



## **Proposed Change No.1 to the Operative District Plan (Review No.1)**

**Subject:      Post Operative “Tidy-Up” of  
Plan Provisions**

**Publicly Notified:    24<sup>th</sup> October, 2016**



## CONTENTS – TABLE OF PROPOSED CHANGES

1	INTRODUCTION.....	1
1.1	Purpose of the Change.....	1
1.2	Statutory (RMA) Requirements.....	1
2	SECTION 32 EVALUATION .....	3
3	PROPOSED CHANGES TO THE DISTRICT PLAN .....	3
3.1	NES for Telecommunication Facilities (2008).....	4
3.1.1	Reason(s) for Change(s) .....	4
3.1.2	Current Plan Provision(s) .....	4
3.1.3	Proposed Change(s) .....	5
3.2	NPS for Renewable Electricity Generation 2011 (NPSREG).....	5
3.2.1	Reason(s) for Change(s) .....	5
3.2.2	Current Plan Provision(s) .....	6
3.2.3	Proposed Change(s) .....	6
3.3	Hazardous Substances.....	7
3.3.1	Reason(s) for Change(s) .....	7
3.3.2	Current Plan Provision(s) .....	9
3.3.3	Proposed Change(s) .....	10
4	REGIONAL MATTERS .....	13
4.1	Indigenous Vegetation Provisions .....	13
4.1.1	Reason(s) for Change(s) .....	13
4.1.2	Current Plan Provision(s) .....	14
4.1.3	Proposed Change(s) .....	14
4.2	Minimum Lot Sizes for Wastewater Disposal.....	16
4.2.1	Reason(s) for Change(s) .....	16
4.2.2	Current Plan Provision(s) .....	16
4.2.3	Proposed Change(s) .....	17
4.3	Natural (Flood) Hazards .....	17
4.3.1	Reason(s) for Change(s) .....	17
4.3.2	Current Plan Provision(s) .....	19
4.3.3	Proposed Change(s) .....	19
5	DISTRICT PLAN (CONTENT CHANGES) .....	21
5.1	Council Advisory/Warning Signs .....	21
5.1.1	Reason(s) for Change(s) .....	21
5.1.2	Current Plan Provision(s) .....	21
5.1.3	Proposed Change(s) .....	21
5.2	Off-Site Signs Rules.....	21
5.2.1	Reason(s) for Change(s) .....	21
5.2.2	Current Plan Provision(s) .....	21
5.2.3	Proposed Change(s) .....	21
5.3	Earthworks .....	22
5.3.1	Reason(s) for Change(s) .....	22
5.3.2	Current Plan Provision(s) .....	22
5.3.3	Proposed Change(s) .....	22
5.4	Outdoor Living Courts .....	22
5.4.1	Reason(s) for the Change(s).....	22
5.4.2	Current Plan Provision(s) .....	23

5.4.3	Proposed Change(s) .....	23
5.5	Screening Standards and Derelict Vehicles, Buildings and Sites .....	23
5.5.1	Reason(s) for the Change(s).....	23
5.5.2	Current Plan Provision(s) .....	24
5.5.3	Proposed Change(s) .....	24
6	DISTRICT PLAN (UPDATING AND MINOR CORRECTIONS OF EXISTING PLAN PROVISIONS – NO SUBSTANTIVE CONTENT CHANGES) .....	26
6.1	Parking and Manoeuvring, Vehicle Access and Crossing Standards .....	26
6.1.1	Reason(s) for Change(s) .....	26
6.1.2	Current Plan Provision(s) .....	26
6.1.3	Proposed Change(s) .....	27
6.2	Verandahs .....	56
6.2.1	Reason(s) for Change(s) .....	56
6.2.2	Current Plan Provisions(s).....	56
6.2.3	Proposed Change(s) .....	56
6.3	Resource Consent Application Formats .....	57
6.3.1	Reason(s) for Change(s) .....	57
6.3.2	Current Plan Provisions(s).....	57
6.3.3	Proposed Change(s) .....	57
6.4	Updating of Outdated or Incomplete References and Minor Wording or Map Changes .....	58
6.4.1	Reason(s) for Change(s) .....	58
6.4.2	Current Plan Provision(s) .....	58
6.4.3	Proposed Changes .....	58
6.5	Uplifted Designations .....	65
6.5.1	Reason(s) for Change(s) .....	65
6.5.2	Current Plan Provision(s) .....	65
6.5.3	Proposed Change(s) .....	65

# 1 INTRODUCTION

## 1.1 Purpose of the Change

Review No.1 of the District Plan became operative on the 1<sup>st</sup> of September 2012. Since the Plan became operative a number of 'higher order' planning instruments have been introduced or become operative. The District Plan is required to be changed in accordance with any relevant regulations and to give effect to the policies and directions of 'higher order' instruments such as national and regional policy statements.

Also, the District Plan must not be inconsistent with the relevant provisions of a regional plan in relation to any of the land use control matters specified in Section 30 (functions of Regional Councils) of the RMA where these overlap with district functions. As the Manawatu-Wanganui Regional Council's (MWRC's) regional One Plan became operative on the 19<sup>th</sup> December 2014, it is now necessary to consider its provisions and make such changes as are necessary to the District Plan to avoid any inconsistencies.

Finally, there are a number of provisions identified by those persons using and administering the plan that require updating and minor errors or ambiguities corrected. In most instances where updating or correction of provisions is required, there is no real change to their content or context or their interpretation and application.

Where new or substantially altered provisions are proposed, these are made explicit in the change and their purpose explained.

## 1.2 Statutory (RMA) Requirements

The Environment Court in *Colonial Vineyards Ltd v Marlborough DC* [2014] NZEnvC55 has provided a comprehensive summary of the matters which must be considered and/or provided when preparing and proposing a District Plan change. These are provided as follows (with the relevant RMA sections in brackets):

### "A. General requirements

- "1. *A district plan (change) should be designed to accord with [s 74(1)] - and assist the territorial authority to carry out- its functions [s 31] so as to achieve the purpose of the Act [s 72 and 74(1)].*
- "2. *The district plan (change) must also be prepared in accordance with any regulation [s 74(1)] (there are none at present) and any direction given by the Minister for the Environment [s 74(1)].*
- "3. *When preparing its district plan (change) the territorial authority must give effect to [s 75(3)] any national policy statement or New Zealand Coastal Policy Statement.*
- "4. *When preparing its district plan (change) the territorial authority shall:*
  - "(a) *have regard to any proposed regional policy statement [s 74(2)(a)(i)];*
  - "(b) *give effect to any operative regional policy statement [s 75(3)(c)].*
- "5. *In relation to regional plans:*
  - "(a) *the district plan (change) must not be inconsistent with an operative regional plan for any matter specified in section 30(1) or a water conservation order [s 75(4)]; and*

- "(b) must have regard to any proposed regional plan on any matter of regional significance etc [s 74(2)(a)(ii)].
- "6. When preparing its district plan (change) the territorial authority must also:  
 have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations [s 74(2)(b)] to the extent that their content has a bearing on resource management issues of the district; and to consistency with plans and proposed plans of adjacent territorial authorities [s 74(2)(c)];  
 take into account any relevant planning document recognised by an iwi authority [s 74(2A)]; and  
 not have regard to trade competition [s 74(3)] or the effects of trade competition;
- "7. The formal requirement that a district plan (change) must [s 75(1)] also state its objectives, policies and the rules (if any) and may [s 75(2)] state other matters.
- "B. Objectives [the section 32 test for objectives]**
- "8. Each proposed objective in a district plan (change) is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act [ss 74(1) and 32(3)(a)].
- "C. Policies and methods (including rules) [the section 32 test for policies and rules]**
- "9. The policies are to implement the objectives, and the rules (if any) are to implement the policies [s 75(1)(b) and (c), also s 76(1)];
- "10. Each proposed policy or method (including each rule) is to be examined, having regard to its efficiency and effectiveness, as to whether it is the most appropriate method for achieving the objectives [s 32(3)(b)] of the district plan taking into account:
- "(i) the benefits and costs of the proposed policies and methods (including rules); and
- "(ii) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods [s 32(4)]; and
- "(iii) if a national environmental standard applies and the proposed rule imposes a greater prohibition or restriction than that, then whether that greater prohibition or restriction is justified in the circumstances [s 32(3A)].
- "D. Rules**
- "11. In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment [s 76(3)].
- "12. Rules have the force of regulations [s 76(2)].
- "13. Rules may be made for the protection of property from the effects of surface water, and these may be more restrictive [s 76(2A)] than those under the Building Act 2004.
- "14. There are special provisions for rules about contaminated land [s 76(5)].
- "15. There must be no blanket rules about felling of trees [s 76(4A)] in any urban environment [s 76(4B)].

**"E. Other statutes**

"16. Finally territorial authorities may be required to comply with other statutes.

**"F. (On Appeal)**

"17. On appeal [s 290 and clause 14 of the First Schedule] the Environment Court must have regard to one additional matter - the decision of the territorial authority [s 290A]."

## 2 SECTION 32 EVALUATION

Amongst other things, S74 of the RMA requires that the Council must prepare and change its District Plan in accordance with its obligation (if any) to have particular regard to an evaluation report prepared in accordance with S32 RMA.

An evaluation report prepared under this section [refer S32(1)(c)] must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal (in this case a plan change). An evaluation report, which does this, is appended to this proposed plan change. As the majority of the proposed plan change is concerned with relatively minor matters of updating or clarifying existing rules, the evaluation report is necessarily succinct and to the point. Where new matters are proposed to be introduced to the District Plan (eg in respect of Screening Standards and Derelict Vehicles, Buildings and Sites) they are evaluated in greater detail.

## 3 PROPOSED CHANGES TO THE DISTRICT PLAN

All matters proposed to be changed in the District Plan are described in the following sections. For each matter, the reason for the change is described, the current operative District Plan provisions stated, and details of the proposed change provided.

Four generic categories of matters requiring change are described, as follows:

- **National Policy Statements and Standards** where changes to the District Plan's provisions are required to acknowledge or give effect to a higher order national planning instrument.
- **Regional Policy Statement and Plan** provisions which necessitate changes to the District Plan as a consequence of the MWRC's One Plan becoming operative.
- **District Plan content changes** required as a consequence of problems or concerns identified in the course of administering the provisions of the Operative District Plan or Councillor acknowledged concerns raised by the citizens of the District.
- **District Plan changes of a minor updating or technical nature** which do not involve substantive content changes.

## NATIONAL MATTERS

### 3.1 NES for Telecommunication Facilities (2008)

#### 3.1.1 Reason(s) for Change(s)

The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 apply (amongst other things) to the planning and operation of a telecommunication facility that generates radiofrequency fields and/or is located in a road reserve (ie legal road). Where specified permitted or controlled activity conditions are not met, the installation becomes a non-complying activity.

The District Plan's Network Utilities Provisions (refer Section 5.3.6) also cover telecommunications facilities.

Equipment for broadcasting and telecommunications purposes is provided for as a permitted activity under the District Plan [refer Rule 5.3.6.2(a)(iv)] provided any radio frequency emissions from the equipment complies with NZS2772.1:1999 Radio Frequency Fields. If it doesn't comply with this rule, it is deemed to be a discretionary activity.

The NES is more stringent in this regard. Regulation 4(6) of the NES provides that a telecommunication facility generating radiofrequency fields which is not able to meet the stated conditions (one of which involves compliance with NZS2772.1:1999) becomes a non-complying activity in respect of radiofrequency fields. These regulations take precedence over the District Plan's provisions.

This being the case, the only changes required to the provisions of the District Plan are the addition of an explanatory statement regarding the role of the NES for Telecommunication Facilities in Section 5.3.6.1 'Introduction', of the Network Utilities section of the Plan and a reference to the NES should also be added to the notes introducing the network utilities permitted activities in Rule 5.3.6.2.

An update is also required to Rule 5.3.6.2(a)(v) which makes reference to the definition of "lines" in the Telecommunications Act 1987. The 1987 Act has been replaced by the 2001 Act, therefore reference should be made to the definition in the 2001 Act. The definition of "line" remains the same except for the addition of the two words highlighted below:

*"line-*

*(a) means a wire or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, instruction, information, or intelligence of any nature by means of any electromagnetic system; and..."*

#### 3.1.2 Current Plan Provision(s)

- .1 Section 5.3.6.1 Introduction (to Network Utilities Section 5.3.6; page 5-60)
- .2 Standard (rule) 5.3.6.2(a)(iv), pages 5-61 and 5-62
- .3 Standard (rule) 5.3.6.2(a)(v), page 5-62.



### 3.1.3 Proposed Change(s)<sup>1</sup>

- .1 THAT the following paragraph be added to the 'Introduction' section on page 5-61;

*"The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 apply to telecommunication facilities generating radiofrequency fields and to those located in road reserves. They also place controls on antennae, utility structures, cabinets and noise emissions and conditions designed to protect trees, vegetation, historic heritage values, amenity values and the coastal marine area. These regulations take precedence over the District Plan's provisions and must be considered if the activity involves or affects any of the abovementioned matters."*

- .2 THAT the following words be added to the introductory note following the heading '5.3.6.2 Standards' on page 5-61:

*"... network utilities, and to the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 or successor."*

- .3 THAT rule 5.3.6.2(a)(v) on page 5-62 be amended to read as follows:

*"(v) Line(s) as defined in section 5 of the Telecommunications Act 2001."*

## 3.2 NPS for Renewable Electricity Generation 2011 (NPSREG)

### 3.2.1 Reason(s) for Change(s)

The National Policy Statement for Renewable Electricity Generation 2011 (NPSREG) requires, amongst other things, that the District Plan include objectives, policies, and methods (including rules) to provide for the development, operation, maintenance, and upgrading of new and existing renewable electricity generation activities using solar, biomass, tidal, wave and ocean current energy resources to the extent applicable to the district (refer Policy E1).

Policy E2 concerns hydro-electricity resources, E2 Wind resources and E4 Geothermal resources. The same requirements, as apply to Policy E1, also apply to Policies E2, E3 and E4.

The District Plan currently provides policies (see 2.8.4, pp 2-77 and 2-88) and rules (see 5.3.7 pp 5-66 to 5-68) in relation to electricity generation from renewable energy sources, in particular wind farms, to the extent applicable to the district.

What the District Plan has not yet given effect to is Policy F, which states as follows:

*"Policy F*

*As part of giving effect to Policies E1 to E4, regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance and upgrading of small and community-scale distributed renewable electricity generation from any renewable energy source to the extent applicable to the region or district."*

The NPSREG defines 'small and community-scale distributed electricity generation' as follows:

*"Small and community-scale distributed electricity generation means renewable electricity generation for the purpose of using electricity on a particular site, or supplying an immediate community, or connecting into the distribution network."*

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<sup>1</sup> *Proposed new text is shown underlined; text to be ~~deleted~~ is shown as ~~strikethrough~~*

Commercial, large scale, windfarms are already provided for in the District Plan to the extent that they give effect to the NPSREG. However, there is a need to make provision for small and community-scale Renewable Electricity Generation Activities as required by NPSREG.

Making such provision has necessitated the development and consideration of a number of plan change options, ranging from "do nothing" (i.e. the status quo remains), to making all small and community-scale distributed electricity generators a permitted (or controlled) activity, to making community-scale generators full discretionary activities under Rule 5.3.7.2(b), as at present, but making small scale generators permitted activities when permitted activity criteria are met. This latter option requires a distinction to be made between "small" and "community scale" distributed electricity generators, in the District Plan.

The Council considers that wind energy provides significant potential for electricity generation at a community scale given the nature and size of the District and the costs and losses associated with the transmission of electricity over long distances. Wind, solar photovoltaics and biomass may provide opportunities for community scale electricity generation in the future. Likewise, there is a range of renewable energy technologies which can be utilised at a domestic/household scale, including solar (photovoltaics and thermal water heating), wind generators and micro hydro. These technologies are typically located on or near buildings and could be utilised throughout the District provided that any adverse effects on the environment arising from their use can be avoided, remedied or mitigated such that the effects are no more than minor.

Following consideration of the options, the Council considered that it ought to provide for small scale electricity generators as a permitted activity in the District Plan, subject to meeting specified permitted activity criteria, and community scale generators as full discretionary activities.

Such provision requires the addition of policies, rules and definitions to various sections of the Plan as detailed in section 3.2.3 below.

### 3.2.2 Current Plan Provision(s)

- .1 Section 5.3.7 Renewable Electricity Generation Facilities, pages 5-66 to 5-68.

### 3.2.3 Proposed Change(s)

- .1 THAT Standard 5.3.7.2(a), on page 5-66, be amended to read as follows:

*“(a) Permitted activities in all Management Areas*

- *The operation and maintenance of ~~renewable electricity~~ facilities generating electricity from renewable energy sources including wind farms, in existence as at the date this Plan became operative.”*

- .2 THAT the following permitted activity be added to Standard 5.3.7.2(a) following the ‘Note’ on page 5 - 66, as follows:

*“- Domestic scale electricity generation from renewable energy sources subject to meeting the following performance criteria:*

- (i) the facility generating the electricity meets all the applicable amenity standards for permitted activities in section 5.4 of this Plan;*
- (ii) the facility generating the electricity is not located on land identified as a scheduled heritage feature including its curtilage.”*

- .3 THAT the following definitions be added to Part 6 Interpretation, 6.1 Definitions, in alphabetical order, as follows:

“- ***Renewable energy*** has the same meaning as defined in Section 2 of the RMA.”

“- ***Domestic scale electricity generation from renewable energy sources*** means generating electricity on a site to meet the needs of the users of that site and includes the export from the site of any surplus electricity to a local electricity distribution network.”

### 3.3 Hazardous Substances

#### 3.3.1 Reason(s) for Change(s)

Section ‘5.1.8 Hazardous Substances’ of the District Plan (page 5-22) deals with the function identified in the RMA section 31(1)(b)(ii), namely ... “the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; ...”. The introduction to this section of the District Plan (5.1.8.1) acknowledges the fact that a number of agencies share overlapping responsibilities for carrying out this function and makes reference to the Hazardous Substances and New Organisms Act 1996 (HSNO). It also states (page 5-23) that:

*“Whilst the HSNO Act sets out the bottom line for minimum standards of compliance, it may be necessary in some instances for the District Council to impose additional and more specific controls in the District Plan, particularly in relation to hazardous facilities. In particular, these include standards relating to site design, fire safety, waste management, signage and labelling and emergency and evacuation plans.”*

The introduction of new statutes and regulations dealing with hazardous substances since the District Plan became operative, necessitates a change to the Plan in order to bring it up to date. The proposed change also recognises that additional and more specific controls in the District Plan are no longer necessary in light of the changed statutory environment applying to hazardous substances. This environment includes the:

- Hazardous Substances and New Organisms Act 1996 and related Regulations (HSNO).
- Health and Safety at Work Act 2015 and Regulations relating to hazardous substances (HSWA).
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES Soils).

In terms of the latter (the NES Soils), these regulations are administered by the Council and relate directly to the Council’s S31(1)(b)(iia) RMA function, namely “... the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:”

The NES Soil regulations apply when a person wants to carry out an activity specified in the regulations, on land as described in the regulations which is contaminated or potentially contaminated.

The activities covered in the regulations include removing or replacing a fuel storage system, soil sampling (to determine if the soil is contaminated or not), soil disturbance for a particular purpose, subdividing land or changing the use of the land where such change of use could be harmful to human health, on land that is described in the Ministry for the Environment's Hazardous Activities and Industries List (commonly referred to as HAIL).

In terms of the former statutes (the HSNO and HSWA Acts), the HSNO Act will continue to be the primary legislation for the regulation of hazardous substances. Administered by the Environmental Protection Authority (EPA) the HSNO regulatory regime is responsible for:

- assessment and approval of all hazardous substances;
- classifying all hazardous substances;

- setting controls (EPA controls) that apply to all hazardous substances, including controls for labelling, material safety data sheets (MSDS), and disposal;
- setting content controls (i.e. allowable levels of hazardous substances) for substances that affect human health and safety and the environment (e.g. cosmetics, domestic cleaning products, and pesticides);
- setting controls for hazardous substances that adversely affect the environment;
- setting controls for hazardous substances that affect human health and safety used outside the workplace.

Worksafe New Zealand, through the Health and Safety at Work Act's regulatory regime, is primarily responsible for regulating substances that affect human health and safety within the workplace, including:

- incorporating or referring to EPA controls, where appropriate;
- setting controls on the use, handling, generation, and storage of hazardous substances at the workplace;
- quality assurance mechanisms, e.g. test certification; and
- generally regulating such substances within the legislative framework for work health and safety.

Section 212 of the HSWA Act enables regulations relating to hazardous substances to be implemented for one or more of the following purposes:

- "(a) *prescribing duties, obligations, or restrictions imposed on any hazardous substance, or on any person in relation to any hazardous substances—*
  - (i) *for substances with explosive properties,—*
    - (A) *to reduce the likelihood of an unintended explosion:*
    - (B) *to control the adverse effects likely to be caused by an explosion:*
  - (ii) *for substances with flammable properties,—*
    - (A) *to reduce the likelihood of an unintended fire or explosion:*
    - (B) *to control the adverse effects of any fire or explosion:*
  - (iii) *for substances with oxidising properties,—*
    - (A) *to reduce the likelihood of any unintended release of chemical energy as an explosion or fire:*
    - (B) *to control the adverse effects of any release of chemical energy as an explosion or fire:*
  - (iv) *for substances with corrosive properties,—*
    - (A) *to reduce the likelihood of any unintended corrosion:*
    - (B) *to control the adverse effects of any corrosion:*
  - (v) *for substances with toxic properties,—*
    - (A) *to reduce the likelihood of any unintended exposure to any such substances:*
    - (B) *to control the adverse effects of any exposure to such substances:*
- (b) *prescribing or providing for controls on gases under pressure, whether intrinsically hazardous or not:*
- (c) *prescribing controls to avoid or mitigate illness or injury to people or damage to the environment or chattels from any hazardous substance:*
- (d) *prescribing requirements to be met by a laboratory:*

- (e) *prescribing controls for by-products with hazardous properties, which result from the manufacture or use of any hazardous substance:*
- (f) *prescribing requirements to manage any emergency involving a hazardous substance:*
- (g) *prescribing systems for tracking hazardous substances, including requirements that—*
  - (i) *the whereabouts of the substances be recorded at all times or from time to time:*
  - (ii) *the quantity of the substances be recorded:*
  - (iii) *a person be identified as being in charge of the substances:*
  - (iv) *any person handling the substances hold prescribed qualifications:*
- (h) *in relation to any hazardous substances under the control of the Minister of Defence or the Chief of Defence Force, applying (with or without modifications) for the purposes of the regulations any provisions of a Defence Force Order issued under section 27 of the Defence Act 1990 that may be in addition to, or in place of, the provisions of the regulations:*
- (i) *prescribing qualifications, including competency, character, or other relevant requirements (for example, that a person be a member of any specified professional body or organisation) for any person handling a hazardous substance:*
- (j) *providing for any matters contemplated by this Act, necessary for its administration, or necessary for giving it full effect."*

Given the responsibilities of the Regional Council to control the discharges of contaminants into or onto land, air or water [RMA S30(1)(f)] and to control the use of land for the purpose of the prevention or mitigation of any adverse effects of the storage, use, disposal or transportation of hazardous substances [RMA S30(1)(c)(v)] and the EPA and WorkSafe New Zealand's responsibilities in respect of hazardous substances as outlined above, it is the Council's view that the standards (rules) applying to hazardous facilities as set out in rule 5.1.8.2 of the District Plan are no longer necessary. That being the case, it is proposed to delete rules 5.1.8.2, 5.1.8.3 and 5.1.8.4 of the District Plan and amend the 'Introduction' section to reflect the current statutory environment in which hazardous substances are being managed.

Section 5.1.8 of the District Plan deals with the Council's functions identified in RMA S31(1)(b)(ii), but not the function described in S31(1)(b)(iia) of the RMA. This latter function is "the prevention or mitigation of any adverse effects of the development subdivision, or use of contaminated land". The Council's 'contaminated land' function 31(1)(b)(iia) is primarily managed through the NES Soils regulations and covers the activities as previously described.

Given the nature and scope of these regulations, the Council has determined that there is no need for any further District Plan rules (ie regulations) to be implemented in order to exercise this function. Acknowledgement of this determination is, however, required in the District Plan. Thus what is being proposed is the addition of an explanatory statement in Section 5.1.8.1 of the District Plan relating the Council's exercise of its S31(1)(b)(iia) function to the NES Soils regulations.

### 3.3.2 Current Plan Provision(s)

- Method 2.9.4.4(a), page 2-84
- Reason 2.9.4.5, on pages 2-84 and 2-85
- Section 5.1.8 HAZARDOUS SUBSTANCES, pages 5-22 to 5-25.

### 3.3.3 Proposed Change(s)

- .1 THAT section 5.1.8.1 Introduction text (pages 5 - 22 and 5 - 23) be deleted and replaced with the following:

#### "5.1.8.1 Introduction

Numerous agencies share overlapping responsibilities for controlling the use storage, transportation and disposal of hazardous substances and managing contaminants in the environment. Their statutory functions and responsibilities are derived from the following statutes and regulations:

- Hazardous Substances and New Organisms Act 1996 and related Regulations (HSNO).
- Health and Safety at Work Act 2015 and Regulations relating to hazardous substances (HSWA).
- Resource Management Act 1991 (RMA).
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES Soils).

In terms of the latter (the NES Soils), these regulations are administered by the Council and relate directly to the Council's S31(1)(b)(iia) RMA function, namely "... the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:"

The NES Soil regulations apply when a person wants to carry out an activity specified in the regulations, on land as described in the regulations which is contaminated or potentially contaminated.

The activities covered in the regulations include removing or replacing a fuel storage system, soil sampling (to determine if the soil is contaminated or not), soil disturbance for a particular purpose, subdividing land or changing the use of the land where such change of use could be harmful to human health, on land that is described in the Ministry for the Environment's Hazardous Activities and Industries List (commonly referred to as HAIL).

In terms of the former statutes (the HSNO and HSWA Acts), the HSNO Act will continue to be the primary legislation for the regulation of hazardous substances. Administered by the Environmental Protection Authority (EPA) the HSNO regulatory regime is responsible for:

- assessment and approval of all hazardous substances;
- classifying all hazardous substances;
- setting controls (EPA controls) that apply to all hazardous substances, including controls for labelling, material safety data sheets (MSDS), and disposal;
- setting content controls (i.e. allowable levels of hazardous substances) for substances that affect human health and safety and the environment (e.g. cosmetics, domestic cleaning products, and pesticides);
- setting controls for hazardous substances that adversely affect the environment;
- setting controls for hazardous substances that affect human health and safety used outside the workplace; and

Worksafe New Zealand, through the HSWA's regulatory regime, is primarily responsible for regulating substances that affect human health and safety within the workplace, including:

- incorporating or referring to EPA controls, where appropriate;
- setting controls on the use, handling, generation, and storage of hazardous substances at the workplace;

- quality assurance mechanisms, e.g. test certification; and
- generally regulating such substances within the legislative framework for work health and safety.

The HSWA (S212) enables regulations relating to hazardous substances to be implemented for a number of purposes, including (inter alia):

- prescribing controls to avoid or mitigate illness or injury to people or damage to the environment or chattels from any hazardous substance;
- prescribing requirements to manage any emergency involving a hazardous substance;
- prescribing systems for tracking hazardous substances, including requirements that—
  - (i) the whereabouts of the substances be recorded at all times or from time to time;
  - (ii) the quantity of the substances be recorded;
  - (iii) a person be identified as being in charge of the substances;

When these HSNO and HSWA responsibilities are combined with the responsibilities of the Regional Council to manage hazardous substances and the discharge of contaminants into the environment, the Council considers there is no need or justification to provide any further regulations (rules) or other provisions in the District Plan in order to exercise its RMA S31(1)(b) functions.”

- .2 THAT standards (rules) 5.1.8.2, 5.1.8.3 and 5.1.8.4 (pages 5-23 to 5-25) be deleted.
- .3 THAT Method 2.9.4.4(a) on page 2-84 be deleted and replaced with the following:
 

“(a) District Plan Rules – None.”
- .4 THAT the Reasons section 2.9.4.5 of Policy 2.9.4 Hazardous Substances (pages 2-84 and 2-85) be amended, as follows:

~~“Numerous agencies share overlapping responsibilities for controlling the use, storage, transportation and disposal of hazardous substances. The Hazardous Substances and New Organisms Act 1996 (HSNO) is the primary legislation controlling hazardous substances. The Environmental Risk Management Authority (ERMA) is responsible for implementing, administering and monitoring the enforcement of the HSNO Act. Both the HSNO Act and the RMA are designed to protect human health and the environment from the effects of hazardous substances and to work in conjunction with one another. The HSNO Act aims to manage the intrinsic risks of hazardous substances and the end use, export or disposal of such substances and applies to all hazardous substances. In other words, the HSNO Act sets “the bottom line” in terms of the standards that must be met in relation to hazardous substances. It is the responsibility of Regional and District Councils, under the RMA, to determine whether more stringent controls are also necessary (in addition to the provisions of the HSNO Act) in terms of the control of the use of the land in the region for the use, transport, storage and disposal of hazardous substances. Pursuant to section 62(1)(i) of the RMA, the MWRC’s Regional Policy Statement and Proposed One Plan stipulate that the Regional Council will have responsibility for controlling the use of land for the disposal of hazardous substances and the District Council will have responsibility for the control of land for the use, storage and transport of hazardous substances.~~

Their statutory functions and responsibilities are derived from a number of statutes and regulations. [These agencies and their responsibilities are described in the Introduction (5.1.8.1) of Section 5.1.8 Hazardous Substances of this Plan].



When the responsibilities of these statutory bodies are combined with the responsibilities of the Regional Council to manage hazardous substances and the discharge of contaminants into the environment, the Council considers there is no need or justification to provide any further regulations (rules) or other provisions in the District Plan in order to exercise its RMA S31(1)(b) functions."



## 4 REGIONAL MATTERS

### 4.1 Indigenous Vegetation Provisions

#### 4.1.1 Reason(s) for Change(s)

The District Plan currently has a set of rules (5.5.4, page 5 – 110) which apply to the protection or conservation of areas of vegetation not otherwise scheduled as reserves, heritage features or significant trees.

The MWRC'S Operative One Plan contains a Policy (6-1) which directs the territorial authorities in the region as to their responsibilities for maintaining indigenous biological diversity. It states as follows:

*“Policy 6-1: Responsibilities for maintaining indigenous biological diversity^*

*In accordance with s62(1)(i) RMA, local authority responsibilities for controlling land^ use activities for the purpose of managing indigenous biological diversity^ in the Region are apportioned as follows:*

- (a) The Regional Council must be responsible for:*
  - (i) developing objectives, policies and methods for the purpose of establishing a Region-wide approach for maintaining indigenous biological diversity^, including enhancement where appropriate*
  - (ii) developing rules^ controlling the use of land^ to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to maintain indigenous biological diversity^, including enhancement where appropriate.*
- (b) Territorial Authorities^ must be responsible for:*
  - (i) retaining schedules of notable trees and amenity trees in their district plans^ or such other measures as they see fit for the purpose of recognising amenity, intrinsic and cultural values associated with indigenous biological diversity^, but not for the purpose of protecting significant indigenous vegetation and significant habitats of indigenous fauna as described in (a)(ii) above.*
- (c) Both the Regional Council and Territorial Authorities^ must be responsible for:*
  - (i) recognising and providing for matters described in s6(c) RMA and having particular regard to matters identified in s7(d) RMA when exercising functions and powers under the RMA, outside the specific responsibilities allocated above, including when making decisions on resource consent^ applications.”*

The District Plan must give effect to the relevant provisions of a regional policy statement. Currently the District Plan does not give effect to Policy 6-1(b)(i) which directs that provisions not be for the purpose of protecting significant indigenous vegetation and significant habitats of indigenous fauna. The set of District Plan rules contained in section 5.5.4 (pages 5 - 110 to 5 - 114) and the schedule of significant indigenous vegetation and significant habitats of indigenous fauna contained in Schedule 3.2 of Appendix 3 are designed to protect significant indigenous vegetation and significant habitats of indigenous fauna. This being the case the Council proposes to remove these provisions from the District Plan in order to comply with the One Plan's Policy 6-1(b)(i) and give effect to its directives. The Schedule of Significant Trees (Appendix 3.1) and its attendant provisions in Rule 5.5.3.2 will remain in the District Plan for amenity value reasons.

#### 4.1.2 Current Plan Provision(s)

- Policy sections 2.6.4.3 and 2.6.4.4, pages 2-53 and 2-54
- Section 5.5.4, pages 5-110 to 5-114
- Appendix 3, Schedule 3.2, pages A-25 to A-32

#### 4.1.3 Proposed Change(s)

- .1 THAT Policy Sections 2.6.4.3 Explanation and 2.6.4.4 Methods, on pages 2-53 and 2-54, be amended as follows:

*“Additionally, significant trees of the District have been scheduled in Appendix 3 of this Plan. The MWRC’s ~~Proposed~~ One Plan states that the District Council shall, in addition to implementing the stated objectives and policies in respect of biodiversity management in the ~~Proposed~~ One Plan, “retain schedules of notable trees and amenity trees” in the District Plan. This is necessary because the ~~Proposed~~ One Plan uses a region wide approach and includes a schedule of regionally outstanding landscapes and identifies at risk and threatened species and habitats, but does not include specific provisions for significant trees in each District within the Region. Similarly, specific landscapes within the Region warrant specific management, and where appropriate, protection in the District Plan, in addition to the provisions of the ~~Proposed~~ One Plan.”*

*The MWRC, in its ~~Proposed~~ One Plan, has stated that it will take the lead role in managing indigenous biodiversity in the Region. The ~~Proposed~~ One Plan includes rules that control activities in rare and threatened habitats and at risk habitats. It ~~will~~ is therefore ~~be~~ unnecessary for the District Plan to include these rules as well. The ~~Proposed~~ One Plan also states that the Regional Council will work with landowners to maintain or protect and enhance these the [rare and threatened and at risk] habitats.“. It is therefore important that the District Plan not be inconsistent with the objectives and policies of the ~~Proposed~~ One Plan and that the Council give effect to the Regional Council’s policy (RPS) in respect of the management of biodiversity once this has been determined by due process. However, given the time necessary for the provisions of the ~~Proposed~~ One Plan to be considered and determined, it will be necessary to retain the current provisions in the District Plan relating to biodiversity, particularly Rule 5.5.4.*

*Policies 2.6.4.2(d) and (e) aim to assist landowners in the management of indigenous biodiversity on private land and to support the efforts of the Regional Council, landowners, and other agencies (such as the QEII Trust) in the management of indigenous biodiversity.*

##### 2.6.4.4 Methods:

*The Council shall implement policies 2.6.4.2 (a), (b) and (c) by the following methods:*

- (a) *District Plan and resource consents - The Council has included in this District Plan, in Appendix 3, a Schedule of Significant Trees, ~~a Schedule of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna~~, and a Schedule of Natural Features and Landscapes, and has adopted rules which aim to control the adverse effects of activities at, or in close proximity to these listed items. The Schedules classify the items as Category A or B according to their significance and the level of protection required. The scheduled significant trees, ~~significant indigenous vegetation and significant habitats of indigenous fauna~~ and natural features and landscapes are identified on the District Plan maps. [Refer to Part 9 of the Plan].*

*~~The Council has also included a set of provisions for the protection of unscheduled areas of significant indigenous vegetation. These provisions will enable an activity in an unscheduled area to be assessed on a case by case basis in order to establish whether the vegetation concerned is “significant” and, if it is significant, whether or not it should be protected.~~*

- (b) *Public consultation and the provision of information and promotion of voluntary protection - The Council shall consult with relevant groups and organisations in the community to identify natural features of value to the community. With respect to the majority of the District which lies within the Manawatu-Wanganui Region, the ~~Proposed One Plan's~~ Regional Policy Statement states that the Regional Council will act as lead agency in preparing inventories of areas of significant indigenous flora and habitats of indigenous fauna."*

.2 THAT Section 5.5.1 Introduction (pages 5 – 100 to 5 – 102) be amended as follows:

- amend the third bullet point on page 5 – 100 as follows:

*"- significant ~~vegetation and habitats (including individual trees and groups of trees; areas of significant indigenous vegetation and habitats of indigenous fauna);~~"*

- *Delete all the text from and including the heading "INDIGENOUS VEGETATION PROVISIONS" on page 5 – 101 to before the heading '5.5.2 CLASSIFICATION OF SCHEDULED FEATURES' on page 5-102 and replace it with the following:*

*"In accordance with Policy 6-1 of the MWRC's One Plan, the Regional Council is responsible for developing objectives, policies and methods (including rules) for maintaining and protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna throughout the Region, including the Tararua District."*

.3 THAT the heading for Rule 5.5.3.2 (page 5 – 103) be amended as follows:

*"5.5.3.2 Significant Trees, ~~Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna~~ (as listed in Schedules 3.1 and 3.2 in Appendix 3)"*

.4 THAT Table One in Rule 5.5.3.4 (page 5 – 105) be amended as follows:

*"*

<del>SIGNIFICANT TREES, SIGNIFICANT INDIGENOUS VEGETATION, OR SIGNIFICANT HABITAT OF INDIGENOUS FAUNA</del>  (Schedules 3.1 <del>and 3.2</del> in Appendix 3)	<b>Permitted</b>  Maintenance  <b>Discretionary</b>  Modification  <b>Non-complying</b>  Damage or destruction	<b>Permitted</b>  Maintenance  <b>Discretionary</b>  Modification, damage or destruction
--	--	---

*"*

.5 THAT Rule 5.5.4, pages 5 – 110 to 5 – 114 inclusive, be deleted from the District Plan.

.6 THAT Schedule 3.2 in Appendix 3 (pages A-25 to A-32 inclusive) be deleted from the District Plan.

## **4.2 Minimum Lot Sizes for Wastewater Disposal**

### **4.2.1 Reason(s) for Change(s)**

The MWRC's One Plan contains minimum lot sizes for wastewater disposal within its Chapter 14 rules. Rule 14-14 provides for new and upgraded discharges of domestic wastewater as a permitted activity provided that certain conditions are met. A number of these conditions depend on the land area of the subject property and require a higher level of treatment and different application systems and rates for smaller land areas. The smallest land area permitted is 5,000m<sup>2</sup> for properties created by subdivision after 31 August, 2012. There are a number of other requirements as well, including that the activity cannot take place in a rare, threatened or at risk habitat or on land containing any historic heritage identified in a district plan or regional plan. If the discharge activity cannot comply with the standards in Rule 14-14 it becomes a restricted discretionary activity under Rule 14-15.

With the exception of the land within the urban buffer areas identified on the District Plan maps, the District Plan does not specify minimum lot sizes for subdivision. Instead it requires that each lot is created so that it is of sufficient size and shape to contain the intended activity/development in a manner that complies with all relevant environmental standards in the District Plan, including sewage disposal requirements. This approach is not considered to be inconsistent with the Regional Plan. However, it is considered appropriate that reference continue to be made to the One Plan's requirements by means of an advisory note following within Rule 5.2.3.2.

With respect to the urban buffer areas, the 8,000m<sup>2</sup> minimum lot size has been established as a density control to encourage activities which do not require a rural location but which desire to be close to towns, to locate within towns rather than the urban-rural fringe areas. It is noted that there is also a comment in the Plan relating to the 8,000m<sup>2</sup> size as being a means of avoiding groundwater contamination from effluent disposal (under Section 2.2.3.5 Reasons). This reference is to be removed, as it is not consistent with the rules in Chapter 14 of the Regional Plan which refer, amongst other things, to a minimum lot size of 5,000m<sup>2</sup>.

An advisory note also requires to be added to standard 5.1.2.2(c)(i) which makes it clear to prospective applicants that for any allotment of less than 5,000m<sup>2</sup> in land area the Council will require sufficient information to demonstrate that the One Plan's Rule 14-14 permitted activity conditions are able to be met or, if not, that a Regional Council resource consent has been obtained to permit the wastewater discharge.

A further inconsistency with the One Plan's domestic wastewater rules appears to be the statement in Rule 5.1.2.2(c)(i) [page 5-3] of the District Plan that says:

*"A drainage easement over adjacent land shall be an acceptable means of compliance with this standard where there is insufficient area of land within the Certificate of Title concerned".*

Rule 14-14(e)(i) of the One Plan refers to "the property" in which a wastewater discharge is to occur and sets conditions on the minimum area of this 'property' that must be met for the activity to be deemed a permitted activity. 'Property' in the One Plan is defined as "one or more adjacent allotments that are in the same ownership" and includes a legal road.

The key words are "in the same ownership". Rule 5.1.2.2(c)(i) of the District Plan enables a drainage easement to be registered over adjacent land, irrespective of ownership, as an acceptable means of compliance with the rule. As there does not appear to be any flexibility within the regional rules to allow drainage easements to be registered on adjacent land in different ownership, it is necessary to remove this ability to do so from the District Plan's rules so as not to be inconsistent with the regional rules.

### **4.2.2 Current Plan Provision(s)**

Rule 5.1.2.2(c), page 5-3.

### 4.2.3 Proposed Change(s)

- .1 THAT the following sentence be deleted from the first paragraph of Rule 5.1.2.2(c)(i) on page 5-3:

*"A drainage easement over adjacent land shall be an acceptable means of compliance with this standard where there is insufficient area of land within the Certificate of Title concerned."*

- .2 THAT the following advisory note be added to Rule 5.1.2.2(c)(i), following the second paragraph:

*"Note: Where an area of land of less than 5,000m<sup>2</sup> is to be used to build a dwelling with associated domestic wastewater disposal, a resource consent will be required from MWRC prior to the installation of the wastewater disposal system and for any future upgrades to that system. The Council will require sufficient information to be presented to it to demonstrate that the site will be able to properly dispose of effluent within its boundaries in compliance with the requirements of One Plan Rule 14-14 and the Manual for Onsite Wastewater Systems Design and Management (Horizons Regional Council, 2010)"*

## 4.3 Natural (Flood) Hazards

### 4.3.1 Reason(s) for Change(s)

Policy 9-1 of the One Plan (RPS) sets out the responsibilities for hazard management within the Region and states:

*Policy 9-1: Responsibilities for natural hazard management*

*In accordance with s62(1)(i) RMA, local authority responsibilities for natural hazard management in the Region are as follows:*

- (a) The Regional Council and Territorial Authorities must be jointly responsible for:*
  - (i) raising public awareness of the risks of natural hazards through education, including information about what natural hazards exist in the Region, what people can do to minimise their own level of risk, and what help is available.*
- (b) The Regional Council must be responsible for:*
  - (i) developing objectives and policies for Region-wide management of activities for the purpose of avoiding or mitigating natural hazards,*
  - (ii) developing specific objectives, policies and methods (including rules) for the control of:*
    - (A) all land use activities in the coastal marine area,*
    - (B) erosion protection works that cross or adjoin mean high water springs,*
    - (C) all land use activities in the beds of rivers and lakes, for the purpose of avoiding or mitigating natural hazards, and*
  - (iii) taking the lead role in collecting, analysing and storing regional natural hazard information and communicating this information to Territorial Authorities.*
- (c) Territorial Authorities must be responsible for:*
  - (i) developing objectives, policies and methods (including rules) for the control of the use of land to avoid or mitigate natural hazards in all areas and for all activities except those areas and activities described in (b)(ii) above, and*
  - (ii) identifying floodways (as shown in Schedule J1) and other areas known to be inundated by a 0.5% annual exceedance probability (AEP) flood event on planning maps in district plans, and controlling land use activities in these areas in accordance with Policies 9-2 and 9-3.*

None of the floodways as shown in Schedule J1 of the One Plan are within the Tararua District. That notwithstanding, the One Plan's Policy 9-2(b) 'Development in areas prone to flooding' states that:

- “(b) Outside of a floodway mapped in Schedule J the Regional Council and Territorial Authorities must not allow the establishment of any new structure or activity, or an increase in the scale of any existing structure or activity, within an area which would be inundated in a 0.5% AEP (1 in 200 year) flood event<sup>2</sup> unless:*
- (i) flood hazard avoidance is achieved or the 0.5% AEP (1 in 200 year) flood hazard is mitigated, or*
  - (ii) the non-habitable structure or activity is on production land, or*
  - (iii) there is a functional necessity to locate the structure or activity within such an area,*
- in any of which cases the structure or activity may be allowed.”*

The District Plan contains rules that limit (in order to avoid) development in such flood prone areas (Standard 5.1.7.2) but they only apply to activities on land identified (on the planning maps) as a 'natural hazard area'. There are no 'natural hazard areas' currently shown on the planning maps.

The District Plan does, however, contain flood maps which show areas of land which could potentially be adversely affected by flooding and ponding. It is not clear whether these depict the areas known to be inundated by a 0.5% annual exceedance probability (AEP) flood event or not.

The reason for this is that the flood maps only show areas potentially adversely affected by flooding or poor drainage resulting in surface ponding. They have been prepared using a variety of sources, such as photographs of and reports about flood events, anecdotal information and field visits. Whilst considerable care has been taken in their preparation, it is important to note that these maps are indicative only. They have been compiled for the sole purpose of showing the areas in which further investigation of the risk of flooding may be necessary prior to subdivision or new land use activities being undertaken.

The District Plan currently has an advisory note attached to the District Plan's Flood Maps which directs those persons planning to develop or purchase a property within an area identified on the maps as being floodable, to contact the MWRC for assistance in obtaining more detailed, site specific information on the flood hazard identified. The Council will continue to use the District Plan's current flood maps as a trigger for further investigation and response prior to making any subdivision or development decisions under the RMA or issuing building permits under the Building Act 2004.

Apart from updating the Introduction (5.1.7.1) to the Natural Hazards section of the District Plan to reflect the current One Plan flood hazard policies, the Council does not consider it feasible to make any changes at this time in the absence of any flood modelling and mapping of areas in the Tararua District likely to be inundated in a 0.5% AEP flood event. The MWRC's Long Term Plan makes provision for LiDAR mapping and the review and updating of flood information in the District over the next six to seven years. Specific reports that are scheduled for the Tararua District include:

- 0.5% AEP flood modelling of the Upper Manawatu/Awapikopiki Stream confluence in year 4 (2018-19)
- Seismic study for Pahiatua in year 5 (2019-20)
- Additional flood mapping for Woodville in year 6 (2020-21)
- 0.5% AEP flood modelling for Wainui Stream (near Herbertville) in year 7 (2021-22).

Until this work is done and more accurate 0.5% AEP flood modelling is completed, the Council is not in a position to make any sensible and effective changes to the relevant District Plan provisions, other than to the Introduction to the Natural Hazards section.



#### 4.3.2 Current Plan Provision(s)

Section 5.1.7, Natural Hazards, pages 5-20 to 5-22.

#### 4.3.3 Proposed Change(s)

.1 THAT Section 5.1.7.1 Introduction be deleted and replaced with the following:

##### "5.1.7.1 Introduction

In order to achieve the objectives and policies contained within Section 2.5 of this District Plan, a number of rules have been developed to control the use of land to avoid, remedy or mitigate the adverse effects of natural hazards.

Policy 9-1 of the Manawatu-Wanganui Regional Council's One Plan sets out the responsibilities for hazard management within the Region. For the Tararua District Council, these responsibilities include:

(i) developing objectives, policies and methods (including rules) for the control of the use of land to avoid or mitigate natural hazards in all areas and for all activities except the following (which are Regional Council responsibilities):

- all land use activities in the coastal marine area,
- erosion protection works that cross or adjoin mean high water springs,
- all land use activities in the beds of rivers and lakes, for the purpose of avoiding or mitigating natural hazards.

(ii) identifying floodways (as shown in Schedule J1 of the One Plan) and other areas known to be inundated by a 0.5% annual exceedance probability (AEP) flood event on planning maps in district plans, and controlling land use activities in these areas in accordance with Policies 9-2 and 9-3 of the One Plan.

None of the floodways as shown in Schedule J1 of the One Plan are within the Tararua District.

Policy 9-2(b) of the One Plan states that TA's must not allow the establishment of any new structure or activity, or an increase in the scale of any existing structure or activity, within an area which would be inundated in a 0.5% AEP flood event unless:

- (i) flood hazard avoidance is achieved or the 0.5% AEP (1 in 200 year) flood hazard is mitigated, or
- (ii) the non-habitable structure or activity is on production land, or
- (iii) there is a functional necessity to locate the structure or activity within such an area

The District Plan contains provisions that limit development in recognised natural hazard areas in order to reduce risk to human life, property and infrastructure. Rule 5.1.7.2 applies to the Natural Hazard Areas that are identified on the planning maps. No areas are currently identified on the maps.

The District Plan does however contain a series of maps at a scale of 1:50,000 which identify areas of land that could potentially be adversely affected by flooding or surface flooding. Areas affected by poor drainage are also shown as floodable areas. These maps have been prepared using a variety of sources such as photographs of and reports about flood events, anecdotal information and field visits. They have not been prepared using data modelling to identify areas of land likely to be inundated by a 0.5% annual exceedance probability (AEP) flood event. They are indicative only and have been prepared solely for the purpose of showing areas in which the nature, extent and risk of flooding requires further investigation prior to any subdivision, development or change in land use occurring. Persons

intending to develop or purchase a property within an area identified as being floodable, are advised to contact the Manawatu-Wanganui Regional Council (Horizons) for assistance in obtaining more detailed, site-specific information.

The Regional Council's Long Term Plan makes provision for a number of hazards information projects to be carried out in the Tararua District, over a period of 6 years, including 0.5% AEP flood modelling. Once these information gathering projects have been completed it ought to be possible to identify the areas at risk of inundation in a 0.5% AEP event on the District Planning maps and therefore become subject to Rule 5.1.7.2".



## **5 DISTRICT PLAN (CONTENT CHANGES)**

### **Signs**

#### **5.1 Council Advisory/Warning Signs**

##### **5.1.1 Reason(s) for Change(s)**

From time to time, the Council is required to erect advisory or warning signs in or around the urban areas of the District. For example, in times of drought, it may be necessary for the Council to put up 'Water Restrictions On' signs in strategic locations to advise and warn people that such restrictions are in place. Such signs could be located in the road (reserve) or on land in various management areas under the District Plan. The Council considers that such signs ought to be provided for as a permitted activity. It is therefore proposed that such signs be added, as permitted activities, to Rule 5.4.3.2(b) of the District Plan. Neither this rule [i.e. the 'permitted activities (signs) in all Management Areas' rule] nor Rule (iv) "Temporary Signs for Statutory Notice...", appear to permit such signs, as of right, therefore a change to the permitted signs rules is deemed necessary.

##### **5.1.2 Current Plan Provision(s)**

Rule 5.4.3.2(b) Permitted Activities (signs) in all Management Areas.

##### **5.1.3 Proposed Change(s)**

.1 THAT a further permitted activity category be added to Rule 5.4.3.2(b) on page 5-78, as follows:

*"viii) advisory or warning signs erected by, or on behalf of, the Council"*

#### **5.2 Off-Site Signs Rules**

##### **5.2.1 Reason(s) for Change(s)**

Off-site signs in the Rural Management Area of the District are subject to a 1km separation distance permitted activity rule [5.4.3.2(d)(iv)].

Signs not located on the site to which they relate are a permitted activity provided they meet a number of specified performance standards concerning size, content and location.

In situations where two signs are erected within 1km of each other, it is difficult for Council officers to determine which of the two signs has been erected lawfully and which hasn't, unless a building consent or other Council regulatory mechanism is triggered which requires a construction or completion date to be provided to the Council. This being the case, and to resolve this problem, the Council proposes to add a further performance standard to Rule 5.4.3.2(d)(iv) requiring written notice to be provided to the Council in respect of a sign's location, planned date of construction and date of completion.

##### **5.2.2 Current Plan Provision(s)**

Rule 5.4.3.2(d)(iv) on page 5-80.

##### **5.2.3 Proposed Change(s)**

THAT a further performance standard be added to Rule 5.4.3.2(d)(iv) on page 5-80, as follows:

*"• Written notice has been provided to the Council, advising details of the size, location and content of the sign, its planned date of construction and expected date of completion."*

## **5.3 Earthworks**

### **5.3.1 Reason(s) for Change(s)**

The specific standards applying to the Rural Management Area [see 5.1.5.2(b)] permit earthworks associated with farm tracks, fence lines, forestry operations and tracks to network utilities but require resource consent for any other earthworks or fill over 200m<sup>3</sup>, in any one calendar year, on land held in the same certificate of title.

This 200m<sup>3</sup> limit is considered low for a rural area, especially when there are no limits on the permitted earthworks for activities such as farm tracks or fence lines. It is conceivable that a farmer may want to carry out excavations for building foundations, or to establish a pond that would exceed this limit, with little adverse effect, and no more than tracks and fence lines could produce. Some Councils have no limit for general rural zones, and only control earthworks in Outstanding Natural Features or Landscapes (ONFLs) or coastal areas (see Wairarapa District Plan, Central Hawkes Bay District Plan, Rangitikei District Plan). Where there is a limit for earthworks in a rural zone, it is often set at 1000m<sup>3</sup>, as for example in the Palmerston North City Council's District Plan.

The provisions (especially the rules) relating to earthworks in Part 2 (the Regional Plan section) of the One Plan appear to give effect to Part 1 (the RPS) of that Plan. It is duplicative to have the District Plan including similar rules. The current earthworks rules in the District Plan are, for the most part, complementary to the regional rules and are in place to address other issues (primarily amenity related) that can arise from earthworks. However, the Council considers that some of the Rural Management Area standards appear to be unreasonably restrictive particularly as they apply to a number of rural activities from which few adverse effects on the environment would actually arise.

That being the case, the Council has considered a number of possible options to relax these restrictions, including further exemptions from the 200m<sup>3</sup> limit (e.g. for building foundations), increasing the limit to say, 1,000m<sup>3</sup>, or removing the restriction on earthworks in the Rural Management Area entirely. It resolved that increasing the limit to 1,000m<sup>3</sup> would be appropriate and reasonable, particularly since it would (from a cross-boundary perspective) be the same limit as applies in the Council's neighbouring authority of Palmerston North City.

### **5.3.2 Current Plan Provision(s)**

Rule 5.1.5.2(b), on pages 5-9 and 5-10.

### **5.3.3 Proposed Change(s)**

THAT the references to "200m<sup>3</sup>" in Rule 5.1.5.2(b)(i) and 5.1.5.2(b)(ii) be replaced with "1,000m<sup>3</sup>".

## **5.4 Outdoor Living Courts**

### **5.4.1 Reason(s) for the Change(s)**

Existing Rule 5.4.5.2(c) allows structures in an outdoor living court that are designed to provide for the use and enjoyment of the space (e.g. pergolas). The intent of the outdoor living court is to provide for sunlight and privacy in an outdoor space close to a dwelling house. However, the rules are silent on deck structures. Such structures are increasingly popular and could potentially be the major component of an outdoor living court. This being the case, the Council proposes to make it explicit in the District Plan that a ground level deck is a structure that is designed to enhance the use and enjoyment of an outdoor living court.

Deck structures in an outdoor living court on sloping land or at a significant height, have the potential to cause adverse (visual intrusion) effects beyond the site.

Therefore decks will only be permitted where they are at ground level or on a living court site which slopes down and away from the associated dwelling house and where the deck is at the same level or lower than the ground floor of the dwelling house.

#### **5.4.2 Current Plan Provision(s)**

Rule 5.4.5.2(c) on page 5-87.

#### **5.4.3 Proposed Change(s)**

THAT Rule 5.4.5.2(c) be amended as follows:

“(c) *the outdoor living court shall be unoccupied and unobstructed from the ground upwards, ~~provided except~~ that structures designed to enhance the use and enjoyment of the outdoor living court (e.g. garden structures, garden furniture, pergolas), ~~and~~ eaves and upper storey projections not exceeding 0.6 metres, and decks at ground level or on a downwards sloping outdoor living court site where the deck is at the same level or lower than the ground floor of the dwelling house are permitted;*”

### **5.5 Screening Standards and Derelict Vehicles, Buildings and Sites**

#### **5.5.1 Reason(s) for the Change(s)**

Derelict sites, buildings and vehicles can be unsightly and are widely considered by the community to be "eyesores". In District Plan terms, they are considered to detract from "amenity values".

The policy section of the District Plan, has a section (2.6.2) concerning "Maintenance and Enhancement of Environmental Quality and Amenity". This section applies to derelict buildings, sites and vehicles, amongst other things.

One of the Plan's stated methods for implementing Objective 2.6.2.1 and Policy 2.6.2.2 is method 2.6.2.4(b), 'abatement and enforcement procedures', which states that *"The Council shall, where appropriate, take action in respect of activities which contravene the District Plan rules. Where appropriate, it shall also use the provisions of the RMA in respect of other nuisances or environmental quality problems."*

The 'Reasons' section of this policy (2.6.2.5) goes on to state that:

*"In this Plan, the Council has defined environmental standards which aim to control the adverse effects of activities, having regard to the differing levels of amenity and environmental quality in different areas. Mitigation measures which reduce adverse effects are encouraged. The Plan attempts to achieve a balance between maintaining and enhancing the amenity of an area as a public good, and not unduly constraining individual property rights."*

*The Council shall ensure that public confidence in the District Plan is maintained by enforcing the provisions of the Plan and the conditions of all resource consents. On occasions, nuisances or problems may arise which do not strictly contravene the provisions of the District Plan or a resource consent. In such cases, the Council shall attempt to negotiate with those concerned in an effort to achieve a satisfactory outcome. In addition, sections 16 and 17 of the RMA place a general duty on all persons to avoid unreasonable noise and a duty to avoid, remedy or mitigate adverse effects. Section 322 of the RMA provides for abatement notices to be issued by enforcement officers (Council Officers) in respect of noise and other nuisances."*

The Council has considered a number of regulatory instruments which Council officers could use to remove any “detractions from amenities” (i.e. ‘eyesores’). These instruments have included bylaws and rules in the District Plan. The Council now seeks to strengthen and enable the District Plan’s provisions to become a more effective means of managing identified community ‘eyesores’.

To increase the chances of successfully seeking an Enforcement Order, a specific set of District Plan provisions, designed to cover all of these eyesores either individually or collectively, is being proposed. Such provisions would involve an addition to the Policy section (2.6.2) of the District Plan, a new 'Amenity' rule (in 5.4) in Part 5 (Environmental Standards) of the Plan and new definitions in section 6.1 Definitions.

### 5.5.2 Current Plan Provision(s)

- Policy section 2.6.2 Maintenance and Enhancement of Environmental Quality and Amenity, pages 2-45 and 2-46.
- Environmental Standards (Rules) Section 5.4 Amenity, pages 5-69 to 5-99.
- Definitions (Interpretation Part 6), page 6-2.

### 5.5.3 Proposed Change(s)

- .1 THAT section 2.6.2.5 Reasons, on page 2-45, be amended as follows:

*"Potential effects include, amongst other things, noise, dust, smoke, vibration, glare, odour and visual effects (including, for example, those arising from the presence of derelict vehicles, buildings and sites)."*

- .2 THAT a new section 5.4.12 be added, on page 5-99 following 5.4.11.4(a), as follows:

#### “5.4.12 LOCAL EYESORES (DETRIMENTS TO AMENITY VALUES)

##### 5.4.12.1 Introduction

*Throughout the District, derelict buildings, vehicles and sites which are unsightly and widely considered to be community eyesores can be deemed to be detracting from "amenity values". One of the primary objectives of the District Plan is "to ensure a high level of environmental quality and amenity" in both the urban and rural areas of the district (see objectives 2.2.4.1 and 2.3.4.1). The provisions of the Plan seek to achieve a balance between maintaining the amenity values of an area in the public interest and not unduly constraining the property rights of individuals to develop their own sites in an environmentally acceptable manner. This is a fine balance and a qualitative one, in the sense that one person's eyesore may be another person's 'thing of beauty'. That being the case, the following standards are designed to give effect to Objectives 2.2.4.1 and 2.3.4.1 and limit the extent to which derelict buildings, vehicles and sites may become community eyesores.*

##### 5.4.12.2 Standard

*Any activity permitted by this Plan, in any Management Area, is only permitted provided the activity is not carried out on a derelict site.*

*[Note: see the definition of ‘derelict site’ in this Plan]*

##### 5.4.12.3 Non-Compliance with Standard

*Where an activity cannot meet the standard specified in 5.4.12.2 above, the activity shall be deemed to be a discretionary activity, requiring resource consent. An application for such a consent shall be publicly notified.*

#### 5.4.12.4 Criteria for Assessment

In addition to the criteria specified in section 7.3.10(a) of this Plan, the Council shall have regard to the following in respect of any application under 5.4.12.3 above for a discretionary activity:

- (a) the degree and significance of any adverse effect on the amenity values of the locality;
- (c) the existence of any proposed screening and/or landscape treatment plan (including suitability of materials/plants, screening potential, timeframe for implementation, maintenance programme);
- (d) any other avoidance or mitigation measures proposed.

- .3 THAT a definition of 'derelict site' and 'derelict vehicle' be added to Section 6.1 Definitions on page 6-2 after 'Crossing Place', as follows:

"Derelict site" means any land which detracts, or is likely to detract, to an observable, significant degree from the amenity, character or appearance of land in the neighbourhood of the subject site because of-

- (a) the existence on the subject site of buildings or structures which are in a ruinous, derelict or dangerous condition, or
- (b) the neglected, unsightly or objectionable condition of the land or any structures on that land, or
- (c) the presence, deposit or collection on the land in question of any litter, rubbish, debris, waste, or more than one derelict vehicle visible beyond the site, except where the presence, deposit or collection of such litter, rubbish, debris, waste or derelict vehicles results from the exercise of a right conferred by the District Plan or a resource consent.

"Derelict vehicle" means any car, truck, bus, tractor or other vehicle which is not currently registered or warranted as required by law and which is unable to be driven under its own power."

## **6 DISTRICT PLAN (UPDATING AND MINOR CORRECTIONS OF EXISTING PLAN PROVISIONS – NO SUBSTANTIVE CONTENT CHANGES)**

For completeness, the following matters are included in the proposed plan changes, notwithstanding that many of them could be made under the Act without having to go through the 1<sup>st</sup> Schedule RMA processes.

### **6.1 Parking and Manoeuvring, Vehicle Access and Crossing Standards**

#### **6.1.1 Reason(s) for Change(s)**

The existing parking, manoeuvring, vehicle access and crossing standards in the District Plan require updating by means of clearer and easier to understand illustrations.

#### **6.1.2 Current Plan Provision(s)**

- Appendix 6 Parking and Manoeuvring Standards, pages A63 to A65
- Appendix 7 Tracking Curves, pages A67 to A69
- Appendix 8 Design of Road Access, pages A71 to A75
- Appendix 9 Design of Access to Primary Arterial Roads, pages A77 to A78
- Appendix 10 Performance Standards Relating to Access Spacing and Sight Distances, pages A79 to A81
- Appendix 11 Construction Standards for Access to Roads Other than Primary Arterial Roads in the Residential, Commercial and Industrial Management Areas, pages A83 to A89
- Appendix 12 Construction Standards for Access to Roads other than Primary Arterial Roads in the Rural and Settlement Management Areas, pages A91 to A95.

### 6.1.3 Proposed Change(s)

.1 THAT Appendix 6 be replaced with the following:

## **Appendix 6: Parking and Manoeuvring Standards**

6.1 MANOEUVRING AND PARKING SPACE DIMENSIONS (METERS)

6.2 LOADING SPACE DIMENSIONS

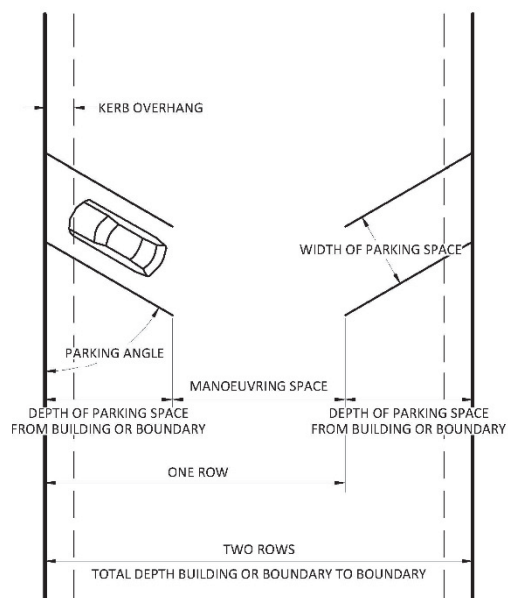
ORIGINAL SIZE A4

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Parking Angle	Width of Parking Space	Kerb Overhang	Depth of Parking Space	Manoeuvring Space	Total Depth	
					One Row	Two Rows
90°	2.60	1.0	5.2	7.3	12.5	17.7
	2.75	1.0	5.2	7.0	12.2	17.4
60°	2.60	1.0	5.5	3.8	9.3	14.8
	2.75	1.0	5.5	3.5	9.0	14.5
45°	2.60	0.8	5.2	2.7	7.9	13.1
	2.75	0.8	5.2	2.6	7.8	13.0
Parallel Parking	6.10	0.4	2.5	3.7	6.2	8.7
	6.20	0.4	2.5	3.6	6.1	8.6
	6.40	0.4	2.5	3.3	5.8	8.3
	6.60	0.4	2.5	3.0	5.5	8.0

## NOTES:

1. Parking Angle, width of parking space, kerb overhang, depth of parking space, manoeuvring space, and total depth are as shown on the diagram below.
2. Spaces are adjacent to walls or columns should be 300mm wider.
3. One-way traffic is assumed for angle spaces.
4. Carparks shall have a minimum height of at least 2.3 meters, except where special provision is made to divert over height vehicles, in which case the minimum height may be reduced to 2.1 meters.
5. For all retailing and wholesale trading activities, the minimum parking space width shall be 2.6 meters.





Any loading space provided in accordance with standard (rule) 5.3.2.3(a) shall be of such dimensions and design as to accommodate the type of vehicle regularly using the site, taking in to account the area and shape of the land available, the purpose of the loading space and the functioning of the building and/or site.

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## LOADING SPACE DIMENSIONS

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SHEET NO.  
**6.2**

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.2 THAT Appendix 7 be replaced with the following:

## Appendix 7: Tracking Curves

7.1 TRACKING CURVE MOTORCAR : 90 PERCENTILE

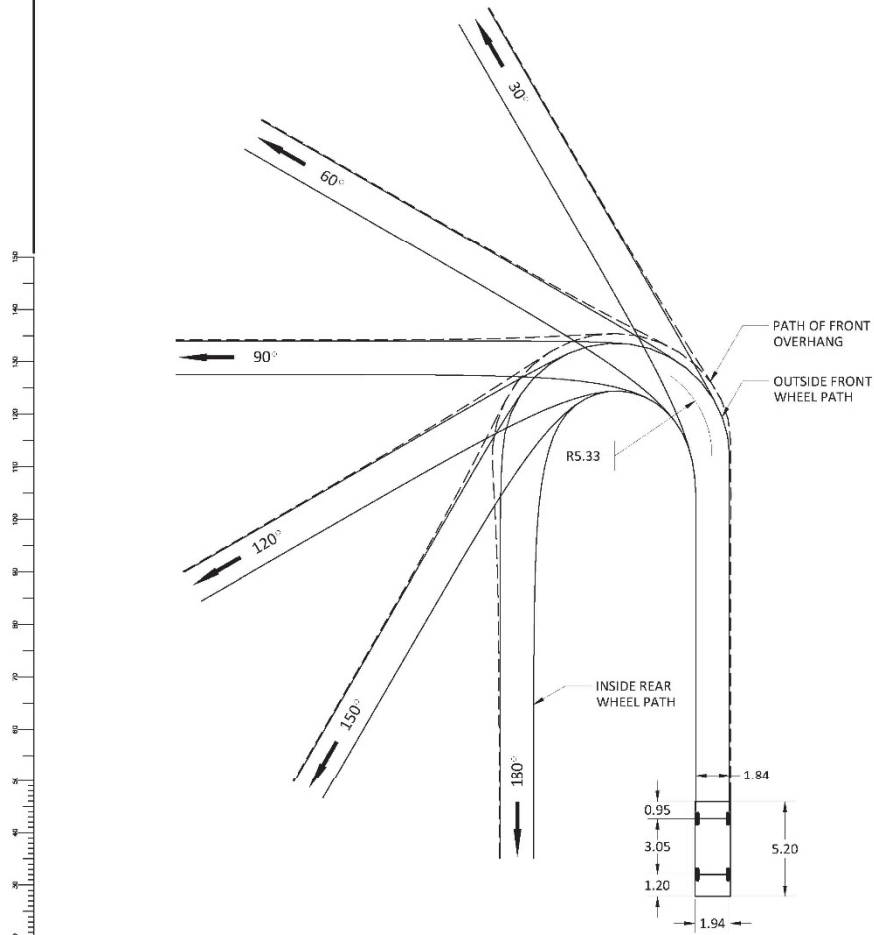
7.2 TRACKING CURVE TRUCK : 90 PERCENTILE

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AUSTROADS  
DESIGN PASSENGER VEHICLE (5.2 m)  
Radius 6.3 m  
Turning speed 0 - 5 km/h



Notes:-

1. Locate face of kerbs at least 0.6 m clear of wheel paths.
2. Allow 0.6 m clearance outside path of overhang and ensure that this area is kept free of road furniture.
3. The outside edge of the swept path remains within the paved area



TRACKING CURVE MOTORCAR : 90 PERCENTILE

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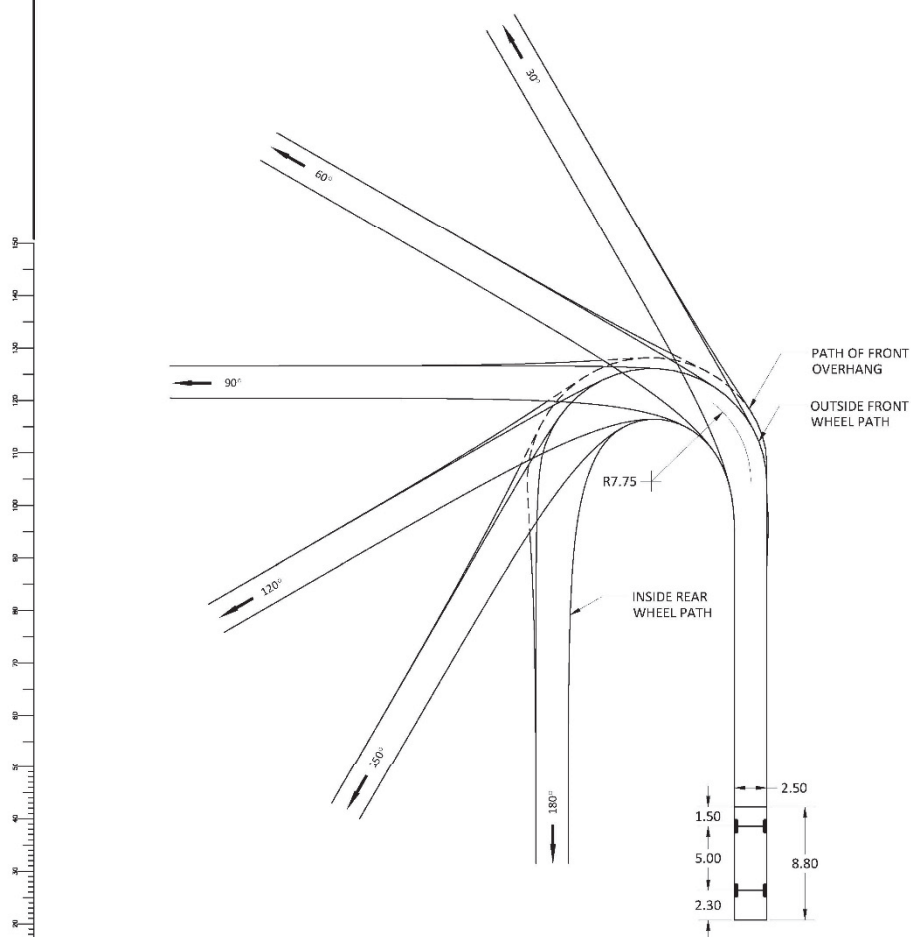
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AUSTROADS  
DESIGN SERVICE VEHICLE (8.8 m)  
Radius 9 m  
For use at mandatory stop only  
Turning speed 0 - 5 km/h



Notes:-

1. Locate face of kerbs at least 0.6 m clear of wheel paths.
2. Allow 0.6 m clearance outside path of overhang and ensure that this area is kept free of road furniture.
3. The outside edge of the swept path remains within the paved area



TRACKING CURVE TRUCK : 90 PERCENTILE

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.3 THAT Appendix 8 be replaced with the following:

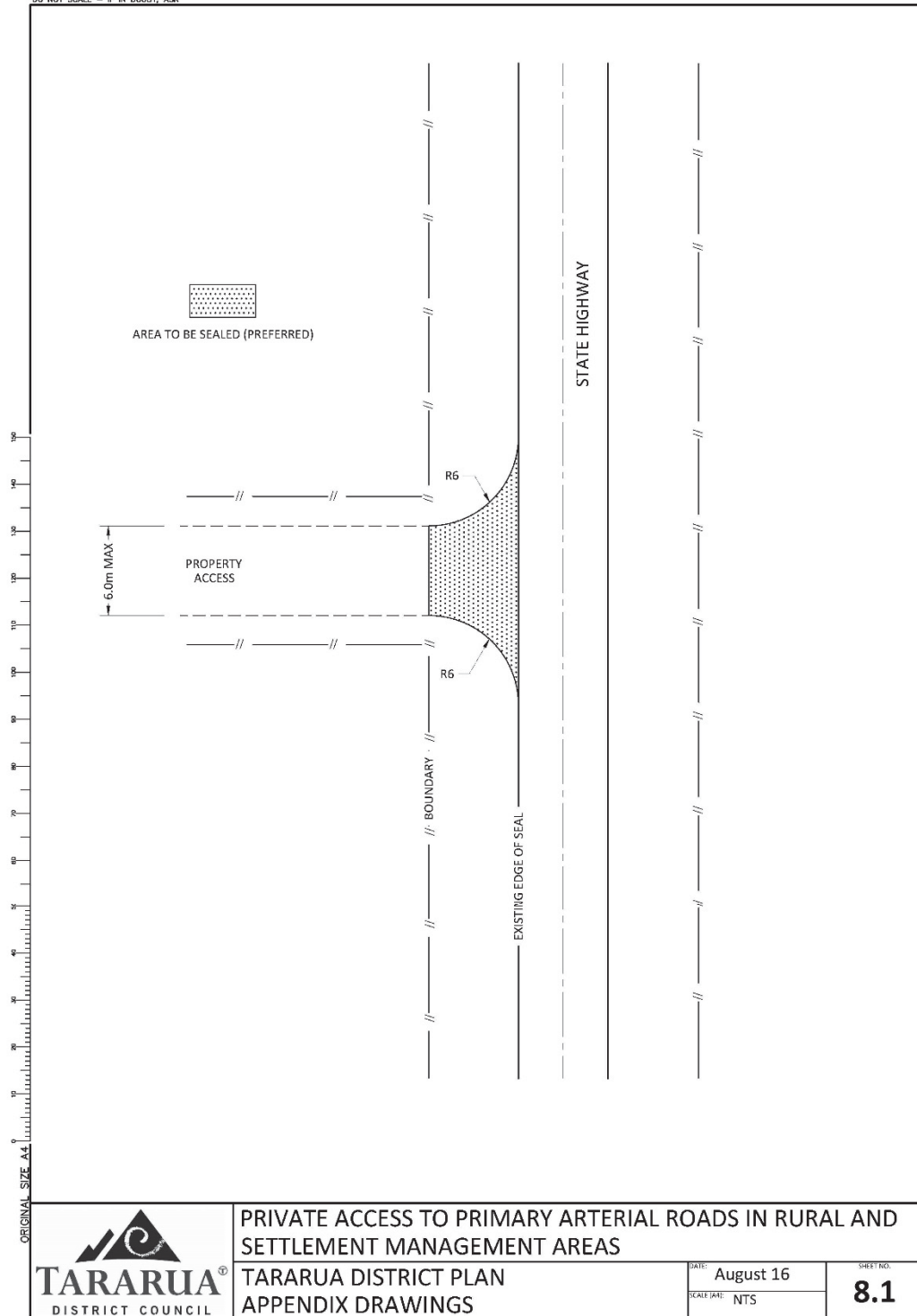
## Appendix 8: Design of Road Access

- 8.1 PRIVATE ACCESS TO PRIMARY ARTERIAL ROADS IN RURAL AND SETTLEMENT MANAGEMENT AREAS
- 8.2 PRIVATE ACCESS TO PRIMARY ARTERIAL ROADS IN RURAL AND SETTLEMENT MANAGEMENT AREAS - FREQUENT USE BY HEAVY VEHICLES
- 8.3 COMMERCIAL ACCESS IN RURAL AND SETTLEMENT MANAGEMENT AREAS
- 8.4 DOUBLE GATE ACCESS IN RURAL AND SETTLEMENT MANAGEMENT AREAS

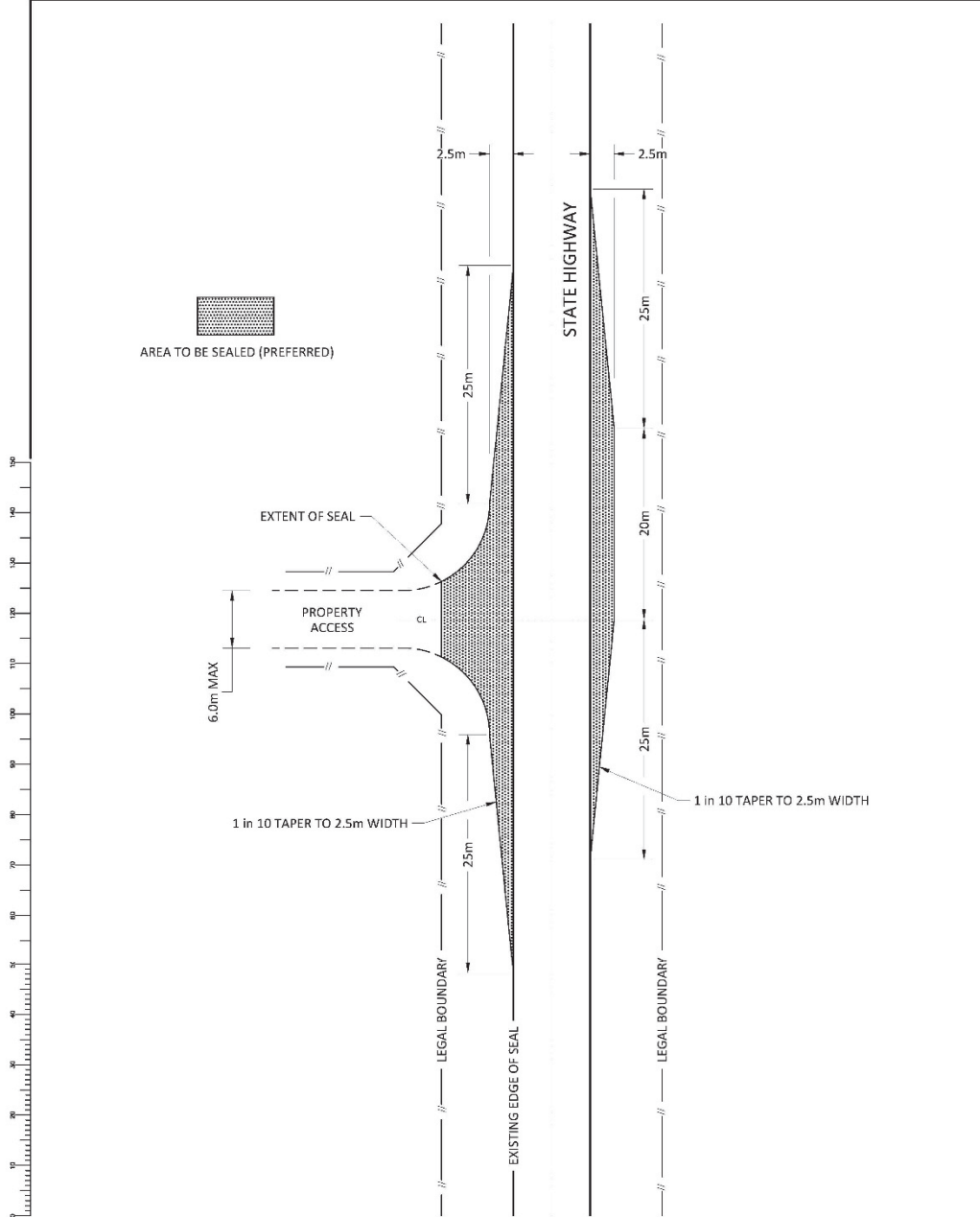
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PRIVATE ACCESS TO PRIMARY ARTERIAL ROADS IN RURAL AND SETTLEMENT  
MANAGEMENT AREAS - FREQUENTLY USED BY HEAVY VEHICLES

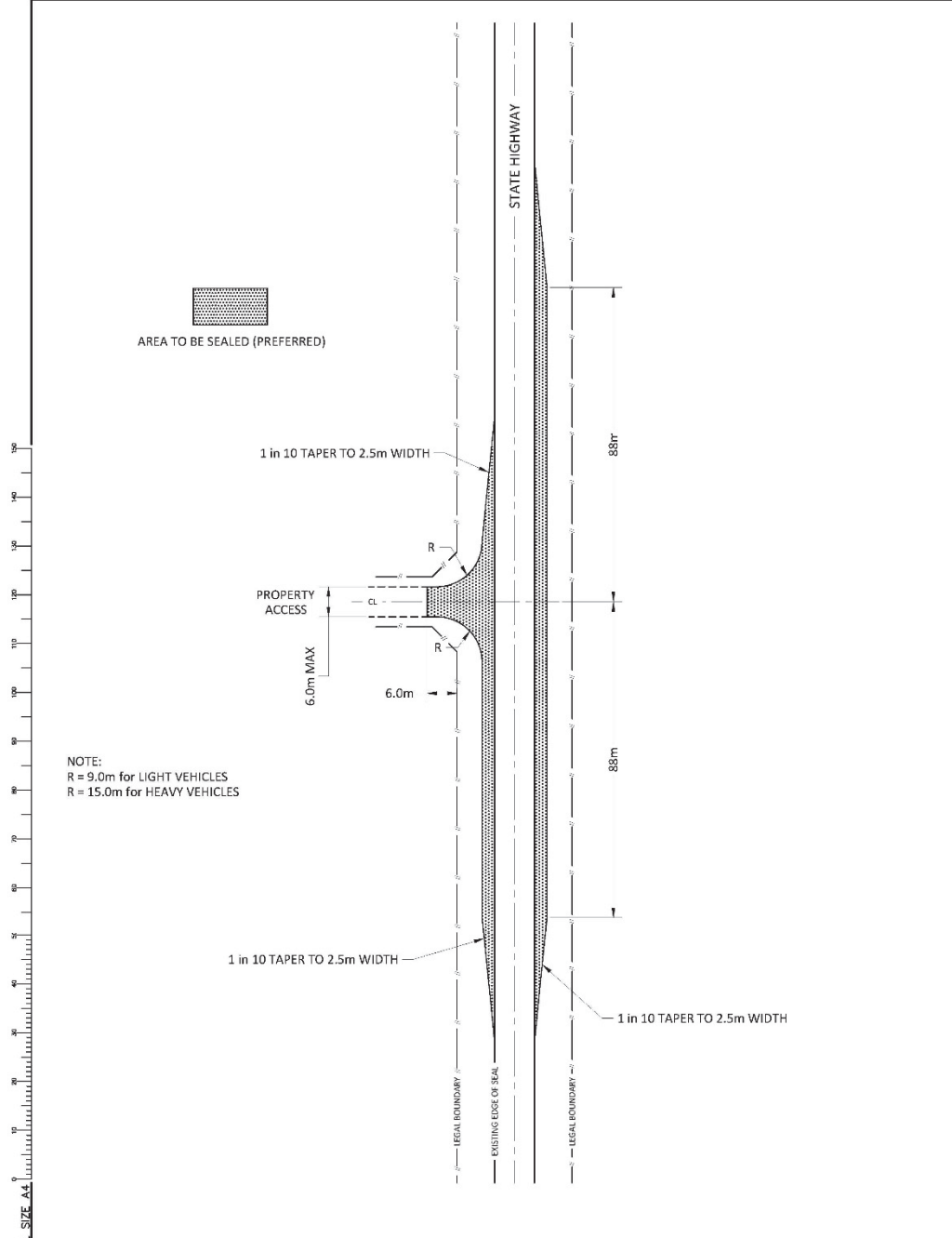
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# COMMERCIAL ACCESS IN RURAL AND SETTLEMENT MANAGEMENT AREAS

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APPENDIX DRAWINGS

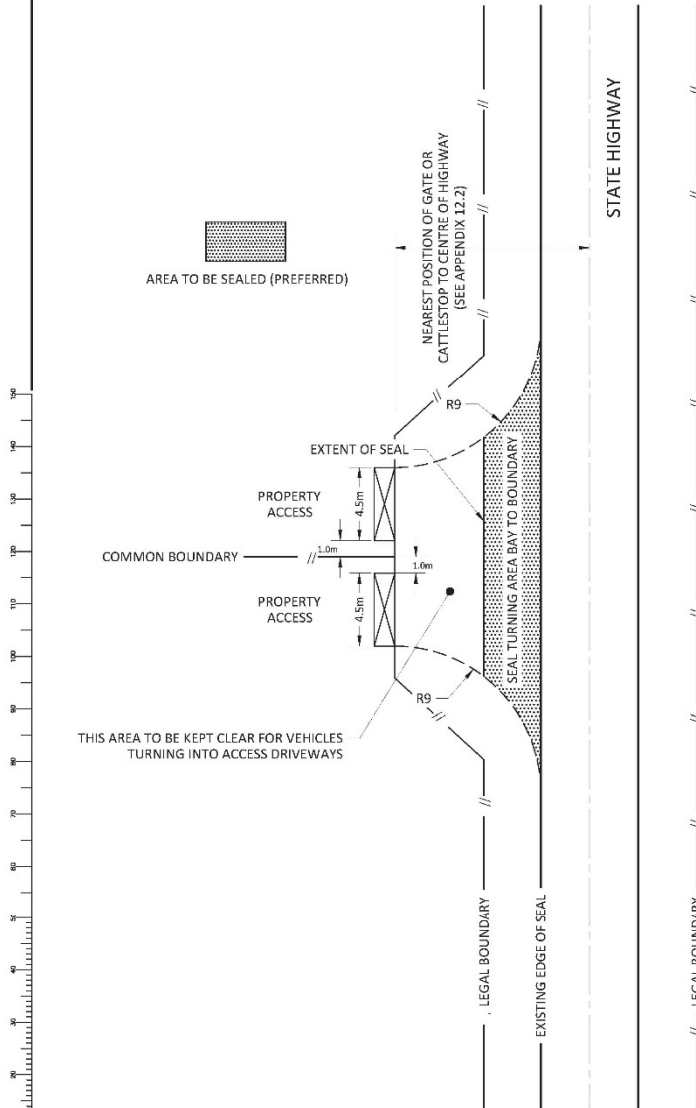
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## DOUBLE GATE ACCESS IN RURAL AND SETTLEMENT MANAGEMENT AREAS

### TARARUA DISTRICT PLAN APPENDIX DRAWINGS

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.4 THAT Appendix 9 be replaced with the following:

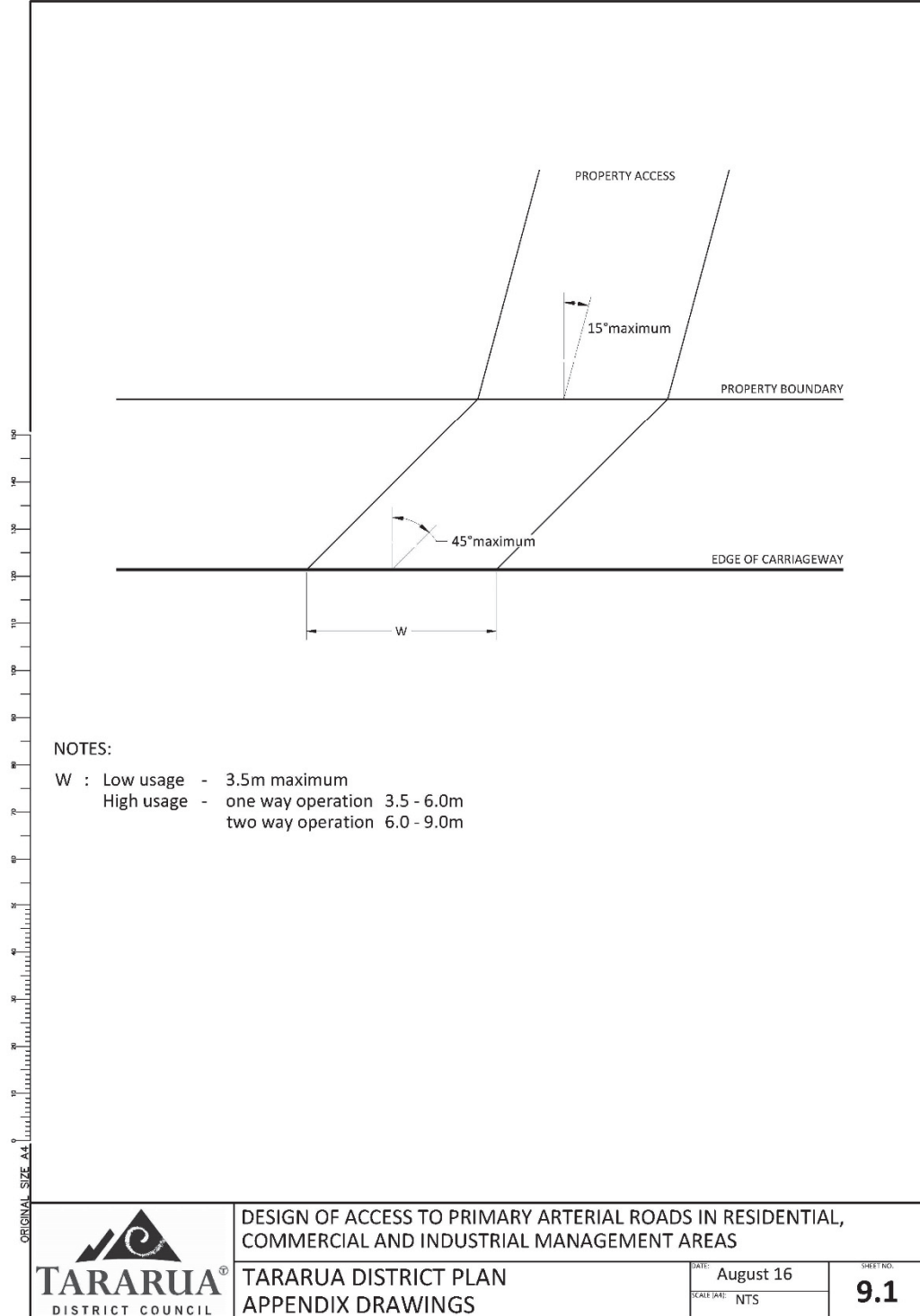
## **Appendix 9: Design of Access to Primary Arterial Roads**

### **9.1 DESIGN OF ACCESS TO PRIMARY ARTERIAL ROADS IN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL MANAGEMENT AREAS**

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.5 THAT Appendix 10 be replaced with the following:

## **Appendix 10: Performance Standards Relating to Access Spacing and Sight Distances**

10.1 PERFORMANCE STANDARDS FOR THE PHYSICAL DISTANCE (SPACING)  
BETWEEN ACCESSES AND INTERSECTIONS, AND SIGHT DISTANCE  
FROM ACCESSES (PRIMARY ARTERIAL ROADS)

10.2 DIAGRAM A: USING THE ACCESS TABLE - PICTORIAL DESCRIPTION

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Posted Speed (km/hr)	Minimum sight distance to and from access and intersection (meters) (1)	Minimum crossing to side road distances (meters)						Minimum distances between (meters)	
		Approach to intersection (2)		Departure from intersection (3)		Side Road (4)		Crossings (5)	Intersections (6)
100	250	200*	150**	200*	200**	60*	30**	200	800
80	175	120*	90**	120*	120**	60*	30**	100	550
70	130	100*	60**	100*	100**	45*	30**	40	220
60	105	50*	30**	50*	40**	30*	20**	20	160
50	80	20*	15**	30*	20**	20*	15**	15 or 7.5 (refer to note 2 below)	125

NOTES:

- \* More than 30 car equivalent movements per day using access  
 \*\* Up to 30 car equivalent movements per day using access

1. Refer to Diagram A (Sheet 10.2) for a description of how to use the above table.
2. The minimum distance between crossings shall be as stated in the table above, regardless of the side road on which the crossings are located, except that within a 50 km/hr area, the minimum distance between vehicle crossings (either single or combined) on the same side of a primary arterial road shall be not less than 7.5 meters for residential activities, and not less than 15 meters for all other activities.
3. The measurement of the off-set distance from intersections shall be taken from the nearest corner junction point of the road reserve boundaries at the intersection, or, in the case of a 'T' intersection, their prolongation, and shall extend to the near side of the vehicle crossing where it intersects the property boundary.
4. for the purpose of the above standards, 'intersection' means the physical intersection inclusive of any accelerating, deceleration or turning lanes and any road widening associated with the intersection.



PERFORMANCE STANDARDS FOR THE PHYSICAL DISTANCE (SPACING) BETWEEN ACCESSES AND INTERSECTIONS, AND SIGHT DISTANCE FROM ACCESSES (PRIMARY ARTERIAL ROADS)

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APPENDIX DRAWINGS

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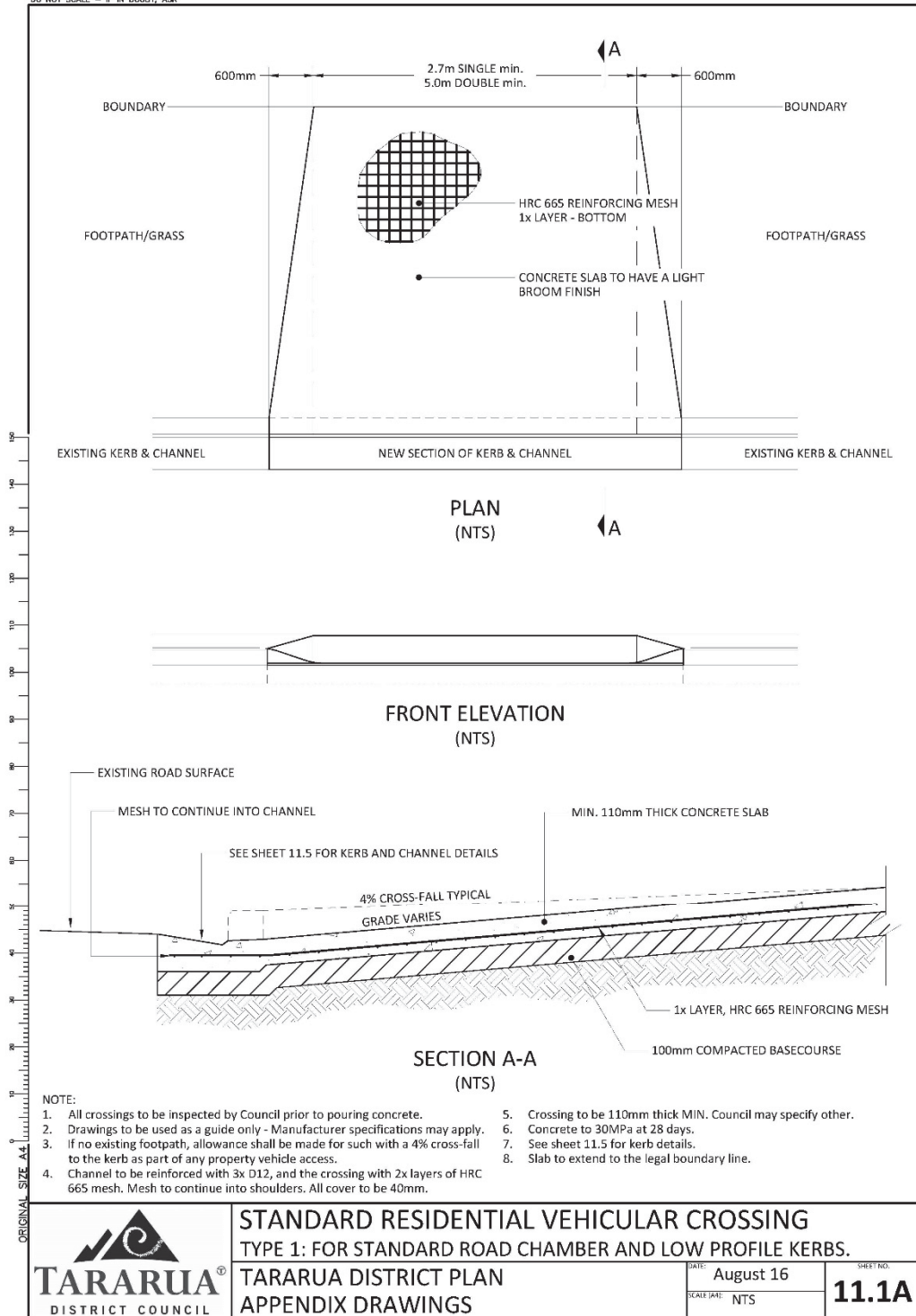
.6 THAT Appendix 11 be replaced with the following:

## **Appendix 11: Construction Standards for Access to Roads other than Primary Arterial Roads in the Residential, Commercial and Industrial Management Areas**

- 11.1A STANDARD RESIDENTIAL VEHICULAR CROSSING  
TYPE 1: FOR STANDARD ROAD CHAMBER AND LOW PROFILE KERBS
- 11.1B STANDARD RESIDENTIAL VEHICULAR CROSSING  
TYPE 2: FOR EXCESSIVE ROAD CHAMBER AND HIGH PROFILE KERBS
- 11.2 STANDARD BRIDGE RESIDENTIAL VEHICULAR CROSSING
- 11.3 STANDARD BERM VEHICULAR CROSSING
- 11.4A COMMERCIAL AND INDUSTRIAL VEHICULAR CROSSING  
TYPE 1: FOR STANDARD ROAD CHAMBER AND LOW PROFILE KERBS
- 11.4B COMMERCIAL AND INDUSTRIAL VEHICULAR CROSSING  
TYPE 2: FOR EXCESSIVE ROAD CHAMBER AND HIGH PROFILE KERBS
- 11.5 VEHICULAR CROSSING KERB AND CHANNEL DETAILS
- 11.6 EXAMPLES OF TYPE 1 AND TYPE 2 VEHICULAR CROSSINGS

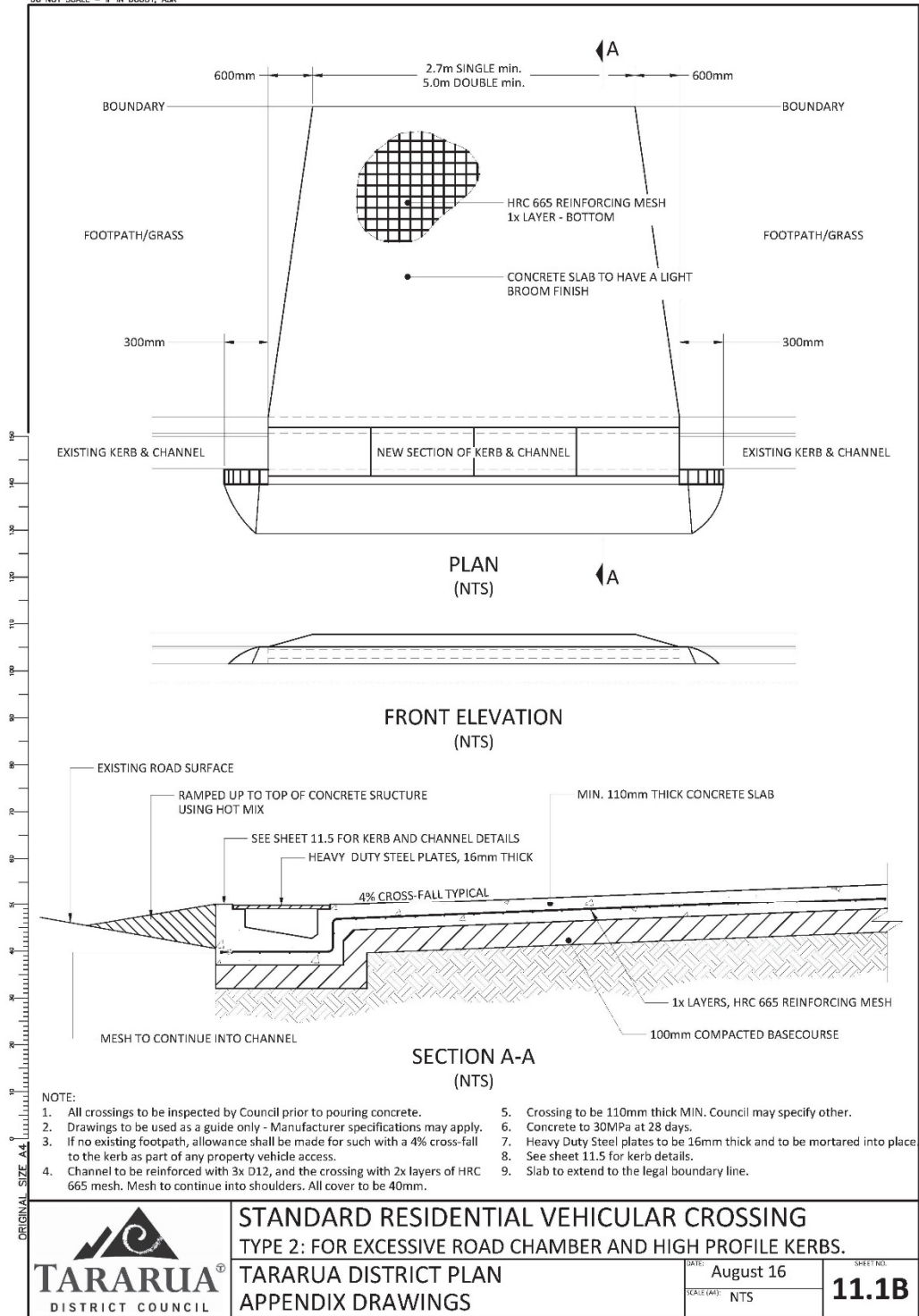
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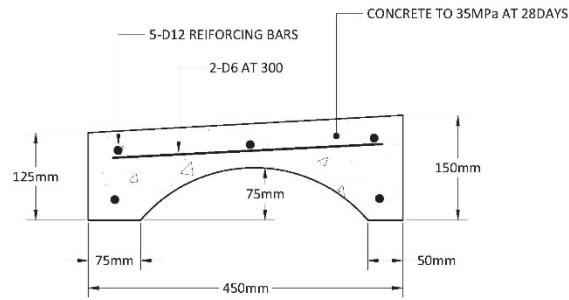




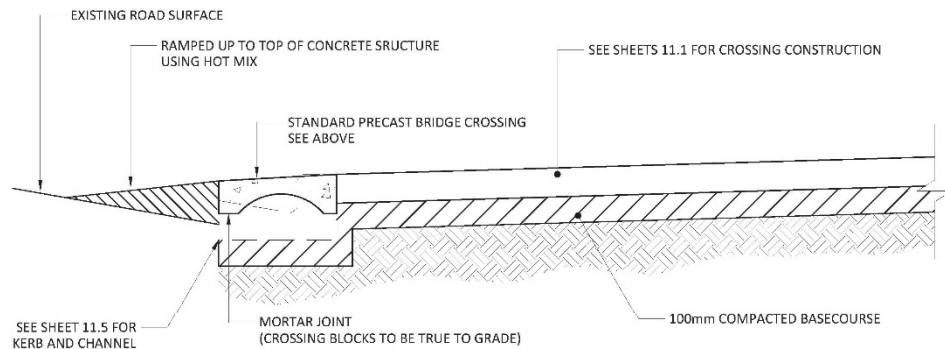
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STANDARD PRECAST BRIDGE CHANNEL (450x500)  
(NTS)



SECTION THROUGH CROSSING  
(NTS)

NOTE:

1. See sheets 11.1 for crossing slab construction details.
2. All crossings require council inspection prior to pouring.
3. See sheet 11.5 for kerb details.



STANDARD BRIDGE RESIDENTIAL VEHICULAR CROSSING

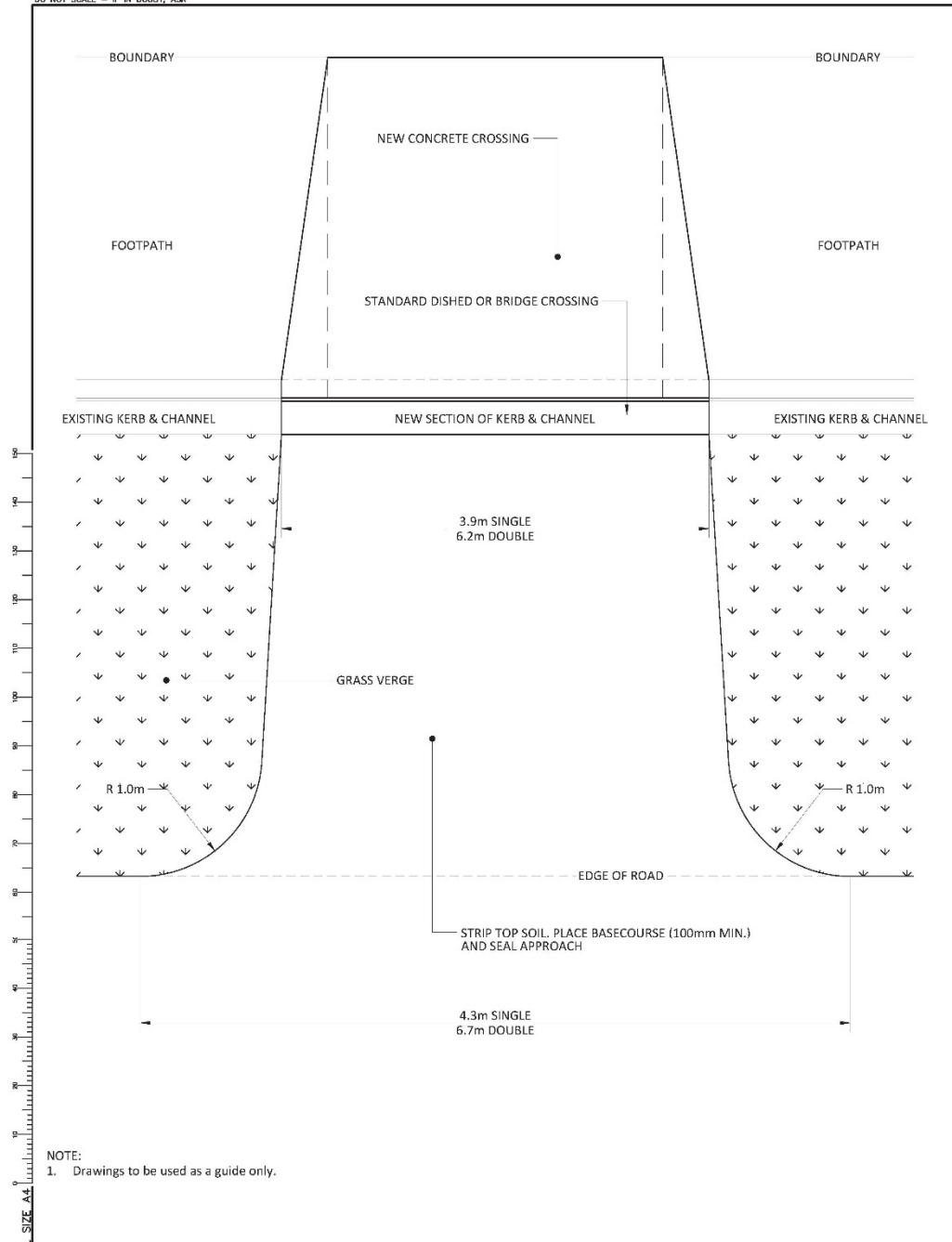
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## STANDARD BERM VEHICULAR CROSSING

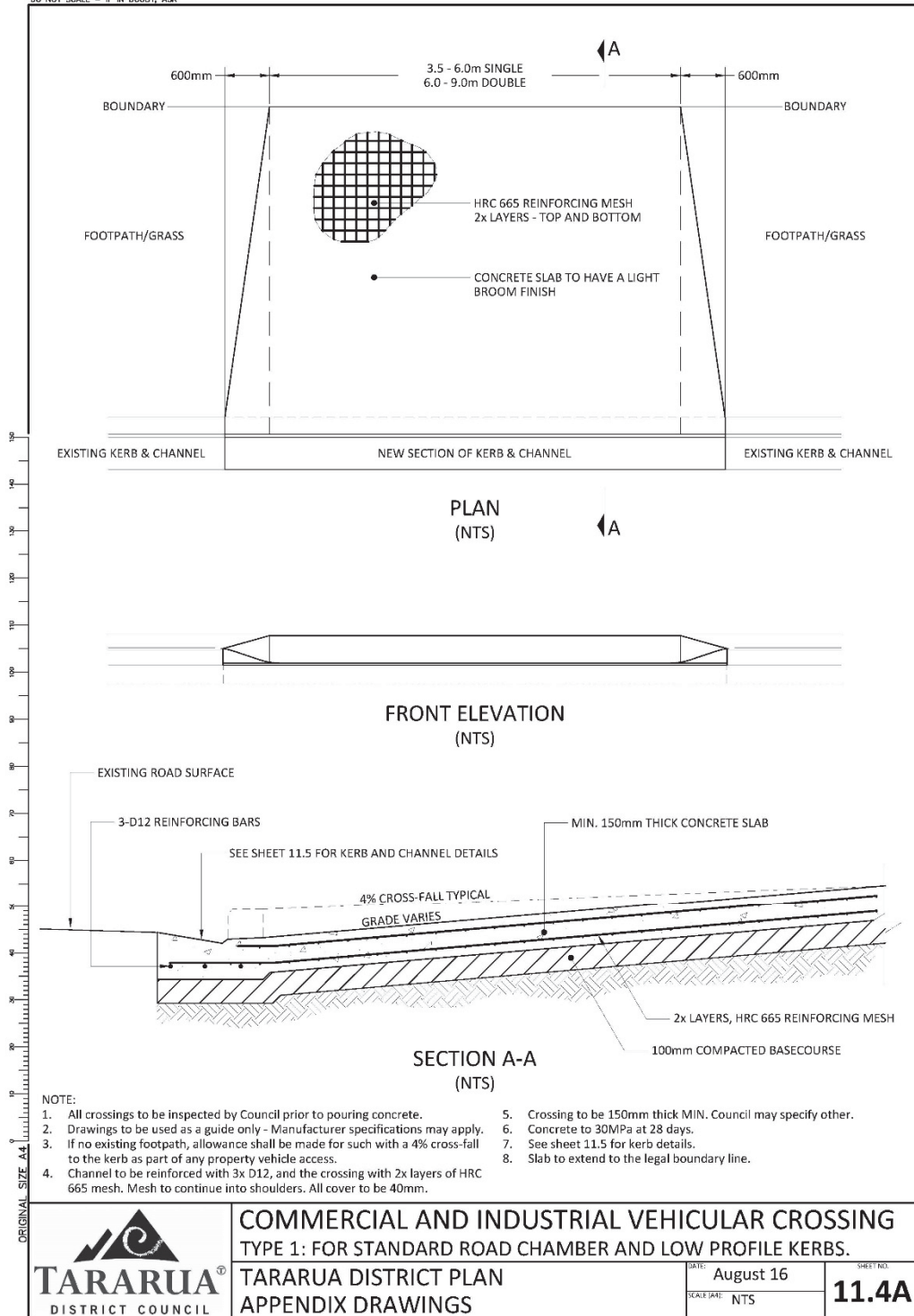
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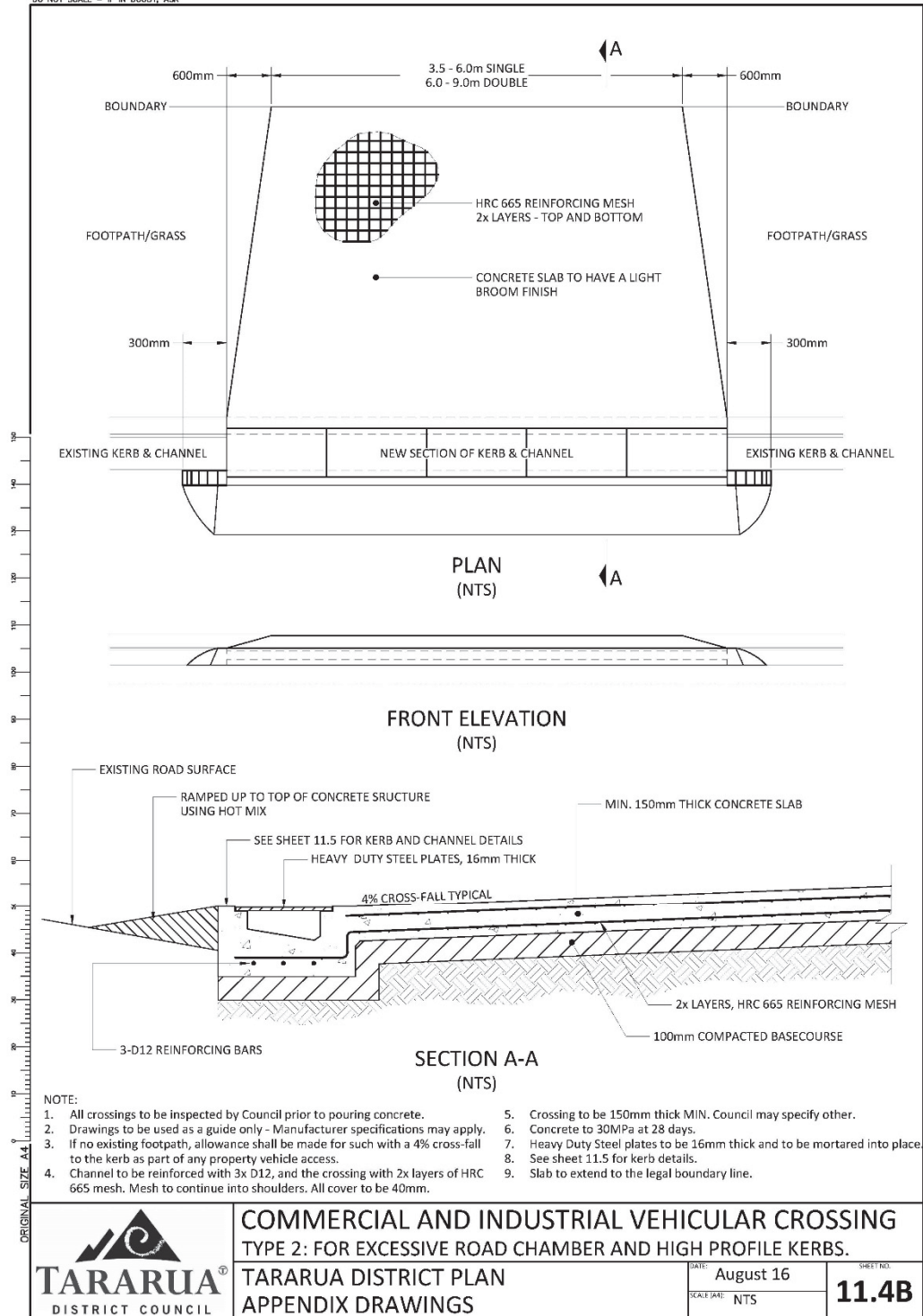
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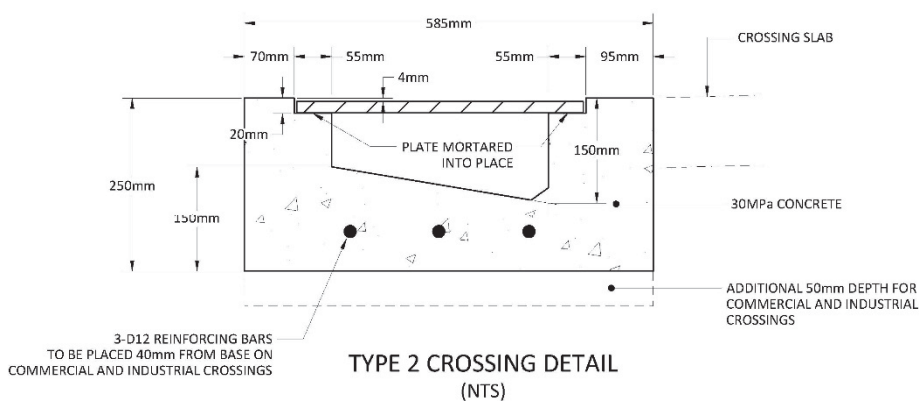
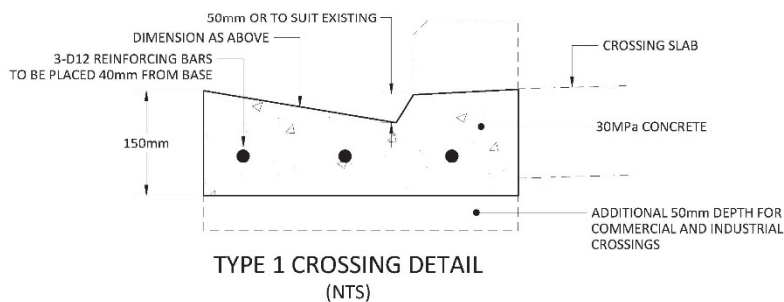
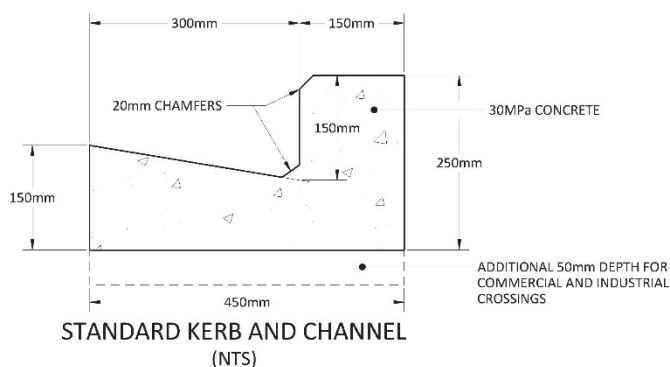
DO NOT SCALE - IF IN DOUBT, ASK



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NOTE:

1. All crossings to have engineers approval before pouring concrete.
2. Drawings to be used as a guide only - Manufacturer specifications may apply.
3. Commercial and industrial crossings to have additional 50mm depth and the channel to be reinforced with 3x D12. All cover to be 40mm.
4. Concrete to 30MPa at 28 days. All concrete to comply with NZS3109.
5. Heavy Duty Steel plates to be 16mm thick and to be mortared into place.
6. Profiles may be modified slightly to suit kerbing machine.



VEHICULAR CROSSING KERB AND CHANNEL DETAILS

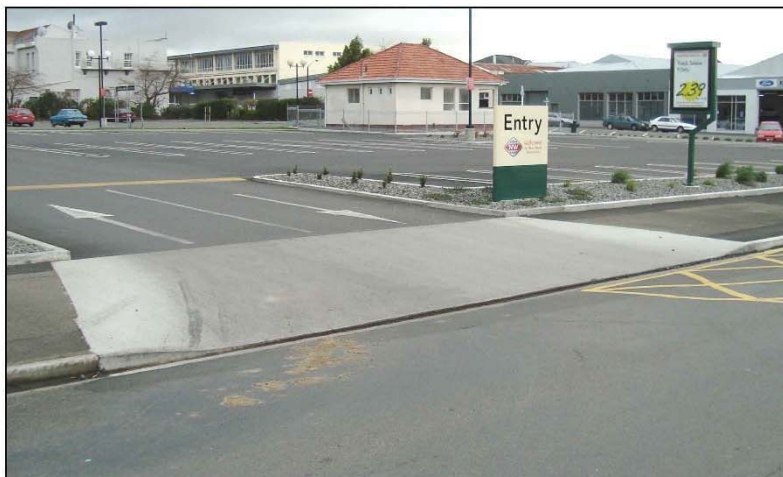
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SHEET NO. 11.5

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TYPE 1 CROSSING



TYPE 2 CROSSING

ORIGINAL SIZE A4



EXAMPLES OF TYPE 1 AND TYPE 2 VEHICULAR CROSSINGS

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**11.6**

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.7 THAT Appendix 12 be replaced with the following:

## **Appendix 12: Construction standards for Access to Roads other than Primary Arterial Roads in the Rural and Settlement Management Areas**

12.1 LIGHT VEHICLE ACCESS AND HEAVY VEHICLE ACCESS

12.2 FARM ENTRANCES

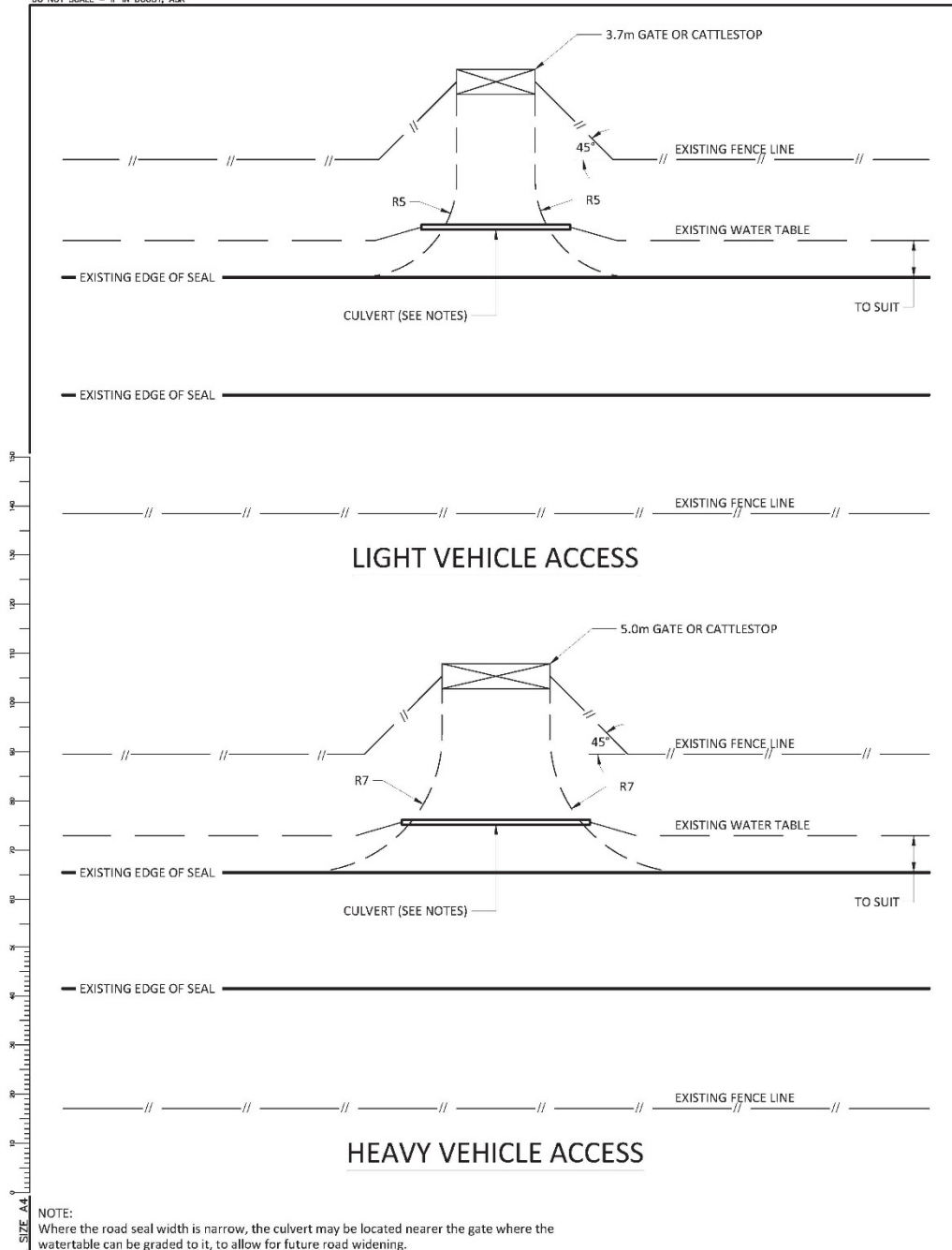
12.3 TYPICAL CROSS SECTION THROUGH ENTRANCEWAY

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## LIGHT VEHICLE ACCESS AND HEAVY VEHICLE ACCESS

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APPENDIX DRAWINGS

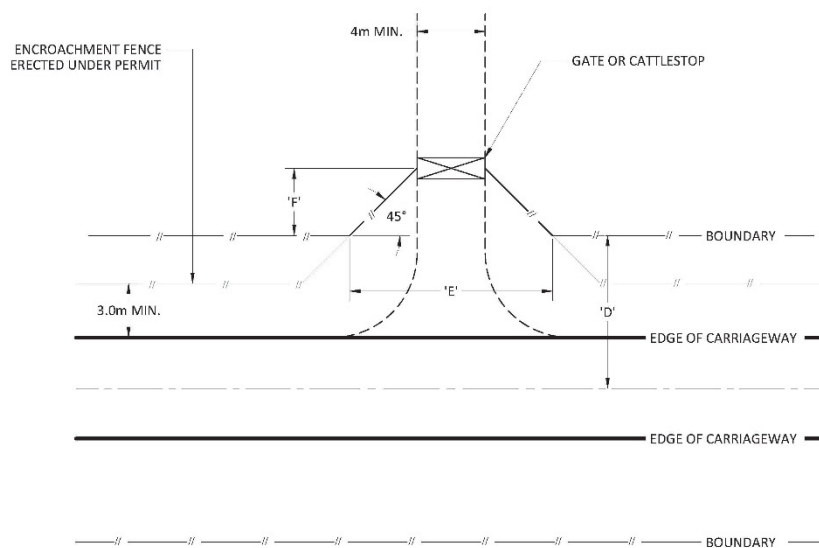
DATE: August 16  
SCALE (A1): NTS

SHEET NO.  
**12.1**

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DO NOT SCALE – IF IN DOUBT, ASK

ORIGINAL SIZE A4



#### LEGEND

- 'D' DISTANCE FROM CENTRELINE TO BOUNDARY (m)
- 'E' WIDTH OF SPLAY AT BOUNDARY (m)
- 'F' SETBACK OF GATE OR CATTLESTOP FROM BOUNDARY (m)

'D'	'E'	'F'
3	25	16
4	23	15
5	21	14
6	19	13
7	17	12
8	15	11
9	13	10
10	11	9
11	10.2	8
12	9.4	7
13	8.7	6
14	7.9	5
15	7.1	4
16	6.3	3
17	5.6	2
18	4.8	1
19	4	0

NOTE:  
Specifications for the ideal standard splayed farm entrance.



## FARM ENTRANCES

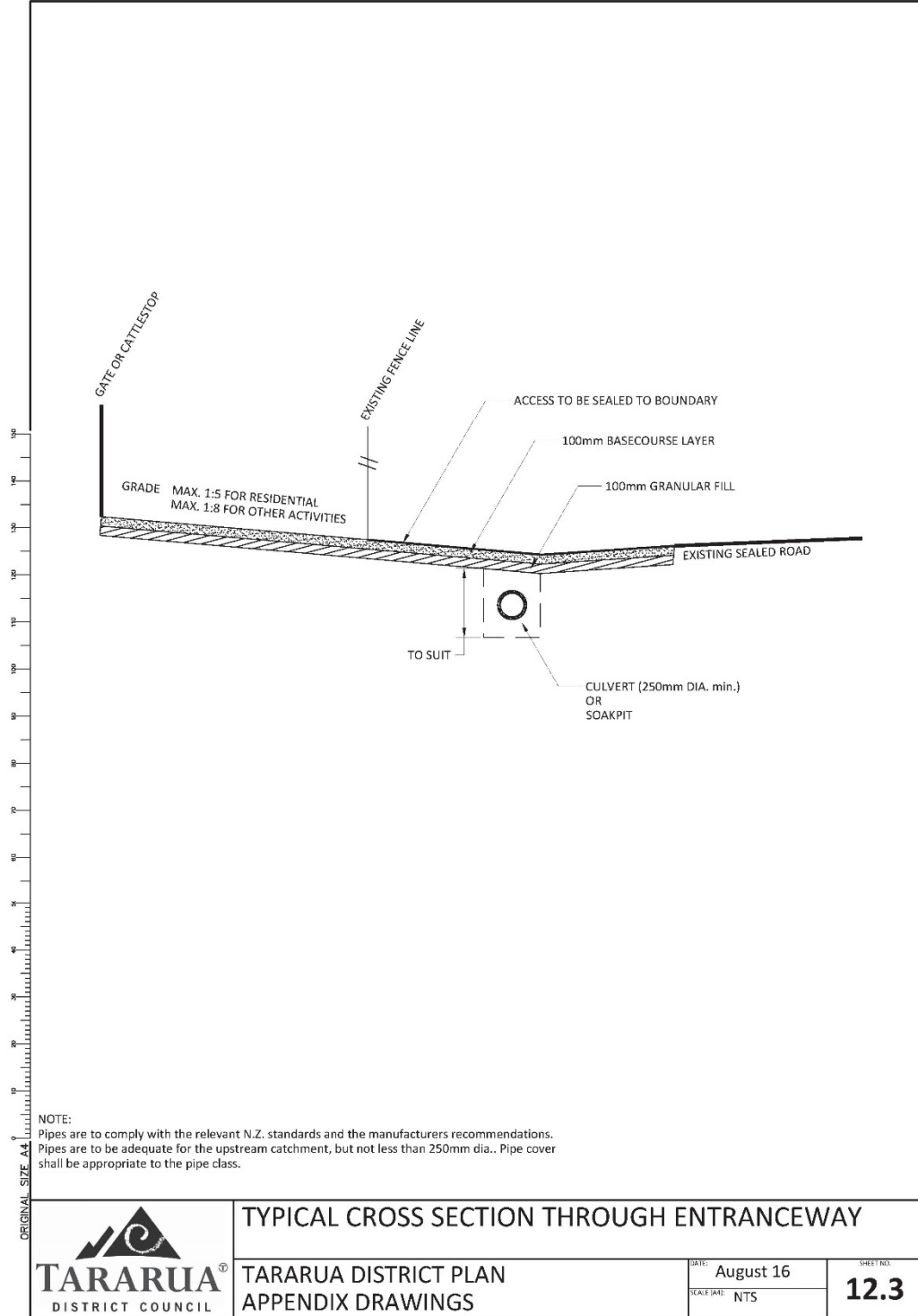
TARARUA DISTRICT PLAN  
APPENDIX DRAWINGS

DATE: August 16  
SCALE (A1): NTS

SHEET NO.  
**12.2**

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## 6.2 Verandahs

### 6.2.1 Reason(s) for Change(s)

Rule 5.4.9.2 of the District Plan requires, for pedestrian amenity reasons, that any new building located along a section of road (street) within a Commercial Management Area specified in Appendix 16 (Schedule 16.1) provide a verandah along its street frontage.

Schedule 16.1 specifies the streets to which the rule applies but these streets are not linked to or specifically identified on the District Plan maps. For ease of administration, it is proposed that the streets specified in Schedule 16.1 be linked to the specific maps in which the streets are located.

### 6.2.2 Current Plan Provisions(s)

Appendix 16 Schedule of Retail Frontages Where Verandahs Required, Schedule 16.1, page A-128.

### 6.2.3 Proposed Change(s)

- .1 THAT Schedule 16.1 of Appendix 16 be amended by inserting a column linking the specified street to the relevant District Plan map(s) as follows:

#### 16.1 SCHEDULE OF RETAIL FRONTAGES WHERE VERANDAHS REQUIRED

**NOTE:** Refer to Section 5.4.9 - applies only to those sections of the specified streets that are in Commercial Management Areas.

Street	Town	<u>District Plan Map Number</u>
High Street	Dannevirke	<u>36</u>
McPhee Street (between High St and service lane)	Dannevirke	<u>36</u>
Allardice Street (between High Street and service lane - both sides of High Street)	Dannevirke	<u>36</u>
Gordon Street (between High Street and service lane - both sides of High Street)	Dannevirke	<u>36</u>
Ward Street (between High St and service lane)	Dannevirke	<u>36</u>
Barraud Street (between High St and service lane)	Dannevirke	<u>36</u>
Station Street (between High St and service lane)	Dannevirke	<u>36</u>
Miller Street (between High St and service lane)	Dannevirke	<u>36</u>

Street	Town	<u>District Plan Map Number</u>
Vogel Street	Woodville	<u>41</u> and <u>42</u>
Main Street	Pahiatua	<u>43</u> and <u>44</u>
Main Street	Eketahuna	<u>46</u> and <u>48</u>

## 6.3 Resource Consent Application Formats

### 6.3.1 Reason(s) for Change(s)

The District Plan requires [refer Rule 7.3.3(i)] multiple copies of subdivision application plans in hard copy form. With a universal movement towards electronic ‘(e)’ processing of applications in both central and local government, the Council now considers it timely and appropriate to propose that all resource consent applications, including applications for subdivision consent, be able to be lodged with the Council in electronic form. This being the case Rule 7.3.3(i) requires amendment to reflect this change.

A further amendment is also necessary in respect of Rule 7.3.2, which reproduces the Fourth Schedule of the RMA. This reproduction is out of date as a consequence of legislative changes. Given the frequency of changes to the RMA and ready access to the RMA and its Fourth Schedule by electronic means, it is now considered no longer necessary to include a reproduction of the Fourth Schedule in the District Plan.

### 6.3.2 Current Plan Provisions(s)

- Rule 7.3.2 Information Requirements for Resource Consent Applications, page 7-5
- Rule 7.3.3(i) Additional Information for Subdivision Consent Applications, page 7-9.

### 6.3.3 Proposed Change(s)

.1 THAT Rule 7.3.3(i) on page 7-9 be amended as follows:

“(i) *Three copies of the subdivision report and three full scale copies of the plan along with a good quality A4 reduction shall be supplied when lodging an application in hard copy form.*

*A further full scale copy is required in the following situations:*

- *Amalgamation of Lots;*
- *Waiver of Esplanade Reserve;*
- *Land abutting a Railway or State Highway;*
- *Land abutting land, that is, or will be, the subject of a Heritage Protection Order.*

*An application may be lodged with the Council in electronic form, provided it is secure and of a size and in a format able to be accepted by the Council”.*

- .2 THAT the first sentence in Rule 7.3.2, page 7-5, be amended as follows:

*"Information ~~requirements for all consents are~~ required to be submitted with all resource consent applications is outlined in Section 88 and the Fourth Schedule to the RMA (~~reproduced below~~)."*

and that the reproduction of the RMA's Fourth Schedule (in italics) on pages 7-6 and 7-7 be deleted from the District Plan.

## **6.4 Updating of Outdated or Incomplete References and Minor Wording or Map Changes**

### **6.4.1 Reason(s) for Change(s)**

The Council is permitted to correct any minor errors in the District Plan without going through the First Schedule RMA process. However, in order to avoid any doubt as to what is minor and what is not, the Council has chosen to identify and make these minor changes as part of Proposed Plan Change 1. It also proposes to update text which is now out of date (e.g. the Population section 1.4.5 of Section 1.4 'Introduction to the Tararua District') and update outdated references to legal names, legislation and official statistics.

### **6.4.2 Current Plan Provision(s)**

Various – see details in 6.5.3 below.

### **6.4.3 Proposed Changes**

- .1 The second to last paragraph on page 1-5, is out of date given that the NPSREG has now been reconsidered in light of the provisions of the Operative One Plan and in light of the changes proposed to the District Plan by means of this plan change. Assuming that the changes (or similar) proposed in this Proposed Plan Change 1 become part of the District Plan, the paragraph in question requires amendment as follows:

*"It is considered that this Plan gives effect to the NPSREG, ~~as notified in September 2008. The extent to which the Plan gives effect to the NPSREG will be reconsidered in light of any changes to the provisions of the Plan that become necessary once the MWRC's Proposed One Plan becomes Operative.~~"*

- .2 The paragraph concerning the New Zealand Coastal Policy Statement on the bottom of page 1-5 and the top of page 1-6 requires amendment as follows:

*"The first New Zealand Coastal Policy Statement, prepared by the Minister of Conservation, came into force in 1994. An independent review of the NZCPS was conducted between 2002 - 2004 and subsequently, the Minister ~~has~~ notified the Proposed New Zealand Coastal Policy Statement in 2008. It became operative in 2010. The objectives, policies and methods set out in ~~the~~ this Plan relating to the coastal environment aim are designed to give effect to the NZCPS. ~~Any amendments to the District Plan that become necessary when the Proposed NZCPS comes into force will be implemented by way of a plan change or plan variation.~~"*

- .3 Sections '1.3.2 Regional Policy Statements and Plans' and '1.3.3 Proposed One Plan' on pages 1-6 and 1-7 are now outdated as a consequence of the One Plan becoming operative in December 2014, and require amendment as follows:

**"1.3.2 REGIONAL POLICY STATEMENTS AND PLANS**

*Under the RMA, Regional Councils are required to prepare a Regional Policy Statement (RPS) for their region. The District Plan must give effect to any Regional Policy Statement and not be inconsistent with a regional plan for any matter specified in Section 30(1) of the RMA. The purpose of a RPS is to provide an overview of the significant resource management issues of the Region, and to achieve the integrated management of natural and physical resources between district and regional councils. Most of the Tararua District lies within the Manawatu-Wanganui Region and, therefore, the objectives, policies and methods of the Regional Policy Statement section of the One Plan (made operative in ~~1998~~ 2014) are applicable. In the south east of the District, a small area of land (south of the Owahanga River) lies within the Wellington Region and, in this area, the objectives, rules, and methods of the Regional Policy Statement (made operative in May 1995) for the Wellington Region are applicable. The RPS for each region is a key document in the framework for resource management, and provides policy guidance for the content and scope of the Tararua District Plan.*

*In addition to Regional Policy Statements, Regional Councils are required to prepare a Regional Coastal Plan and may prepare other Regional Plans relating to any of their functions under the RMA."*

*Regional Plans provide detailed provisions relating to specific issues. They are necessary where there are resource use conflicts, a high demand for the use of a resource, or for any other significant resource issues.*

*Regional Plans may be "region wide", e.g. the ~~Manawatu-Wanganui Regional Council's (MWRC's) Regional Air Quality Plan~~, or they may relate to a specific geographical area or resource, e.g. ~~MWRC's Manawatu Catchment Water Quality Plan~~.*

**"1.3.3 Proposed One Plan [Operative as of 19 December, 2014]**

*~~The MWRC notified its Proposed One Plan on 31 May 2007. The Proposed One Plan combines the MWRC's operative Regional Policy Statement and Plans into one document. Decisions on submissions to the Proposed One Plan are currently subject to appeals to the Environment Court. As detailed in 1.3 above, the RMA requires that a District Plan must not be inconsistent with a Regional Plan and must give effect to a Regional Policy Statement. Regard has been had to the Proposed One Plan in the District Plan but as the Proposed One Plan is not yet 'past the point of challenge' greater weight has been given to the provisions of the MWRC's Operative Regional Policy Statement and Plans in the preparation of the District Plan. Once the MWRC's One Plan becomes operative, however, changes to the provisions of the District Plan may be necessary in order to ensure that it gives effect to the Regional Policy Statement provisions in the One Plan and is not inconsistent with the Regional Plan provisions of the One Plan, in the interest of integrated management."~~*

- .4 Sections 1.4.5 Population (page 1-14), 1.4.6 Servicing and Infrastructure (page 1-15) and 1.4.7 Economic Base (pages 1-16 and 1-17) are out of date and require to be updated as follows:

**1.4.5 Population**

*The Tararua District, at the time of the March 2013~~06~~ Census, had a "usually resident" population of 17,631~~16,854~~ (Statistics NZ 2013~~06~~). ~~While the District as a whole experienced~~This was a decline in population of 41.43% during the period between 2006~~1~~and 2013~~06, the change in~~with the population in the main urban centres varying~~ied~~from 0-27% to +2.78.6%. Table One shows the populations of the four main towns and the rural areas in the District and the percentage change in population between 2001-2006 and 2013~~06~~.*

<b>Table One: Population within the Urban Centres of Tararua District ("usually resident")</b>					
Urban Centre	1996	2001	2006	2013	Population change between 2001 and 2006 as a %
Dannevirke	5511	5376	<del>5517</del> 23	5,043	<del>2.78.6</del> gain/loss
Woodville	1567	1476	<del>1398</del> 1,401	1,401	<del>5.3</del> loss/no change
Pahiatua	2721	2610	2562	2,412	<del>1.85.9</del> loss
Eketahuna	642	579	456	441	<del>21.03.3</del> loss
Rural Areas	8,598	7,815	7,698	7,557	1.8 loss

Within the Tararua District the population is older than the New Zealand average, with those aged over 65 years increasing rapidly. There is an average proportion of young people aged up to 19 years old, but a low proportion of residents aged 20 – 45 years (compared to New Zealand). ~~relatively evenly spread over different age groups.~~ This indicates that an increasing range full range of amenities and facilities need to be provided throughout the District for older people, but facilities for families are also still required.

The 2013 Census population estimates from Statistics New Zealand show a modest increase, driven by positive international migration trends. These recent statistics point to more positive long term projections than those released after the 2013 Census.

The projected resident population of the District for the year 2038~~1~~, using June 2013~~06~~ figures (updated in 2010) as a base (17,450 which includes adjustments for those not covered in the Census), varies from a 5.83.2% increase (if a the high growth period scenario were to occur from 2013~~06~~ to 2033~~1~~) to a loss of 6.38.8% loss for a medium growth period scenario and a 2316.0% loss for a low growth scenario (Statistics NZ, 2015~~0~~). This Plan is consistent with the 2015 LTP and assumes the population of the District as a whole will remain static, show a modest growth of 3% over the next decade. However, some townships may continue to experience slow growth in population but necessitate increased development as a consequence of decreasing occupancy rates. The number of occupied households is forecast to increase at a faster rate than overall population due to this trend.

#### 1.4.7 ECONOMIC BASE

Tararua District is a rural district with the economy based largely on primary production. Agriculture is the predominant land use. In the eastern rolling to steep hill country, sheep meat and beef production are the main sources of income, while on the better classes of land in the central valley dairy farming is increasing.

Data from Statistics NZ's Agricultural Census 2012 shows that Bbetween 1996 and 201~~02~~ there was a significant swing to dairy cattle at the expense of sheep, and beef and deer numbers, following a national trend. Numbers of dairy cows increased by 3826% while sheep numbers dropped by 2516%. This trend changedLivestock numbers change from 2002 to 2007 in response to droughts and export prices. For example, in the period 2012 to 2015, regional survey data shows that stock numbers in the Manawatu-Wanganui Region fell 5.1% for dairy cattle, 2.1% for beef cattle and 1.7% for sheep, as overall stock numbers fell. In terms of stock units, sheep farming remains the predominant land use. Since 2007, dairy cattle numbers have grown by 4% (2007 – 2011). The number of farms has dropped by 15% since 1996 as farms are becoming larger in order to gain economies of scale. This has impacted adversely on rural population numbers.



Forestry is a viable land use, but after a busy planting period in the early 1990s very little expansion has taken place. There are many small plantings on farms and few large forestry plantings. In 2012~~07~~ there was 162,994~~442~~ hectares of exotic forest in the District. ~~The area harvested continues to be larger than the area planted, so the total area in forestry plantations continues to decline.~~ Increasingly, indigenous vegetation such as manuka, is being considered for retention, regeneration and utilisation as a source for honey production on marginal production land throughout the District.

The four main towns of Dannevirke, Woodville, Pahiatua and Eketahuna are service centres for the agricultural sector. In addition they service other categories of economic activity such as ~~industry~~ manufacturing and tourism.

A small number of larger industries include meat processing and steel fabrication, and small scale industries including cottage industries and home occupation are common. Tourism currently makes a small but growing contribution to the District's economy. Tourist attractions include Pukaha Mount Bruce, the Tararua and Ruahine State Forest Parks and an increasing number of owner-operated ventures.

District employment is currently at a moderate level. In recent years there has been growth in manufacturing and servicing and health sector employment. After a long period of stagnation in the agricultural sector, commodity prices recovered from 1999 with the downstream benefits accruing to the wider community. Record prices for milkfat over the last decade have stimulated expansion in the dairy farming sector. More recent declines in the milkfat prices is likely to slow or halt the number of dairy conversions, while beef prices are strong.

The value of Tararua properties, both residential and farming, has risen with the largest increases in value being on dairy farms.

Wind farms have also arisen as an important land use in Tararua that has added value to the District's economic base.

- .5 Amend outdated references to the MWRC's Regional Policy Statement and Plans and the Proposed One Plan, as follows:

- Page 2-13 (first sentence)

~~"MWRC's Land Management One Plan addresses soil conservation issues in the Region, using a land suite classification approach focussed on 'accelerated erosion' areas."~~

- Page 2-17 (first sentence)

~~"Plan does not contain specific rules regulating vegetation clearance or soil disturbance in vulnerable areas (such as steep hill country), as such rules are contained in the MWRC's Regional Land Management One Plan. It is unnecessary and inappropriate to duplicate the rules in this District Plan. Instead, this Plan is intended to complement and reinforce the Regional One Plan."~~

- Page 2-18 (first sentence)

~~"The MWRC's Regional Policy Statement states Council considers that Class I and II land (i.e. elite soils) should be managed to minimise loss of versatility for productive use. and that District Councils should provide the means to achieve this."~~

- Page 2-19, 2.3.3.3 Explanation, last sentence of the first paragraph

~~"Each case will, therefore, be considered on its merits having regard to the relevant standards in Part 5 of this Plan (including effluent disposal and water supply standards). This approach to minimum lot sizes may need to be modified pending the final outcome of the MWRC's One Plan process, as the Proposed One Plan includes rules for minimum land requirements in relation to on-site effluent disposal."~~

- Page 2-37, 2.5.2.3 Explanation, second sentence

*“Policy 2.5.2.2(a) recognises that, in order for the Council, the community and private individuals to make decisions about the use, development and protection of the District's natural and physical resources, it is important that there is a database of information about the natural hazards risk in the District. ~~Both the MWRC's Regional Policy Statement and the Regional Policy Statement section of the MWRC's Proposed One Plan (Part 1, Chapter 9) envisages that the District Council will provide measures to avoid or mitigate natural hazards, including controls on land use and subdivision aimed at avoiding or mitigating the effects of natural hazards. This is the reason for adopting Policy 2.5.2.2(b) above.~~”*

- Page 2-38, 2.5.2.5 Reasons: , third sentence

*“Legislative responsibilities for natural hazards under the RMA are shared between Regional and District Councils. The division of responsibility is not entirely clear in the RMA and it is intended that Regional Councils' will provide guidance as to the division of responsibilities for matters relating to natural hazards via the Regional Policy Statement. Policy ~~109-1~~ of the Regional Policy Statement section of the MWRC's ~~Proposed~~ One Plan sets out the responsibilities of the Regional Council and District Council's within the Region in relation to natural hazards.”*

- Page 2-41, last paragraph, third sentence

*“The Tararua District contains a variety of different landscapes which have been modified to varying degrees by human activities and which together make up the character of the District. In managing the District's natural and physical resources, it is important that consideration be given to the impacts of activities on the District's natural features and landscapes. The Regional Policy Statement (RPS) section of the One Plan for the Manawatu-Wanganui Region identifies (in Policies ~~8.1—8.3~~ 6-6 and 6-7) several outstanding natural features and landscapes as being "regionally significant" for reasons including visual prominence, scenic characteristics, ecological, cultural or spiritual significance, or other amenity values. The features and landscapes included in the RPS that are within the Tararua District are scheduled in Appendix 3 of this District Plan.”*

- Page 2-43, first sentence

*“MWRC has a Regional Coastal Plan section in its ~~and the Proposed One Plan in place~~, with which this District Plan shall not be inconsistent.”*

- Page 2-53 and 2-54, section 2.6.4.3 Explanation

- Page 5-2, first two paragraphs

*“The MWRC's ~~Manawatu Catchment Water Quality Regional Plan and Proposed One Plan~~ also contains rules relating to discharges to land from septic tanks and other effluent disposal standards. The rules aim to ensure that field soakage areas are of sufficient size (having regard to soil types) to ensure that suitable treatment can take place in the field soakage area and in the soil immediately surrounding that area, prior to entering groundwater systems. Developers need to have regard to the requirements of the relevant Regional Council in relation to effluent disposal matters.*

*It is the MWRC's intention to take primary responsibility for the management of on- site effluent disposal, including minimum allotment sizes, through administration of its 'Manual for On-Site Wastewater Systems Design and Management (Horizons Regional Council, 2010). ~~once the Proposed One Plan becomes operative. In the interim, the relevant District Plan requirements remain applicable.~~”*

- .6 Amend all outdated references to the New Zealand Historic Places Trust and the Historic Places Act 1993 and replace them with Heritage New Zealand and the Heritage New Zealand Pouhere Toanga Act 2004 respectively.

- .7 Amend Policy Section 2.6.5 THE COASTAL ENVIRONMENT, 2.6.5.3 Explanation, on page 2-57, to reflect the wording of the One Plan, as follows:

*"Policies 2.6.5.2(a) and (c) aim to provide guidance as to what subdivision, use and development is considered appropriate in the coastal environment. The term "coastal environment" is used in this Plan in the same context as described in the Regional Policy Statement Chapter 8 of the Manawatu-Wanganui Region's One Plan where it is defined as: "the coastal environment incorporates the environment in which the coast is a significant part, including the coastal marine area, all tidal waters, and foreshore above and below mean high water springs, dunes, beaches, areas of coastal vegetation, areas subject to coastal erosion and flooding, salt marshes, sea cliffs and estuaries." The intention of the policy is not to achieve preservation at all costs. Whether a subdivision, use or development is appropriate, or the location is appropriate, will in part be determined by the extent to which that location still has a natural character, and the extent to which the natural character will be affected by the subdivision, use or development. The use of off-road vehicles such as dune buggies and trail bikes on sensitive coastal sand dune areas (areas where sand is completely or partially exposed) can cause significant damage to the structure and stability of the dune systems and the habitats they support. This is an example of an activity which is generally inappropriate in terms of policy 2.6.5.2(a)."*

- .8 Amend Policy 2.6.5.5 Reasons, on pages 2-58 and 2-89, as follows:

*"The District Plan seeks to complement the MWRC's One Plan's Coastal Provisions ~~Regional Coastal Plan for the Manawatu-Wanganui Region and the MWRC's Proposed One Plan~~. This ~~The One Plan~~ contains policies and rules in relation to the coastal marine area which is the "wet" part of the coastal area, below the mean high water springs (high tide) mark. ~~Both these plans~~ It also contains provisions designed to control the discharge of contaminants; taking, use, damming or diversion of coastal waters; activities which disturb the foreshore and sea bed; structures in the coastal marine area; and public access to the coastal marine area."*

*"Almost all of Tararua's coastline is within the "General Coastal Area" as defined in the MWRC's ~~Regional Coastal One Plan, as well as the Proposed One Plan~~. Only one part is classified in the ~~One Plan's Regional Coastal Section Plan~~ as a "Protected Protection Activity Management Area", and that is the Cape Turnagain. ~~Fur Seal Hauling Ground~~. This area is deemed to be an area of significant conservation value. Cape Turnagain is identified in this Plan as an important natural feature to be protected."*

- .9 Page 5-7. The District Plan's stormwater drainage provisions were intended to apply to all urban zones in the District, including the Settlement Management Area. Rule 5.1.4.2 does not include reference to the Settlement Management Area as intended. It therefore needs to be added to Rule 5.1.4.2(b) as follows:

*"(b) In Residential, Settlement, Commercial or Industrial Management Areas, all stormwater shall be disposed of in accordance with Part 4 of (NZS 4404:2010) Land Development and Subdivision Infrastructure."*

- .10 Page 5-7 Section 5.1.5.1 'Introduction' of the Land Disturbance and Excavation rules in the Plan, makes reference to Section 9(4) and "uses" of land. Section 9 was replaced in October 2009 and is no longer applicable in the form in which it was referenced. Section 5.1.5.1 (page 5-7) is therefore to be amended by deleting the following words:

*"5.1.5.1 Introduction*

*~~Section 9(4) of the RMA includes the following "uses" in relation to land:~~*

*~~(b) any excavation, drilling, tunnelling or other disturbance of the land.~~*

*~~(d) and deposit of any substance in, on or under the land."~~*

- .11 Page 5-8. The introductory section of Rule 5.1.5 Land Disturbance and Excavation makes reference to prospecting being a discretionary activity. This is not correct as Rule 4.1.2.1(u) makes provision for 'Prospecting for minerals' as a permitted activity in the Rural Management Area. To correct this error it is proposed to amend the introductory statement on page 5-8 as follows:

*"Mining and quarrying (including ~~prospecting~~, exploration, excavation and processing) are not permitted activities in any Management Area and are, therefore, deemed to be discretionary activities. This enables the Council to assess the proposed work programme and the potential adverse effects of the works, and to set appropriate conditions to protect the amenities of the area."*

- .12 Page 5-20. The Introduction to Section 5.1.7 Natural Hazards requires updating to reflect the provisions of MWRC's Operative One Plan. Section 5.1.7.1 is to be amended as follows:

*~~"The Regional Policy Statement for the Manawatu-Wanganui Region has defined the respective responsibilities of District Councils and the Regional Council in relation to natural hazards. The Regional Policy Statement states that District Councils are responsible for developing rules for the control of the use of land to avoid, remedy or mitigate the adverse effects of:~~*

- ~~• seismic hazards;~~*
- ~~• volcanic hazards;~~*
- ~~• tsunami hazards;~~*
- ~~• subsidence hazards (except as a result of soil disturbance and vegetation clearance which is a Regional Council responsibility); and~~*
- ~~• flood hazards (except within floodplains)."~~*

*"Policy 9-1 of the One Plan identifies the respective responsibilities of the Regional Council and territorial authorities. As a territorial authority the Council is required to be responsible for:*

- developing objectives, policies and methods (including rules) for the control of the use of land to avoid or mitigate natural hazards in all areas and for all activities except those areas and activities described in 9-1(b)(ii) of the One Plan; and*
- identifying floodways (as shown in Schedule J of the One Plan) and other areas known to be inundated by a 0.5% annual exceedance probability (AEP) flood event on planning maps in district plans, and controlling land use activities in these areas in accordance with Policies 9-2 and 9-3 of the One Plan.*

- .13 Page 5-30. The District Plan's subdivision rules [5.2.3.2(d)] make reference to "Urban Buffer Areas". These areas are shown on the District Plan maps but are difficult to distinguish for two reasons. The first is that the line delineating the buffer areas is dark green and difficult to see and secondly the notation on the Legend to the Planning Maps identifies these areas as 'Special Rural Area'. To rectify this problem, it is proposed to make the following amendments:

- .1 Amend the 'Special Rural Area' notation on the Planning Map Legend to read 'Urban Buffer Area' [see Rule 5.2.3.2(d)].
- .2 Change the colour of the lines on the District Plan maps which delineate the Urban Buffer Area to a colour which is less difficult to identify.

- .14 Page 5-73. Amend Section 5.4.2.1 as follows, to make reference to the provisions of the Operative One Plan:

*"With respect to that part of the District that is within the Manawatu-Wanganui Region, the MWRC's ~~Regional Air~~ One Plan contains policies, methods and rules for controlling discharges to air, including smoke, dust and odour. It is recognised that the Regional Council is the lead authority in respect of these "air" discharges and, therefore, this Plan seeks only to complement the Regional Council's requirements, not to duplicate or supplant them."*

- .15 Page 5-74. Delete the following 'Note': from Standard 5.4.2.2(b) in relation to intensive pig farms as the reference no longer applies under the MWRC's One Plan:

~~"Note: The Manawatu-Wanganui Regional Council's Manawatu Catchment Water Quality Regional Plan also contains requirements relating to the separation distance between any piggery waste disposal area and any dwelling or public gathering place."~~

## 6.5 Uplifted Designations

### 6.5.1 Reason(s) for Change(s)

Since becoming operative, the District Plan has not been updated to reflect a number of designation uplift notices received from Requiring Authorities under RMA Section 182. Changes arising from receipt of these notices will be undertaken in conjunction with this proposed plan change (i.e. schedules and maps are to be updated) notwithstanding that such changes can be made without undue formality. That is, the RMA Schedule 1 provisions do not apply to the removal of a designation or part of a designation and can be done as soon as reasonably practicable after receipt of a notice from a requiring authority. For reasons of efficiency and completeness, the designation schedules and maps are to be updated in conjunction with PPC1.

### 6.5.2 Current Plan Provision(s)

- Appendix 4 Schedule of Designations, pages A-37, A-43, A-55.
- District Planning Maps 24, 36, 41 and 49.

### 6.5.3 Proposed Change(s)

- .1 THAT Appendix 4: Schedule of Designations, 4.1 Public Works of the Crown (on pages A-37 and A-43) be changed as follows to recognise the uplifting of the Aikitio and Tiraumea Primary School designations:

"21 <u>Deleted</u>	49	Aikitio Primary School	Coast Road Aikitio Lot 1 DP 14161 situated in Blk VII Waimata SD No Gazette Notice reference U25: 988 602	Rural	Minister of Education	School Purposes	<u>Designation uplifted by the Minister of Education by notice to the Tararua District Council dated 1 July, 2015"</u>
"48 <u>Deleted</u>	24	Tiraumea Primary	State Highway 52, Tiraumea  Sec 25 & 26 Tiraumea settlement contained in Gaz notice 1919 p1490 T25: 678 595	Rural	Minister of Education	School Purposes	<u>Designation uplifted by the Minister of Education by notice to the Tararua District Council dated 13 May 2013"</u>

- .2 THAT Appendix 4: Schedule of Designations, 4.3 Works of Network Utility Operators Approved As Requiring Authorities (on page A-55) be changed as follows to recognise the request by Powerco Limited, as the requiring authority, for a minor change to the Pongaroa Substation Designation (No. 226):

"226	18, 45	Pongaroa Substation	Route 52, Pongaroa Lot 1 DP 89223 and Lot 1 DP 484187	Rural	Powerco Limited	Electricity Substation	S168 Notice of Requirement request 5/10/2009 existing work and 17/04/2015 to extend designation"
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- .3 That alterations to Schedule 4.3 and to the following District Plan maps be made to recognise the requests by the New Zealand Railways Corporation, as the requiring authority, to uplift parts of the designation (No. 201) in respect of land at Station Street in Woodville and Queen Street in Dannevirke:

"201	Various	Railway	Various	Various	New Zealand Railways Corporation	Railway Purposes	<u>S168 Notice of Requirement Requests to uplift the designation in part at Station Street Woodville (by notice dated 21/05/2015) and Queen Street Dannevirke (by notice dated 06/11/2015)"</u>
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- Normansby Street
- Station Street
- Gray Street
- Lot 2 DP 26735
- Lot 2 DP 26734
- RAILWAY LINE
- Lot 1 DP 28527
- Adrian Street
- Broomfield Road
- Section 215 Block IV Woodville SD
- McLean Street (State Highway 2)
- Diag. A
- 1
- CSC Parcel Number:3
- Station Street
- Section 215 Block IV Woodville SD
- 1
- CSC Parcel Number:3
- McLean Street (State Highway 2)
- Note: CSC Parcel Number:3 is Railway Land and has no parcel area.
- File 3165
- Land District 1 - Adelaide Bay
- Digitally Generated Plan
- Generated on 09/05/2011 4:59pm Page 2 of 2
- Lot 1 being a subdivision of Gazetted Land as per 1885 Gazette Notices 49 p969 & 56 p1105
- Surveyor: Phil Harvey PricewaterhouseCoopers
- Title Plan LT 482807 DRAFT

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- File 3277
- Land District: Hawkes Bay
- Diag. AA  
Sta 13  
2  
0.0252Ha
- Diag. AB  
Sta 13
- Lot 1  
DP 22506
- Lot 2A  
DP 1538
- Lot 1  
DP 22506
- Lot 2  
DP 22507
- Lot 3  
DP 24146
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