood control and erosion protection assets.	Oppose	Not clear to which waterways the rules apply. The imposition of controls on minor waterways is unreasonable and unnecessary. The rule does not resolve jurisdictional issues between MPDC and WRC. Sub-paragraph (iii)(e) is invalid. 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).	Support in part	<b>Federated Farmers</b> Support that clarity is required for resource users in how the rules are applied and to which water bodies in the District.	Provide clarification of the rules	<b>59. Accept.</b>  <b>Reason:</b> Additional clarification of the provisions will assist with the implementation of the Plan.
8	Waikato Regional Council	A. 2.4.7	Sustainable management strategy - Regionally significant infrastructure. Explanation and reasons: Waihou/Piako Flood Protection Assets.	Support in part.	The inclusion of maps showing the location of Waikato Regional Council (WRC) flood protection and drainage assets is supported. However, it must be acknowledged that there are often changes to these maps due to physical changes and corrections, and refinement of information.	Ensure the wording in the District Plan reflects that there may be changes to the asset information, due to corrections and refinements.				<b>15. Reject.</b>  <b>Reason:</b> To ensure transparency, the assets need to be mapped. Any changes to the assets need to be notified through a plan change process. It is understood that the flood protection scheme is a "mature" scheme meaning that major changes are unlikely.

**Table 6.11 – Submissions on provisions relating to state highways and railway lines (Sections 3.7 & 5.2.9)**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.11	New Zealand Transport Agency	B.5.2.9	Internal noise limits - railway lines and state highways	Amend	To better address reverse-sensitivity issues, the title of the rule should be changed, provision should be made for setbacks within an environmental buffer area, effects within the wider road noise effects area should be managed better, and amendments should be made to the internal ventilation standard. Activities that do not comply with the performance standards should be non-complying, not restricted-discretionary as proposed in the notified plan change.	Amend Rule 5.2.9 as set out below: “5.2.9 <del>Internal noise limits – railway lines and state highways</del> <b>Noise insulation: noise sensitive activities</b> (i) Performance Standards <b>(x) New and altered buildings shall be set back:</b>	Oppose	<b>Environmental Futures</b> This proposal further restricts development of property owners’ land even if they were to meet the proposed internal noise limits.	Disallow whole	<b>73. Accept in part.</b>  <b>Reason:</b> i. The change of the rule description as follows: “5.2.9 <del>Internal noise limits – railway lines and state highways</del> <b>Noise insulation: noise sensitive activities</b> ” better clarifies the intent of the rule. ii. Parts of the submission have been accepted and other parts rejected for the reasons set out in Paragraph 6.11 of the Hearings Report.
						• <b>10m from a state highway where the posted speed is less than 70km/h;</b> • <b>20m from a state highway where the posted speed is 70km/h or more.</b> <b>The setback shall be measured from the edge of the nearest traffic lane.</b> (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 <del>with where the site’s frontage has a posted speed limit of 70km/h or above;</del> or (iii) <del>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/h;</del> 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 <del>sea</del> <b>nearest traffic lane</b> of the state highway; • Face of the closest external wall of a new building or addition to an existing building. (c) If windows are required to	Oppose	<b>Mike Gribble</b> The request is not necessary.	As requested by Submitter 7.	
						Oppose	<b>Federated Farmers</b> Oppose the proposal to make activities that do not meet the performance standard non-complying	Reject non-complying status for activities that do not meet performance standard.		

					<p>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> <ul style="list-style-type: none"> <li>• <u>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 <math>L_{Aeq(30s)}</math> when measured 1m away from any grille or diffuser.</u></li> <li>• <u>Either:</u> <ul style="list-style-type: none"> <li>○ <u>Air conditioning shall be provided; or:</u></li> <li>○ <u>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.</u></li> </ul> </li> <li>• <u>At the same time as meeting the above requirement, the sound of the system shall not exceed 40dB <math>L_{Aeq(30s)}</math> in the principal living space and 35 dB <math>L_{Aeq(30s)}</math> in all other habitable spaces, when measured 1m away from any grille or diffuser.</u></li> <li>• <u>The internal air pressure shall be no more than 10 Pa above ambient air pressure due to the mechanical ventilation.</u></li> <li>• <u>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.....</u></li> </ul> <p>(iii) <del>Restricted-discretionary</del> <b>Non-complying</b> 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 <del>restricted-discretionary</del> <b>non-complying</b> activity....”</p>			
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6.11	KiwiRail	B.5.2.9	Performance standards - all activities - Noise - Internal noise limits - railway lines and state highways	Support and seek amendment	Imposition of noise limits on buildings housing noise sensitive activities as proposed, is supported. However, the noise standards proposed are not consistent with KiwiRail's standards.	Amend the noise standards proposed in Rule 5.2.9, to be consistent with the standards as set out in KiwiRail's Submission Point 15.				<b>43. Accept in part.</b> <b>Reason:</b> Parts of the submission have been accepted and other parts rejected for the reasons set out in Paragraph 6.11 of the Hearings Report.
6.11	KiwiRail	B.5X	New Rule - Setbacks from a rail corridor.	Seek the inclusion of a new development control.	Setbacks and buffers are further methods to ensure amenity for sensitive activities and mitigate reverse-sensitivity effects. New rules are sought for all zones which adjoin a railway corridor, establishing appropriate setbacks and buffer controls.	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	<b>Environmental Futures</b> 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 submission points 10 and 12.	Disallow whole	<b>45. Accept in part.</b> <b>Reason:</b> Parts of the submission have been accepted and other parts rejected for the reasons set out in Paragraph 6.11 of the Hearings Report.
							Oppose	<b>Mike Gribble</b> This rule is over-prescriptive and unnecessary.	Disallow	
6.11	KiwiRail	B.5.3	Vibration	Seek amendment	KiwiRail seeks the inclusion of vibration controls on developments near railway corridors	Amend Rule 5.3 to require that buildings near railway corridors be designed and constructed to meet the vibration standards set out in KiwiRail's Submission Point 16. Require restricted-discretionary resource consent where the vibration standards are not being met.				<b>44. Accept in part.</b> <b>Reason:</b> Parts of the submission have been accepted and other parts rejected for the reasons set out in Paragraph 6.11 of the Hearings Report.
6.11	J R Mellow	B. 5.2.9	Internal noise limits - railway lines and state highways	Oppose	Opposed to the distinction in noise mitigation between 50km/h and 70 km/h speed zones. Traffic noise should be alleviated by using noise reducing ("silent") seal.	Remove Clause 5.2.9				<b>1. Reject.</b> <b>Reason:</b> Slower traffic creates less noise. Therefore, there is justification in making a distinction in the reverse-sensitivity provisions that apply to the 50 km/h, as opposed to the 70+ km/h speed zones.
6.11	Environmental Futures Inc	B.5.2.9	Internal noise limits - railway lines and state highways	Delete or modify, and make consequential changes	The new rules should only apply where the locations are proposed to be less than the existing yards so that people's development rights are not compromised. If a new or upgrade of the highway or railway line is proposed then it should be the responsibility of the network provider to ensure compliance with noise limits, not the receiver of the noise.	Delete 5.2.9 or modify accordingly and make consequential amendments.				<b>193. Accept in part.</b> <b>Reason:</b> Parts of the submission have been accepted and other parts rejected for the reasons set out in Paragraph 6.11 of the Hearings Report.
6.11	D Nickalls	B.5.2.9	Internal noise limits - railway lines and state highways	Oppose	Road noise is not of a concern. Home owners in the 50km/h zone should not be exempt, while the provisions apply to the 70km/h speed zone. Alternatively, the 50km/h speed zone should be extended past the Submitter's property to improve road safety.	Decline the Plan Change				<b>84. Reject.</b> <b>Reason:</b> i. Slower traffic creates less noise. Therefore, there is justification in making a distinction in the reverse-sensitivity provisions that apply to the 50 km/h, as opposed to the 70+ km/h speed zones. ii. Extending the 50km/h speed zone is outside the scope of the plan change.

6.11	Mike Gribble	B.5.2.9	Internal noise limits - railway lines and state highways	Seek amendment	The rule reverses the onus and costs to mitigate effects, from the polluter to the adjacent neighbour. There are no reasons why the 50 km/h speed zone should be exempt from Rule 5.2.9. The requirement for an acoustic design report does not guarantee accuracy. Rule 5.2.9 should apply to new railway lines and state highways only and only to new buildings. In respect of existing railway lines and state highways, NZTA/KiwiRail should implement noise mitigation while the neighbours should be allowed to decide the level of mitigation they want to design to, without being dictated to by the District Plan.	Amend Rule 5.2.9 by stating that it applies only to new railway lines and state highways, and only to new buildings. Remove the reference to "posted speed limit of 70 km/h or above", so that the amended provisions apply equally in all speed zones (but only in respect of new railway lines and new state highways). Include a description of noise sensitive activities (i.e. educational buildings, healthcare buildings, marae, churches, traveller's accommodation and offices) within Rule 5.2.9, rather than to refer to the definition.				<b>61. Accept in part.</b>  <b>Reason:</b> Parts of the submission have been accepted and other parts rejected for the reasons set out in Paragraph 6.11 of the Hearings Report.
6.11	H & K Cranston	N/A General	N/A	Amend	The speed limit of State Highway 26 at the western end of Morrinsville should be reduced to 50 km/h.	Amend the speed limit as requested in this submission. Arrange a meeting of all affected ratepayers.				<b>231. Reject.</b>  <b>Reason:</b> The submission is outside of the scope of this plan change.
6.11	KiwiRail	B.3.7	Development Controls - Approach and restart sight triangles at railway level crossings (all District Plan Zones).	Support and seek amendment	Rule 3.7 is strongly supported. However, the sight triangle diagram and explanation must be included in the District Plan itself (within Rule 3.7), not the Development Manual as is currently proposed. This will ensure that any changes to the sight triangle requirements will be subjected to a formal plan change process.	Amend Rule 3.7 by including the Level Crossing Sight Triangles and Explanations currently held in the Development Manual, as Rule 3.7.1. Make consequential changes to Rule 3.7 to substitute the reference to "Development Manual", with reference to "3.7.1". Insert "(KiwiRail)" after every reference to "railway operator". Amend Rule 3.7(iv) as follows: " <i>Non-notification - <b><u>The rail operator (KiwiRail) and the road controlling authority (NZTA and/or the Council) must be consulted for any proposed buildings, structures, walls, fences, or vegetation within the obstruction free zone.</u></b> Applications utilising Rule 3.7(ii) that do not simultaneously trigger <b><u>any</u></b> other consent requirements, shall not be publicly notified and shall not be served on any party other than the rail operator (<b><u>KiwiRail</u></b>) and the road controlling authority (NZTA and/or the Council).</i> "			<b>42. Accept in part.</b>  <b>Reason:</b> i. The request to transfer the Level Crossing Sight Triangles and Explanations from the Development Manual, to the District Plan, will be inconsistent with the plan format. There is also no need to transfer the information as changes to the sight triangle requirements, even when held in the Development Manual, will still be subject to a formal plan change process. ii. Inserting "KiwiRail" after every reference to "Rail Operator" will improve clarity. iii. The following change to Rule 3.7(iv) will improve plan implementation: " <i>Non-notification –Applications utilising Rule 3.7(ii) that do not simultaneously trigger <b><u>any</u></b> other consent requirements, shall not be publicly notified and shall not be served on any party other than the rail operator (<b><u>KiwiRail</u></b>) and the road controlling authority (NZTA and/or the Council).</i> " <b><u>Advice Note: It is recommended that the rail operator (KiwiRail) and the road controlling authority (NZ Transport Agency and/or the Council) be consulted for any proposed buildings, structures, walls, fences, or vegetation within the obstruction free zone.</u></b>	

**Table 6.12 – Submissions on provisions relating to infrastructure and servicing (Section 5.9)**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.12	Powerco	B.5.9.1(v) & B.5.9.2(vi)	Performance standards - Other reticulation & Performance outcomes - Other reticulation	Support	Support	Retain as notified				<b>208. Accept in part.</b>  <b>Reason:</b> The amendments made in response to other submissions improve plan implementation and certainty.
6.12	Waikato Regional Council	B. 5.9.2(i)	Infrastructure and servicing - Performance Outcomes. Sub-clause (i) - Integrating land-use and infrastructure.	Support	The performance outcomes as stated are supported as they reflect the outcomes sought in PWRPS Objective 3.11, and are generally consistent with the development principles in section 6A of the PWRPS.	Retain sub-clause 5.9.2(i) as drafted.				<b>25. Accept.</b>  <b>Reason:</b> The provisions are consistent with the PRPS.
6.12	Barr & Harris	B.5.9.1	Other reticulation	Amend	No provision for alternative servicing options	Provide for alternative servicing options.				<b>262. Reject.</b>  <b>Reason:</b> The Plan already allows for alternative servicing options as restricted-discretionary activities (see 5.9.2(v)- Appendix 5).
6.12	Powerco	B. 5.9.3(vii)(a)	Non-compliance with performance standards and outcomes - Other reticulation - Clause (ii)(a)	Amend	Amend to improve clarity	Amend as follows: "(ii) <i>Electricity</i> (a) <del>Whether there are</del> <b><u>The nature and extent of any exceptional circumstances for not requiring reticulated electricity connections</u></b> ";				<b>209. Accept.</b>  <b>Reason:</b> The amendment proposed, improves clarity.
6.12	Barr & Harris	B.5.9.2(vi)	Performance standards - Other reticulation	Amend	Amend as shown	Provide exception for telephone and power connections to be provided to the boundary, where alternative servicing options such as mobile phones and renewable electricity are envisaged.				<b>265. Reject.</b>  <b>Reason:</b> The Plan already allows for alternative servicing options as restricted-discretionary activities (see 5.9.2(v)- Appendix 5).
6.12	Geometrix	B. 5.9.2(i)(e)	Performance standards - Integrating land-use and infrastructure	Amend	Delete the stormwater provisions.	Amend as follows: " <i>That there is sufficient capacity in the infrastructure networks to cope with the additional demand, or that the existing networks can be increased cost effectively. In the case of stormwater, the adequacy of the network will be assessed taking into account the requirement for on-site soakage or detention/disposal and provision for secondary flow paths and ability to set minimum floor levels as set out in the Development Manual</i> ";				<b>276. Reject.</b>  <b>Reason:</b> It is essential that the practicality of disposing of stormwater in a cost effective manner is considered in any subdivision or development proposal.





6.12	Fonterra	B.5.9.3	Non-compliance with performance standards and outcomes	Oppose	The provision requires resource consent for non-compliance with the performance outcomes. The outcomes contain discretion which is ultra vires for determining whether a standard is met, and lacks certainty.	Delete 5.9.3 and all references to resource consent being required where the performance outcomes in 5.9.2 are not achieved.				<b>144. Accept.</b>  <b>Reason:</b> The use of discretionary outcomes to determine permitted activity status is not appropriate and lacks clarity.
6.12	Kaimai Properties/ Matamata Metal Supplies	B.5.9.3	Non-compliance with performance standards and outcomes	Oppose	The provision requires resource consent for non-compliance with the performance outcomes. The outcomes contain discretion which is ultra vires for determining whether a standard is met, and lacks certainty.	Delete 5.9.3 and all references to resource consent being required where the performance outcomes in 5.9.2 are not achieved.				<b>132. Accept.</b>  <b>Reason:</b> The use of discretionary outcomes to determine permitted activity status is not appropriate and lacks clarity.
6.12	Geometrix	B.5.9.4	Integrating land-use with infrastructure - larger scale activities	Oppose	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.	Delete	Support	<b>Te Aroha Business Association</b> The Association supports that business should be encouraged, not restricted. Many businesses generate more than 100 vehicles per day. The imposition of this rule could hinder business.	Allow	<b>277. Reject.</b>  <b>Reason:</b> The provision is imposed to achieve the integration objectives and is consistent with the PRPS and District Plan policy framework.
							Oppose	<b>New Zealand Transport Agency</b> The Agency opposes the deletion of rule 5.9.4. Development has the potential to have an effect wider than that which can be assessed by the standard of access way alone. The deletion of the rule would reduce the Road Controlling Authority's ability to ensure the safe and efficient functioning of the roading network	Disallow	
6.12	Fonterra	B.5.9.4	Integrating land-use with infrastructure - larger scale activities	Oppose	The provision is conflicting and uses an unnecessarily low vehicle movement threshold. It is also at odds with the Industrial Zoning and DCPs for the Waitoa and Morrinsville dairy processing sites which provide for future development as of right.	Delete Rule 5.9.4.				<b>145. Accept in part.</b>  <b>Reason:</b> It is accepted that the threshold used in the notified version is too low and in conflict with Section 9 provisions. The amended threshold aligns better with Section 9. For individual DCPs, site specific provisions should be considered through a separate plan change process. The provision is imposed to achieve the integration objectives and is consistent with the PRPS and District Plan policy framework. Therefore, deletion of the rule is not appropriate.
6.12	Kaimai Properties/ Matamata Metal Supplies	B.5.9.4	Integrating land-use with infrastructure - larger scale activities	Oppose	The provision is conflicting and uses an unnecessarily low vehicle movement threshold.	Delete Rule 5.9.4.				<b>133. Accept in part.</b>  <b>Reason:</b> It is accepted that the threshold used in the notified version is too low and in conflict with Section 9 provisions. The amended threshold aligns better with Section 9.

											The provision is imposed to achieve the integration objectives and is consistent with the PRPS and District Plan policy framework. Therefore, deletion of the rule is not appropriate.
6.12	D & L Swap	B.5.9.4	Integrating land-use with infrastructure - larger scale activities	Oppose	The provision is conflicting and uses an unnecessarily low vehicle movement threshold.	Delete Rule 5.9.4.					<p><b>136. Accept in part.</b></p> <p><b>Reason:</b> It is accepted that the threshold used in the notified version is too low and in conflict with Section 9 provisions. The amended threshold aligns better with Section 9. The provision is imposed to achieve the integration objectives and is consistent with the PRPS and District Plan policy framework. Therefore, deletion of the rule is not appropriate.</p>

**Table 6.13 – Submissions on works and network utilities (Section 8)**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.13	Chorus NZ	B.8.1.1 - New provision - Earthworks and vegetation trimming	Telecommunication - Activity Table - New provision	Amend	Seek exclusion for telecommunication infrastructure from earthworks and vegetation clearance rules.	Insert a new rule providing exclusions for telecommunications infrastructure from earthworks and vegetation trimming requirements elsewhere in the Plan.	Oppose	<b>Environmental Futures</b> This should not apply with respect to new telecommunication infrastructure.	Disallow whole	<b>228. Reject.</b>  <b>Reason:</b> It is not appropriate to provide a "blanket" exemption from the earthworks and vegetation trimming rules as large-scale works could have significant effects. Different thresholds for network utilities can be considered in due course, under the earthworks and vegetation part of the District Plan rolling review.
6.13	Telecom NZ	B.8.1.1 - New provision - Earthworks and vegetation trimming	Telecommunication - Activity Table - New provision	Amend	Seek exclusion for telecommunication infrastructure from earthworks and vegetation clearance rules.	Insert a new rule providing exclusions for telecommunications infrastructure from earthworks and vegetation trimming requirements elsewhere in the Plan.				<b>198. Reject.</b>  <b>Reason:</b> It is not appropriate to provide a "blanket" exemption from the earthworks and vegetation trimming rules as large-scale works could have significant effects. Different thresholds for network utilities can be considered in due course, under the earthworks and vegetation part of the District Plan rolling review.
6.13	Telecom NZ	B.8.1.1.13.1	Telecommunication - Activity Table - Clause 13.1	Oppose in part	The maximum of two antennas is unduly restrictive.	Change from two to three antenna as a permitted activity. Retain restriction on area/diameter.				<b>196. Accept.</b>  <b>Reason:</b> Given the restriction in size, addition of a third antenna as a permitted activity is appropriate.
6.13	Chorus NZ	B.8.1.1.13.1	Telecommunication - Activity Table - Clause 13.1	Oppose in part	The maximum of two antennas is unduly restrictive.	Change from two to three antenna as a permitted activity. Retain restriction on area/diameter.				<b>226. Accept.</b>  <b>Reason:</b> Given the restriction in size, addition of a third antenna as a permitted activity is appropriate.
6.13	Telecom NZ	B.8.1.1.13.2	Telecommunication - Activity Table - Clause 13.2	Oppose in part	Make a consequential change	Change to "more than three antenna".				<b>197. Accept.</b>  <b>Reason:</b> Given the restriction in size, addition of a third antenna as a permitted activity is appropriate.
6.13	Chorus NZ	B.8.1.1.13.2	Telecommunication - Activity Table - Clause 13.2	Oppose in part	Make a consequential change	Change to "more than three antenna".				<b>227. Accept.</b>  <b>Reason:</b> Given the restriction in size, addition of a third antenna as a permitted activity is appropriate.
6.13	Chorus NZ	B.8.1.1.4	Telecommunication - Activity Table - Clause 4	Oppose in part	No provision is made for increase in height of support structures.	Amend 8.1.1.4 to allow for the replacement of support structures up to 1m higher, in all zones.				<b>223. Accept.</b>  <b>Reason:</b> The effects of a 1m increase in height are less than minor.
6.13	Chorus NZ	B.8.1.1.7	Telecommunication - Activity Table - Clause 7	Oppose in part	No provision is made for increase in height of support structures.	Change to "increase in height of support structure of more than 1m". Provide for restricted-discretionary activity status where the provisions currently propose discretionary activity status.				<b>224. Accept.</b>  <b>Reason:</b> The effects of a 1m increase in height are less than minor.

6.13	Chorus NZ	B.8.1.1.11	Telecommunication - Activity Table - Clause 11	Oppose in part	This rule will capture all minor equipment installation and is overly onerous.	Amend to be permitted in all zones (with exception of formed roads which is N/A).				<b>225. Accept in part.</b>  <b>Reason:</b> The effects of minor structures with a maximum footprint of 1.4 m <sup>2</sup> and a height of 1.8m are less than minor.
6.13	Telecom NZ	B.8.1.1.11	Telecommunication - Activity Table - Clause 11	Oppose in part	This rule will capture all minor equipment installation and is overly onerous.	Amend to be permitted in all zones (with exception of formed roads which is N/A).				<b>195. Accept in part.</b>  <b>Reason:</b> The effects of minor structures with a maximum footprint of 1.4 m <sup>2</sup> and a height of 1.8m are less than minor.
6.13	Chorus NZ	B.8.1.2	Telecommunication - Performance standards	Amend	Locating minor equipment in the yards should be permitted. Rule 8.1.2(iii)(a)(iii) should be removed from the performance standards and applied to the antenna-specific rules.	Amend to give effect to these submission points.				<b>229. Reject.</b>  <b>Reason:</b> There is no benefit in relocating rule 8.1.2(iii)(a)(iii) to the antenna-specific rules.
6.13	Telecom NZ	B.8.1.2	Telecommunication - Performance standards	Amend	Locating minor equipment in the yards should be permitted. Rule 8.1.2(iii)(a)(iii) should be removed from the performance standards and applied to the antenna-specific rules.	Amend to give effect to these submission points.				<b>199. Reject.</b>  <b>Reason:</b> Yard encroachments are already provided for in Section 3 of the Plan where adjoining owners' consents have been obtained.
6.13	Powerco	B.8.2.1.9	Electricity transmission and distribution activities - Activity table - Clause 9	Amend	Amend to improve clarity.	Amend to clarify that it does not apply to transformers, substations and switching stations which are otherwise provided for in Clause 8. Amend so that it provides for new and existing transformers, substations and switching stations in the Rural Zone as a permitted activity. Amend to apply the same activity status in the road reserve as in the adjoining zone.				<b>212. Accept.</b>  <b>Reason:</b> The amendment improves clarity. Permitted status in the Rural Zone for Clause 8 activities is appropriate.
6.13	Powerco	B.8.2.1.1 - 8.2.1.5; 8.2.1.7; 8.2.1.8; 8.2.1.10 - 8.2.1.12	Electricity transmission and distribution activities - Activity table - Clauses 1 - 5; 7; 8; & 10 - 12	Support	Support	Retain as notified				<b>211. Accept.</b>  <b>Reason:</b> The provisions are the appropriate methods to achieve the District Plan objectives and policies.
6.13	Transpower	B.8.2.1.5; 8.2.1.6; 8.2.1.10; 8.2.1.11; and 8.2.1.12	Electricity transmission and distribution activities - Activity Table - Clause 5, 6, 10, 11, and 12	Support	These provisions are supported	Retain as notified.				<b>178. Accept.</b>  <b>Reason:</b> The provisions are the appropriate methods to achieve the District Plan objectives and policies.
6.13	Transpower	B.8.2.1	Electricity transmission and distribution activities - Activity Table	Amend	Clarify that transmission lines in place prior to 14 January 2010 are not covered by the Plan rules (the NES-ET applies).	Amend the first bullet-point under the heading as follows: " <i>The Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (NES-ET) apply to the operation, maintenance, upgrading,</i>				<b>176. Accept.</b>  <b>Reason:</b> The amendment improves clarity.

						relocation or removal of transmission lines that were operated or able to be operated, on or prior to 14 January 2010. <b><u>Any rules of the Matamata-Piako District Plan do not apply to these activities.</u></b>				
6.13	Powerco	B.8.2.2(i)	Performance standards - Minor upgrading	Support in part	Reconsider the need for performance standard 8.2.2(i) as it is already achieved by Rule 8.2.1.4	Consider whether 8.2.2(i) should be deleted.				<b>213. Reject.</b>  <b>Reason:</b> The provisions as notified ensure clarity.
6.13	Powerco	B.8.2.2(ii)	Performance standards - Development controls	Amend	Exemption of pole-mounted transformers and switching gear from the requirement to comply with zone development controls.	Amend to exempt pole mounted transformers and switching gear to comply with the District-wide and zone specific development controls.				<b>214. Accept.</b>  <b>Reason:</b> The amendment is justified, given the technical constraints applying to the electricity network
6.13	Powerco	B.8.2.2(iii)	Performance standards- Noise	Support	Support	Retain as notified				<b>215. Accept.</b>  <b>Reason:</b> The provisions are the appropriate methods to achieve the District Plan objectives and policies.
6.13	Transpower	B.8.2.1.4 and 8.2.2(i)	Electricity transmission and distribution activities - Activity Table - Clause 4	Amend	This clause should capture <u>all</u> minor upgrading.	Amend as follows: " <i>Minor upgrading of electrical lines up to and including 110kV (not being part of the national grid).</i> Make a consequential change to Performance Standard 8.2.2(i)				<b>177. Accept.</b>  <b>Reason:</b> The amendment gives effect to the NPS-ET.
6.13	Ventus Energy (NZ) Ltd.	B.8.3.1.3	Renewable energy generation - Activity Table - Clause 3	Support	Support the activity status for Large-Scale Wind Farms	Retain as notified.				<b>235. Accept.</b>  <b>Reason:</b> The provisions give effect to the NPS-REG.
6.13	Ventus Energy (NZ) Ltd.	B.8.3.2(i)(c)	Renewable energy generation - Performance standards	Oppose	Oppose the requirement for monitoring masts to comply with height-to-boundary rules.	Delete the requirement for monitoring masts to comply with height-to-boundary rules.	Oppose	<b>Environmental Futures</b> There is no justification for masts not to comply with height-to-boundary rules that protect neighbouring 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	<b>236. Reject.</b>  <b>Reason:</b> Monitoring masts can be of considerable height that could have significant effects in sensitive receiving environments.
6.13	Ventus Energy (NZ) Ltd.	N/A B.8.3	New rule - Large Scale Wind Farms	Amend	Include new provisions for large-scale wind farms	Include the following provision for large-scale wind farms: " <b><u>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.</u></b> "	Oppose	<b>Environmental Futures</b> 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	<b>237. Reject.</b>  <b>Reason:</b> There is no justification for excluding a turbine overhang from the activity status for the Kaitiaki Zone.

6.13	Geometrix	B.8.5.1.12	Water, wastewater and stormwater - Activity Table - Clause 12	Oppose	The provision relating to secondary flow paths is ultra vires.	Delete				<b>278. Reject.</b>  <b>Reason:</b> It is well established common law that the discharge of water resulting from any change in use of land onto lower land (be it via a continuing escape or one-off flooding) constitutes a nuisance. Council is required under Section 31(1)(b)(i) of the RMA to control "any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards". This includes any increase in the magnitude of stormwater flow from a property.
6.13	Fonterra	B.8.5.1	Water, wastewater and stormwater - Activity Table	Amend	The resource consent requirement for detention ponds is opposed as it is more appropriate that these matters be dealt with through the Waikato Regional Plan (WRP). The provisions in 8.5.1 should not apply to infrastructure on DCP sites (see Rule 5.9.1).	Under 8.5.1(10) provide a permitted activity status for water, wastewater and stormwater infrastructure with a reference to the WRP for consent requirements. Include a provision exempting DCP sites from the provisions in 8.5.1.				<b>146. Accept in part.</b> <b>Reason:</b> It is appropriate to provide for stormwater ponds in the Rural Zone as a permitted activity. For other zones, restricted-discretionary status is appropriate. The Regional Plan includes some provisions covering aspects of detention ponds such as culverts and damming of natural watercourses but not the effect of land use. In addition, it is appropriate to provide for rain gardens; infiltration trenches; and wetlands as permitted activities in all zones. These are important low-impact solutions that should be encouraged through permitted activity status.
6.13	New Zealand Transport Agency	B.8.6	Transportation network	Support	Section 8.6 is supported, particularly the link to the performance standards in Section 9 and 5.9.2(i).	Retain 8.6 as notified.				<b>76. Accept in part.</b>  <b>Reason:</b> The provisions as notified, subject to the minor changes in Appendix 5, represent the appropriate resource management response to the District Plan objectives and policies.
6.13	Geometrix	B.8.6.1.2	Transportation - Activity Table - Clause 2	Oppose	Cycleways and footpaths are at present permitted activities. Changing the activity status will delay positive community initiatives and cost the public unnecessarily.	Delete	Support	<b>Te Aroha Business Association</b> The Association supports cycleways and footpaths. 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 the community, and that future development of the cycleway is proposed, activities of this type should be encouraged.	Allow	<b>279. Accept.</b>  <b>Reason:</b> Cycleways and footpaths are important recreational facilities and support alternative means of transport. These facilities should be encouraged through permitted activity status
6.13	KiwiRail	B.8.6.1.5	Transportation Network - Activity Table - Clause 5	Seek amendment	Clarification is needed that the discretionary activity resource consent requirement applies only to new railway network and ancillary equipment, <u>outside</u> of land already designated for railway purposes (i.e. Designation 88).	Amend Clause 5 of Activity Table 8.6.1 as follows: "New railway network and ancillary equipment <b>outside of Designation 88</b> : Discretionary Activity (all zones)".				<b>46. Accept.</b>  <b>Reason:</b> The proposed amendment will clarify the statutory position (which is that the activities provided for in a designation, are permitted).

6.13	Federated Farmers	B.8.7	Stock Movements and Stock Crossings	Oppose	The provisions are confusing and a duplication of the "Stock Movements on Roads Bylaw 2008".	Except for underpasses, remove the rest of the provisions from the District Plan and manage stock movements and crossings through the Bylaw provisions.	Oppose	<b>New Zealand Transport Agency</b> The Agency opposes the deletion of provisions in relation to stock crossings 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 movements and stock crossings and clearly sets out the matters over which discretion is reserved.	Disallow	<b>126. Accept in part.</b> <b>Reason:</b> Amendments (see Appendix 5) have been made to clarify the provisions.  The amended provisions are being retained as the purpose of the bylaw, district plan, and development manual is different.
6.13	KiwiRail	B.8.7.2(ii)	Stock Movements and Stock Crossings - Performance Standards	Support	Support Performance Standard 8.7.2(ii) requiring KiwiRail's written approval to cross stock over a railway line or railway reserve.	Retain Performance Standard 8.7.2(ii) as notified.				<b>47. Accept in part.</b> <b>Reason:</b> The provisions, subject to the amendments made in response to the Federated Farmers submission represent the appropriate resource management response.
6.13	Heritage NZ	B.8.8.2(ii)	Flood control works - Annual works programme	Support in part	The requirement for NZHPT to review the works programme is supported, but the timeframes need to be clarified.	Retain as notified and advise NZHPT of likely timeframes.				<b>143. Accept.</b> <b>Reason:</b> The addition of a timeframe will clarify the plan provisions.
6.13	Waikato Regional Council	B. 8.8.3	Flood control works - Permitted activities.	Support	The provisions are supported as they will reduce duplication and create efficiencies.	Retain Clause 8.8.3 as drafted.				<b>22. Accept.</b> <b>Reason:</b> The provisions recognise the importance of the flood control works.
6.13	Powerco	B.8.6.1 & B.8.10	Transport network - Activity Table; & Matters of Discretion - Advice Notes	Amend	Amend	Amend the advice note as follows: " <b><u>In addition to any District Plan requirements,</u></b> the Council authorises works in the road reserve, outside of the District Plan. Works in the road reserve should be undertaken in accordance with the Council's Infrastructure Code of Practice, any applicable Corridor Access Permit and the National Code of Practice for Utility Operators' Access to Transport Corridors. Please contact the Council's Roading Officer directly to discuss any works in the road reserve".				<b>217. Accept.</b> <b>Reason:</b> The amendment provides clarity.
6.13	New Zealand Transport Agency	B.8.10	Matters of discretion/discionary assessment criteria/guidance for non-complying activities applicable to Sections 8.1–8.5, and 8.8–8.9.	Support with amendment	Include an additional assessment criterion that assesses effects on the roading network	Insert the following additional assessment criterion: " <b><u>Adverse effects on the safety, efficiency and effectiveness of the 'strategic' road network, including state highways</u></b> ".	Oppose	<b>Environmental Futures</b> It is unnecessary to include an additional assessment criterion that assesses effects on the roading network, as adverse effects generally are matters already included in 8.10(xxii). It would be unreasonable to single out effects on the roading networks as a special case.	Disallow whole	<b>77. Accept in part.</b> <b>Reason:</b> While the matters may already be included in 8.10(xxii), the addition of the criterion provides clarity and certainty. However, effects on the whole of the road network (see Appendix 5) should be referenced.

**Table 6.14 – Submissions on transport related matters (Section 9)**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.14	Barr & Harris	9	Transportation	Oppose/ amend	Object to changes in entirety, subject to issues identified in the Development Manual changes and references to Urban Design standards and outcomes.	Delete or amend to provide for issues raised in this submission.				<b>268. Accept in part.</b>  <b>Reason:</b> Some amendments have been made in response to the Barr & Harris submission. However, all their submission points have not been accepted. The provisions as notified with the changes shown in Appendix 5 represent the appropriate resource management response.
6.14	Waikato Regional Council	B. 9.1.1(i)(a)	Roading hierarchy - Significant roads	Support	The roading hierarchy as identified is supported as being consistent with Map 6-1 of the PWRPS.	Retain Clause 9.1.1				<b>26. Accept.</b>  <b>Reason:</b> The hierarchy is consistent with the PRPS.
6.14	Progressive Enterprises	B. 9.1.1	Roading hierarchy	Support	The proposed roading hierarchy is supported.	Adopt without modification.				<b>4. Accept.</b>  <b>Reason:</b> The hierarchy is consistent with the PRPS.
6.14	Fonterra	B. 9.1.1(i)(c)	Roading hierarchy - Collector roads.	Support	Support the "Collector Road" status for No 1 Road.	Retain as notified.				<b>147. Accept.</b>  <b>Reason:</b> No 1 Road has the function of a collector road within the hierarchy.
6.14	New Zealand Transport Agency	B.9.1.1	Roading hierarchy	Support with amendment	The inclusion of a consistent roading hierarchy is supported. To improve understanding of the road hierarchy, it is requested that the function of roads in each tier of the hierarchy is explained.	Retain as a regionally consistent roading hierarchy and insert an explanation of the function of each tier in the roading hierarchy, into the Plan.				<b>78. Accept.</b>  <b>Reason:</b> The amendment will support plan implementation.



6.14	Waikato Regional Council	B. 9.1.2	Access	Support	The performance criteria and standards relating to the use and access of strategic roads are supported.	Retain Clause 9.1.2.				<b>27. Accept in part.</b>  <b>Reason:</b> The provisions as notified, subject to the changes in Appendix 5, represent the appropriate resource management response.
6.14	New Zealand Transport Agency	B.9.1.2	Access	Support with amendments	Section 9.1.2 is supported subject to inclusion of reference to the Transport Agency's standards.	Amend 9.1.2(iii) as follows: <i>"The vehicle crossing shall be designed, formed and constructed in accordance with the Development Manual; or if accessing a state highway network, to the standard required by the NZ Transport Agency in speed environments of 70km/h and over"</i> . Amend 9.1.2(vii)(a)(ii) as follows: <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 Development Manual, or to the relevant road controlling authority's satisfaction..."</i> .	Oppose	<b>Tidmarsh Holdings Ltd</b> Rule 9.1.2(vii): The standards proposed are confusing enough without having to also refer to relevant road controlling authorities.	Disallow	<b>79. Accept in part.</b>  <b>Reason:</b> The amendments subject to minor wording changes as shown in Appendix 5, improve clarity.
6.14	Progressive Enterprises	B. 9.1.2	Access	Conditional support	The proposed amendments are largely supported in principle, except the activity status for activities likely to generate 50 vehicle movements or more per day. In addition, it is necessary to ensure that there is flexibility to recognise the requirements of supermarkets where vehicle crossings up to 9.5m in width are sometimes required to accommodate the tracking curves of B-trains.	Amend the activity table to provide for existing and new vehicle crossings onto all roads which do not comply with Performance Standard 9.1.2(iii)(a)(iii) as Restricted Discretionary Activities. The matters to which Council has restricted its discretion in Clause 9.1.2(iii)(d) are appropriate for consideration of vehicle numbers utilising a vehicle crossing and should be applied.	Support	<b>Tidmarsh Holdings Ltd</b> The provisions propose changes to the Plan that better provide for the access, loading and parking environment in the District.	Allow	<b>5. Accept in part.</b>  <b>Reason:</b> An increase in the permitted threshold for access onto significant/arterial roads to 100 car equivalent vehicles per day is appropriate. There is provision to change vehicle crossing standards through a consent process.
6.14	Ministry of Education	B. 9.1.2(iii)(a)(iii)	Access - Access to significant roads and arterial roads - Performance Standards	Oppose	Educational facilities up to a maximum of 10 pupils are a permitted activity. However, new vehicle crossings onto significant roads with more than 50 vehicle movements per day trigger a consent requirement. For consistency, it is requested that educational facilities for a maximum of 10 pupils are excluded from this standard.	Insert 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).	Oppose	<b>New Zealand Transport Agency</b> The 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 the effects are mitigated.	Disallow	<b>28. Reject.</b>  <b>Reason:</b> There is no resource management justification for applying different standards to the same traffic effects created by different activities.
6.14	Geometrix	B.9.1.2	Access	Oppose	These provisions should be independently reviewed to verify applicability in the District.	Review and amend accordingly.	Support	<b>Tidmarsh Holdings Ltd</b> Agree that the provisions should be independently reviewed. The currently proposed provisions are hugely complex, the references are vague, and the triggers are too low.	Allow	<b>280. Accept in part.</b>  <b>Reason:</b> The provisions as notified are the appropriate response, subject to: <ul style="list-style-type: none"> <li>An advice note to clarify the term "character, scale or intensity of use";</li> <li>Further clarification on the circumstances when ITAs are required, and the scope of the assessments needed under different</li> </ul>

										<p>circumstances; and:</p> <ul style="list-style-type: none"> <li>Changes to limit the matters of control/discretion to technical advice provided (as opposed to "any matters identified") by the road controlling authority.</li> </ul>
6.14	M & C O'Callaghan	B.9.1.2	Access	Amend	The Activity Table relating to access is too complex. The reference to changes "in character, scale or intensity of use" is too vague. The trigger threshold for arterial and significant roads (50vpd) is too low and for local roads (250vpd) too high. Consistency with the requirements of neighbouring District Plans should be considered.	Amend to: Rationalise the Table. Consider the provisions of the Waipa and Waikato District Plans. Replace reference to changes "in character, scale or intensity" with threshold triggers. Increase the trigger thresholds for vehicle use.				<p><b>107. Accept in part.</b></p> <p><b>Reason:</b> The provisions as notified are the appropriate response, subject to:</p> <ul style="list-style-type: none"> <li>An advice note to clarify the term "character, scale or intensity of use";</li> <li>Further clarification on the circumstances when ITAs are required, and the scope of the assessments needed under different circumstances; and;</li> <li>An Increase in the permitted activity threshold for access onto significant and arterial roads.</li> </ul>
6.14	Tidmarsh Holdings Ltd.	B.9.1.2	Access	Amend	The Activity Table relating to access is too complex. The reference to changes "in character, scale or intensity of use" is too vague. The trigger threshold for arterial and significant roads (50vpd) is too low and for local roads (250vpd) too high. Consistency with the requirements of neighbouring District Plans should be considered.	Amend to: Rationalise the Vehicle Crossing Table. Consider the provisions of the Waipa and Waikato District Plans. Replace reference to changes "in character, scale or intensity" with threshold triggers. Increase the trigger thresholds for vehicle use.				<p><b>96. Accept in part.</b></p> <p><b>Reason:</b> The provisions as notified are the appropriate response, subject to:</p> <ul style="list-style-type: none"> <li>An advice note to clarify the term "character, scale or intensity of use";</li> <li>Further clarification on the circumstances when ITAs are required, and the scope of the assessments needed under different circumstances; and;</li> </ul> <p>An Increase in the permitted activity threshold for access onto significant and arterial roads.</p>
6.14	Fonterra	B.9.1.2(iii)(a)(iii)	Access - Access to significant roads and arterial roads - Performance Standards	Amend	The vehicle crossings serving the Morrinsville Dairy Manufacturing Site and Transport Garage vehicle from Allen Street, already exceed the trigger for resource consent. A traffic report has been prepared and states that the entrances are adequate to accommodate an increase in use, and recommends a higher trigger threshold for requiring resource consents.	Amend 9.1.2(iii)(a)(iii) as follows: " <b><u>With the exception of vehicle movements through the existing Allen Street vehicle crossings at the Morrinsville Dairy Manufacturing Site (and the associated Transport Garage), there shall be less than an average of 50 car equivalent movements per day..... In terms of the two existing Allen Street vehicle crossings at the Morrinsville Dairy Manufacturing Site, there shall be less than an average of 1,300 car equivalent movements per day within any one week. In terms of the two existing Allen Street vehicle crossings at the Transport Garage, there shall be less than an average of 300 car equivalent movements per day within any one week</u></b> ".				<p><b>149. Reject.</b></p> <p><b>Reason:</b> The exclusion of sites from the generic provisions is not good resource management practice. Site specific exclusions to the DCPs, should be sought through a separate plan change process.</p>

6.14	Fonterra	B.9.1.2(iv)(a)(ii)	Access - Access to collector and local roads - Performance Standards	Amend	The Waitoa Dairy Manufacturing Site's access onto No 1 Road already exceeds the trigger for resource consent. A traffic report has been prepared and states that the entrances are adequate to accommodate an increase in use and recommends a threshold of 3,000 car equivalent movements.	Amend 9.1.2(iv)(a)(ii) as follows: " <b><u>With the exception of vehicle movements through the two existing No 1 Road vehicle crossings at the Waitoa Dairy Manufacturing Site, there shall be less than an average of 250 car equivalent movements per day..... In terms of the two existing No 1 Road vehicle crossings at the Waitoa Dairy Manufacturing Site (i.e. the main entrance), there shall be less than an average of 3,000 car equivalent movements per day within any one week (provided that the western-most vehicle crossing shall be used as a left-turn egress only)</u></b> ".				<b>150. Reject.</b>  <b>Reason:</b> The exclusion of sites from the generic provisions is not good resource management practice. Site specific exclusions to the DCPs, should be sought through a separate plan change process.
6.14	Fonterra	B.9.1.2(iii)(a)(ii)	Access - Access to significant roads and arterial roads - Performance Standards	Amend	The Morrinsville dairy manufacturing site and Morrinsville Transport Garage have accessways that exceed the Development Manual standard. Expansion on either site would trigger resource consent under 9.1.2(iii)(a)(ii). A traffic report included states that the existing vehicle entrances are adequate and recommends that the entrances be exempt from compliance with the Development Manual.	Amend 9.1.2(iii) as follows: " <b><u>With the exception of the two existing Allen Street vehicle crossings at the Morrinsville Dairy Manufacturing Site and the two existing Allen Street vehicle crossings at the associated Transport Garage, the vehicle crossing shall be designed, formed and constructed in accordance with the Development Manual</u></b> ".				<b>148. Reject.</b>  <b>Reason:</b> The exclusion of sites from the generic provisions is not good resource management practice. Site specific exclusions to the DCPs, should be sought through a separate plan change process.
6.14	Federated Farmers	B.9.1.2(vi)(a)(ii)	Access for seasonal rural activities	Amend	The performance standard requiring vehicles not to track loose material onto the road carriageway which may cause a hazard/nuisance is too vague.	Amend, to provide clarity as to what constitutes a nuisance effect.	Support	<b>Horticulture NZ</b> The need for clarification is supported	Allow	<b>125. Accept.</b>  <b>Reason:</b> The term "nuisance" is too vague.
							Support in part	<b>New Zealand Transport Agency</b> 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. It also contributes to driver distraction.	Clarify the performance standard regarding the tracking of loose material onto roads.	
6.14	M & C O'Callaghan	B.9.1.2 (vii)	Access to properties with frontage to specified "Shopping Frontage".	Amend	The matters of discretion need to relate to pedestrian safety, not provision of additional parking.	Amend as follows: "(a) Performance standard: Within the specified "Shopping Areas", no new vehicular access <del>vehicle crossing or existing vehicle crossing that changes in character, intensity, or scale of use shall be permitted to the property from the street over the specified "Shopping Frontage" front boundary of the</del>				<b>108. Accept in part.</b>  <b>Reason:</b> A minor wording change as shown in Appendix 5 improves the clarity. Otherwise, the provisions as notified already provide for consideration of pedestrian safety.

						property". "(b) Restricted-discretionary activity: A new vehicle crossing or existing vehicle crossing that changes in character, intensity, or scale of use to a site, across the specified "Shopping Frontage" shall be a restricted-discretionary activity". Delete the second bullet-point under the matters to which discretion is restricted: " <del>Whether there is a not increase in the supply of car parking when the number of on-site parking spaces served by the vehicle crossing is compared to the loss of public parking spaces at the road frontage as a result of the formation of the vehicle crossing:</del> "				
6.14	Tidmarsh Holdings Ltd.	B.9.1.2 (vii)	Access to properties with frontage to specified "Shopping Frontage".	Amend	The matters of discretion need to relate to pedestrian safety, not provision of additional parking.	Amend as follows: "(a) Performance standard: Within the specified "Shopping Areas", no new vehicular access <del>vehicle crossing or existing vehicle crossing that changes in character, intensity, or scale of use</del> shall be permitted to the property from the street over the specified "Shopping Frontage" front boundary of the property". "(b) Restricted-discretionary activity: A new vehicle crossing or existing vehicle crossing that changes in character, intensity, or scale of use to a site, across the specified "Shopping Frontage" shall be a restricted-discretionary activity". Delete the second bullet-point under the matters to which discretion is restricted: " <del>Whether there is a not increase in the supply of car parking when the number of on-site parking spaces served by the vehicle crossing is compared to the loss of public parking spaces at the road frontage as a result of the formation of the vehicle crossing:</del> "				97. <b>Accept in part.</b>  <b>Reason:</b> A minor wording change as shown in Appendix 5 improves the clarity. Otherwise, the provisions as notified already provide for consideration of pedestrian safety.
6.14	Progressive Enterprises	B. 9.1.3	On-site loading	Support	The proposed amendments to Clause 9.1.3 are supported. The reference to RTS 18 - New Zealand On-Road Tracking Curves for Heavy Motor Vehicles, is endorsed.	Adopt the on-site loading provisions as drafted with particular reference to the "Road and Traffic Guidelines of RTS 18 New Zealand On-Road Tracking Curves for Heavy Vehicles".	Support	<b>Tidmarsh Holdings Ltd</b> The provisions propose changes to the Plan that better provide for the access, loading and parking environment in the District.	Allow	<b>6. Accept.</b>  <b>Reason:</b> The provisions as notified represent the appropriate resource management response.
6.14	Geometrix	B.9.1.3 and 9.1.4	On-site loading and On-site parking	Oppose	The provisions will deter development and/or be overly onerous.	Reconsider the provisions to ensure development in the towns is encouraged.	Support	<b>Te Aroha Business Association</b> The Association supports that rule 9.1.3 be opposed with regard to on-site	Allow	<b>281. Accept.</b>  <b>Reason:</b> The provisions as notified strikes the appropriate balance between ensuring

								loading. There are a number of properties that could potentially not meet this criterion. With the alternative being the payment to Council for parking, this could stifle progress and deter start-up businesses from establishing.		development is not unnecessarily constrained and providing for a safe and efficient road network.
6.14	Ministry of Education	B. 9.1.4(ii)	On-site parking - Outside specified shopping frontage - Parking ratio for childcare centres and schools	Oppose	The wording is unclear as to whether the requirement for "1 drop-off space per 20 students" relates to the total number of students, or if the number of students in Year 11 - 13 is excluded.	Amend the wording to clarify that the requirement for "1 drop-off bay per 200 students" excludes students in Year 11 - 13.				<b>30. Accept.</b>  <b>Reason:</b> The amendment will ensure clarity.
6.14	Ministry of Education	B. 9.1.4(ii)	On-site parking - Outside specified shopping frontage - Parking ratio for childcare centres and schools	Oppose	The proposed amendments to the parking ratios for educational facilities will mean that the parking requirements will increase for childcare centres, primary and intermediary schools, and educational facilities with less than 50 pupils.	Reduce the car-parking requirements for childcare centres and schools to a similar level to those contained within the Operative District Plan.				<b>29. Reject.</b>  <b>Reason:</b> No justification has been provided for amending the parking requirements as notified. The notified provisions are based on traffic engineering advice supplied at the time of notification.
6.14	Progressive Enterprises	B. 9.1.4	On-site parking	Support	The proposed amendments to Clause 9.1.4 are supported. The requirement of 1 parking space per 20 m <sup>2</sup> GFA is an industry standard for Countdown supermarkets.	Adopt on-site parking requirements as drafted, and in particular the parking requirement of 1 space per 20 m <sup>2</sup> for supermarkets.				<b>7. Accept.</b>  <b>Reason:</b> The submission supports the traffic engineering advice obtained by Council.
6.14	Barr & Harris	B. 9.1.4	On-site parking	Amend	Criteria for parking including financial contributions should consider the criteria in terms of subject sites and existing public parking or shared private parking. Proposals should consider optimum use of the land considering servicing and effects on town development	Amend to include recognition of the matters raised.				<b>269. Reject.</b>  <b>Reason:</b> The provisions as notified already incorporate all of the matters referred to in the submission.
6.14	Fonterra	B.9.1.4(ii)	On-site parking - Table	Amend	The car parking requirements are excessive for the Waitoa and Morrinsville Dairy Manufacturing Sites and the Transport Garage.	Exclude the Waitoa and Morrinsville Dairy Manufacturing sites from the parking ratio for "industry". Exclude the Transport Garage from the parking ratio for "repair of motor vehicles". Include new parking ratio for Dairy Manufacturing Sites of <b><u>"1 space per staff member employed"</u></b> . Include new parking ratio for Transport Garage of <b><u>"2 spaces for truck-and-trailer units for every servicing bay, plus 2 car parking spaces for every 3 staff members"</u></b> .				<b>151. Reject.</b>  <b>Reason:</b> The exclusion of sites from the generic provisions is not good resource management practice. Site specific exclusions to the DCPs, should be sought through a separate plan change process.

6.14	M & C O'Callaghan	B. 9.1.4(i)(a)	On-site parking - Specified shopping frontage	Support	Support as being consistent with traffic engineer's advice.	Retain as notified.				<b>110. Accept.</b> <b>Reason:</b> The submission supports the traffic engineering advice obtained by Council.
6.14	Tidmarsh Holdings Ltd	B.9.1.4 (i) and (ii)	Parking	Support	The provisions are supported, provided Rule 9.1.4(i)(a) is retained as notified or its requirements are further reduced.	Retain the provisions as notified provided that Rule 9.1.4(i)(a) is retained as notified, or its requirements are further reduced. In the event that this does not occur, Rule 9.1.4(i)(b), (i)(c), and 9.1.4(ii) should be deleted.				<b>98. Accept.</b> <b>Reason:</b> The submission supports the traffic engineering advice obtained by Council.
6.14	New Zealand Transport Agency	B.9.1.4	On-site parking	Amend	There should be no parking on significant roads	Insert the following additional provision in 9.1.4: " <b><u>All properties with legal access to a strategic road shall provide all parking and manoeuvring on site</u></b> "; or cross-reference provision 9.1.2(iii)(iv).	Oppose	<b>Tidmarsh Holdings Ltd</b> The submission states that there shall 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. This is a totally unfeasible suggestion given that parking needs to be close to destination.	Disallow	<b>80. Reject.</b> <b>Reason:</b> The provisions as notified strikes the appropriate balance between ensuring development is not unnecessarily constrained and providing for a safe and efficient road network.
6.14	Progressive Enterprises	B. 9.1.5	General parking, loading and formation standards	Support	The proposed amendments to Clause 9.1.5 are supported	Adopt the general parking, loading and formation standards as drafted.	Support	<b>Tidmarsh Holdings Ltd</b> The provisions propose changes to the Plan that better provide for the access, loading and parking environment in the District.	Allow	<b>8. Accept.</b> <b>Reason:</b> The submission supports the traffic engineering advice obtained by Council.
6.14	KiwiRail	B.9.2.1	Transportation - Railways - Separation between site access and public railway level crossings.	Support and seek amendment	Support the inclusion of controls on site access separation from railway level crossings. Seek amendments to ensure the rule applies to all level crossings and to access to sites from a road, to enable KiwiRail to give input into consent conditions, and to require that measurements are taken from the rail corridor boundary rather than from the closest track.	Make minor amendments to Rule 9.2.1 as set out in KiwiRail's Submission Point 20.				<b>48. Accept.</b> <b>Reason:</b> The changes proposed assist in clarifying the provisions.
6.14	KiwiRail	B.9.2.2	Transportation - Railways - Private railway crossings	Oppose	The proposed inclusion of requirements for private railway crossings in the District Plan is opposed. The matter should be left to KiwiRail, through the current "deed of grant" process.	Delete Rule 9.2.2 in its entirety.				<b>49. Accept.</b> <b>Reason:</b> The amendment improves plan implementation.

**Table 6.15 – Submissions on other District Plan rules**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
16.5	Ventus Energy (NZ) Ltd	A.3.1.2.1	Natural Environment and Heritage - Landscape Character - Policies	Amend	Amend to be consistent with s6(b) RMA	Amend the policies as follows: <b><u>"Protect the elements from inappropriate use or development. Not inappropriately detract from the amenity values of the landscape"</u></b>	Oppose	<b>Environmental Futures</b> 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	<b>233. Reject.</b>  <b>Reason:</b> This submission is outside of the scope of this plan change and cannot be considered.
							Neither support or oppose	<b>Federated Farmers</b> The submission is outside the scope of the plan change.	Seek direction from Council on how it intends to address these and other submissions deemed to be outside the scope of this plan change.	
16.5	Powerco	B.5.2.8(i)	Noise standards for works and network utilities	Support	Support	Retain as notified				<b>216. Accept.</b> <b>Reason:</b> The provisions as notified represent the appropriate resource management response.
16.5	Piako Gliding Club	B.5.2.7 & B.5.2.10	Airport noise & Matamata airport approach path	Support	These provisions are supported	Retain these provisions as notified.				<b>121. Accept.</b> <b>Reason:</b> The provisions as notified represent the appropriate resource management response.
16.5	Barr and Harris	B. 6.1.3(vi)	Description of subdivision types - Boundary adjustment	Amend	Amend as shown	Section 9 criteria should only be addressed in the context of the effects of the boundary movement.	Support in part.	<b>New Zealand Transport Agency</b> While the Agency accepts that Council should only assess the effects of a boundary movement, there may still be wider implications that require consideration. As drafted, 6.1.3(vi) enables this consideration.	Enable consideration of the wider implications of boundary movements.	<b>267. Accept.</b>  <b>Reason:</b> No amendment required as this is already implied. Case law determines that a condition of consent must relate to an effect of the activity.
16.5	Barr & Harris	B. 6.1.3 (i)(c)(iii)	Description of subdivision types - Haig Road	Amend	Provide clarification as shown	Clarify that the additional 10 lots referred to in the rule, relates to Lot 1 DPS 62506 at the end of Haig Road, and does not include infill on the existing residential sites (as confirmed at the Precinct F plan change stage).				<b>266. Reject.</b>  <b>Reason:</b> This submission is beyond the scope of this plan change and will be considered through the upcoming urban plan change.
16.5	Powerco	B.11.2.1	Natural Hazards - Activity Table - Clause 1	Amend	Correct typographical error.	Amend as follows: <i>"Any use, development or subdivision of land within areas identified as Natural Hazard Areas on the planning maps with the exception of upgrading of above and below ground electrical lines listed in 8.2.1.1 to 8.2.1.7"</i> .				<b>179.1 Accept</b>  <b>Reason:</b> The amendment rectifies a typographical error.

16.5	Transpower	B.11.2.1	Natural Hazards - Activity Table	Amend	Correct typographical error.	Amend as follows: "Any use, development or subdivision of land within areas identified as Natural Hazard Areas on the planning maps with the exception of upgrading of above and below ground electrical lines listed in 8.2.1 to 8.2.4.7".				<b>179. Reject.</b>  <b>Reason:</b> The amendment as per the Powerco submission (above) is correct.
16.5	Powerco	B.12.2.4	Surface of water - Activity Table - Clause 4	Retain exemption for overhead electricity infrastructure or delete provision in its entirety	Control of activities that occur over the surface of water is outside the scope of Council's functions in s31 RMA.	Delete, or retain current exemption for overhead electricity infrastructure.				<b>218. Accept.</b>  <b>Reason:</b> The current exemption (status quo) is maintained. The surface of water provisions will be reviewed under the appropriate part of the district plan rolling review.
16.5	Ventus Energy (NZ) Ltd	Schedule 3	Schedule 3 - Outstanding or significant natural features and trees and other protected items - Schedule 213	Amend	The Schedule should exclude land beyond the extent of the forest	Amend the Schedule to exclude land beyond the extent of the forest. Also exclude the Transpower grid corridor where appropriate.	Oppose	<b>Environmental Futures</b> 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	<b>238. Reject.</b>  <b>Reason:</b> This submission is outside the scope of this plan change and cannot be considered.
16.5	Transpower	Schedule 4	Designations	N/A	The Submitter's expectation is that the designation roll-over process will occur prior to notification of the proposed plan, at which time Transpower will formally confirm its intention to roll the existing designations over.	N/A				<b>155. Accept.</b>  <b>Reason:</b> The designations are to be reviewed in due course under a subsequent part of the rolling review process.
16.5	KiwiRail	Designation 88	Schedule 4: Designations - Designation 88	Seek amendment	"Toll Consolidated Ltd" no longer exists as an entity. Amend Designation 88 to indicate that "KiwiRail Holdings Ltd (KiwiRail)" is the requiring authority and update location description.	Make minor changes to the wording of Designation 88 (Schedule 4), as set out in KiwiRail's Submission Point 29.				<b>57. Reject.</b>  <b>Reason:</b> The designations are to be reviewed in due course under a subsequent part of the rolling review process.
16.5	D & L Swap	Schedule 5 – Development Concept Plans - DI & JL Swap DCP	Schedule 5 - Development Concept Plans - DI & JL Swap DCP	Amend	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.	Various amendments are sought to the DL AND JL SWAP DEVELOPMENT CONCEPT PLAN as follows: - Amendments to the Activity Schedule for the Farming Area to provide for Network Utilities in the Rural Zone as listed in the Activity Status tables in Sections 8.1 to 8.9 and for the relevant Network Utilities Matters of Discretion/Assessment Criteria in Sections 8.1 to 8.9 to apply to those Network Utilities listed as either Restricted Discretionary or Discretionary Activities. - Amendments to the Activity Schedule for the Conservation Area to provide for Network Utilities in the Kaitiaki (Conservation) Zone as listed in the Activity Status tables in	Oppose in part	<b>Environmental Futures</b> 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	<b>134. Accept in part.</b>  <b>Reason:</b> Consistent cross-referencing will be achieved through an administrative amendment to the DCP, not required to undergo the Schedule 1 process. Changes to the DCP itself as requested, are outside the scope of these plan changes and cannot be considered.



						Sections 8.1 to 8.9 and for the relevant Network Utilities Matters of Discretion/Assessment Criteria in Sections 8.1 to 8.9 to apply to those Network Utilities listed as either Restricted Discretionary or Discretionary Activities - Amendments to the Activity Schedule for the Networks Utilities Area to provide for Network Utilities in the Rural Zone as listed in the Activity Status tables in Sections 8.1 to 8.9 and for the relevant Network Utilities Matters of Discretion/Assessment Criteria in Sections 8.1 to 8.9 to apply to those Network Utilities listed as either Restricted Discretionary or Discretionary Activities.				
16.5	Kaimai Properties and 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	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.	Various amendments are sought to the IB AND JP DIPROSE – BARTON ROAD OKAUIA DEVELOPMENT CONCEPT PLAN as follows: - Amendments to the Activity Schedule for the Farming Area to provide for Network Utilities in the Rural Zone as listed in the Activity Status tables in Sections 8.1 to 8.9 and for the relevant Network Utilities Matters of Discretion/Assessment Criteria in Sections 8.1 to 8.9 to apply to those Network Utilities listed as either Restricted Discretionary or Discretionary Activities. - Amendments to the Activity Schedule for the Conservation Area to provide for Network Utilities in the Kaitiaki (Conservation) Zone as listed in the Activity Status tables in Sections 8.1 to 8.9 and for the relevant Network Utilities Matters of Discretion/Assessment Criteria in Sections 8.1 to 8.9 to apply to those Network Utilities listed as either Restricted Discretionary or Discretionary Activities. - Amendments to the Activity Schedule for the Networks Utilities Area to provide for Network Utilities in the Rural Zone as listed in the Activity Status tables in Sections 8.1 to 8.9 and for the relevant Network Utilities Matters of Discretion/Assessment Criteria in Sections 8.1 to 8.9 to apply	Oppose in part	<b>Environmental Futures</b> 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	<b>130. Accept in part.</b> <b>Reason:</b> Consistent cross-referencing will be achieved through an administrative amendment to the DCP, not required to undergo the Schedule 1 process. Changes to the DCP itself as requested, are outside the scope of these plan changes and cannot be considered.

						<p>to those Network Utilities listed as either Restricted Discretionary or Discretionary Activities</p> <ul style="list-style-type: none"> <li>- Amendments to the DCP Plan to extend the Networks Utility Area and relocate and extend the delineation of Network Utilities Area 'A' access track as shown in the Attachment to the submission.</li> </ul>				
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**Table 6.16 – Submissions on District Plan definitions**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.16	Transpower	B.15	Definition - "Buffer Corridor",	Amend	Amend definitions to be consistent with national approach	Amend definition as follows: " <b><u>National Grid Subdivision Corridor</u></b> ". Delete "Transmission line buffer corridor".	Support	<b>Horticulture NZ</b> The changes sought provide greater clarity and are consistent with the approach taken in other council areas.	Allow	<b>157. Accept.</b>  <b>Reason:</b> The amendment ensures a nationally consistent approach.
6.16	Horticulture NZ	B.15	Definition - "Buffer corridor";	Oppose	Delete definitions	Delete definition and replace with provisions for permitted activities to a setback around towers consistent with NZECP34.	Support	<b>Transpower</b> The Transpower submission supports the deletion of this definitions and the inclusion of a "National Grid Yard" and a "National Grid Subdivision Corridor". These definitions support the proposed section 3.5 "Activities adjacent the National Grid" which is outlined in the Transpower submission. Transpower recognizes that some horticultural structures can be permitted around support structures.	Allow and adopt the definitions of "National Grid Yard" and "National Grid Subdivision Corridor" as outlined in Transpower's submission.	<b>180. Accept.</b>  <b>Reason:</b> The amendment ensures a nationally consistent approach.
6.16	KiwiRail	B.15	Definition - Buffer Corridor	Seek amendment	An amendment is sought to add a cross-reference to the proposed rule regarding setbacks from rail corridors (proposed Rule 5X).	Amend the definition of "Buffer Corridor" to read: "...means a corridor comprising the "red zone" and the "green as follows ..... <b><u>or an area adjacent to a railway corridor as described in Rule 5.X</u></b> ".	Oppose	<b>Environmental Futures</b> The proposed change will lead to provisions that are even more restrictive than those proposed in the plan and are opposed for the reason set out in Environmental Futures' original submission points 10 and 12.	Disallow whole	<b>50. Reject.</b>  <b>Reason:</b> The amendment is not consistent with the approach adopted in the District Plan.
							Oppose	<b>Mike Gribble</b> There is enough protection for the rail corridor.	Disallow	
6.16	Powerco	B.15	Definition - "Building";	Support	Support	Retain as notified.				<b>219. Accept.</b>  <b>Reason:</b> The Council does not have scope to amend the definition.
6.16	New Zealand Transport Agency	B.15	Definition - Built environment	Amend	Amend the definition of built environment to give effect to the PWRPS	Amend as follows: " <i>means buildings, physical infrastructure and other structures in urban <b><u>as well as rural areas, and their relationships to natural resources, land-use and people areas.</u></b></i> "	Oppose	<b>Horticulture NZ</b> The Submitter seeks that the definition of built environment be amended to give effect to the Proposed Regional Policy Statement. 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 Proposed Regional Policy Statement becomes	Disallow	<b>81. Accept in part.</b>  <b>Reason:</b> The amended wording shown in Appendix 5 is consistent with the PRPS.

								operative, the Council will need to consider a range of matters to give effect to it.		
6.16	Federated Farmers	B.15	Definition- Built environment	Amend	The definition is inconsistent with the PWRPS definition.	Amend the definition of built environment to be consistent with that in the PWRPS.	Oppose	<b>Horticulture NZ</b> The Submitter seeks that the definition of built environment be amended to give effect to the Proposed Regional Policy Statement. 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 Proposed Regional Policy Statement becomes operative, the Council will need to consider a range of matter to give effect to it.	Disallow	<b>128. Accept.</b>  <b>Reason:</b> The amended wording shown in Appendix 5 is consistent with the PRPS.
6.16	Powerco	B.15	Definition - "Community infrastructure services".	Support	Support	Retain as notified.				<b>219. Accept.</b>  <b>Reason:</b> The definition supports the consistent implementation of the Plan.
6.16	Federated Farmers	B.15	Definitions - Flood control works	Support with amendment	The definition is supported, but the terms referred to in the diagram must be defined.	Define all the terms used in the "Flood Control Works" diagram.				<b>129. Reject.</b>  <b>Reason:</b> The terms are defined in the WRC document referenced in the definition.
6.16	Transpower	B.15	Definition - "Green Zone"	Amend	Amend definitions to be consistent with national approach	Delete definition of "Green Zone".				<b>157. Accept.</b>  <b>Reason:</b> The definitions sought by Transpower promote a nationally consistent approach.
6.16	Horticulture NZ	B.15	Definitions - "Buffer corridor"; "Red Zone" and "Green Zone"	Oppose	Delete definition	Delete definitions and replace with provisions for permitted activities to a setback around towers consistent with NZECP34.	Support	<b>Transpower</b> The Transpower submission supports the deletion of this definition and the inclusion of a "National Grid Subdivision Corridor". This definition supports the proposed section 3.5 "Activities adjacent the National Grid" which is outlined in the Transpower submission. Transpower recognizes that some horticultural structures can be permitted around support structures.	Allow and adopt the definition of "National Grid Subdivision Corridor" as outlined in Transpower's submission.	<b>180. Accept.</b>  <b>Reason:</b> The definitions sought by Transpower promote a nationally consistent approach.
6.16	<b>Powerco</b>	B.15	Definition - "Infrastructure"	Support	Support	Retain as notified.				<b>219. Accept.</b>  <b>Reason:</b> The definition as notified is consistent with the RMA definition.
6.16	Transpower	B.15	Definition - "Intensive farming"	Support	Support definition	Retain as notified	Support	<b>Horticulture NZ</b> The changes sought provide greater clarity and are consistent with the approach taken in other council areas.	Allow	<b>159. Accept.</b>  <b>Reason:</b> The definition ensures consistent implementation of the Plan.

6.16	Transpower	B.15	Definition - "National Grid"	Support	Support definition	Retain as notified	Support	<b>Horticulture NZ</b> The changes sought provide greater clarity and are consistent with the approach taken in other council areas	Allow	<b>160. Accept.</b>  <b>Reason:</b> The definition ensures consistent implementation of the Plan.
6.16	Transpower	B.15	Definition - "Buffer Corridor",	Amend	Amend definitions to be consistent with national approach	Include new definition for: " <b><u>National Grid Subdivision Corridor</u></b> ".	Support	<b>Horticulture NZ</b> The changes sought provide greater clarity and are consistent with the approach taken in other council areas.	Allow	<b>157. Accept.</b>  <b>Reason:</b> Adopting the definition promotes a nationally consistent approach.
6.16	Piako Gliding Club	B.15	Definition - Network utility	Amend	Airfield is defined in the RMA as a network utility, but this is not carried through to the definition in the District Plan. Airspace is also not covered by sub-clause (vii) of the definition of "network utility" in the District Plan.	The airfield including the airspace above the land which is used for aircraft circuit patterns beyond the boundaries of the airfield should be specifically mentioned in the definition of "network utility".				<b>114. Accept.</b>  <b>Reason:</b> The amendment requested by the submitter will ensure consistency with the RMA definition of "network utility operator".
6.16	Powerco	B.15	Definition - "Network utility"	Support	Support	Retain as notified. PC44 also proposes to delete the existing definition of 'network utilities' contained in the operative District Plan. However, the track changes version of the plan shows this definition both as being struck-out and as being retained. This appears to be a drafting error, which should be rectified.				<b>219. Accept in part.</b>  <b>Reason:</b> The definition as notified, subject to the amendment requested by the submitter above, will ensure consistency with the RMA definition of "network utility operator".
6.16	Transpower	B.15	Definition - "NZECP34"	Amend	Amend definition to enable abbreviated reference.	Amend as follows: " <del>NZECP34:2001</del> means the New Zealand Electrical Code of Practice for Electrical Safe Distance 34:2001".				<b>158. Accept.</b>  <b>Reason:</b> The amendment will enable abbreviated reference.
6.16	Powerco	B.15	Definition - "Minor upgrading";	Support	Support	Retain as notified.				<b>219. Accept.</b>  <b>Reason:</b> The definition will promote consistent Plan implementation.
6.16	KiwiRail	B.15	Definition - Private railway crossing	Oppose	KiwiRail seeks that Rule 9.2.2 be removed, as a consequence, the definition of "Private railway crossing" should be removed.	Remove the definition of "Private railway crossing".				<b>51. Accept.</b>  <b>Reason:</b> The District Plan no longer refers to the term "private railway crossing".
6.16	KiwiRail	B.15	Definition - Public railway level crossing	Seek amendment	KiwiRail seeks that Rule 9.2.1 should relate to all level crossings (private and public). As a consequence, the definition should be amended.	Amend the definition of "Public railway level crossing" as follows: " <del>Public</del> -railway level crossing means a level crossing of a public <b><u>or private road, access, or footpath</u></b> over a railway line".				<b>52. Accept.</b>  <b>Reason:</b> The wording requested is consistent with the Plan provisions.
6.16	EKiwiRail	B.15	Definition- Rail operator	Support	Support the inclusion of a definition of "rail operator".	Retain the definition of "Rail operator" as notified.				<b>53. Accept.</b>  <b>Reason:</b> The definition will promote consistent Plan implementation.
6.16	Transpower	B.15	Definition - "Red Zone"	Amend	Amend definitions to be consistent with national approach	Delete definition of "Red Zone".	Support	<b>Horticulture NZ</b> The changes sought provide greater clarity and are consistent with the approach taken in other council areas.	Allow	<b>157. Accept.</b>  <b>Reason:</b> The definitions requested by Transpower promote a nationally consistent approach.

6.16	Horticulture NZ	B.15	Definition - "Red Zone"	Oppose	Delete definition	Delete definition and replace with provisions for permitted activities to a setback around towers consistent with NZECP34.	Support	<b>Transpower</b> The Transpower submission supports the deletion of this definition and the inclusion of a "National Grid Yard" This definition supports the proposed section 3.5 "Activities adjacent the National Grid" which is outlined in the Transpower submission. Transpower recognizes that some horticultural structures can be permitted around support structures.	Allow and adopt the definitions of "National Grid Yard" and "National Grid Subdivision Corridor" as outlined in Transpower's submission.	<b>180. Accept.</b>  <b>Reason:</b> The definitions requested by Transpower promote a nationally consistent approach.
6.16	Powerco	B.15	Definition - "Regionally significant infrastructure"	Amend	Amend	Amend to provide cross-reference to the WRPS in order to enable the District Plan to reflect any changes to the definition as a result of the WRPS appeal process.	Oppose	<b>Horticulture NZ</b> The Submitter seeks that the definition of "regionally significant infrastructure" be amended to give effect to the Proposed Regional Policy Statement. 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 Regional Policy Statement becomes operative, Council will need to consider a range of matters to give effect to it.	Disallow	<b>220. Accept.</b>  <b>Reason:</b> Consistency with the PRPS is supported.
6.16	Transpower	B.15	Definition - "Regionally significant infrastructure"	Amend	Amend sub-clause (iv) of the definition.	Amend sub-clause (iv) as follows: "(iv) <del>The national electricity grid as defined by the Electricity Industry Act 2010</del> ".				<b>161. Accept.</b>  <b>Reason:</b> The amendment is consistent with the PRPS.
6.16	KiwiRail	B.15	Definition - Regionally significant infrastructure	Seek amendment	Include the railway network in the definition of "regionally significant infrastructure".	Add the following sub-clause (ix) to the definition of "Regionally significant infrastructure": " <b><u>(ix) The East Coast Main Trunk Line, Kinleith Branch Line and Waitoa Branch Line railway corridors</u></b> ".				<b>54. Reject.</b>  <b>Reason:</b> <b>The definition is consistent with the PRPS.</b>
6.16	Mike Gribble	B.15	Definition - Sensitive activity	Seek amendment	Make a consequential change to the definition of "Sensitive activity".	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> ".	Support	<b>Federated Farmers</b> Support the amendment proposed as the deleted text is unnecessary.	Accept the amendment proposed.	<b>62. Reject.</b>  <b>Reason:</b> The proposed change will detract from the clarity of the definition.
						Oppose in part	<b>Transpower</b> Transpower considers 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 set out in Transpower's submission (section 2).		
						Oppose	<b>New Zealand Transport Agency</b> The Agency opposes the submission as the proposed change would impact on the clear application of the	Disallow		

							definition and associated rules.			
6.16	Transpower	B.15	Definition - "Sensitive activity"	Amend	Include reference to "National Grid".	Amend as follows: " <i>Sensitive activity 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, <b>the National Grid</b> 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> ". Or: include a new definition for sensitive activities around the National Grid that only captures: dwellings, papakainga, boarding houses, retirement villages, supported residential care, pre-schools, schools and hospitals.	Support	<b>Horticulture NZ</b> The changes sought provide greater clarity and are consistent with the approach taken in other council areas	Allow	<b>162. Accept.</b> <b>Reason:</b> The proposed change will improve clarity and will assist Plan implementation.
6.16	KiwiRail	B.15	Definition - Sensitive activity	Support and seek amendment	Support inclusion of a definition of "sensitive activity". Seek amendments to ensure that all potentially sensitive receivers near a railway line are captured.	Amend the definition of "Sensitive activity" as follows: " <del>means a more recently established activity which is sensitive to the adverse environmental effects being generated by a pre-existing lawfully established activity</del> <b><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 land-use in the course of their legitimate operation and functioning; and for the purposes of this Plan,</u></b> and in the context of state highways and railway lines includes any dwelling <b><u>(including Primary Outdoor Amenity Areas)</u></b> , papakainga, visitor accommodation, boarding house, retirement village, supported residential care, educational facilities, hospitals and healthcare services, <del>and</del> care centres, <b><u>Places of Assembly, including churches, community facilities, restaurants and recreational facilities</u></b> ".	Oppose	<b>Environmental Futures</b> The term "which is likely to be susceptible" rather than "which is sensitive" proposes that an activity should merely be <i>susceptible</i> to the effects of noise from the operation of the highway or rail corridor, rather than actually being <i>sensitive</i> 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, where4as in the new definition this consideration would be less able to be applied.	Disallow whole	<b>55. Reject.</b> <b>Reason:</b> The proposed amendment is not consistent with the PRPS approach.
							Oppose	<b>Powerco</b> 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,	Disallow	





6.16	Transpower	B.15	Definition - "Sub-transmission line"	Amend	Amend definitions to be consistent with national approach	Delete definition of "Sub-Transmission Line" – it is the same as "Distribution Line"	Oppose in part <b>Powerco</b>	Replacing the term "sub-transmission line" with "distribution line" is not supported. Sub-transmission lines have a different role and function to both distribution and transmission lines. They 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. Powerco operates a network of both sub-transmission and distribution lines in the District. 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 and 6.1.1.11 apply. The overall length of distribution lines in the District is extensive and Powerco does not seek to have these lines shown on the planning maps or subject to rules in the plan. It is noted that there is a separate definition for Transpower's National Grid which is sufficiently different from the definition for sub-transmission lines to avoid any risk of confusion. Powerco is neutral on the remainder of the definitions addressed in this submission point.	Retain the term "sub-transmission line".	<b>157. Reject.</b>  <b>Reason:</b> The distinction between sub-transmission lines and distribution lines assists with Plan implementation.
							Support	<b>Horticulture NZ</b> The changes sought provide greater clarity and are consistent with the approach taken in other council areas.	Allow	
6.16	Powerco	B.15	Definition - "Sub-transmission line".	Support	Support	Retain as notified.				<b>219. Accept.</b>  <b>Reason:</b> The distinction between sub-transmission lines and distribution lines assists in Plan implementation.
6.16	Progressive Enterprises	B. 15	Definition: Supermarket	Support in part	The inclusion of a supermarket definition in Section 15 is supported in part only. There is no soundly based resource management reason for specifying a minimum floor area of 500 m <sup>2</sup> in the definition.	Amend the definition of "supermarket" as follows: "Supermarket" means a retail shop where a comprehensive range of predominantly domestic supplies and convenience goods and services are sold for consumption and use off the premises and includes lotto shops and pharmacies located within such premises and				<b>9. Reject.</b>  <b>Reason:</b> The definition as notified is clear and concise. Reference to supermarkets being "exempt from compliance with Local Alcohol Policies" in the definition, is not supported. The floor area threshold is appropriate for the following reason: The parking requirements in the District Plan are based on a distinction in floor area. The distinction acknowledges that a

						where liquor licenses are held for each premise. Supermarkets are exempt from compliance with Local Alcohol Policies.				smaller store will have a quicker turn-over in parking and thus a lower parking ratio than supermarkets.
6.16	Chorus NZ	B.15	Definition - New definition "Telecommunication line"	Amend	There is no definition of "telecommunication lines"	Include the following new definition: <b><u>"Telecommunication line has the same meaning as that for "line" within the Telecommunications Act 2001"</u></b>				<b>230. Accept.</b>  <b>Reason:</b> Inclusion of a definition will assist with Plan implementation.
6.16	Transpower	B.15	Definition - "Buffer Corridor",	Amend	Amend definitions to be consistent with national approach	Delete "Transmission line buffer corridor".	Support	<b>Horticulture NZ</b> The changes sought provide greater clarity and are consistent with the approach taken in other council areas.	Allow	<b>157. Accept.</b>  <b>Reason:</b> The definitions proposed by Transpower will promote a nationally consistent approach.

**Table 6.17 – Submissions on Planning Maps**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	Further Submissions			MPDC Staff recommendations/reasons
							Support/ Oppose	Reasons	Decision requested	
6.17	M & C O'Callaghan	B. 9.1.3(i)(a) and (b)	On-site loading - Specified shopping frontage	Support with amendment	The provisions are supported. The terms "Shopping frontage" and "Specified shopping frontage" are used interchangeably and should be standardised.	Retain as notified and change the Plan, Planning Maps, and Planning Map Legend to use either the term "Shopping Frontage" or "Specified Shopping Frontage" in a consistent manner.				<b>109. Accept in part.</b>  <b>Reason:</b> The need for consistency is agreed. The Plan has been changed to refer to consistently refer to "shopping frontage". Amendments to the shopping frontage may result from the recently commissioned urban plan change. For efficiency, changes to ensure consistency with the planning maps will be made as part of the urban plan change process.
6.17	Ventus Energy (NZ) Ltd	N/A Planning Map	Planning Map 3	Amend	Amend the extent of the Kaitiaki (Conservation) Zone to coincide with the existing bush line	Amend Planning Map 3.	Oppose	<b>Environmental Futures</b> The zone boundary has been placed so as to reflect the character and importance of the landscape and biodiversity of the Kaitiaki 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 then rezoned which would threaten the overall purpose of the zoning.	Disallow whole	<b>234. Reject.</b>  <b>Reason:</b> This submission is outside the scope of this plan change and cannot be considered.
6.17	Powerco	Planning Maps N/A	Planning Maps	Support	Support	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	<b>Mike Gribble</b> The disclaimer diminishes the accuracy of the plan. The plan is either correct or incorrect.	Delete all disclaimers	<b>221. Accept in part.</b>  <b>Reason:</b> The inclusion of the Powerco assets improves transparency. The inclusion of a disclaimer is appropriate, provided information is given on where site specific mapping can be obtained.
6.17	Transpower	Planning Maps	Planning Maps	Support	Support the inclusion of the National Grid on the Planning Maps	Retain as notified.	Support in part	<b>Mike Gribble</b> The disclaimers concerning the lack of accuracy of the maps as to the position of the network render the maps meaningless.	Remove all disclaimers	<b>152. Accept.</b>  <b>Reason:</b> The inclusion of the National Grid on the planning maps gives effect to the NPS-ET.
6.17	M & C O'Callaghan	All Planning Maps	N/A	Amend	The Shopping Frontage notation on the Planning Maps is unclear.	Amend the Planning Maps by notating the Shopping Frontage areas in a different colour or style to improve clarity.				<b>112. Reject.</b>  <b>Reason:</b> The submission is agreed. However, it will be more efficient to make these amendments as part of the upcoming urban plan change review.
6.17	M & C O'Callaghan	Planning Map 32	N/A	Support	Support the extent of the Shopping Frontage notation for the Matamata Town Centre.	Retain Planning Map 32 as notified				<b>111. Accept</b> <b>Reason:</b> No changes to the shopping frontage proposed under these plan changes. This matter is not relevant to these plan changes.

6.17	Piako Gliding Club	Planning Maps - Airport Maps 1 & 2	Planning Maps - Airport Maps 1 & 2	Support	The amendments to the maps are supported.	Retain the amendments to the maps as notified.					<b>122. Accept.</b>  <b>Reason:</b> The amendments are the appropriate means to achieve the District Plan objectives and policies.
6.17	Vector Gas	Planning Maps	All Planning Maps	Amend	Include the alignment of gas transmission pipelines within the Planning Maps and identify within the Legend as "Gas Transmission Pipeline".	Accept the Plan Change with the following amendment: Include the alignment of gas transmission pipelines within the Planning Maps and identify within the Legend as "Gas Transmission Pipeline".	Support	<b>Environmental Futures</b> The gas infrastructure should reasonably be included.	Allow		<b>83. Accept.</b>  <b>Reason:</b> Including the information improves transparency. It is also consistent with the approach in the Waikato, Waipa and South Waikato District Plans.
6.17	Mike Gribble	C. Maps & Plans, Page 1	Maps and Plans - Planning Maps	Oppose	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.	Remove the disclaimer regarding sub-transmission lines from the Planning Maps and require the company to supply accurate data.	Oppose	<b>Powerco</b> The lines information supplied by Powerco is accurate as at the date provided. The planning maps should not be relied upon as the only source of verification as the scale may mean the actual location of the lines may vary slightly from where they appear on the planning maps. Further, there may be some lag between Powerco undertaking works to the lines (removal, relocation, or installation of new lines), and the new information being updated on the planning maps.	Disallow		<b>63. Accept in part.</b>  <b>Reason:</b> The inclusion of the Powerco assets improves transparency. The inclusion of a disclaimer is appropriate, provided information is given on where site specific mapping can be obtained.

**Table 6.18 – Submissions on the Development Manual**

Topic	Submitter	Clause	Clause Description	Support/ Oppose	Details of Submission	Decision that the Submitter wants Council to make	MPDC Staff recommendations/reasons
6.18	AA	DM 3.2	Definitions	Amend	"WHAP" is not a nationally recognised terminology	Replace with reference to "M4" and "GSP" materials as defined by the Transport Agency	<b>239. Accept in part.</b> <b>Reason:</b> For clarity and to assist with consistent plan implementation, the term "WHAP" should be defined in the Development Manual. The term "WHAP" is defined in the "Matamata-Piako District Council Infrastructure Code of Practice". Insert reference to the COP in the Development Manual.
6.18	AA	DM Table 3.1	Matamata-Piako District Council - Residential, Business and Industrial Zones	Amend	Change design speed in Table 3.1	The design speed for Private Access ROW's should either be left blank, or should be 10 - 20 km/h for urban; and 20km/h for rural and rural-residential ROW's.	<b>240. Accept.</b> <b>Reason:</b> The design speed will depend on the length of the roadway. Delete the design speed for private accessways from Table 3-1.
6.18	AA	DM Part 3	Road works	Amend	Amend as detailed in the adjacent column	Private access or ROW subgrade level is at 150mm - 200mm below finished level. The natural CBR of soils in MPDC is generally 2 - 5 and a CBR of 10 is excessive. Change to a CBR of 3 - 4.	<b>241. Accept.</b> <b>Reason:</b> A CBR of 10 is excessive. Change to CBR of 3 – 4.
6.18	AA	DM. Part 3	Road works	Amend	Amend as detailed in the adjacent column	The 90-percentile car should be allowed to manoeuvre within the lot to allow exit in a forward direction.	<b>242. Accept in part.</b> <b>Reason:</b> It is appropriate to allow for manoeuvring within a lot, provided the land required to exit in a forward direction is unobstructed by existing or future buildings. Amend clause "e" under "Standards for Table 3.1" accordingly.
6.18	AA	DM. 3.5.6	Off-street parking	Amend	Amend as detailed in the adjacent column	The off-street parking criteria should be related to the road pavement design	<b>243. Accept in part.</b> <b>Reason:</b> Specifically designed formation should be provided for, to allow for different circumstances. Amend clause "3.5.6" to allow for specific design. The standard should only apply to parking areas for more than 5 parking bays. Amend CBR to 7.
6.18	AA	DM. 3.7.2(e)	Integrated transport assessment	Amend	Amend as detailed in the adjacent column	Local road intersections with local roads should not require ITA. The extent of requirements for ITA assessments is excessive.	<b>244. Accept in part.</b> <b>Reason:</b> The circumstances, under which an ITA is required, should be clarified. To this end, the District Plan has been amended to specify the ITA requirements. Amend clause 3.7.2(e) (p 3-18), and insert reference to District Plan requirements.
6.18	AA	DM 3.8.6(a)	Surface sealing	Amend	Amend as detailed in the adjacent column	Application of a two-coat chip seal applied together, is preferable over two separate coats. Maintenance of a single coat chip seal is not always practicable. The use of the term "to the satisfaction of the Asset Manager" should be replaced with a defined standard.	<b>245. Accept in part.</b> <b>Reason:</b> The Code of Practice (COP) allows for flexibility in the implementation of the surface sealing standards. Clause "3.8.6(a)" should reference the COP as an alternative means of compliance.
6.18	AA	DM 3.9.4	Kerb and Channel, Vertical Kerb and Island Kerb	Amend	Amend as detailed in the adjacent column	The CBR value of 10 will mean that all kerbing will require undercutting. The ideal depth of GAP 20 or WHAP 20 is 50mm, not 75mm as stated. Change the minimum value to 40mm GAP or WHAP 20.	<b>246. Accept in part.</b> <b>Reason:</b> To provide for flexibility under different circumstances, clause "3.9.4" should be amended to enable specifically designed standards to be approved. It is also appropriate to amend the CBR to 7.
6.18	AA	DM 3.8.6	Surface sealing	Amend	Amend as detailed in the adjacent column	The term "to the satisfaction of the Asset Manager" should be replaced with a defined standard.	<b>247. Accept.</b> <b>Reason:</b> The use of a discretionary standard such as "to the satisfaction of the Asset Manager" is not appropriate. Amend clause "3.8.6(a)" as follows: "to the standards set out in the Code of Practice, or as agreed with the Council's Asset Manager – Strategy and Policy".
6.18	AA	DM 3.19.1	Feature walls	Amend	Amend as detailed in the adjacent column	Delete the requirement for a "Stage 4 (post construction) Safety Audit".	<b>248. Accept.</b> <b>Reason:</b> It is appropriate that the safety audit be carried out prior to construction. Else, the audit could show up deficiencies in the work which will then have to be rectified. Amend clause "3.19.1" accordingly.

6.18	AA	DM Drawing DG302	N/A	Amend	The boundary drain should be optional	Amend drawing to clarify that boundary drain is optional.	<b>249. Accept.</b> <b>Reason:</b> It is appropriate that the drawing should clarify that the drain is not required in all instances. Amend Drawing 302 accordingly.
6.18	AA	DM Drawing DG308	N/A	Amend	Amend as detailed in the adjacent column	Remove the 125mm WHAP 20 requirement. Replace as below for depths of WHAP 20. Remove the CBR strength of 10. A 300mm sand sub-grade layer is often required.	<b>250. Accept in part.</b> <b>Reason:</b> It is appropriate that the standards in Drawing 308 be amended.
6.18	AA	DM 4.14.1	Minimum cover over pipes	Amend	Amend as detailed in the adjacent column	Amend to allow for less than 600mm cover over cesspit leads where appropriate.	<b>251. Accept in part.</b> <b>Reason:</b> It is appropriate to provide flexibility. Amend "4.14.1" (p4-15) as follows: <i>The minimum cover for all types of pipes <del>under all conditions</del> shall be 600mm except as otherwise specified in Section 4.14.2 below, <u>or as otherwise approved by the Asset Manager – Strategy and Policy.</u></i>
6.18	AA	DM 5.11.1	Manholes - General	Amend	Object to the maximum number of manhole risers to be used.	Amend to allow for shorter risers with additional joints.	<b>252. Reject.</b> <b>Reason:</b> Experience has shown that the least number of joints, the better to minimise water ingress.
6.18	AA	DM 5.17	Testing	Amend	Object to CCTV requirement - or MPDC should pay for the footage.	Delete CCTV requirement.	<b>253. Reject.</b> <b>Reason:</b> CCTV is the only means to check for physical defects before Council assumes ownership.
6.18	AA	DM Drawing DG701	N/A	Amend	The drawing is in conflict with DG 302.	Amend so that the drawings are consistent	<b>254. Accept</b> <b>Reason:</b> To assist with consistent plan implementation, the drawing should be amended to remove any conflict.
6.18	AA	DM 4.8(f); (i); (j); and (m)	Design requirements	Amend	MPDC should be actively developing a system of overland flow paths. Object to providing the pre-development overland flow-rates where the site is subject to flows from the existing urban area. Object to "ARC TP40", this should read "ARC TP 10".	Amend to take the matters raised, into account.	<b>255. Accept in part.</b> <b>Reason:</b> The provision should remain unchanged except for changing "ARC TP40" to "Auckland Council TP10" - it is a normal requirement that stormwater design needs to take account of existing flows. The pre-development conditions include existing upstream flows.