



**RMA S42A Planner's Report**

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**Tararua District Council**

**Operative District Plan**

**Proposed ("Tidy-Up") Plan Change No.1**

**RECOMMENDATIONS ON SUBMISSIONS**

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# TABLE OF CONTENTS

- 1 INTRODUCTION..... 1
- 2 BACKGROUND AND PURPOSE OF PPC1..... 1
- 3 NOTIFICATION AND SUBMISSIONS..... 1
- 4 STATUTORY FRAMEWORK FOR CONSIDERATION ..... 2
- 5 CONSIDERATION OF SUBMISSIONS AND RECOMMENDATIONS..... 2
  - 5.1 National Environmental Standard for Telecommunication Facilities (PPC1 – Section 3.1) ..... 2
    - 5.1.1 Submission(s) ..... 2
    - 5.1.2 Consideration..... 3
    - 5.1.3 Recommendation(s)..... 3
  - 5.2 Renewable Electricity Generation (PPC1 - Section 3.2) ..... 3
    - 5.2.1 Submissions ..... 3
    - 5.2.2 Consideration..... 5
    - 5.2.3 Recommendation(s)..... 5
  - 5.3 Hazardous Substances (PPC1 - Section 3.3) ..... 6
    - 5.3.1 Submissions ..... 6
    - 5.3.2 Consideration..... 7
    - 5.3.3 Recommendation(s)..... 8
  - 5.4 Indigenous Vegetation Provisions (PPC1-Section 4.1) ..... 9
    - 5.4.1 Submissions ..... 9
    - 5.4.2 Consideration..... 10
    - 5.4.3 Recommendation(s)..... 11
  - 5.5 Minimum Lot Sizes for Wastewater Disposal..... 11
    - 5.5.1 Submissions ..... 11
    - 5.5.2 Consideration..... 12
    - 5.5.3 Recommendation(s)..... 13
  - 5.6 Natural (Flood) Hazards ..... 13
    - 5.6.1 Submissions ..... 13
    - 5.6.2 Consideration..... 14
    - 5.6.3 Recommendations ..... 15
  - 5.7 Council Advisory / Warning Signs (PPC1 – Section 5.1) ..... 16
    - 5.7.1 Submissions ..... 16
    - 5.7.2 Consideration..... 17
    - 5.7.3 Recommendations ..... 18
  - 5.8 Earthworks (PPC1 – Section 5.3) ..... 18
    - 5.8.1 Submission ..... 18
    - 5.8.2 Consideration..... 18
    - 5.8.3 Recommendation..... 18
  - 5.9 Screening Standards and Derelict Vehicles, Buildings and Sites (PPC1 - Section5.5)..... 19
    - 5.9.1 Submissions ..... 19
    - 5.9.2 Consideration..... 19
    - 5.9.3 Recommendations ..... 20
  - 5.10 Parking and Manoeuvring, Vehicle Access and Crossing Standards (PPC1 - Section 6.1) ..... 20
    - 5.10.1 Submissions ..... 20
    - 5.10.2 Consideration..... 22
    - 5.10.3 Recommendations ..... 23

5.11 Updating and Minor Corrections of Existing Plan Provisions (PPC1 – Section 6.4).....	23
5.11.1 Submissions .....	23
5.11.2 Consideration.....	23
5.11.3 Recommendation.....	23

**Appendices**

- A. Summary of Submissions and Further Submissions
- B. Summary of Submissions and Recommendations by Submitter
- C. Summary of Submissions and Recommendations by Subject

## **1 INTRODUCTION**

The purpose of this report is to assist the Council in making its decisions in respect of the Proposed Plan Change No.1 (PPC1) and the matters raised in submissions received to the change, as required by clause 10 of the First Schedule of the Resource Management Act 1991 (RMA). It covers the background and purpose of PPC1, submissions received, the statutory framework for consideration and decision making, and consideration of submissions, including recommendations. In terms of the latter, the proposed provisions and their relevant submissions are considered by subject matter/topic in the order in which they are presented in PPC1. For completeness, recommendations in respect of individual submissions are also presented, by submitter and by subject, in Appendices B and C attached to this report.

## **2 BACKGROUND AND PURPOSE OF PPC1**

As stated in the introduction to PPC1, there are three principal matters driving the need for a plan change, as follows:

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.

## **3 NOTIFICATION AND SUBMISSIONS**

PPC1 was publicly notified on the 24<sup>th</sup> October, 2016, and receipt of submissions closed on the 25<sup>th</sup> November, 2016. Nine submissions were received by the Council. A summary of submissions and a call for further submissions was notified on the 12<sup>th</sup> December, 2016. The further submissions period closed on the 17<sup>th</sup> January, 2017.

Two further submissions were received. A table summarising the submissions received and the decisions being sought is attached to this report as Appendix A. Copies of the individual submissions can be viewed on the Council's website.

The following five submitters have indicated in their submission that they wish to be heard:

- The NZ Transport Agency (NZTA)
- Powerco Limited
- Federated Farmers of NZ
- Manawatu-Wanganui Regional Council (Horizons)
- The "Oil Companies"

The Royal Forest and Bird Protection Society of New Zealand Incorporated (Forest and Bird) has indicated, post lodgement of its submission, that it also now wishes to be heard.

## 4 STATUTORY FRAMEWORK FOR CONSIDERATION

Section 73(1A) of the RMA provides that a district plan may be changed by a territorial authority in the manner set out in Schedule 1 of the Act. A summary of the matters which must be, and were, considered when preparing the plan change are set out in Section 1.2 of PPC1.

In the preparation and processing of PPC1 to date, the Council has done so in accordance with 'the matters to be considered by a territorial authority', as described in Section 74 of the RMA. It has also fulfilled its duties under Section 32 of the Act, as evidenced by the S32 Evaluation Report notified with PPC1.

In terms of making decisions on the provisions of PPC1 and the matters raised in submissions, Clause 10 of Schedule 1 requires that:

- (2) *The decision—*
- (a) *must include the reasons for accepting or rejecting the submissions and, for that purpose, may address the submissions by grouping them according to—*
    - (i) *the provisions of the proposed statement or plan to which they relate; or*
    - (ii) *the matters to which they relate; and*
  - (ab) *must include a further evaluation of the proposed policy statement or plan undertaken in accordance with section 32AA; and*
  - (b) *may include—*
    - (i) *matters relating to any consequential alterations necessary to the proposed statement or plan arising from the submissions; and*
    - (ii) *any other matter relevant to the proposed statement or plan arising from the submissions.*
- (3) *To avoid doubt, the local authority is not required to give a decision that addresses each submission individually.*

[\*Note: A further evaluation, as required by clause (2)(ab) above, is required only for any changes that have been, or are proposed to be, made to the provisions of PPC1 since the evaluation report for PPC2 was completed and, if required, must be undertaken in accordance with Section 32AA of the RMA].

## 5 CONSIDERATION OF SUBMISSIONS AND RECOMMENDATIONS

### 5.1 National Environmental Standard for Telecommunication Facilities (PPC1 – Section 3.1)

#### 5.1.1 Submission(s)

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Federated Farmers of New Zealand	7/1	<b>Supports</b> the addition of a reference to the NES in the District Plan.	Adopt the change as notified.

**5.1.2 Consideration**

Notwithstanding that the proposed provisions are supported, further consideration is required given that a new National Environmental Standard for Telecommunication Facilities (NESTF) came into effect on 1 January, 2017. The NESTF 2016 replaces the NESTF 2008 which is referred to in PPC1, Section 3.1. As PPC1 was publicly notified on the 24<sup>th</sup> October, 2016, it was necessary to make reference in the proposed provisions to the regulations that applied at that time, namely the NESTF 2008. Given that the replacement NESTF 2016 is a set of regulations which apply irrespective of the RMA and the District Plan, it is recommended that the proposed changes (references in PPC1 to NESTF 2008), be amended to make reference to NESTF 2016. It is understood that the government replaced NESTF 2008 with NESTF 2016 in order to enable the development of a wider range of telecommunication infrastructure, particularly Ultra-Fast Broadband (UFB), the Rural Broadband Initiative (RBI) and fourth generation (4G) mobile infrastructure.

**5.1.3 Recommendation(s)**

THAT the submission be accepted and that the proposed changes as detailed in Section 3.1.3.1 and 3.1.3.2 of PPC1 be amended by replacing the reference to “...Regulations 2008...” with “...Regulations 2016...”.

**5.2 Renewable Electricity Generation (PPC1 - Section 3.2)**

**5.2.1 Submissions**

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Powerco Limited	6/1	<b>Supports</b> the inclusion of additional provisions to better cater for small and community scale electricity generation in the District, <b>but seeks the addition of some precautionary statements</b> in the Plan regarding network connections.	<ol style="list-style-type: none"> <li>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</li> <li>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></li> <li>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></li> </ol>

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Powerco Limited			<p><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></p> <p>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.</p>
Federated Farmers of New Zealand	7/2  FS-1	<p><b>Supports, in part</b>, the need to provide for small and community scale renewable electricity generation in the Plan as required by NPSREG. Clarification is ought 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.</p> <p><b>Powerco Limited Opposes the submission in part and Supports in part.</b></p> <p>Powerco is supportive of providing for NPSREG, however it is not considered necessary to define the purpose for which power will be used. Power generated on a site should be able to be used on the site. Powerco is also mindful of the need for all community scale and domestic/household scale electricity generation connections to be safe and to meet Powerco's standards. Powerco, through its own submission, seeks to ensure a suite of precautionary statements are included within the Plan to ensure safe connections. Powerco supports the definitions of the NSPREG being adopted.</p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Amend the terminology (definition) of 'domestic scale electricity generation from renewable energy sources' to better account for small and community scale uses such as the powering of primary production activities.</li> </ul>
Manawatu-Wanganui Regional Council	8/1	<p><b>Supports</b> the proposed changes to standard 5.3.7.2(a).</p>	<p>That the proposed changes to Standard 5.3.7.2(a), following the 'Note' on page 5 – 66, be retained as drafted in PPC1.</p>

## 5.2.2 Consideration

Powerco Limited (6/1) supports the proposed provisions but requests that additional wording be inserted in relation to ensuring a safe connection to a local network. 'Electricity', including its supply and use and the need to provide a safe connection to a network, is subject to specific legislation, namely the Electricity Act 1992 and the Electricity (Safety) Regulations 2010. This being the case, it is not considered appropriate or necessary to include a reference to 'a safe connection' in the definition of 'Domestic Scale Electricity Generation'. However, in the spirit of health and safety, it is accepted that an advisory note could be added, following the proposed amended standard 5.3.7.2(a), as requested. This would not change the nature or scope of the proposed provisions but would signal to those involved in domestic scale electricity generation that connection to a network is subject to other specific legislation. Powerco Limited's submission could therefore be accepted in part were such a recommendation to be made and accepted.

Federated Farmers of New Zealand (7/2) seeks an amendment to Rule 5.3.7.2(a) and the definition of 'domestic scale electricity generation from renewable energy sources' to include farming and primary production uses. Powerco Limited, in its further submission considers that it is not necessary to define the purpose for which the power will be used and that power generated on a site should be able to be used on the site.

The proposed provisions are designed to give effect to Policy F of the NPSREG and in particular "... 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 ... district". The proposed provisions are to enable the generation of electricity, not govern its use. The definition of 'domestic scale electricity generation from renewable energy sources' applies to generation, not use, and 'domestic' refers to the scale of the generation (i.e. small scale) not its restriction to individual households or homes. 'Site' encompasses a farm not just a residential allotment. The proposed provisions do not restrict the purpose for which the electricity is used. If electricity is generated on a farm from renewable energy sources, it can be used on that farm for any farming or primary production purpose. It can also be exported from the site to a local electricity distribution network, if feasible.

For the above reasons, it is recommended that the submission be rejected and the further submission accepted.

The Manawatu-Wanganui Regional Council (8/1) supports the proposed changes. As no changes are being recommended to the provisions as notified (except for the addition of an advisory note re: network connections), it follows that the MWRC's submission can be accepted.

## 5.2.3 Recommendation(s)

- .1 THAT the submission (6/1) by Powerco Limited be accepted in part by adding an advisory note following standard 5.3.7.2(a), as follows:

"[Note: *Any connection to the distribution network arising from domestic scale electricity generation from a renewable energy source must meet the requirements of the relevant electricity service provider and specific electricity sector legislation*]."

- .2 THAT the submission (7/2) by Federated Farmers of New Zealand be accepted in part, in so far as it supports the need to provide for small and community scale renewable electricity generation in the Plan; and rejected in relation to the request to amend rule 5.3.7.2(a) and the definition of 'domestic scale electricity generation from renewable energy sources', to encompass farming and primary production.
- .3 THAT the further submission (FS-1) by Powerco Limited be accepted in part.
- .4 THAT the submission (8/1) by the Manawatu-Wanganui Regional Council be accepted.

## 5.3 Hazardous Substances (PPC1 - Section 3.3)

### 5.3.1 Submissions

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Powerco Limited	6/2	<b>Supports</b> 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"> <li>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.</li> <li>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.</li> </ol>
Federated Farmers of NZ	7/3	<b>Supports</b> 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.
Z Energy Limited, Mobil Oil NZ Limited, and BP Oil NZ Limited (the "Oil Companies")	9/1	<b>Supports</b> 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"> <li>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.</li> <li>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.</li> </ol>

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Manawatu-Wanganui Regional Council (Horizons)	8/2	<p><b>Supports, in general,</b> 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.</p> <p><b>Powerco Limited opposes decision sought.</b></p> <p>Powerco supports the removal of provisions that duplicate controls (e.g. under HSNO Act and Health and Safety at Work Act). It is unclear on what basis (i.e. no supporting S32 analysis) hazardous substances need to be further controlled in this District.</p> <p><b>The 'Oil Companies' oppose the decision sought.</b></p> <p>The 'Oil Companies' support the removal of provisions that duplicate controls (e.g. under HSNO Act and Health and Safety at Work Act). It is unclear on what basis (i.e. no supporting S32 analysis) hazardous substances need to be further controlled in this District.</p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Provide any alternative relief that gives effect to the One Plan policies for management of hazardous substances.</li> </ul>

### 5.3.2 Consideration

Powerco Limited (6/2), Federated Farmers of NZ (7/3) and the "Oil Companies" (9/1) all support the provisions as proposed.

The Manawatu-Wanganui Regional Council (8/2) supports the proposed amendments to Section 5.1.8 of the District Plan but expresses reservations about the extent of the amendments and their timing. Powerco Limited (FS-1) and the "Oil Companies" (FS-2) both oppose the decision sought by the MWRC on the grounds that it is not clear from the MWRC submission on what basis (i.e. no supporting S32 analysis) hazardous substances need to be further controlled in the District.

In paragraph 11 of its submission, the Regional Council refers to the decision regarding the hazardous substances provisions in the proposed Christchurch Replacement District Plan and goes on to state that

*“it is our understanding that this decision recognises that there are still circumstances where it may be appropriate to control the location of major hazardous substances facilities, for example in relation to their proximity to sensitive land uses, or to manage reverse sensitivity by controlling the establishment of sensitive land uses close to these facilities<sup>1</sup>.”*

The submission goes on to state that *“we are concerned that controls in areas prone to natural hazards may also warrant, but may not have been given consideration.”*

It is acknowledged there may be circumstances where it is appropriate to control the location of major hazardous substances facilities in relation to their proximity to sensitive land uses, or to manage reverse sensitivity by controlling the establishment of sensitive land uses close to these facilities. In fact, these circumstances have been given due consideration, notwithstanding that it was not specifically mentioned in PPC1. To the best of my knowledge, there are no major hazardous substances facilities in the District where it would be necessary to manage reverse sensitivity by controlling the establishment of sensitive land use activities close to such facilities. If one were to be proposed, it would be deemed to be a full discretionary activity and considered accordingly. That being the case, I consider that the Council would in fact, be exercising its control over land use in regard to the location of a major hazardous substances facility, should one ever be contemplated in the District. Any other or further control is not deemed necessary.

One further matter to take into account when considering the Regional Council’s submission, is the fact that the Resource Legislation Amendment Act 2017 amends Sections 30 and 31 of the RMA regarding the functions of regional and territorial authorities by removing the control of hazardous substances as an explicit function of councils (both District and Regional). This change came into effect on the 19<sup>th</sup> April, 2017. My understanding of the intent of this change was to remove the perception that local authorities must place controls on hazardous substances under the RMA. It was also designed to ensure that councils would only place controls on hazardous substances through RMA plan provisions where they were deemed necessary to control adverse effects on the environment that were not able to be covered by the HSNO or HSW Acts.

### **5.3.3 Recommendation(s)**

- .1 THAT the submissions by Powerco Limited (6/2), Federated Farmers of NZ (7/3) and the “Oil Companies” (9/1) be accepted.
- .2 THAT the further submission by Powerco Limited (FS-1) and the “Oil Companies” (FS-2) be accepted.
- .3 THAT the submission by the Manawatu-Wanganui Regional Council (8/2) be accepted in part, in that it supports in general the proposed amendments but not the extent or timing of their removal.

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<sup>1</sup> Randal, D. (August 2016). Are RMA planning controls for hazardous substances necessary? A case study from the Christchurch Replacement District Plan process. *Resource Management Journal*, 22-29.

## 5.4 Indigenous Vegetation Provisions (PPC1-Section 4.1)

### 5.4.1 Submissions

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISIONS
Forest and Bird	5/1	<p><b>Supports</b> 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”.</p> <p>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"> <li>• 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.</li> <li>• 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.</li> </ul>
Powerco Limited	6/3	<p><b>Supports</b> 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.</p>	<ol style="list-style-type: none"> <li>1. Retain the proposed amendments to more appropriately target the provisions relating to indigenous vegetation and habitat and remove duplication and inconsistency with the One Plan, as set out in Section 4.1.3 of Plan Change 1, without further amendment.</li> </ol>

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISIONS
Powerco Limited			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.
Federated Farmers of NZ	7/4	<b>Supports</b> 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.
Manawatu-Wanganui Regional Council	8/3	<b>Supports</b> 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. 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.	<ul style="list-style-type: none"> <li>• 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.</li> <li>• That the proposed changes set out in Section 4.1.3 of the Plan Change document be retained as drafted.</li> <li>• Provide any alternative relief to give effect to the One Plan policy framework for maintaining and enhancing indigenous biological diversity.</li> </ul>

## 5.4.2 Consideration

All the submitters support the proposed changes to varying degrees. Powerco Limited (6/3), Federated Farmers of NZ (7/4), and the MWRC (8/3), support the proposed changes unconditionally. Forest and Bird (5/1) supports only some of the proposed changes.

In terms of the decisions (relief) sought, MWRC requests that the changes proposed occur as drafted in PPC1. Powerco Limited and Federated Farmers seek the same decision.

Forest and Bird questions whether the removal of rules in Section 5.5.3 of the District Plan is appropriate in light of the Council's obligations under RMA S6(c). It requests that the Council sets out how it will work with the Regional Council through the inclusion of new non-regulatory methods (unspecified) in the District Plan.

As Forest and Bird's submission does not give any indication as to the type of non-regulatory methods it envisages the Council ought to be adopting, I have corresponded and spoken at length with a Forest and Bird conservation manager and a resource management planner, with a view to identifying what new non-regulatory methods may be appropriate and effective. Assuming that such methods can be identified, a secondary matter for consideration is whether such methods ought to be identified and specified in the District Plan. Whilst the outcome of the discussions with Forest and Bird's planner was that I would be sent some suggested methods (in writing) prior to the deadline for completing this

report, unfortunately nothing was received by this deadline. That being the case, I consider I have no option but to recommend that the relief sought by Forest and Bird be rejected, and the relief sought by the MWRC, Powerco Limited and Federated Farmers be accepted.

For reasons of completeness, and the fact that the matter has been raised by a submitter, one further matter requires comment. In paragraphs 16 and 18 of MWRC’s submission, reference is made to the lack of any amendments to the natural features and landscape provisions of the District Plan to give effect to Policy 6-6 of the One Plan. Whilst this is not an ‘indigenous vegetation’ matter, and therefore not a matter for consideration in relation to PPC1, nor a matter for which relief is sought, it does warrant a response. As acknowledged in MWRC’s submission paragraph 16, the District Plan includes a policy and regulatory framework to protect identified natural features and landscapes. However, the operative One Plan now requires that these identified natural features and landscapes be “... *spatially defined in the review and development of district plans*” [emphasis added]. As this is not a simple task, the Council is currently investigating how this can be achieved in a cost-effective manner with a view to completing a spatial delineation and definition process in time for the outcome to be incorporated in the next District Plan review (in five years’ time).

### 5.4.3 Recommendation(s)

- .1 THAT the submissions by Powerco Limited (6/3), Federated Farmers of NZ (7/4) and the Manawatu-Wanganui Regional Council (8/3) be accepted.
- .2 THAT the submission by Forest and Bird (5/1) be rejected.

## 5.5 Minimum Lot Sizes for Wastewater Disposal

### 5.5.1 Submissions

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Federated Farmers of NZ	7/5	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"> <li>• Adopt the advisory text as notified.</li> <li>• Retain the reference to a drainage easement in Rule 5.1.2.2(c)(i) in the District Plan.</li> </ul>

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Manawatu-Wanganui Regional Council	8/4	<b>Supports, in general</b> , 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"> <li>• 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.'</li> <li>• 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 5,000m<sup>2</sup> 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></li> </ul>

## 5.5.2 Consideration

Both Federated Farmers (7/5) and the MWRC (8/4) support in general the proposed provisions. Federated Farmers’ only concern is the proposed removal of the option for a drainage easement over adjacent land to be a permitted means of complying with the standard [Rule 5.1.2.2(c)(i)]. This concern is acknowledged and it is agreed that the current District Plan rule does provide landowners with greater flexibility when subdividing off, say, a farm cottage, so that it can be owned rather than rented by a farm worker.

MWRC states in its submission that it is neutral with respect to the deletion of the provision in Rule 5.1.2.2(c)(i) that allows for drainage easements to be used as a means of achieving compliance with One Plan Rule 14-14. The submission acknowledges (in paragraph 20, page 5) that *“a legally established easement may be the only suitable option when there is insufficient land area available within a property.”* That being the case, it is recommended that the relief sought by Federated Farmers in its submission be accepted (i.e. that the references in Rule 5.1.2.2(c)(1) of the District Plan to a drainage easement being an acceptable means of compliance, be retained).

The minor working amendments being sought by the MWRC are also accepted as appropriate, for the reasons set out in paragraphs 18 and 19 of the submission.

### 5.5.3 Recommendation(s)

- .1 THAT the submission and relief sought by MWRC (8/4) be accepted.
- .2 THAT the submission by Federated Farmers (7/5) be accepted subject to the advisory text being modified as requested by MWRC.

## 5.6 Natural (Flood) Hazards

### 5.6.1 Submissions

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Powerco Limited	6/4	<b>Supports</b> the reasoning and rationale of the approach being taken by the Council.	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.
Federated Farmers of New Zealand	7/6	<b>Supports</b> 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.
Manawatu-Wanganui Regional Council	8/5	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"> <li>• 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"> <li>- "Natural Hazard Area (Flooding) means Land at risk of inundation during a 0.5% Annual Exceedance Probability (1 in 200 years) flood event."</li> </ul> </li> <li>• Provide any alternative relief to give effect to the One Plan policy framework to manage development in areas prone to flooding.</li> <li>• That an advice note be included for plan users to encourage plan users to contact Horizons for coastal hazard information.</li> </ul>

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Manawatu-Wanganui Regional Council	FS-1	<p><b>Powerco Limited opposes decisions sought.</b></p> <p>On the ground of uncertainty - it is important to ensure that any proposed provisions do not hinder / restrict the maintenance and / or upgrading of existing Powerco assets or unnecessarily impede the development of new assets. Adopting the proposed submission by Horizons would require changes outside the scope of the Plan Change to ensure network utilities are not fettered.</p> <p>In their submission Horizons raise Rangitikei District Council as an example. It is important to note that their approach was built on a suite of complementary provisions that ensures that electrical lines are not inadvertently fettered (via a stand-alone utilities Section - B1.12).</p>	

## 5.6.2 Consideration

Powerco Limited (6/4 and FS-1) and Federated Farmers of NZ (7/6) both support the proposed changes to Section 5.1.7.1 of the District Plan. The MWRC (8/5), on the other hand, considers 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. In terms of the relief sought, the MWRC seeks the following:

- *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:*
  - *"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."*

In response to the MWRC's submission, it is not accepted that PPC1 does not give effect to the One Plan or provide the Council with the ability to control land use activities in flood prone areas in accordance with the One Plan's Policy 9-2. Currently, when Council officers assess any resource consent or building permit application, the District Plan flood maps and other accessible flood modelling information is considered and, if a risk of inundation of the subject land is identified, either the applicant is requested to seek detailed advice as to the nature and extent of the risk from a person qualified to do so or the Council officer concerned will consult directly with MWRC officers to establish the risk. Either way, any decisions reached will account for the risk of inundation identified. Administratively, this approach to the controlling of land use to avoid or mitigate natural hazards (flooding) appears to have worked well to date. Putting the known floodable areas on the District Plan maps at this time will not change the decision-making process.

That notwithstanding, it is considered that it is possible to meet the relief sought by the submitter, by reinforcing what actually happens in practice to avoid or mitigate the effects of inundation in a 0.5% AEP flood event. It is recommended that this be done by incorporating a definition of 'Natural Hazard Area (Flooding)' as requested by the submitter and to provide alternative relief in the form of an expanded Section 5.1.7.1 Introduction and the incorporation of a new rule in Section 5.1.7.2 (Natural Hazards-Standards) which is to apply only to 'Natural Hazard Areas (Flooding)' and which differentiates 'flooding' from other forms of natural hazard. Powerco Limited (FS-1) opposes the decisions sought by the MWRC, therefore it is assumed that the recommended changes will also not be acceptable. Powerco's further submission has been carefully considered in formulating the recommended provisions particularly the request that any proposed provisions do not hinder/restrict the maintenance and/or upgrading of existing Powerco assets. Given the wording of the provisions and the Network Utilities provisions (5.3.6) of the District Plan, it is not anticipated that Powerco would be restricted or hindered in the maintenance or upgrading of its assets.

It is also recommended that an advice note be included in the Plan (in Section 5.1.7) in order to alert and encourage plan users to contact the MWRC for coastal hazard information. Whilst this is already done as a matter of course by Council officers, it is not made explicit in the District Plan. Incorporating an 'Advisory Note' will make this advice explicit.

### 5.6.3 Recommendations

.1 THAT the submission by the Manawatu-Wanganui Regional Council (8/5) be accepted in part by making additions and alterations to the provisions of the District Plan as follows:

(a) add the following definition to Section 6.1 of the District Plan, on page 6-7, immediately above the definition of 'Network Utility':

*"Natural Hazard Area (Flooding) means Land at risk of inundation during a 0.5% Annual Exceedance Probability (1 in 200 years) flood event."*

(b) Amend the Proposed Change wording for Section 5.1.7.1 Introduction, by altering and adding to it as follows:

*"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.*

*In addition to these District Plan 'Flood Maps', the Council is also able to consider Natural Hazard Area (Flooding) information (the 0.5% AEP flood modelling) provided by the Manawatu-Wanganui Regional Council for the Upper Gorge (including Woodville), Mangatainoka, Pahiatua and Herbertville. One in 100 year (1% AEP) flood modelling information, in respect of coastal inundation at Akitio, is also able to be referenced. When considering applications for building permits, subdivision of land or changes of use the Council will consider all the above-mentioned information and take this in to account in the decision making process.*

*Persons intending to develop or purchase a property within an area identified by the Council as being floodable, will be 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".*

(c) Add the following to Section 5.1.7.2 Standards and alter the numbering accordingly:

*"5.1.7.2 Standards*

*(a) The permitted and controlled activities ...*

- (i) .*
- .*
- .*
- .*

*(b) Natural Hazard Area (Flooding)*

*The permitted and controlled activities on land identified by the MWRC as a 'Natural Hazard Area (Flooding)' are those specified in Part 4 of this Plan for the Management Area concerned, subject to meeting the following standards:*

- (i) the adverse effects of the identified 0.5% AEP (1 in 200 year) flood hazard are able to be avoided or mitigated; and*
- (ii) the activity, including any non-habitable structure, is on farming (production) land; and*
- (iii) there is a functional necessity to locate the activity or structure within the identified area."*

(d) Add the following advisory note to Section 5.1.7 Natural Hazards, on page 5-22, immediately following criterion (e):

**[Note:** In order to meet the requirements of 5.1.7.4(d) and 5.1.7.5(a), persons wanting to change or intensify a land use, subdivide land or erect or extend any building or structure in an area identified as being floodable or within 1 kilometre of the District's coastline, are advised to contact the Manawatu-Wanganui (Horizons) Regional Council for assistance and/or advice in respect of any detailed, site-specific hazard risk related thereto.]

.2 THAT submissions 6/4 and FS-1 of Powerco Limited be rejected.

.3 THAT the submission of Federated Farmers of NZ (7/6) be accepted in part.

## 5.7 Council Advisory / Warning Signs (PPC1 – Section 5.1)

### 5.7.1 Submissions

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
The NZ Transport Agency (NZTA)	3/1	<b>Supports, in part,</b> 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.	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>

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
The NZ Transport Agency	FS-1	<p><b>Powerco Limited opposes</b> decision sought.</p> <p>Introducing an advisory note will likely cause some interpretative issues if seen to apply to all the matters listed (i.e. it is beyond the scope of the plan change). The provisions are also requiring compulsory consultation. This is not appropriate. It is not clear if being informed would be sufficient to meet the standard and what happens if NZTA allege on receipt of such notice they were not properly consulted.</p>	

### 5.7.2 Consideration

The NZTA’s submission states that *“As the Road Controlling Authority, the Transport Agency seeks to manage the content and location of signs on State Highways in terms of minimising risks to the safety and efficiency of the State Highway network.”* As the Road Controlling Authority for State Highways, the NZTA has the authority to control the content and location of signs on State Highways without any recourse to any other statute or statutory body. It does not have the same ability to control signs on private land adjoining State Highways.

The relief being sought by the NZTA refers to a situation where an advisory or warning sign ‘fronts’ a State Highway, rather than being ‘on’ a State Highway. In the context of the NZTA’s submission, my interpretation of ‘fronting’ a State Highway is that any Council sign to be placed on land adjoining, or adjacent to, a State Highway, that is able to be seen from the highway, would require the Council to consult with the NZTA. Assuming that this interpretation is correct, other matters of interpretation, as raised by Powerco’s further submission, must now be examined. The first matter raised concerns the introduction of an advisory note. I do not consider the additional wording being sought by the NZTA to be an advisory note. It is part of a specific rule in my view and therefore cannot be applied to “all the matters listed.” It is therefore not beyond the scope of the plan change, as suggested in Powerco’s further submission. I consider the suggested wording forms part of a proposed rule which introduces a new category of permitted activity [i.e. 5.4.3.2(b)(viii)]. It is not an advisory note or criterion which would or could apply to all permitted activity categories specified in rule 5.4.3.2(b).

The second matter raised by Powerco concerns the requested use of the words “...shall be consulted.” Powerco considers that compulsory consultation is not appropriate as the manner and purpose of such consultation is not clear. I would agree but perhaps for different reasons. Powerco submits that “it is not clear if being informed would be sufficient to meet the standard...”. I would suggest that “being informed” would not be sufficient as the standard uses the term ‘consulted’ not ‘informed’. ‘Consultation’ to me implies a two-way exchange of information [as per *Wellington International Airport Limited v Air New Zealand [1993], 1 NZLR 671* (Court of Appeal)], as opposed to a one directional flow in the case of ‘being informed’.

The question then arises, as alluded to in the Powerco submission, as to what happens if NZTA alleges it was not properly consulted or, more importantly, it disagrees with what is to be erected and/or where? Whilst I consider the likelihood of this occurring to be remote, if consultation is genuine and timely, the Powerco submission does prompt the need to reconsider the wording to avoid any uncertainty in the application of the rule. To satisfy Powerco’s submission in respect of providing certainty and meet also the intent of the NZTA submission (namely to minimise the risks to the safety and efficiency of the State Highway network) it is suggested that the wording of the proposed provision could be amended as follows:

*“viii) Advisory or warning signs erected by, or on behalf of, the Council except where such signs front State Highway in which case the written approval of the New Zealand Transport Agency, as the Road Controlling Authority is required for such signs to be deemed a permitted activity”.*

### 5.7.3 Recommendations

.1 THAT the proposed provision 5.4.3.2(b)(viii) be amended as follows:

*“viii) Advisory or warning signs erected by, or on behalf of, the Council except where such signs front State Highway in which case the written approval of the New Zealand Transport Agency, as the Road Controlling Authority, is required for such signs to be deemed a permitted activity”*

.2 THAT the submission and relief sought by the NZTA (3/1) be accepted in part, subject to the amended provision (refer .1 above) being adopted.

.3 THAT the further submission by Powerco (FS-1) be rejected.

## 5.8 Earthworks (PPC1 – Section 5.3)

### 5.8.1 Submission

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Federated Farmers of New Zealand	7/7	Supports the intention to increase the volume of earthworks within the Rural Management Area from 200m <sup>3</sup> to 1,000m <sup>3</sup> and therefore remove unreasonable restrictions. This better reflects the requirements for earthworks in the rural zone.	Adopt the changes as notified.

### 5.8.2 Consideration

As the proposed provisions are supported, no further consideration is required.

### 5.8.3 Recommendation

THAT the submission be accepted and the proposed changes, as detailed in Section 5.3 of PPC1, be confirmed.

## 5.9 Screening Standards and Derelict Vehicles, Buildings and Sites (PPC1 - Section 5.5)

### 5.9.1 Submissions

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
J W Blathwayt	1/1	<b>Supports</b> the introduction of provisions to provide a more effective means of managing identified community eyesores (e.g. derelict properties and vehicles).	<ul style="list-style-type: none"> <li>Pass the changes as proposed.</li> </ul>
D E Bray	2/1	<b>Supports</b> the introduction of provisions to provide a more effective way of managing identified community 'eyesores' (e.g. derelict buildings, properties and vehicles).	<ul style="list-style-type: none"> <li>Make provision to allow Council to issue a notice for the removal, at owners cost, of derelict buildings and scrap vehicles etc.</li> </ul>
A Poulton	4/1	<b>Supports</b> the introduction of provisions to provide the Council with a more effective means of managing identified community eyesores (e.g. dumped car bodies and household rubbish) that detract from the rural landscape.	<ul style="list-style-type: none"> <li>Not stated (but it is assumed that the submitter seeks that the changes, as proposed, be adopted).</li> </ul>
Federated Farmers of New Zealand	7/8	<b>Supports, in part</b> , 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 are 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.	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.

### 5.9.2 Consideration

J W Blathwayt (1/1) and A Poulton (4/1) unreservedly support the proposed Section 5.5 changes as notified.

D E Bray (2/1) also supports the introduction of the proposed provisions but seeks, by way of relief sought, the introduction of provisions to allow the Council to issue a notice for the removal of derelict buildings and scrap vehicles, at the owner's cost. I consider there is no need to introduce such provisions as they already exist in the RMA (Part 12 – Declarations, enforcement, and ancillary powers). In the first instance an abatement notice (S322 RMA) may be served on a person by an enforcement officer of the Council. This notice would require the person to do something that, in the enforcement officer's opinion, is necessary to ensure compliance with the rules in the District Plan. Failure to comply with an abatement notice could result in the Council pursuing a prosecution or it could seek an enforcement order from the Environment Court under RMA Section 319. The scope of an enforcement order is quite wide and includes the ability to require the removal of objectionable buildings and vehicles, as well as require a person to pay money to or reimburse any other person (including the Council) for any actual and reasonable costs and expenses which that other person has incurred in carrying out a cleanup. Such actions were taken by the Court in *Dunedin City Council v Osborne* [2015] NZ Env.C 175.

Given that the RMA already enables the Council to do what Mr Bray is seeking, no additional provision is required to be made in the District Plan. For this reason, I recommend that Mr Bray’s submission be accepted in part.

Federated Farmers (7/8) supports the intention of the proposed provisions but is concerned, amongst other things, that they will capture farm buildings such as old sheds. The relief sought is the consideration of more objective standards and amendment of the provisions so that they only apply to sites under 2 hectares.

As detailed in the proposed provisions and the Section 32 RMA Evaluation Report, the Council considered a number of different mechanisms to manage the adverse amenity effects arising from community ‘eyesores’. For the reasons specified, it chose to pursue the development of District Plan provisions rather than, say, bylaws to assist in the management of ‘the problem’. The provisions as notified were developed having considered similar provisions in a number of different District Plans from around New Zealand, none of which were deemed adequate to meet the Council’s requirements. That being the case, a set of provisions was developed which were as objective as possible and designed to be a ‘best fit’ relative to the circumstances of the District and the structure and content of the Operative District Plan. The provisions were also developed and designed to apply universally, irrespective of the management area (zone) and land area concerned. Whilst acknowledging that the introduction of standards pertaining to the maintenance of amenity values is difficult and does involve an element of subjectivity, it is highly unlikely that an ‘old shed’ on a working farm will be the subject of any enforcement action arising from the application of the proposed provisions. That being the case I can find no reason why the provisions, as notified, should not be approved unless, of course, the submitter is able to proffer “more objective standards” for consideration.

### 5.9.3 Recommendations

- .1 THAT the submissions by J W Blathwayt (1/1) and A Poulton (4/1) be accepted.
- .2 THAT the submission by D E Bray (2/1) be accepted in part.
- .3 THAT the submission by Federated Farmers of New Zealand (7/8) be rejected.

## 5.10 Parking and Manoeuvring, Vehicle Access and Crossing Standards (PPC1 - Section 6.1)

### 5.10.1 Submissions

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
The NZ Transport Agency (NZTA)	3/2	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).	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.

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
The NZ Transport Agency (NZTA)	3/3	<p>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 :</p> <ul style="list-style-type: none"> <li>• Equivalent car movements are equal or greater to 31 per day</li> <li>• Or where more than one slow, heavy or long vehicle movement per week is generated</li> </ul> <p>The relevant Transport Agency standard is Diagram D/Perspective D (attached to this submission).</p> <p>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.</p>	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.
The NZ Transport Agency (NZTA)	3/4	<p>Where commercial access is to a State Highway, the proposed Diagram 8.3 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:</p> <ul style="list-style-type: none"> <li>• 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</li> </ul> <p>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.</p>	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.

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
The NZ Transport Agency (NZTA)	3/5	The key on the proposed Diagram 8.4 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.	That the diagram 8.4 key be amended to the following: Area to be Sealed ( <del>Preferred</del> )
The NZ Transport Agency (NZTA)	3/6	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"> <li>• That Appendix 10.1 is replaced by the NZTA standards: <ul style="list-style-type: none"> <li>- Diagram A/Perspective A - Accessway Sight Lines; and</li> <li>- Diagram B/Perspective B - Accessway Separation from Intersections and Other Accessways</li> </ul> </li> </ul> or amended so that the appendix is wholly consistent with these standards.

### 5.10.2 Consideration

The Tararua Alliance is the Tararua District Council's road controlling authority. As such, The Alliance was consulted prior to, and during, the development of PPC1 with a view to identifying any road related matters of concern that may necessitate consideration in terms of the provisions of the District Plan. The Alliance's response was to request that the clarity of the diagrams in Appendices 6 to 12 of the District Plan be improved. Clearer diagrams were subsequently provided by the Alliance and notified as part of PPC1. By including these diagrams, the intention was to merely improve the presentation and clarity of the diagrams, not change the content. Whilst it was considered that such changes could be achieved without going through the RMA 1<sup>st</sup> Schedule process, it was determined, for the sake of completeness and to remove any uncertainty as to process, that the proposed changes to the diagrams be included in PPC1.

As a consequence of the process followed, the NZTA submitted to PPC1 and requested that certain diagrams be amended so as to align with the relevant NZTA access standards for state highways. Following further consultation with Alliance staff and in particular the Alliance's Design and Engineering Team Leader, I have been advised that the Alliance accepts, wholly, NZTA's proposed amendments involving Primary Arterial Roads (State Highways). Whilst the requests made in the NZTA's submission will result in more restrictive provisions (e.g. some minimum site distances are increased and the sealing of entranceways becomes mandatory not discretionary), the design and purpose of the road access diagrams has not changed. The changes sought by the NZTA were clearly documented in the summary of submissions received, and available to be the subject of further submissions. No further submissions were received in respect of the NZTA's submission. Apart from the need to amend the title boxes on the NZTA's diagrams to fit with terminology used in the District Plan, I can see no reason why the NZTA's submissions pertaining to the District Plan's access diagrams should not be accepted.

### 5.10.3 Recommendations

THAT submissions 3/2, 3/3, 3/4, 3/5, and 3/6 by the NZ Transport Agency be accepted.

## 5.11 Updating and Minor Corrections of Existing Plan Provisions (PPC1 – Section 6.4)

### 5.11.1 Submissions

NAME	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT
Federated Farmers of NZ	7/9	Supports the updating of incomplete references and wording changes.	Adopt the changes as notified.
Manawatu – Wanganui Regional Council (Horizons)	8/6	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"><li>That the changes proposed in Section 6.4.3 of PPC1 be retained as drafted.</li></ul>

### 5.11.2 Consideration

As the proposed provisions are supported, no further consideration is required.

### 5.11.3 Recommendation

THAT the submissions of Federated Farmers of New Zealand (7/9) and the Manawatu-Wanganui Regional Council (8/6) be accepted.



## **Appendix A**

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

JANUARY 2017





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

**January 2017**





**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 and further submissions in respect of the Tararua District Council's Proposed "Tidy-Up" Plan Change No. 1.

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

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



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	<b>Supports</b> 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"> <li>Pass the changes as proposed.</li> </ul>	No
2.	D E Bray	2/1	Screening Standards and Derelict Vehicles, Buildings and Sites	<b>Supports</b> 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"> <li>Make provision to allow Council to issue a notice for the removal, at owners cost, of derelict buildings and scrap vehicles etc.</li> </ul>	No
3.	The NZ Transport Agency (NZTA)	3/1	Council Advisory/Warning Signs	<b>Supports, in part,</b> 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"> <li>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></li> </ul>	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"> <li>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.</li> </ul>	
		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"> <li>Equivalent car movements are equal or greater to 31 per day</li> <li>Or where more than one slow, heavy or long vehicle movement per week is generated</li> </ul> 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"> <li>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.</li> </ul>	
		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"> <li>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</li> </ul> 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"> <li>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.</li> </ul>	

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	WISHES TO BE HEARD (Y/N)
		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"> <li>That the diagram 8.4 key be amended to the following: <i>Area to be Sealed (Preferred)</i></li> </ul>	
		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"> <li>That Appendix 10.1 is replaced by the NZTA standards: <ul style="list-style-type: none"> <li>- Diagram A/Perspective A - Accessway Sight Lines; and</li> <li>- Diagram B/Perspective B - Accessway Separation from Intersections and Other Accessways</li> </ul> </li> </ul> or amended so that the appendix is wholly consistent with these standards.	
4.	A Poulton	4/1	Screening Standards and Derelict Vehicles, Buildings and Sites	<b>Supports</b> 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"> <li>Not stated (but it is assumed that the submitter seeks that the changes, as proposed, be adopted).</li> </ul>	No
5.	Forest and Bird	5/1	Indigenous Vegetation Provisions	<p><b>Supports, in part,</b> 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"> <li>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.</li> <li>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.</li> </ul>	Not Specified

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTE(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	WISHES TO BE HEARD (Y/N)
6.	Powerco Limited	6/1	Renewable Electricity Generation	<b>Supports</b> the inclusion of additional provisions to better cater for small and community scale electricity generation in the District, <b>but seeks the addition of some precautionary statements</b> in the Plan regarding network connections.	<ol style="list-style-type: none"> <li>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</li> <li>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></li> <li>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></li> <li>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.</li> </ol>	Yes
		6/2	Hazardous Substances	<b>Supports</b> 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"> <li>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.</li> <li>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.</li> </ol>	
		6/3	Indigenous Vegetation Provisions	<b>Supports</b> 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"> <li>1. Retain the proposed amendments to more appropriately target the provisions relating to indigenous vegetation and habitats and remove the duplication and inconsistency with the One Plan, as set out in Section 4.1.3 of Plan Change 1, without further amendment.</li> <li>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.</li> </ol>	
		6/4	Natural (Flood) Hazards	<b>Supports</b> the reasoning and rationale of the approach being taken by the Council.	<ol style="list-style-type: none"> <li>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.</li> </ol>	

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7.	Federated Farmers of New Zealand	7/1	National Environmental Standard for Telecommunication Facilities (2008)	<b>Supports</b> 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)	<b>Supports, in part</b> , 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"> <li>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.</li> <li>Amend the terminology (definition of) 'domestic scale electricity generation from renewable energy sources' to better account for small and community scale uses such as the powering of primary production activities.</li> </ul>	
		7/3	Hazardous Substances	<b>Supports</b> 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	<b>Supports</b> 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	<b>Supports</b> the intention to ensure the District Plan is consistent with the One Plan 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"> <li>Adopt the advisory text as notified.</li> <li>Retain the reference to a drainage easement in Rule 5.1.2.2(c)(i) in the District Plan.</li> </ul>	
		7/6	Natural (Flood) Hazards	<b>Supports</b> 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	<b>Supports</b> the intention to increase the volume of earthworks within the Rural Management Area from 200m <sup>3</sup> to 1,000m <sup>3</sup> 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	<b>Supports, in part</b> , 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	<b>Supports</b> 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	<b>Supports</b> 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	<b>Supports, in general</b> , 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"> <li>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.</li> <li>Provide any alternative relief that gives effect to the One Plan policies for management of hazardous substances.</li> </ul>	
		8/3	Indigenous Vegetation Provisions	<p><b>Supports</b> 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"> <li>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.</li> <li>That the proposed changes set out in Section 4.1.3 of the Plan Change document be retained as drafted.</li> <li>Provide any alternative relief to give effect to the One Plan policy framework for maintaining and enhancing indigenous biological diversity.</li> </ul>	
		8/4	Minimum Lot Sizes for Wastewater Disposal	<b>Supports, in general</b> , 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"> <li>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.'</li> <li>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 5,000m<sup>2</sup> 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></li> </ul>	
		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"> <li>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"> <li>“Natural Hazard Area (Flooding) means Land at risk of inundation during a 0.5% Annual Exceedance Probability (1 in 200 year) flood event.”</li> </ul> </li> <li>Provide any alternative relief to give effect to the One Plan policy framework to manage development in areas prone to flooding.</li> <li>That an advice note be included for plan users to encourage plan users to contact Horizons for coastal hazard information.</li> </ul>	

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	WISHES TO BE HEARD (Y/N)
		8/6	Updating of Outdated References	<b>Supports</b> 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"> <li>• That the changes proposed in Section 6.4.3 of PPC1 be retained as drafted.</li> </ul>	
9.	Z Energy Limited, Mobil Oil NZ Limited, and BP Oil NZ Limited (the "Oil Companies")	9/1	Hazardous Substances	<b>Supports</b> 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"> <li>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.</li> <li>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.</li> </ol>	

**NEW FURTHER SUBMISSIONS**

SUB-MISSION #	NAME OF FURTHER SUBMITTER	ORIGINAL SUBMITTER	SUBMISSION POINT	RELIEF SOUGHT BY SUBMITTER	POSITION OF FURTHER SUBMITTER	REASON FOR SUPPORT/OPPPOSITION
FS-1	Powerco Limited	NZTA	3/1	Insert the following wording (underlined) into the permitted activity category, as follows:  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>	Oppose	Introducing an advisory note will likely cause some interpretative issues if seen to apply to all the matters listed (i.e. it is beyond the scope of the plan change). The provisions are also requiring compulsory consultation. This is not appropriate. It is not clear if being informed would be sufficient to meet the standard and what happens if NZTA allege on receipt of such notice they were not properly consulted.
		Federated Farmers	7/2	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) ' <i>domestic sale electricity generation from renewable energy sources</i> ' to better account for small and community scale uses such as the powering of primary production activities.	Oppose in part Support in part	Powerco is supportive of providing for NPSREG, however it is not considered necessary to define the purpose for which power will be used. Power generated on a site should be able to be used on the site. Powerco is also mindful of the need for all community scale and domestic/household scale electricity generation connections to be safe and to meet Powerco's standards. Powerco, through its own submission, seeks to ensure a suite of precautionary statements are included within the Plan to ensure safe connections. Powerco supports the definitions of the NSPREG being adopted.
		Horizons	8/2	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.	Oppose	Powerco supports the removal of provisions that duplicate controls (e.g. under HSNO Act and Health and Safety at Work Act). It is unclear on what basis (i.e. no supporting S32 analysis) hazardous substances need to be further controlled in this District.
		Horizons	8/5	That the 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:  <i>"Natural Hazard Area (Flooding) means Land at risk of inundation during a 0.5% Annual Exceedance Probability (1 in 200 year) flood event"</i> .  Provide alternative relief to give effect to the One Plan policy framework to manage development in areas prone to flooding.	Oppose	On the ground of uncertainty - it is important to ensure that any proposed provisions do not hinder / restrict the maintenance and / or upgrading of existing Powerco assets or unnecessarily impede the development of new assets. Adopting the proposed submission by Horizons would require changes outside the scope of the Plan Change to ensure network utilities are not fettered.  In their submission Horizons raise Rangitikei District Council as an example. It is important to note that their approach was built on a suite of complementary provisions that ensures that electrical lines are not inadvertently fettered (via a stand-alone utilities section - B1.12).
FS-2	Z Energy Limited, Mobil Oil NZ Limited, and BP Oil NZ Limited (the "Oil Companies")	Horizons	8/2	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.	Oppose	The 'Oil Companies' support the removal of provisions that duplicate controls (e.g. under HSNO Act and Health and Safety at Work Act). It is unclear on what basis (i.e. no supporting S32 analysis) hazardous substances need to be further controlled in this District.



## **Appendix B**

SUMMARY OF SUBMISSIONS AND RECOMMENDATIONS BY SUBMITTER



SUMMARY OF SUBMISSIONS AND RECOMMENDATIONS BY SUBMITTER (IN ORDER OF RECEIPT)

APPENDIX B

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
1.	J W Blathwayt	1/1	Screening Standards and Derelict Vehicles, Buildings and Sites	<b>Supports</b> 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"> <li>Pass the changes as proposed.</li> </ul>	Accept	
2.	D E Bray	2/1	Screening Standards and Derelict Vehicles, Buildings and Sites	<b>Supports</b> 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"> <li>Make provision to allow Council to issue a notice for the removal, at owners cost, of derelict buildings and scrap vehicles etc.</li> </ul>	Accept in part	
3.	The NZ Transport Agency (NZTA)	3/1	Council Advisory/Warning Signs	<p><b>Supports, in part,</b> 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.</p> <p><b>Powerco Limited opposes</b> decision sought.</p> <p>Introducing an advisory note will likely cause some interpretative issues if seen to apply to all the matters listed (i.e. it is beyond the scope of the plan change). The provisions are also requiring compulsory consultation. This is not appropriate. It is not clear if being informed would be sufficient to meet the standard and what happens if NZTA allege on receipt of such notice they were not properly consulted.</p>	<ul style="list-style-type: none"> <li>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></li> </ul>	Accept in part (subject to amendments)	
		FS-1				Reject	
		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"> <li>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.</li> </ul>	Accept	
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	<p>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 :</p> <ul style="list-style-type: none"> <li>Equivalent car movements are equal or greater to 31 per day</li> <li>Or where more than one slow, heavy or long vehicle movement per week is generated</li> </ul> <p>The relevant Transport Agency standard is Diagram D/ Perspective D (attached to this submission).</p> <p>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.</p>	<ul style="list-style-type: none"> <li>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.</li> </ul>	Accept			

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
		3/4	Appendix 8 – Design of Road Access Drawing 8.3 Commercial Access in Rural and Settlement Management Areas	<p>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:</p> <ul style="list-style-type: none"> <li>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</li> </ul> <p>In particular, the proposed diagram does not meet the minimum standards of the Transport Agency in terms of access design and dimensions.</p> <p>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.</p>	<ul style="list-style-type: none"> <li>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.</li> </ul>	Accept	
		3/5	Appendix 8 – Design of Road Access Drawing 8.4 Double Gate Access in Rural and Settlement Management Areas	<p>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.</p>	<ul style="list-style-type: none"> <li>That the diagram 8.4 key be amended to the following: <i>Area to be Sealed (Preferred)</i></li> </ul>	Accept	
		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)	<p>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.</p>	<ul style="list-style-type: none"> <li>That Appendix 10.1 is replaced by the NZTA standards: <ul style="list-style-type: none"> <li>Diagram A/Perspective A - Accessway Sight Lines; and</li> <li>Diagram B/Perspective B - Accessway Separation from Intersections and Other Accessways</li> </ul> </li> <li>Or amended so that the appendix is wholly consistent with these standards.</li> </ul>	Accept	
4.	A Poulton	4/1	Screening Standards and Derelict Vehicles, Buildings and Sites	<p><b>Supports</b> 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.</p>	<ul style="list-style-type: none"> <li>Not stated (but it is assumed that the submitter seeks that the changes, as proposed, be adopted).</li> </ul>	Accept	

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
5.	Forest and Bird	5/1	Indigenous Vegetation Provisions	<p><b>Supports, in part</b>, 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"> <li>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.</li> <li>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.</li> </ul>	Reject	
6.	Powerco Limited	6/1	Renewable Electricity Generation	<p><b>Supports</b> the inclusion of additional provisions to better cater for small and community scale electricity generation in the District, <b>but seeks the addition of some precautionary statements</b> in the Plan regarding network connections.</p>	<ol style="list-style-type: none"> <li>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</li> <li>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></li> <li>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></li> <li>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.</li> </ol>	Accept in part	

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
		6/2	Hazardous Substances	<b>Supports</b> 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"> <li>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.</li> <li>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.</li> </ol>	Accept	
		6/3	Indigenous Vegetation Provisions	<b>Supports</b> 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"> <li>1. Retain the proposed amendments to more appropriately target the provisions relating to indigenous vegetation and habitats and remove duplication and inconsistency with the One Plan as set out in Section 4.1.3 of Plan Change 1, without further amendment.</li> <li>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.</li> </ol>	Accept	
		6/4	Natural (Flood) Hazards	<b>Supports</b> the reasoning and rationale of the approach being taken by the Council.	<ol style="list-style-type: none"> <li>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.</li> </ol>	Reject	
7.	<b>Federated Farmers of New Zealand</b>	7/1	National Environmental Standard for Telecommunication Facilities (2008)	<b>Supports</b> the addition of a reference to the NES in the District Plan.	Adopt the change as notified.	Accept	
		7/2	National Policy Statement for Renewable Electricity Generation 2011 (NPSREG)	<p><b>Supports, in part,</b> the need to provide for small and community scale renewable electricity generation in the Plan as required by NPSREG. Clarification is ought 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.</p> <p><b>Powerco Limited opposes in part and Supports in part.</b></p> <p>Powerco is supportive of providing for NPSREG, however it is not considered necessary to define the purpose for which power will be used. Power generated on a site should be able to be used on the site. Powerco is also mindful of the need for all community scale and domestic/household scale electricity generation connections to be safe and to meet Powerco's standards. Powerco, through its own submission, seeks to ensure a suite of precautionary statements are included within the Plan to ensure safe connections. Powerco supports the definitions of the NSPREG being adopted.</p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Amend the terminology (definition of) 'domestic scale electricity generation from renewable energy sources' to better account for small and community scale uses such as the powering of primary production activities.</li> </ul>	<p>Reject</p> <p>Reject</p> <p>Accept in part</p>	
		FS-1					

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
		7/3	Hazardous Substances	<b>Supports</b> 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.	Accept	
		7/4	Indigenous Vegetation Provisions	<b>Supports</b> 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.	Accept	
		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"> <li>Adopt the advisory text as notified.</li> <li>Retain the reference to a drainage easement in Rule 5.1.2.2(c)(i) in the District Plan.</li> </ul>	Accept	
		7/6	Natural (Flood) Hazards	<b>Supports</b> 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.	Accept in part	
		7/7	Earthworks	<b>Supports</b> the intention to increase the volume of earthworks within the Rural Management Area from 200m <sup>3</sup> to 1,000m <sup>3</sup> and therefore remove unreasonable restrictions. This better reflects the requirements for earthworks in the rural zone.	Adopt the changes as notified.	Accept	
		7/8	Screening Standards and Derelict Vehicles, Buildings & Sites	<b>Supports, in part,</b> 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.	Reject	
		7/9	Updating and Minor Corrections of Existing Plan Provisions	<b>Supports</b> the updating of incomplete references and wording changes.	Adopt the changes as notified.	Accept	

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
8.	Manawatu-Wanganui Regional Council (Horizons)	8/1	Renewable Electricity Generation	<b>Supports</b> 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.	Accept	
		8/2	Hazardous Substances	<b>Supports, in general</b> , 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"> <li>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.</li> <li>Provide any alternative relief that gives effect to the One Plan policies for management of hazardous substances.</li> </ul>	Accept in part	
		FS-1		<b>Powerco Limited opposes decision sought.</b> Powerco supports the removal of provisions that duplicate controls (e.g. under HSNO Act and Health and Safety at Work Act). It is unclear on what basis (i.e. no supporting S32 analysis) hazardous substances need to be further controlled in this District.		Accept	
		FS-2		<b>The 'Oil Companies' oppose decision sought.</b> The 'Oil Companies' support the removal of provisions that duplicate controls (e.g. under HSNO Act and Health and Safety at Work Act). It is unclear on what basis (i.e. no supporting S32 analysis) hazardous substances need to be further controlled in this District.		Accept	
8/3	Indigenous Vegetation Provisions	<b>Supports</b> 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.  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.	<ul style="list-style-type: none"> <li>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.</li> <li>That the proposed changes set out in Section 4.1.3 of the Plan Change document be retained as drafted.</li> <li>Provide any alternative relief to give effect to the One Plan policy framework for maintaining and enhancing indigenous biological diversity.</li> </ul>	Accept			

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
		8/4	Minimum Lot Sizes for Wastewater Disposal	<b>Supports, in general</b> , 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"> <li>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.'</li> <li>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 5,000m<sup>2</sup> 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></li> </ul>	Accept	
		8/5	Natural (Flood) Hazards	<p>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.</p> <p><b>Powerco Limited opposes decisions sought.</b></p> <p>On the ground of uncertainty - it is important to ensure that any proposed provisions do not hinder / restrict the maintenance and / or upgrading of existing Powerco assets or unnecessarily impede the development of new assets. Adopting the proposed submission by Horizons would require changes outside the scope of the Plan Change to ensure network utilities are not fettered.</p> <p>In their submission Horizons raise Rangitikei District Council as an example. It is important to note that their approach was built on a suite of complementary provisions that ensures that electrical lines are not inadvertently fettered (via a stand-alone utilities section - B1.12).</p>	<ul style="list-style-type: none"> <li>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"> <li>"Natural Hazard Area (Flooding) means Land at risk of inundation during a 0.5% Annual Exceedance Probability (1 in 200 year) flood event."</li> </ul> </li> <li>Provide any alternative relief to give effect to the One Plan policy framework to manage development in areas prone to flooding.</li> <li>That an advice note be included for plan users to encourage plan users to contact Horizons for coastal hazard information.</li> </ul>	Accept in part (subject to amendments)	
	FS-1					Reject	
		8/6	Updating of Outdated References	<b>Supports</b> 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"> <li>That the changes proposed in Section 6.4.3 of PPC1 be retained as drafted.</li> </ul>	Accept	

SUB-MISSION #	NAME	REF	SUBJECT PROVISIONS	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
9.	<b>Z Energy Limited, Mobil Oil NZ Limited, and BP Oil NZ Limited (the "Oil Companies")</b>	9/1	Hazardous Substances	<b>Supports</b> 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"> <li>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.</li> <li>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.</li> </ol>	Accept	

## **Appendix C**

SUMMARY OF SUBMISSIONS AND RECOMMENDATIONS BY SUBJECT



SUBJECT PROVISIONS	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
<b>National Environmental Standard for Telecommunication Facilities (2008)</b>	7/1	<b>Supports</b> the addition of a reference to the NES in the District Plan.	Adopt the change as notified.	Accept	
<b>National Policy Statement for Renewable Electricity Generation 2011 (NPSREG)</b>	6/1	<b>Supports</b> the inclusion of additional provisions to better cater for small and community scale electricity generation in the District, <b>but seeks the addition of some precautionary statements</b> in the Plan regarding network connections.	<ol style="list-style-type: none"> <li>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</li> <li>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></li> <li>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></li> <li>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.</li> </ol>	Accept in part	
	7/2  FS-1	<p><b>Supports, in part,</b> 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.</p> <p><b>Powerco Limited opposes in part and Supports in part.</b> Powerco is supportive of providing for NPSREG, however it is not considered necessary to define the purpose for which power will be used. Power generated on a site should be able to be used on the site. Powerco is also mindful of the need for all community scale and domestic/household scale electricity generation connections to be safe and to meet Powerco's standards. Powerco, through its own submission, seeks to ensure a suite of precautionary statements are included within the Plan to ensure safe connections. Powerco supports the definitions of the NSPREG being adopted.</p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul>	<p>Reject</p> <p>Reject</p> <p>Accept in part</p>	
	8/1	<b>Supports</b> 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.	Accept	

SUBJECT PROVISIONS	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
<b>Hazardous Substances</b>	6/2	<b>Supports</b> 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"> <li>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.</li> <li>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.</li> </ol>	Accept	
	7/3	<b>Supports</b> 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.	Accept	
	9/1	<b>Supports</b> 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"> <li>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.</li> <li>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.</li> </ol>	Accept	
	8/2 FS-1 FS-2	<p><b>Supports, in general</b>, 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.</p> <p><b>Powerco Limited opposes decision sought.</b> Powerco supports the removal of provisions that duplicate controls (e.g. under HSNO Act and Health and Safety at Work Act). It is unclear on what basis (i.e. no supporting S32 analysis) hazardous substances need to be further controlled in this District.</p> <p><b>The 'Oil Companies' oppose decision sought.</b> The 'Oil Companies' support the removal of provisions that duplicate controls (e.g. under HSNO Act and Health and Safety at Work Act). It is unclear on what basis (i.e. no supporting S32 analysis) hazardous substances need to be further controlled in this District.</p>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Provide any alternative relief that gives effect to the One Plan policies for management of hazardous substances.</li> </ul>	Accept in part  Accept  Accept	
<b>Indigenous Vegetation Provisions</b>	5/1	<p><b>Supports, in part</b>, 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"> <li>• 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.</li> <li>• 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.</li> </ul>	Reject	

SUBJECT PROVISIONS	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
Indigenous Vegetation Provisions	6/3	<b>Supports</b> 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"> <li>1. Retain the proposed amendments to more appropriately target the provisions relating to indigenous vegetation and habitats and remove duplication and inconsistency with the One Plan, as set out in Section 4.1.3 of Plan Change 1, without further amendment.</li> <li>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.</li> </ol>	Accept	
	7/4	<b>Supports</b> 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.	Accept	
	8/3	<p><b>Supports</b> 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"> <li>• 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.</li> <li>• That the proposed changes set out in Section 4.1.3 of the Plan Change document be retained as drafted.</li> <li>• Provide any alternative relief to give effect to the One Plan policy framework for maintaining and enhancing indigenous biological diversity.</li> </ul>	Accept	
Minimum Lot Sizes for Wastewater Disposal	7/5	<b>Supports</b> the intention to ensure the District Plan is consistent with the One Plan 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"> <li>• Adopt the advisory text as notified.</li> <li>• Retain the reference to a drainage easement in Rule 5.1.2.2(c)(i) in the District Plan.</li> </ul>	Accept	
	8/4	<b>Supports, in general</b> , 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"> <li>• 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.'</li> <li>• 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 5,000m<sup>2</sup> 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></li> </ul>	Accept	

SUBJECT PROVISIONS	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
Natural (Flood) Hazards	6/4	<b>Supports</b> the reasoning and rationale of the approach being taken by the Council.	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.	Reject	
	7/6	<b>Supports</b> 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.	Accept in part	
	8/5  FS-1	<p>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.</p> <p><b>Powerco Limited opposes decisions sought.</b></p> <p>On the ground of uncertainty - it is important to ensure that any proposed provisions do not hinder / restrict the maintenance and / or upgrading of existing Powerco assets or unnecessarily impede the development of new assets. Adopting the proposed submission by Horizons would require changes outside the scope of the Plan Change to ensure network utilities are not fettered.</p> <p>In their submission Horizons raise Rangitikei District Council as an example. It is important to note that their approach was built on a suite of complementary provisions that ensures that electrical lines are not inadvertently fettered (via a stand-alone utilities section - B1.12).</p>	<ul style="list-style-type: none"> <li>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"> <li>"Natural Hazard Area (Flooding) means Land at risk of inundation during a 0.5% Annual Exceedance Probability (1 in 200 year) flood event."</li> </ul> </li> <li>Provide any alternative relief to give effect to the One Plan policy framework to manage development in areas prone to flooding.</li> <li>That an advice note be included for plan users to encourage plan users to contact Horizons for coastal hazard information.</li> </ul>	Accept in part (subject to amendments)	Reject
Council Advisory/Warning Signs	3/1	<b>Supports, in part,</b> 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"> <li>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></li> </ul>	Accept in part (subject to amendments)	
	FS-1	<p><b>Powerco Limited opposes</b> decision sought.</p> <p>Introducing an advisory note will likely cause some interpretative issues if seen to apply to all the matters listed (i.e. it is beyond the scope of the plan change). The provisions are also requiring compulsory consultation. This is not appropriate. It is not clear if being informed would be sufficient to meet the standard and what happens if NZTA allege on receipt of such notice they were not properly consulted.</p>		Reject	
Earthworks	7/7	<b>Supports</b> the intention to increase the volume of earthworks within the Rural Management Area from 200m <sup>3</sup> to 1,000m <sup>3</sup> and therefore remove unreasonable restrictions. This better reflects the requirements for earthworks in the rural zone.	Adopt the changes as notified.	Accept	
Screening Standards and Derelict Vehicles, Buildings and Sites	1/1	<b>Supports</b> 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"> <li>Pass the changes as proposed.</li> </ul>	Accept	

SUBJECT PROVISIONS	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
<b>Screening Standards and Derelict Vehicles, Buildings and Sites</b>	2/1	<b>Supports</b> 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"> <li>Make provision to allow Council to issue a notice for the removal, at owners cost, of derelict buildings and scrap vehicles etc.</li> </ul>	Accept in part	
	4/1	<b>Supports</b> 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"> <li>Not stated (but it is assumed that the submitter seeks that the changes, as proposed, be adopted).</li> </ul>	Accept	
	7/8	<b>Supports, in part</b> , 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.	Reject	
<b>PARKING AND MANOEUVRING, VEHICLE ACCESS AND CROSSING STANDARDS (PPC1 – SECTION 6.1)</b>  <b>Appendix 8 – Design of Road Access Drawing 8.1 Private Access to Primary Arterial Roads in Rural and Settlement Management Areas</b>	3/2	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"> <li>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.</li> </ul>	Accept	
	3/3	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"> <li>Equivalent car movements are equal or greater to 31 per day</li> <li>Or where more than one slow, heavy or long vehicle movement per week is generated</li> </ul> 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"> <li>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.</li> </ul>	Accept	
	3/4	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"> <li>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</li> </ul> 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"> <li>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.</li> </ul>	Accept	
<b>Appendix 8 – Design of Road Access Drawing 8.3 Commercial Access in Rural and Settlement Management Areas</b>					

SUBJECT PROVISIONS	REF	MATTER(S) RAISED IN SUBMISSION	SUMMARY OF DECISION(S) SOUGHT	RECOMMENDATION	DECISION
<b>Appendix 8 – Design of Road Access Drawing 8.4 Double Gate Access in Rural and Settlement Management Areas</b>	3/5	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"> <li>That the diagram 8.4 key be amended to the following: <i>Area to be Sealed (Preferred)</i></li> </ul>	Accept	
<b>Appendix 10 Performance Standards Relating to Access Spacing and Sight Distances</b> <b>Drawing 10.1 Performance Standards for the Physical Distance (Spacing) Between Accesses and Intersections, and Sight Distance from Accesses (Primary Arterial Roads)</b>	3/6	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"> <li>That Appendix 10.1 is replaced by the NZTA standards: <ul style="list-style-type: none"> <li>Diagram A/Perspective A - Accessway Sight Lines; and</li> <li>Diagram B/Perspective B - Accessway Separation from Intersections and Other Accessways</li> </ul> </li> <li>Or amended so that the appendix is wholly consistent with these standards.</li> </ul>	Accept	
<b>Updating and Minor Corrections of Existing Plan Provisions</b>	7/9	<b>Supports</b> the updating of incomplete references and wording changes.	Adopt the changes as notified.	Accept	
	8/6	<b>Supports</b> 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"> <li>That the changes proposed in Section 6.4.3 of PPC1 be retained as drafted.</li> </ul>	Accept	