



**TARARUA DISTRICT COUNCIL
SUMMARY OF SUBMISSIONS TO
PROPOSED CHANGE NO. 1 TO THE DISTRICT PLAN**

December 2016



Tararua District Council
Summary of Submissions to Proposed Plan Change No. 1 to the District Plan

The following is a summary of all decisions requested by persons making submissions on the Tararua District Council's Proposed "Tidy-Up" Plan Change No. 1, as required by clause 7 of the First Schedule of the Resource Management Act 1991.

The summary lists the names of persons making submissions, the provisions of the Proposed District Plan to which their submission(s) relates and summarises their submission(s) and decisions sought. The full submissions are also available to be viewed. The summary of submissions includes a number of abbreviations as follows:

| | | |
|------------------------|---|--|
| PPC1 or PC1 | = | The Tararua District Council's Proposed Plan Change No. 1 |
| ODP or The Plan | = | The Tararua District Council's Operative District Plan Review No. 1 (September 2012) |
| DOC | = | Department of Conservation |
| NZTA | = | New Zealand Transport Authority |
| MWRC | = | Manawatu-Wanganui Regional Council or Horizons |
| NPS | = | National Policy Statement |
| NPSREG | = | National Policy Statement for Renewable Electricity Generation 2011 |
| HNZ | = | Heritage New Zealand |
| NZS | = | New Zealand Standard |
| RCA | = | Resource Consent Application |
| RMA | = | Resource Management Act 1991 |
| TDC | = | Tararua District Council |

Any person may make a further submission to the Proposed Plan Change No. 1, but only in support of or in opposition to those submissions originally lodged under clause 6 of the First Schedule of the RMA. The process for making a further submission is outlined in the Public Notice dated 12 December 2016, which accompanies this document. Further submissions must be received by the Tararua District Council no later than **5.00 pm on Tuesday, 17 January, 2017**.

| SUB-MISSION # | NAME | REF | SUBJECT PROVISIONS | MATTER(S) RAISED IN SUBMISSION | SUMMARY OF DECISION(S) SOUGHT | WISHES TO BE HEARD (Y/N) |
|---------------|--------------------------------|-----|---|---|---|--------------------------|
| 1. | J W Blathwayt | 1/1 | Screening Standards and Derelict Vehicles, Buildings and Sites | Supports the introduction of provisions to provide a more effective means of managing identified community eyesores (eg derelict properties and vehicles). | <ul style="list-style-type: none"> Pass the changes as proposed. | No |
| 2. | D E Bray | 2/1 | Screening Standards and Derelict Vehicles, Buildings and Sites | Supports the introduction of provisions to provide a more effective way of managing identified community 'eyesores' (eg derelict buildings, properties and vehicles). | <ul style="list-style-type: none"> Make provision to allow Council to issue a notice for the removal, at owners cost, of derelict buildings and scrap vehicles etc. | No |
| 3. | The NZ Transport Agency (NZTA) | 3/1 | Council Advisory/Warning Signs | Supports, in part, the addition of a permitted activity category for advisory or warning signs erected by, or on behalf of the Council, subject to the NZTA being consulted if the advisory or warning site fronts a State Highway. | <ul style="list-style-type: none"> Insert the following wording (underlined) into the permitted activity category, as follows: <i>advisory or warning signs erected by, or on behalf of, the Council. <u>Where an advisory or warning sign fronts State Highway, the New Zealand Transport Agency as the Road Controlling Authority shall be consulted.</u></i> | Yes |
| | | 3/2 | Appendix 8 – Design of Road Access Drawing 8.1 Private Access to Primary Arterial Roads in Rural and Settlement Management Areas | Proposed diagram 8.1 is not consistent with the relevant standards and guidelines for access to a private dwelling onto a State Highway in speed environments of 70km/h or higher (i.e. outside of residential areas). | <ul style="list-style-type: none"> That Appendix 8 diagram 8.1 be replaced by the NZTA access standard Diagram C/Perspective C, or amended so that it is wholly consistent with this standard. | |
| | | 3/3 | Appendix 8 – Design of Road Access Drawing 8.2 Private Access to Primary Arterial Roads in Rural and Settlement Management Areas - Frequent Use by Heavy Vehicles | Proposed diagram 8.2 is not consistent with the relevant access standard and guidelines for access to a private dwelling onto a State Highway in speed environments of 70km/h or higher (i.e. outside of residential areas), where : <ul style="list-style-type: none"> Equivalent car movements are equal or greater to 31 per day Or where more than one slow, heavy or long vehicle movement per week is generated The relevant Transport Agency standard is Diagram D/ Perspective D (attached to this submission). In particular, the proposed diagram does not meet the minimum standards of the Transport Agency guidelines in terms of access design and dimensions. Furthermore, the demarcated "Area to be Sealed" contains the word "Preferred" - whereas under the Transport Agency guidelines it is compulsory to seal the demarcated area to ensure the safe entry and exit of vehicles. | <ul style="list-style-type: none"> That Appendix 8 diagram 8.2 be replaced by the NZTA access standard Diagram D/Perspective D, or amended so that it is wholly consistent with this standard. | |
| | | 3/4 | Appendix 8 – Design of Road Access Drawing 8.3 Commercial Access in Rural and Settlement Management Areas | Where commercial access is to a State Highway, the proposed diagram is not consistent with the relevant Transport Agency access standards and guidelines. The relevant standard is Diagram E/ Perspective E (attached to this submission), where: <ul style="list-style-type: none"> more than one slow, heavy or long vehicle movement is generated per week, and the volume of equivalent car movements generated is equal or greater than 31 per day In particular, the proposed diagram does not meet the minimum standards of the Transport Agency in terms of access design and dimensions. Furthermore, the demarcated "Area to be Sealed" contains the word "Preferred" - whereas under the Transport Agency guidelines it is compulsory to seal the demarcated area to ensure the safe entry and exit of vehicles. | <ul style="list-style-type: none"> That Appendix 8 diagram 8.3 be replaced by the NZTA access standard Diagram E/Perspective E, or amended so that it is wholly consistent with this standard. | |

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| | | 3/5 | Appendix 8 – Design of Road Access Drawing 8.4 Double Gate Access in Rural and Settlement Management Areas | The key on the proposed diagram demarcated "Area to be Sealed" contains the word "Preferred". Where a double gate access is from State Highway, the Transport Agency considers it compulsory for the demarcated area to be sealed to ensure the safe entry and exit of vehicles. The requirement for sealing of the demarcated area will allow for consistency with other access types on State Highways, and ensure that risks to the safety and efficiency of the State Highway network are minimised. | <ul style="list-style-type: none"> That the diagram 8.4 key be amended to the following: <i>Area to be Sealed (Preferred)</i> | |
| | | 3/6 | Appendix 10 Performance Standards Relating to Access Spacing and Sight Distances Drawing 10.1 Performance Standards for the Physical Distance (Spacing) Between Accesses and Intersections, and Sight Distance from Accesses (Primary Arterial Roads) | The figures contained within the table in proposed Appendix 10.1 do not meet the Transport Agency minimum standards in terms of sight distances, and separation distances between accesses and intersections on State Highways. | <ul style="list-style-type: none"> That Appendix 10.1 is replaced by the NZTA standards: <ul style="list-style-type: none"> Diagram A/Perspective A - Accessway Sight Lines; and Diagram B/Perspective B - Accessway Separation from Intersections and Other Accessways <p>or amended so that the appendix is wholly consistent with these standards.</p> | |
| 4. | A Poulton | 4/1 | Screening Standards and Derelict Vehicles, Buildings and Sites | Supports the introduction of provisions to provide the Council with a more effective means of managing identified community eyesores (eg dumped car bodies and household rubbish) that detract from the rural landscape. | <ul style="list-style-type: none"> Not stated (but it is assumed that the submitter seeks that the changes, as proposed, be adopted). | No |
| 5. | Forest and Bird | 5/1 | Indigenous Vegetation Provisions | <p>Supports the retention of the District Plan's Policies under 2.6.4.2, and 2.6.4.2(b) and (c) in particular, as it recognises and provides for the RMA matter of national importance S6(c) "the protection of areas of significant vegetation and significant habitats of indigenous fauna". However, it is questioned whether the removal of rules in 5.5.4 is appropriate in light of the Council's obligations under RMA S6(c).</p> <p>The indigenous vegetation clearance requirements under the One Plan may not be set out in the same way as the activity based rules under the District Plan. To ensure integration between the Regional and District Council plans, and that the RPS is given effect to while still fulfilling responsibilities under the RMA, Tararua District Council will need to work with the Regional Council and landowners carrying out both permitted and consented activities under this Plan.</p> <p>It is requested that Tararua District Council sets out how it intends to do this through the inclusion of new non-regulatory methods in the District Plan, and that Schedule 3.2 in Appendix 3 is retained in the Plan and linked to these new methods.</p> | <ul style="list-style-type: none"> That the Council sets out how it will work with the Regional Council (MWRC) to ensure integration between the District and Regional Council Plans and the Regional Policy Statement, through the inclusion of new non-regulatory methods (unspecified) in the District Plan. That Schedule 3.2 in Appendix 3 of the District Plan be retained and linked to the new method(s) requested and referenced in guidance notes under appropriate rules. | Not Specified |

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| 6. | Powerco Limited | 6/1 | Renewable Electricity Generation | Supports the inclusion of additional provisions to better cater for small and community scale electricity generation in the District, but seeks the addition of some precautionary statements in the Plan regarding network connections. | <ol style="list-style-type: none"> 1. Retain the proposed amendments to adequately provide for community scale and domestic/household scale renewable energy as set out in section 3.2.3 of Plan Change 1, without further amendment 2. Add a note to Standard 5.3.7.2(a) along the following lines: <u>Any connection to the distribution network from a domestic scale electricity generation from a renewable energy source needs to meet the requirements of the relevant electricity service provider.</u> 3. Retain the following proposed definitions in Part 6 Interpretation, 6.1 Definitions but add the words "via a safe connection" to the end of the new definition of "domestic scale electricity generation from renewable energy sources" so that the definitions read as follows: <u>Renewable energy has the same meaning as defined in Section 2 of the RMA.</u> <u>Domestic scale electricity generation from renewable energy sources means generating electricity on a site to meet that needs of the users of that site and includes the export from the site of any surplus electricity to a local distribution network via a safe connection.</u> 4. Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in these submissions, as necessary to give effect to this submission. | Yes |
| | | 6/2 | Hazardous Substances | Supports deletion of the Hazardous Substances and Contaminated Land provisions and reliance on HSNO and NES for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011. | <ol style="list-style-type: none"> 1. Retain the proposed amendments to adequately provide for community scale and domestic/household scale renewable energy as set out in section 3.2.3 of Plan Change 1, without further amendment. 2. Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in these submissions, as necessary to give effect to this submission. | |
| | | 6/3 | Indigenous Vegetation Provisions | Supports the giving of effect to the One Plan RPS provisions on significant indigenous vegetation and habitats by ensuring district provisions are limited to controls based on amenity reasons. | <ol style="list-style-type: none"> 1. Retain the proposed amendments to adequately provide for community scale and domestic/household scale renewable energy as set out in section 3.2.3 of Plan Change 1, without further amendment. 2. Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in these submissions, as necessary to give effect to this submission. | |
| | | 6/4 | Natural (Flood) Hazards | Supports the reasoning and rationale of the approach being taken by the Council. | <ol style="list-style-type: none"> 1. Retain the proposed amendments to Natural (Flood) Hazard provisions as set out in section 4.3.3 of Plan Change 1, without further amendment. | |

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| 7. | Federated Farmers of New Zealand | 7/1 | National Environmental Standard for Telecommunication Facilities (2008) | Supports the addition of a reference to the NES in the District Plan. | Adopt the change as notified. | Yes |
| | | 7/2 | National Policy Statement for Renewable Electricity Generation 2011 (NPSREG) | Supports, in part, the need to provide for small and community scale renewable electricity generation in the Plan as required by NPSREG. Clarification is sought that the approach taken by the Council to the new permitted activity standard allows for energy generation from renewable energy sources not just for homes in the district but to support farming and other primary production infrastructure. | <ul style="list-style-type: none"> Amend rule 5.3.7.2(a) to include electricity generation from renewable energy sources for farming and primary production as a permitted activity, in keeping with the intention of the NPSREG 2011. Amend the terminology (definitions) 'domestic sale electricity generation from renewable energy sources' to better account for small and community scale uses such as the powering of primary production activities. | |
| | | 7/3 | Hazardous Substances | Supports the view that additional and more specific controls in the District Plan are no longer necessary in light of the changed statutory environment relating to hazardous substances. Any rules in a District Plan are now unnecessary duplication and difficult for Council's to enforce. | Adopt the changes as notified. | |
| | | 7/4 | Indigenous Vegetation Provisions | Supports the Council's intention to remove the rules in the District Plan relating to indigenous vegetation, and the schedule of significant indigenous vegetation and significant habitats of indigenous fauna, in keeping with the policy direction of the Horizon's Regional Council One Plan. | Adopt the changes as notified. | |
| | | 7/5 | Minimum Lot Sizes for Wastewater Disposal | The intention to ensure the District Plan is consistent with the One Plan is supported but concern is expressed at the removal of the option for a drainage easement over adjacent land as a means of compliance with the standard. The current rule [5.1.2.2(c)(i)] provides landowners with greater flexibility, such as where a home is carved off from a farm. Federated Farmers opposes the removal of this provision from the District Plan and suggests that Horizons and the District Council engage in further conversation as to how it can be retained. | <ul style="list-style-type: none"> Adopt the advisory text as notified. Retain the reference to a drainage easement in Rule 5.1.2.2(c)(i) in the District Plan. | |
| | | 7/6 | Natural (Flood) Hazards | Supports the Council's approach to flood mapping; namely that until more accurate modelling is complete there is no reason to change the current flood mapping. The inclusion of the proposed 'Introduction' wording is supported. | Adopt the proposed introductory text as notified. | |
| | | 7/7 | Earthworks | Supports the intention to increase the volume of earthworks within the Rural Management Area from 200m ³ to 1,000m ³ and therefore remove unreasonable restrictions. This better reflects the requirements for earthworks in the rural zone. | Adopt the changes as notified. | |
| | | 7/8 | Screening Standards and Derelict Vehicles, Buildings & Sites | Supports, in part, the intention to appropriately maintain and enhance amenity. However, concern is expressed that the proposed provisions will capture farm buildings such as old sheds, and therefore could render farmers' activities as non-compliant with the Plan. Farm buildings and infrastructure re designed for practical purposes and are not built or maintained with beauty in mind, therefore introducing standards around amenity, character and appearance is difficult and subjective. The introduction of a lot size is suggested, so that the proposed provisions only apply to sites under two hectares. | Address the issues raised in this submission point through consideration of more objective standards; and amend so that the provisions only apply to sites under 2 hectares. | |
| | | 7/9 | Updating and Minor Corrections of Existing Plan Provisions | Supports the updating of incomplete references and wording changes. | Adopt the changes as notified. | |

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| 8. | Manawatu-Wanganui Regional Council (Horizons) | 8/1 | Renewable Electricity Generation | Supports the proposed changes to standard 5.3.7.2(a). | That the proposed changes to Standard 5.3.7.2(a), following the 'Note' on page 5 – 66, be retained as drafted in PPC1. | Yes |
| | | 8/2 | Hazardous Substances | Supports, in general , the proposed amendments to section 5.1.8 of the District Plan but reservations are expressed concerning the extent of the amendments and their timing. | <ul style="list-style-type: none"> That TDC consider retaining some control over land use to address adverse effects of the storage, use or transport of hazardous substances in relation to (but not limited to) sensitive areas and activities, land prone to natural hazards, or reverse sensitivity. Provide any alternative relief that gives effect to the One Plan policies for management of hazardous substances. | |
| | | 8/3 | Indigenous Vegetation Provisions | <p>Supports the proposed changes to the Section 2.6.4.3 explanation, the 2.6.4.4 methods, the Section 5.5.1 introduction, the heading for Rule 5.5.3.2 and Table One in Rule 5.5.3.4, and the deletion of Rule 5.5.4 and Schedule 3.2 in Appendix 3. It is considered that all of these proposed changes will give effect to One Plan Policy 6-1.</p> <p>Concern is expressed that the current District Plan provisions do not fully give effect to One Plan Policy 6-6, concerning the spatial definition of regionally outstanding natural features and landscapes.</p> | <ul style="list-style-type: none"> That the rules in Section 5.5.4 and Schedule 3.2 of Appendix 3 be deleted from the District Plan as proposed in PPC1. That the proposed changes set out in Section 4.1.3 of the Plan Change document be retained as drafted. Provide any alternative relief to give effect to the One Plan policy framework for maintaining and enhancing indigenous biological diversity. | |
| | | 8/4 | Minimum Lot Sizes for Wastewater Disposal | Supports, in general , the proposed changes, subject to minor wording changes and is neutral with respect to the deletion of the statement in Rule 5.1.2.2(c)(i) that allows for drainage easements as a means of achieving compliance with the domestic wastewater standards. | <ul style="list-style-type: none"> That the advisory note following clause (b) of Subdivision Standard 5.2.3.2 be retained, subject to removal of the word 'Proposed' that precedes the 'One Plan.' That the proposed advisory note to be added to Rule 5.1.2.2(c)(i) be retained as drafted, subject to a minor amendment to include the word "likely" after "will," as follows: <i>"Note: Where an area of land of less than 5,000m² is to be used to build a dwelling with associated domestic wastewater disposal, a resource consent will likely 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)."</i> | |
| | | 8/5 | Natural (Flood) Hazards | A view is expressed that PPC1 does not give effect to One Plan Policy 9-1(c) and does not provide TDC with the ability to control land use activities in flood prone areas in accordance with Policy 9-2. The proposal to delay the inclusion of known floodable areas on the District Plan Maps and flood hazard provisions in the District Plan until the completion of additional flood modelling through the Hazards Upgrade project is also not supported. | <ul style="list-style-type: none"> That a definition of "natural hazard areas" be added to the District Plan that references those areas known to be at risk of inundation in a 0.5% AEP flood. Possible wording is as follows: <ul style="list-style-type: none"> "Natural Hazard Area (Flooding) means Land at risk of inundation during a 0.5% Annual Exceedance Probability (1 in 200 year) flood event." Provide any alternative relief to give effect to the One Plan policy framework to manage development in areas prone to flooding. That an advice note be included for plan users to encourage plan users to contact Horizons for coastal hazard information. | |

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| | | 8/6 | Updating of Outdated References | Supports the proposed changes in Section 6.4.3 of the PPC1 that seek to amend outdated references to Horizons' Regional Policy Statement and Plans and the Proposed One Plan, and recommends that they be retained as drafted. | <ul style="list-style-type: none"> • That the changes proposed in Section 6.4.3 of PPC1 be retained as drafted. | |
| 9. | Z Energy Limited, Mobil Oil NZ Limited, and BP Oil NZ Limited (the "Oil Companies") | 9/1 | Hazardous Substances | Supports the amendments proposed to address the deletion of the Hazardous Substances and Contaminated Land provisions and place reliance on HSNO and the NES (Soils) Regulations. | <ol style="list-style-type: none"> 1. Retain the proposed amendments to remove overlapping functions for hazardous substances and contaminated land management as set out in section 3.3.3 of Plan Change 1, without further amendment. 2. Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in these submissions, as necessary to give effect to this submission. | |