



Resource Management Act 1991
**Submission on a Publicly Notified Plan Change
 To The Wanganui District Plan**

In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003



TO: Wanganui District Council, PO Box 637, Wanganui

Name: (print in full) Tony Boswell

This is a submission on Plan Change No. 41 Closing Date: 30-6-15

1. (a) I ~~could/could not~~* gain an advantage in trade competition through this submission. (*please delete one).
- (b) I ~~am/am not~~* directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition (*please delete one).

2. The specific provisions of the proposed plan change that my submission relates to:

Allowance of Bird scarers to assist normal farming use.

Use additional pages if required

3. My submission is that (Please state in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made. Please give your reasons):

Support - Not allowing bird scarers puts Wanganui rural businesses at a competitive disadvantage to other regions where they are common place and acknowledged as current best practice.

Use additional pages if required

4. I seek the following decision from the Council (Give clear details stating what amendments you wish to see made to the Plan Change, and your reasons):

Allow noise levels commensurate with all other regions for all rural activities that assist existing businesses to remain competitive.

Use additional pages if required

5. I ~~do/do not~~* wish to be heard in support of this submission (*please delete one).

6. If others make a similar submission I ~~would/would not~~* be prepared to consider presenting a joint case with them at any hearing (*please delete one).

7. Address for service:

313 SH3
RD4.
Wanganui

Signature: Tony Boswell

(Person making submission or person authorised to sign on behalf of person making submission)

Day time phone No: 0276355304

Email: tony.boswell@clear.net.nz

Date: 30-6-15

SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR PROPOSED PLAN CHANGE NUMBER 41 (NOISE) UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

To the Wanganui District Council

This is a Submission by MidCentral Public Health Services
on Proposed Plan Change Number 41 (Noise) (the Proposal)

Submission introduction

1. The specific provisions of the proposal our Submission relates to are given below or are shown in the attached schedule together with a statement whether we support or oppose the specific provision or wish it to be amended.
2. The decision we seek from the local authority is set out below or in the attached schedule together with reasons. Where we provide new words to be inserted into the Proposal or seek amendments to the wording of specific parts of the Proposal, we assert that the scope of our Submissions is intended to also cover words to the like effect in the specific section or in any other plan section which might be consequentially amended, or added.
3. The broad reason for these submissions is to provide helpful, objective and independent submissions so as to promote the reduction of adverse effects of environmental noise on the health of people and communities pursuant to the New Zealand Public Health and Disability Act 2000 and the Health Act 1956. MidCentral Public Health Services has statutory obligations for public health within the Wanganui District under Crown funding agreements between the Ministry of Health and the MidCentral District Health Board. The Ministry of Health requires public health services to reduce any potential health risks by means including submissions on any proposed policy statement or plan to ensure matters of public health significance are considered by the local authority. The Proposal subject of this submission includes matters with the potential to impact on the health of people and communities.
4. This submitter could not gain an advantage in trade competition through this submission.

Specific submission

5. Submissions on specific plan provisions are shown below under the heading "Specific submissions on Proposed Plan Change Number 41 (Noise)."
6. This submitter will wish to be heard in support of its submissions and will not consider presenting a joint case with any other submitter.

Dated at Palmerston North this 30th day of June 2015

Peter Wood
Health Protection Officer
For and on behalf of MidCentral Public Health Services

Address for service

Contact person: Margaret Tunbridge
MidCentral Public Health Services, Private Bag 3003, Wanganui 4500
Email: margaret.tunbridge@midcentraldhub.govt.nz
Ph:(06) 348 1775 Fax:(06) 348 1783

Specific Submissions On Proposed Plan Change Number 41 (Noise)

The documents listed on the Council's website available for download are:

- Public Notice (PDF, 202KB)
- Section 32 Report (PDF, 5.77MB)
- Proposed Changes to Plan Text (PDF, 1213KB)
- Background Technical Noise Report (PDF, 7.89MB)

None of these documents include the new “Chapter 17” as a single document as referred to in the document titled “Proposed Changes to Plan Text” or other documents.

These submissions therefore cite the relevant parts of the section 32 analysis report dated May 2015 which purports to state the content of “Chapter 17” and these submissions use the numeration scheme from that document.

Submission # 1

| | |
|---|--------------------------|
| The specific provision is: | 17.1.1 and 17.1.2 |
| Our Submission is: The inclusion of these issues is reasonable and necessary The Proposal is supported and should be allowed : For the following reasons. Consistent with the purpose of the Act. | |
| The decision required is : Allow the provision. Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal. | |

Submission # 2

| | |
|--|---------------|
| The specific provision is: | 17.3.1 |
| Our Submission is: Reasonable and necessary provision consistent with sustainable management of strategic infrastructural physical resources of the district. The Proposal is supported and should be allowed : For the following reasons. Reasonable provision which will mitigate against potential reverse sensitivity issues arising which may compromise physical resources of the district inconsistent with sustainable management. | |
| The decision required is : Allow the provision. Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal. | |

Submission # 3

| | |
|---|---------------|
| The specific provision is: | 17.3.2 |
| <p>Our Submission is:</p> <p>Managing noise is consistent with Council's s.31 (1) (d) RMA responsibilities</p> <p>The Proposal is supported and should be allowed :</p> <p>For the following reasons.</p> <p>The inclusion of these provisions is reasonable and necessary.</p> | |
| <p>The decision required is :</p> <p>Allow the provision.</p> <p>Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.</p> | |

Submission # 4

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|---|--|
| The specific provision is: | 17.3.3 first sentence and sub-clauses a), c), & d), but not sub-clause b) |
| <p>Our Submission is:</p> <p>Support gist of proposed clause but with more appropriate reference to limits. Literal interpretation of "at limits" can be interpreted to require numerical noise limits in rules are a mandatory level.</p> <p>The Proposal is supported in part but with amendment:</p> <p>For the following reasons.</p> <p>Concept is good but requires amendment.</p> | |
| <p>The decision required is :</p> <p>Allow the provision in part and amend as follows: .</p> <p>In first sentence delete "at" and substitute "within"</p> <p>Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.</p> | |

Submission # 5

| | |
|---|-----------------------------|
| The specific provision is: | 17.3.3 sub-clause b) |
| <p>Our Submission is:</p> <p>Sub-clause b) is problematic in that it does not include consideration of barriers to transmission of sound or orientation which are often more cost effective than “sound insulation”. A further problem that is that it does not refer to “new” noise sensitive activities which is a sensible qualification to complement the reference to “existing” noise generating activities. There is an unnecessary semi-colon after the word “effects.”</p> <p>The Proposal is supported in part but with amendment:</p> <p>For the following reasons.</p> <p>Amendments are necessary to make this proposed sub-clause practicable and to avoid problems with interpretation.</p> | |
| <p>The decision required is :</p> <p>Allow the provision in part and amend as follows:.</p> <p>Replace sub-clause with “b) New noise sensitive activities are acoustically isolated to mitigate any adverse noise effects from existing noise generating activities.”</p> <p>Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.</p> | |

Submission # 6

| | |
|---|---------------|
| The specific provision is: | 17.3.4 |
| <p>Our Submission is:</p> <p>The inclusion of this provision is reasonable and necessary balance the different amenity values of receivers and makers of noise recognising that separation of noise sources in the rural area from noise sensitive activities is not always practicable if full use of productive rural land is to be enabled.</p> <p>The Proposal is supported and should be allowed :</p> <p>For the following reasons.</p> <p>Reasonable provision consistent with sustainable management of physical resources of the district while giving particular regard to s.7 RMA requirements.</p> | |
| <p>The decision required is :</p> <p>Allow the provision.</p> <p>Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal</p> | |

Submission # 7

| | |
|--|---------------|
| The specific provision is: | 17.3.5 |
| <p>Our Submission is: Support the citation to these New Zealand standards related to noise, but with corrections to errors in titles listed.</p> <p>The Proposal is supported in part but with amendment:</p> <p>For the following reasons. New Zealand standards related to acoustics provided a reasonable and technically sound basis for the measurement and assessment of noise and have nation-wide application. The latest editions have been cited.</p> <p>Note Not a formal submission While recognising that the Plan Change process undertaken include consultation, Council will in due course, if it has not already done so, comply with Part 3 under Schedule I to the Act in relation to incorporation of documents by reference in its District Plan.</p> | |
| <p>The decision required is : Allow the provision in part and amend as follows:</p> <p>Amend title of sub-clause b. to “New Zealand Standard 6802:2008 Acoustics—Environmental Noise.” Amend title of sub-clause e. to “New Zealand Standard 6806:2010 Acoustics—Traffic Noise from New or Altered Roads” Amend title of sub-clause H. TO “New Zealand Standard 6809:1999 Acoustics—Port Noise Management and Land Use Planning</p> <p>Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.</p> | |

Submission # 8

| | |
|---|---------------|
| The specific provision is: | 17.5.4 |
| <p>Our Submission is: Support the assessment location stated and the method of assessment specified but with amendment to correct terminology. Z weighting is defined whereas there is no weighting cited in AS 2187 Part 2 Where dB are written without a weighting, then the metric is by definition “un-weighted” consistent with the terminology used in AS 2187 Part 2. Support a limit for vibration as specified in sub-clause e but with amendment to correct error referring to “airblast.”.</p> <p>The Proposal is supported in part but with amendment:</p> <p>For the following reasons. Reasonable provisions consistent with sustainable management of physical resources of the district.</p> | |
| <p>The decision required is : Allow the provision in part and amend as follows: .</p> <p>Delete in sub-clause b. “128 unweighted BZ” and substitute “128 dB” Delete in sub-clause e the words “blast noise (air blast)” and substitute “blast vibration.”</p> | |

Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.

Submission # 9

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|---|---------------|
| The specific provision is: | 17.5.5 |
| <p>Our Submission is:</p> <p>Provision is consistent with Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008</p> <p>The Proposal is supported and should be allowed :</p> <p>For the following reasons.</p> <p>Provision is mandatory under the above NES.</p> | |
| <p>The decision required is :</p> <p>Allow the provision. .</p> <p>Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.</p> | |

Submission # 10

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|---|---|
| The specific provision is: | 17.5.7 RURAL ENVIRONMENT sub-clause a. |
| <p>Our Submission is:</p> <p>Support the gist of the provisions including the numerical limits and timeframes and metric, but with necessary amendments</p> <p>“Average maximum noise level” is anachronistic terminology and potentially confuses references to the “Lmax” metric listed in the table which is not an average value, rather it is an instantaneous value over any reference time period.</p> <p>The words “when measured from” are problematic and inconsistent with the usage intended in relation to the notional boundary as used in the assessment standard cited. Best practice used by the Courts for many years requires use of the terminology “at any point within the notional boundary” Use of the term “measured” also introduces uncertainty about the status of adjustments which are provided for in the assessment methods cited and which are not discretionary in their consideration to arrive at a “Rating Level” as stipulated in NZS 6802:2008.</p> <p>The Proposal is supported in part but with amendment:</p> <p>For the following reasons.</p> <p>Noise limits are necessary to identify acceptable noise received in various environments but amendments are essential to correct terminology used so that it is consistent with the terminology used in the assessment and measurement standards cited.</p> | |
| <p>The decision required is :</p> <p>Allow the provision in part and amend as follows: .</p> <p>Delete in the table header the words “AVERAGE MAXIMUM NOISE LEVEL” and substitute “Noise limit” and, c</p> | |

consequentially adjust all other table headings within the scope of the plan change 41

Delete "Lmax" and substitute "LAFmax"

Delete "when measured from" and substitute "at any point within"

Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.

Submission # 11

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|---|--|
| The specific provision is: | 17.5.7 RURAL ENVIRONMENT sub-clause b. and c. |
| <p>Our Submission is:</p> <p>Support provision as consistent with elsewhere in nation which has been found to be a practical balance between competing amenity values of noise makers and noise sensitive activities in localities where audible bird scaring devices are used.</p> <p>The Proposal is supported and should be allowed :</p> <p>For the following reasons.</p> <p>Reasonable provision consistent with sustainable management of strategic infrastructural physical resources of the district.</p> | |
| <p>The decision required is :</p> <p>Allow the provision.</p> <p>Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.</p> | |

Submission # 12

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|--|--|
| The specific provision is: | 17.5.8 RESIDENTIAL ENVIRONMENT. |
| <p>Our Submission is:</p> <p>Support the gist of the provisions including the numerical limits and timeframes and metric, but with necessary amendments</p> <p>"Average maximum noise level" is anachronistic terminology and potentially confuses references to the "Lmax" metric listed in the table which is not an average value, rather it is an instantaneous value over any reference time period.</p> <p>The words "when measured on, or within," are problematic and inconsistent with the usage intended in relation to the boundary as used in the assessment standard cited. Best practice used by the Courts for many years requires use of the terminology "at any point within the boundary" Use of the term "measured" also introduces uncertainty about the status of adjustments which are provided for in the assessment methods cited and which are not discretionary in their consideration to arrive at a "Rating Level" as stipulated in NZS 6802:2008. Using "on, or within" also creates legal uncertainty about whether these are alternative locations or if there must be assessments at both locations.</p> <p>The Proposal is supported in part but with amendment:</p> <p>For the following reasons.</p> | |

Noise limits are necessary to identify acceptable noise received in various environments but amendments are essential to correct terminology used so that it is consistent with the terminology used in the assessment and measurement standards cited.

The decision required is :

Allow the provision in part and amend as follows:

Delete in the table header the words "AVERAGE MAXIMUM NOISE LEVEL" and substitute "Noise limit"

Delete "Lmax" and substitute "LAFmax"

Delete "when measured on, or within" and substitute "at any point within"

Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.

Submission # 13

| | |
|-----------------------------------|---------------------------------------|
| The specific provision is: | 17.5.9 COMMERCIAL ENVIRONMENT. |
|-----------------------------------|---------------------------------------|

Our Submission is:

Support the gist of the provisions including the numerical limits and timeframes and metric, but with necessary amendments

"Average maximum noise level" is anachronistic terminology and potentially confuses references to the "Lmax" metric listed in the table which is not an average value, rather it is an instantaneous value over any reference time period.

The words "at a residential zone boundary" are problematic and inconsistent with the usage intended in relation to the boundary as used in the assessment standard cited. Use of the term "at" also implies some degree of survey precision and overlooks practical reality that often a boundary is obstructed by vegetation, fences. Ditches making assessment "at" the boundary impracticable. Measurement "within" any part of a Zone overcomes that problem and simply removing the word "at" achieves that effect without stating the word "within."

Similarly in the second heading in the first row of the table "other boundaries" terminology has the same problem.

The Proposal is **supported in part but with amendment:**

For the following reasons.

Noise limits are necessary to identify acceptable noise received in various environments but amendments are essential to correct terminology used so that it is consistent with the terminology used in the assessment and measurement standards cited.

The decision required is :

Allow the provision in part and amend as follows:

Delete in first column "At a residential Zone boundary" and substitute "Residential Zone"

Delete "other boundaries" and substitute "Other zones"

Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.

Submission # 14

| | |
|--|---------------------------------------|
| The specific provision is: | 17.5.10 INDUSTRIAL ENVIRONMENT |
| <p>Our Submission is:</p> <p>Support the gist of the provisions including the numerical limits and timeframes and metric, but with necessary amendments</p> <p>“Average maximum noise level” is anachronistic terminology and potentially confuses references to the “Lmax” metric listed in the table which is not an average value, rather it is an instantaneous value over any reference time period.</p> <p>The words “when measured at” are problematic and inconsistent with the usage intended in relation to the boundary as used in the assessment standard cited. Use of the term “at” also implies some degree of survey precision and overlooks practical reality that often a boundary is obstructed by vegetation, fences, ditches making assessment “at” the boundary impracticable. Measurement “within” any part of a Zone overcomes that problem and simply removing the word “at” achieves that effect without stating the word “within.”</p> <p>The second use of the word “following is clumsy”</p> <p>Similarly in the second heading in the first row of the table “other boundaries” terminology has the same problem.</p> <p>The Proposal is supported in part but with amendment:</p> <p>For the following reasons.</p> <p>Noise limits are necessary to identify acceptable noise received in various environments but amendments are essential to correct terminology used so that it is consistent with the terminology used in the assessment and measurement standards cited.</p> | |
| <p>The decision required is :</p> <p>Allow the provision in part and amend as follows:</p> <p>Delete “when measured at the following boundaries:” and substitute “at any point within the zones specified”</p> <p>Delete first column heading “At Residential Zone Boundary” and substitute “Residential Zone”</p> <p>Delete first column heading “Other Boundaries” and substitute “Other Zones”</p> <p>Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.</p> | |

Submission # 15

| | |
|--|---|
| The specific provision is: | Definitions (Referred to under heading 3.7 Proposed acillary (<i>sic</i>) Changes on page 29 of the s.32 report) |
| <p>Our Submission is:</p> <p>Revised or additional definitions listed are important and complement plan provisions used.</p> <p>The Proposal is supported and should be allowed :</p> <p>For the following reasons.</p> <p>Reasonable provisions consistent with sustainable management and ensuring consistent terminology throughout the District Plan.</p> | |

The decision required is :

Allow the provision.

Note: The scope of relief sought is intended to include amendments to the like effect arising from consolidation, re-ordering or expansion of like provisions in this section or elsewhere in the Proposal, or consequential amendments to this section, as a result of decisions about other parts of the Proposal.



Resource Management Act 1991
**Submission on a Publicly Notified Plan Change
 To The Wanganui District Plan**

In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003



TO: Wanganui District Council, PO Box 637, Wanganui

Name: (print in full) Wanganui District Council

This is a submission on Plan Change No. 40-45 **Closing Date:** 30/06/2015

1. (a) I ~~could~~/could not* gain an advantage in trade competition through this submission. (*please delete one).
- (b) I ~~am~~/am not* directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition (*please delete one).

2. The specific provisions of the proposed plan change that my submission relates to:

See Attached

Use additional pages if required

3. My submission is that (Please state in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made. Please give your reasons):

See attached

Use additional pages if required

4. I seek the following decision from the Council (Give clear details stating what amendments you wish to see made to the Plan Change, and your reasons):

See attached.

Use additional pages if required

5. I do/do not* wish to be heard in support of this submission (*please delete one).

6. If others make a similar submission I would/would not* be prepared to consider presenting a joint case with them at any hearing (*please delete one).

7. Address for service:

PO Box 637

Wanganui 4500

Signature: [Signature]

(Person making submission or person authorised to sign on

Day time phone No(06) 349 0001 behalf of person making submission)

Email: _____ Date: 30/06/2015

Wanganui District Council
Staff Submission

This is a submission on Plan Changes **40-45**. Closing Date 30 June 2015

The Specific Provisions of the Plan Changes that this submission relates to is:

Plan Change 41: Combining of the Noise Sensitivity Definitions

Plan Change 42: Adjustment of the footpath sign rule to match the proposed By-law

Plan Change 43: Inclusion of General Temporary Activities to Chapter 19

Plan Changes 40-45: Minor administrative corrections to be consistent with the operative text.

My submissions is that: The Plan Changes proceed with minor amendments as detailed below.

I seek the following decisions from Council:

- *Plan Change 41: Combining of the Noise Sensitivity Definitions*

Each Phase of the rolling review has brought in a new definition to define those activities that are sensitive to noise. As all these definitions cover the same activities, but with slightly different names, it is proposed that these are combined into one definition and that definition is used throughout the plan to describe activities that are sensitive to noise.

The definitions that would be affected are:

Activities sensitive to aircraft noise (ASAN): means any residential activity, visitor accommodation, retirement villages, day care facility, buildings used for overnight patient medical care or educational facility (including all associated outdoor spaces for such activities).

Noise Sensitive Activities: means buildings or parts of buildings used for, or able to be used for the following purposes:

- Residential activity; or
- Educational activity; or
- Healthcare activity; or
- Marae activity.

The new definition would be:

Sensitive Noise Activities: means buildings or parts of buildings used for, or able to be used for the following purposes:

- Residential activity; or
- Community activities; or
- Marae activity.

This new definition would need to be used throughout the chapters of the Plan that currently refer to the definitions above.



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 To The Wanganui District Plan**

In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Wanganui District Council, PO Box 637, Wanganui

Name: (print in full) RUTH BEVERLY BOTTEN

This is a submission on Plan Change No. 41 Closing Date: 30-06-15

1. (a) ~~I could/could not~~* gain an advantage in trade competition through this submission. (*please delete one).

(b) ~~I am/am not~~* directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition (*please delete one).

2. The specific provisions of the proposed plan change that my submission relates to:

NOISE CONTROL, ESPECIALLY "THE FUNCTION CENTRE" AT THE RACECOURSE, BEEN BATTLING THE MUSIC "BASS" WITH FUNCTIONS FOR 3 YEARS NOW Use additional pages if required

3. My submission is that (Please state in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made. Please give your reasons):

I OPPOSE THE INCREASE IN NOISE SUBMISSION AS IT'S TOO LOUD AS IT STANDS NOW. KEEP LEVEL AS IT IS NOW IN RESERVES AND OPEN SPACE ZONES. BEEN BATTLING NOISE ISSUES SINCE 2012 Use additional pages if required

4. I seek the following decision from the Council (Give clear details stating what amendments you wish to see made to the Plan Change, and your reasons):

"LOWER WOULD BE BETTER."
I WOULD APPRECIATE THE RETENTION OF EXISTING NOISE CONDITIONS, (UNLESS YOU LIVE AND EXPERIENCE NOISE LEVELS THAT INVADE YOUR LIKE YOU CAN'T DEBATE YOURSELF. Use additional pages if required

5. ~~I do/do not~~* wish to be heard in support of this submission (*please delete one).

6. If others make a similar submission I ~~would/would not~~* be prepared to consider presenting a joint case with them at any hearing (*please delete one).

7. Address for service:

18A PUNALL STREET
WANGANUI

Signature: Ruth Botten

(Person making submission or person authorised to sign on

Day time phone No: 0212544601 behalf of person making submission)

Email: _____ Date: 29-06-15



Resource Management Act 1991
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 To The Wanganui District Plan**

In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003



TO: Wanganui District Council, PO Box 637, Wanganui

Name: (print in full) DONALD ANGUS ROSS

This is a submission on Plan Change No. 41 **Closing Date:** 30-06-15

1. (a) ~~I could~~/could not* gain an advantage in trade competition through this submission. (*please delete one).
- (b) ~~I am~~/~~am not~~* directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition (*please delete one).

2. The specific provisions of the proposed plan change that my submission relates to:

NOISE CONTROL, ESPECIALLY THE FUNCTION CENTRE AT THE RACE COURSE, BEEN BATTING THE MUSIC "BASS" WITH FUNCTIONS FOR 3 YEARS.

Use additional pages if required

3. My submission is that (Please state in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made. Please give your reasons):

I OPPOSE THE INCREASE IN NOISE SUBMISSION AS ITS TOO LOUD NOW. KEEP LEVEL AS IT IS NOW IN RESERVES AND OPEN SPACE ZONES

Use additional pages if required

4. I seek the following decision from the Council (Give clear details stating what amendments you wish to see made to the Plan Change, and your reasons):

RETENTION OF EXISTING NOISE CONDITIONS

Use additional pages if required

5. ~~I do~~/do not* wish to be heard in support of this submission (*please delete one).

6. If others make a similar submission I ~~would~~/~~would not~~* be prepared to consider presenting a joint case with them at any hearing (*please delete one).

7. Address for service:

18A PURNELL ST WANGANUI

Signature: Dross

(Person making submission or person authorised to sign on

Day time phone No: 0274490955 behalf of person making submission)

Email: _____ Date: 29/06/2015



Resource Management Act 1991
Submission on a Publicly Notified Plan Change
To The Wanganui District Plan

In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003



TO: Wanganui District Council, PO Box 637, Wanganui

Name: (print in full) Richard John Querton

This is a submission on Plan Change No. 41 Closing Date: 30-06-15

1. (a) ~~I could/could not~~* gain an advantage in trade competition through this submission. (*please delete one).
- (b) ~~I am/am not~~* directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition (*please delete one).

2. The specific provisions of the proposed plan change that my submission relates to:

Noise contamination emanating from commercial premises in a residential area,

Use additional pages if required

3. My submission is that (Please state in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made. Please give your reasons):

.....

.....

.....

Use additional pages if required

4. I seek the following decision from the Council (Give clear details stating what amendments you wish to see made to the Plan Change, and your reasons):

To enforce and or change the regulations relating to noise emanating from private or commercial premises, which have an effect on the neighborhood.

Use additional pages if required

5. I ~~do/do not~~* wish to be heard in support of this submission (*please delete one).

6. If others make a similar submission I ~~would/would not~~* be prepared to consider presenting a joint case with them at any hearing (*please delete one).

7. Address for service:

20 Purcell St.,
Wanganui

Signature: R. Querton

(Person making submission or person authorised to sign on

Day time phone No: 2130422 behalf of person making submission)

Email: Date: 29 06/15



Resource Management Act 1991
**Submission on a Publicly Notified Plan Change
 To The Wanganui District Plan**

In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003



TO: Wanganui District Council, PO Box 637, Wanganui

Name: (print in full) Diana Fowler

This is a submission on Plan Change No. 41 **Closing Date:** 30-06-15

1. (a) ~~I could/could not~~* gain an advantage in trade competition through this submission. (*please delete one).

(b) ~~I am/am not~~^{am NOT} directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition (*please delete one).

2. The specific provisions of the proposed plan change that my submission relates to:

Increasing the noise level from which it is now

Use additional pages if required

3. My submission is that (Please state in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made. Please give your reasons):

Keep level as it is now in reserves and open space zones. Been residing in area that invades peoples' own space from loud bass music

Use additional pages if required

4. I seek the following decision from the Council (Give clear details stating what amendments you wish to see made to the Plan Change, and your reasons):

Would appreciate the retention of existing noise conditions, reducing level would make more common sense surely.

Use additional pages if required

5. ~~I do/do not~~* wish to be heard in support of this submission (*please delete one).

6. If others make a similar submission ~~I would/would not~~* be prepared to consider presenting a joint case with them at any hearing (*please delete one).

7. Address for service:

6 Hutcheson Crescent
Dunedin Hill

Signature: Diana Fowler

(Person making submission or person authorised to sign on

Day time phone No: 0272880988

behalf of person making submission)

Email:

Date: 30/6/15



Resource Management Act 1991
**Submission on a Publicly Notified Plan Change
 To The Wanganui District Plan**

In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003



TO: Wanganui District Council, PO Box 637, Wanganui

Name: (print in full) Graeme Robert Filer

This is a submission on Plan Change No. 41 **Closing Date:** 30-06-15

1. (a) ~~I could~~/could not* gain an advantage in trade competition through this submission. (*please delete one).
- (b) **I am/am not*** directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition (*please delete one).

2. The specific provisions of the proposed plan change that my submission relates to:

NOISE CONTROL, FUNCTION CENTRE & The racecourse

Use additional pages if required

3. My submission is that (Please state in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made. Please give your reasons):

I oppose the increase in Noise submission as it is too loud now. Keep level as is

Use additional pages if required

4. I seek the following decision from the Council (Give clear details stating what amendments you wish to see made to the Plan Change, and your reasons):

Retention of Existing Noise conditions

Use additional pages if required

5. ~~I do~~/do not* wish to be heard in support of this submission (*please delete one).

6. If others make a similar submission I ~~would/would not~~* be prepared to consider presenting a joint case with them at any hearing (*please delete one).

7. Address for service:

54 Field St Wanganui

Signature: [Signature]

(Person making submission or person authorised to sign on

Day time phone No: 021 241 9794 behalf of person making submission)

Email: _____ Date: 29/6/2015



Pursuant to Clause 6 of the first Schedule of the Resource Management Act 1991

**Submission on Wanganui District Council Proposed District Plan
Change 41 Noise, 42 Signage, 43 District Wide, 44 Network
Utilities, Parking, Loading and Vehicle Crossings and 45 Natural
Environment.**

To: Wanganui District Council
Po Box 637,
101 Guyton Street
Wanganui

From: NZ Transport Agency
PO Box 1947
Palmerson North 4440

- 1 The NZ Transport Agency (*Transport Agency*) generally supports the Wanganui District Council Proposed Plan Change 41, 42, 43, 44 and 45.

The Transport Agency would like to commend Wanganui District Council for working closely with the Transport Agency during this plan change process.

- 2 The specific provisions of the Proposed District Plan that the Transport Agency's submission relates to are as follows:

The proposed plan change provisions which are identified in 3.2.

- 3 The Transport Agency's submission is that:

3.1 Role of the Transport Agency

The Transport Agency's objective, functions, powers and responsibilities are derived from the Land Transport Management Act 2003 ("LTMA"), and the Government Rounding Powers Act 1989 ("GRPA"). The statutory objective of the Transport Agency is "to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest."¹. The Transport Agency's functions that are relevant to Proposed District Plan include "to contribute to an effective, efficient, and safe land transport system in the public interest"² and the "management of the state highway system, including planning, funding, design, supervision, construction, and maintenance and operations, in accordance with this Act and the Government Rounding Powers Act 1989"³.

¹. Section 94 LTMA.

². Section 95(1)(a) LTMA.

³. Section 95(1)(c) LTMA.

The Transport Agency is a Crown entity⁴, with the sole powers of control and management for all purposes of all state highways⁵. The Transport Agency is also an investor in the Wanganui District's local road network, funding maintenance and operations, renewals, capital works and public transport services. As an investor, we therefore have a significant interest in seeing that land use planning for the District is integrated with the transport system. We also have an interest in present and future land use decision-making to ensure that the public receive value for money transport outcomes from our investment.

The Transport Agency is also a requiring authority and a network utility operator in terms of the Resource Management Act 1991⁶. In managing these networks the Transport Agency must promote the safe, efficient and effective function of the land transport system and ensure the land transport system is not adversely affected in a significant manner.

The Government Policy Statement (GPS) on Land Transport Funding issued by the Minister of Transport sets out the Government's objectives and funding priorities for the land transport sector for a six-year period, with further indicative information for the following four years. The Transport Agency must give effect to the GPS when performing its functions in respect of land transport planning and funding⁷. The current GPS confirms that economic growth and productivity remains the primary objective for land transport expenditure, and extends this to include value for money and road safety as additional priorities. In addition to investing in the State highway network, the GPS identifies that quality investments in public transport and improving the local road network both have roles to play. All of these areas of focus are directly relevant to the Wanganui District's transport network and the relationship between land use planning, network management, and transport investment.

The GPS also sets strong expectations regarding the role of integrated planning in transport investment. This means that, in order to ensure funding in the land transport system, including investment in local roads, is consistent with government objectives, it is essential that a policy framework aligns land use and transport planning within Wanganui District.

3.2 Specific comments applying to the amendments to the Proposed District Plan provisions.

The Transport Agency supports the overall intent and direction of Proposed District Plan. The Transport Agency's specific comments on Proposed District Plan are as follows:

⁴. Section 93(2) LTMA.

⁵. Section 61 GRPA.

⁶. Section 167 RMA.

⁷. Section 70(1) LTMA.

| | |
|---|---|
| <p>Parking, Loading and Vehicle Crossings</p> <p>PC44 Sub 7</p> | <p>In particular, separation distances between crossings and sight line distances. These distances are consistent with the Transport Agency's Standards.</p> <p>Retain as drafted.</p> |
| <p>16 Signage</p> <p>PC42 Sub 4</p> | <p>Support,</p> <p>In particular, <i>It should be noted that the erection of any structure, such as a sign viewable from a state highway is likely to require the NZ Transport Agency's written approval as an affected party under section 95E of the Resource Management Act 1991.</i></p> <p><i>The written approval of the NZ Transport will be required for any sign located within the State Highway Road Reserve pursuant to the NZ Transport Agency (signs on State Highways) By-law 2010. Note it is unlikely that any sign other than an official road sign will be approved unless it is of a temporary nature and is for a community event.</i></p> <p>Retain as drafted.</p> |
| <p>16.1.1, Issues, Signage</p> | <p>Support,</p> <p>In particular, <i>Inappropriate design, scale, number and location of signage can adversely affect the amenity values of the surrounding environment and/or the safe and efficient operation of the transport network.</i></p> <p>Retain as drafted.</p> |
| <p>16.2.2, Objectives, Signage</p> | <p>Support,</p> <p>In particular, <i>That the safety and efficiency of the transport network including footpath traffic is not adversely affected by signage causing distraction or physical or visual obstruction.</i></p> <p>Retain as drafted.</p> |
| <p>16.3.1, Policies, Signage</p> | <p>Support,</p> <p>In particular, <i>To enable signs to be erected where the safe and efficient operation of the transport network including footpaths are maintained.</i></p> <p>Retain as drafted.</p> |
| <p>17.5.3 Performance Standards, Noise</p> | <p>Request amendment as outlined below and attached in Appendix 1:</p> <p>The Transport Agency has a statutory duty to be environmentally and socially responsible and needs to avoid, reduce or remedy any adverse effects resulting from state highways. Where incompatible land uses are located near each other, conflict between the activities often results, typically through complaints from the more sensitive activity. There is a risk that new sensitive activities (such</p> |

PC41



| | |
|---|---|
| | <p>as houses and offices) that choose to locate near established state highways may object to the effects of the state highway. Therefore, traffic noise and vibration is a major environmental concern and accordingly the Transport Agency recommends including reverse sensitivity provisions.</p> <p>The Transport Agency was pleased to see reverse sensitivity provisions included in the draft plan however, the current draft rule specifies how a building performs rather than the resulting internal noise level. The Transport Agency recommends a provision that specifies the internal level as it relates more closely to the effect that we are trying to avoid and it ensures each building is appropriately designed, to an adequate standard in relation to its distance from the State Highway network</p> <p>Therefore, the Transport Agency requests that the proposed rule is removed and replaced with the attached (Appendix 1) standard provisions which specifies appropriate internal noise levels and setback distances.</p> |
| 13 Definitions, Noise Sensitive Activities, Reverse Sensitivity | Support, Noise Sensitive Activities and Reverse Sensitivity definitions. |

3.3 The Transport Agency seeks the following decision from Wanganui District Council:

That the Proposed District Plan be approved subject to the above amendments (or amendments to the same effect).

4 The Transport Agency does wish to be heard in support of this submission.

Dated at Palmerston North this the 30th day of June 2015.

Cole O'Keefe
Senior Planner

Pursuant to a delegation from the Chief Executive of the NZ Transport Agency.

Address for service: Attention: Shaun Harvey
NZ Transport Agency
PO Box 1947
Palmerston North 4440

Telephone Number: (06) 953 6671

E-mail: shaun.harvey@nzta.govt.nz

Appendix 1

Proposed rules:

- 1) New PPFs shall not be located within 20 metres of the edge of the nearest traffic lane of any state highway or within 20 metres of any state highway designation that does not contain an existing state highway.
- 2) Within 80 metres of the edge of the nearest traffic lane of any state highway or within 80 metres of any state highway designation that does not contain an existing state highway, any new PPFs or any alteration to a PPF beyond 10% of the existing gross floor area, shall be designed and constructed to comply with the following design sound levels:
 - a) Road-traffic noise inside all habitable spaces: 40 dB LAeq(24h)
 - b) Road-traffic noise in all other PPFs: No greater than the recommended maximum design guidelines in AS/NZS 2107:2000
- 3) If windows to habitable spaces are required to be closed to achieve the design sound levels in rule 2, the building shall be designed and constructed with a ventilation system to achieve the following:
 - a) A quantity of air shall be provided to achieve the requirements of Clause G4 of the New Zealand Building Code. At the same time as meeting this requirement, the sound of the system shall not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
 - b) Either: air conditioning shall be provided; or a high air flow rate setting shall provide at least 15 air changes per hour (ACH) in the principal living space and at least 5 ACH in all other habitable spaces.
 - c) At the same time as meeting the above requirement in b), the sound of the system shall not exceed 40 dB LAeq(30s) in the principal living space and 35 dB LAeq(30s) in all other habitable spaces, when measured 1m away from any grille or diffuser.
 - d) The internal air pressure shall be no more than 10 Pa above ambient air pressure due to the mechanical ventilation.
 - e) Where a high air flow rate setting is provided, the system shall be controllable by the occupants to be able to alter the ventilation rate with at least three equal stages up to the high setting.
- 4) A design report prepared by an acoustics specialist shall be submitted to the, District Council, demonstrating compliance with Rules 2 and 3, prior to construction of any PPF or alteration to a PPF beyond 10% of the existing gross floor area, within 80 metres of the edge of the nearest traffic lane of any state highway or within 80 metres of any state highway designation that does not contain an existing state highway. The design shall take into account future permitted use of the state highway; for existing roads by the addition of 3 dB to existing measured or predicted levels.

[PPF to be in defined in plan as per NZS 6806]

[Habitable space to be defined in the plan as per Building Code]



30 June 2015

Wanganui District Council
PO Box 637
WANGANUI 4500

By Email to: Leayne.Huirua@wanganui.govt.nz

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR PLAN, CHANGE OR
VARIATION (FORM 5)
Wanganui District Plan – Proposed Plan Changes 40-45**

NAME OF SUBMITTER:

KiwiRail Holdings Limited (KiwiRail)

ADDRESS FOR SERVICE:

Wellington Railway Station
PO Box 593
WELLINGTON 6140
Attention: Rebecca Beals

KiwiRail Submissions on Proposed Plan Changes 40-45

KiwiRail Holdings Limited (KiwiRail) is the State Owned Enterprise responsible for the management and operation of the national railway network. This includes managing railway infrastructure and land, as well as rail freight and passenger services within New Zealand. KiwiRail Holdings Limited is also the Requiring Authority for land designated "Railway Purposes" (or similar) in District Plans throughout New Zealand. In Wanganui, this includes the Marton to New Plymouth Line, the Wanganui Branch and the Castlecliff Branch.

KiwiRail's submissions on Proposed Plan Changes 40-45 are set out in the attached table. Insertions we wish to make are marked in **bold** and **underlined**, while recommended deletions are shown as ~~struck out~~ text. In reaching the matters upon which to submit in the marked up text for the Plan Changes, we have taken the underlined text as inserted, struck out text as deleted, and shaded grey text as for information only and that it is not part of this plan change suite.

KiwiRail wishes to speak to our submission and will consider presenting a joint case at the hearing with other parties who have a similar submission. KiwiRail could not gain an advantage in trade competition through this submission.

Regards

A handwritten signature in blue ink, appearing to read "Rebecca Beals".

Rebecca Beals
Senior RMA Advisor
KiwiRail

| Submission Number | Proposed Amendment | Support/Oppose/ Seek Amendment | Submission/Comments/Reasons | Relief Sought (as stated or similar to achieve the requested relief) |
|--|--|--------------------------------|---|--|
| Section 2: Definitions | | | | |
| 1. PC44 | Infrastructure Facilities Sub 6 | Support | Clarity is provided around network utilities also being an infrastructure facility and that is supported by KiwiRail. KiwiRail also support that the definition of network utility aligns with the RMA definition in order to avoid confusion, noting that no change to that definition is proposed as part of this Plan Change. | Retain as notified. |
| 2. PC41 | Noise | Support in part | KiwiRail support that noise from the use of the railway corridor in accordance with the designated purposes is exempt from the definition of noise, subject to best practicable options being implemented. The RMA Section 2 definition of noise also includes vibration, and in order to be consistent with that, KiwiRail seek that vibration be recognised in the definition proposed in the District Plan. | Amend as follows: <i>Noise means unwanted sound <u>or vibration</u> affecting people. For the purposes of this Plan, the following sounds <u>and vibrations</u> are exempt from this definition provided that best practicable options are implemented to minimise noise:</i> <i>a. Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1962),</i> <i>b. All reasonable noise arising from within the designated rail corridors as long as it is generated for "Railway Purposes"</i> <i>c. Crowd noise at a park, reserve or any land zoned as recreation, racecourse, conservation and amenity or showgrounds.</i> <i>d. Livestock noise and intermittent noise from rural machinery in the rural zones.</i> <i>e. Non-commercial boating activities on the Whanganui River.</i> <i>f. Emergency sirens.</i> |
| Section 4: Residential Environment | | | | |
| 3. | 4.5.10 – Reverse Sensitivity Adjacent to the Rail Corridor | Support | KiwiRail note that the provision currently in the District Plan is to be deleted, and replaced with a performance standard in Chapter 17 around noise mitigation. The only concern that KiwiRail wish to raise in this regard is not with the performance standard itself, but rather with its compliance. Chapter 17 is more directed to noise generation, than noise mitigation. KiwiRail wish to ensure that developers adjoining the rail corridor are therefore suitably directed to consider Chapter 17 noise provisions in relation to mitigation, as well as in relation to noise emitted by any land use activity that may be undertaken on the site, to ensure that mitigation is not overlooked and reverse sensitivity affects do not arise for those parties. | Retain as notified. |
| Section 10: Natural Environment | | | | |
| 4. PC45 | 10.6.1(b)(i) and (iii) (page 70) Sub 2 | Support | KiwiRail support the recognition that in some instances network utilities and associated structures like fences and culverts, have limited options for their location, and therefore can occur on or near River Margins that are key for the District. Ensuring that these facilities are able to be maintained, replaced, upgraded or removed where they are already in existence is therefore supported. As with the network utilities provision, the ability to use existing infrastructure to maintain or install cables and lines where these adjoin key waterways is also supported. | Retain as notified. |
| 5. | 10.6.1(a) (page 75) | Support | KiwiRail support the proposed provision for the Urban River Landscape Overlay, recognising the consistency of this with the River Margin provision in submission point 4 above, and that these recognise existing infrastructure. | Retain as notified. |
| Section 12: Parking, Loading and Vehicle Access | | | | |
| 6. PC44 | Objective 12.2.1 Sub 6 | Support | The protection of the transport network from adverse effects of land use and any adverse traffic impacts associated with land use activities is relevant to the rail network as to the roading network with the wording proposed enabling that protection. This provision is supported by KiwiRail. | Retain as notified. |
| 7. | Policy 12.3.3 | Support | KiwiRail support the policy direction to limit the size and location of vehicle crossings in order to achieve a safe and efficient transport | Retain as notified. |

| Submission Number | Proposed Amendment | Support/Oppose/ Seek Amendment | Submission/Comments/Reasons | Relief Sought (as stated or similar to achieve the requested relief) |
|-------------------------------|-----------------------------------|--------------------------------|--|--|
| PC44 Sub 6 | | | network. Just as vehicle crossings are often set back from intersections to enable stacking distances for vehicles at the intersection and safe entry/exit from the property, the same applies for level crossings. Ensuring that vehicle crossings are setback from level crossings enables property access to be achieved without interference or undue safety risks being created at the level crossing. KiwiRail note that this policy is supported by Rule 12.5.7 in relation to requiring the setback of vehicle crossings from level crossings. | |
| 8. | Policy 12.3.5 | Support | The inclusion of reverse sensitivity policy direction within the District Plan as proposed in relation to protecting the safe and efficient operation of the transport network is supported by KiwiRail. | Retain as notified. |
| 9. | Rule 12.4.1 – Notes | Support in part | The Note under the Permitted Activities listed at 12.4.1 is supported by KiwiRail, however this is sought to be amended slightly. Any work on the railway network or access to the corridor requires a Permit to Enter from KiwiRail, irrespective of whether a resource consent is required or not. The Permit to Enter process is about ensuring safety of all parties before accessing the corridor and therefore we seek that the Note be amended slightly to reflect that. | Amend as follows: <i>The written approval of the KiwiRail is required for any work-on activity that requires access to the Railway Network that breaches a District Plan rule.</i> |
| 10. | Performance Standard 12.5.7 | Support | KiwiRail support the performance standard requiring property accesses to be setback 30m from a level crossing. | Retain as notified. |
| 11. | Performance Standard 12.5.8 | Support | KiwiRail support the requirement for sightline protection as identified at Rule 12.5.8, to ensure that safety is retained for both the general public approaching and crossing level crossings, and for those using the rail network. | Retain as notified. |
| Section 14: Earthworks | | | | |
| 12. | Rules 14.4.3: Note | Support | Clarity is provided through the Note stating that earthworks associated with the installation and maintenance of network utilities is excluded from the provisions of this Section, and this is supported by KiwiRail. | Retain as notified. |
| 13. | Performance Standard 14.5.2(h) | Support | KiwiRail support that where earthworks are being undertaken, consideration and implementation of appropriate measures to protect infrastructure is required. | Retain as notified. |
| Section 16: Signage | | | | |
| 14. | Policy 16.3.1 | Support | KiwiRail support the requirement that the safe and efficient operation of the transport network is maintained, and not impeded as a result of signage placement. | Retain as notified. |
| 15. | Performance Standard 16.5.1(b)(i) | Support in Part | KiwiRail support the proposed performance standard and the reflection of rail safety through the provision as proposed, however seek that 'train' crossing be altered to 'level' crossing to reflect consistent wording throughout the rest of the District Plan provisions. | Amend as follows: <i>16.5.1 General ... i. Signs are not visible at the approach to, or from an intersection, pedestrian crossing or train level crossing. ...</i> |
| Section 17: Noise | | | | |
| 16. | Policy 17.3.1 | Support | KiwiRail support that reverse sensitivity effects in relation to the land transport network are provided for through Policy provisions, and that this specifically includes the rail network. | Retain as notified. |
| 17. | Policy 17.3.3(b) | Support | That the Policy direction is specific around noise sensitive activities adopting sound insulation to mitigate any adverse noise effects, including from existing noise generating activities is also supported by KiwiRail. | Retain as notified. |
| 18. | Performance Standard 17.5.3 | Support | The performance standard proposed at 17.5.3 is consistent with that adopted through the Environment Court appeal by KiwiRail into noise and reverse sensitivity in relation to the railway network. Continued reflection of the outcome from that process and providing some level of protection over the entire rail network is supported. KiwiRail seek that the provision be amended to include altered | Amend as follows: <i>New, altered or relocated buildings for a noise sensitive activity on any site within any rural, commercial or industrial zones (excluding the Airport Enterprise Zone) or within 30 metres of a railway or state highway designation shall comply with the following: ...</i> |

| Submission Number | Proposed Amendment | Support/Oppose/ Seek Amendment | Submission/Comments/Reasons | Relief Sought (as stated or similar to achieve the requested relief) |
|--------------------------------------|---|--------------------------------|--|--|
| | | | <p>buildings for noise sensitive activities. Alteration of an existing building to accommodate a noise sensitive activity, including change of use of an existing building, could also give rise to effects in relation to noise that KiwiRail seek be mitigated through this provision to ensure an appropriate on site amenity is achieved.</p> <p>KiwiRail support that at part (c) of this provision, ventilation is required in the event that the standard cannot be met with open-able doors and windows.</p> | |
| Section 22: Network Utilities | | | | |
| 19. | Issue 22.1.1 / Objective 22.2.1 / Policy 22.3.4 | Support | KiwiRail support that the issue, and the subsequent objectives and policies supporting it, recognise that sometimes there are technical, locational and operational requirements that influence where infrastructure facilities occur, and that this needs to be balanced with the actual and potential adverse environmental effects | Retain as notified. |
| 20. | Issue 22.1.2 / Objective 22.2.4 / Policy 22.3.6 | Support | As noted above with other reverse sensitivity provisions, KiwiRail support the recognition of reverse sensitivity in relation to the rail network and infrastructure facilities. | Retain as notified. |
| 21. | Policy 22.3.2 | Support | KiwiRail support the specific recognition of the railway network as infrastructure of regional or national importance. | Retain as notified. |
| 22. | Policy 22.3.3 | Support | KiwiRail support the direction of the Policy to provide for network utilities and their establishment, operation, maintenance, upgrading and repair, and that this is in a manner that adverse environmental effects are avoided, remedied or mitigated as far as practicable. There are often limited options for the rail network to be relocated and therefore enabling practical solutions recognising existing constraints is supported. | Retain as notified. |
| 23. | Rule 22.4.1 / 22.4.2 | Support | <p>Where the activity occurs within the approved designation KiwiRail support that this is a permitted activity, and includes the investigation, construction, operation, maintenance, repair and upgrading and removal of network utilities, which includes rail.</p> <p>Where the works proposed occur outside the designation and thereby aren't permitted activities, KiwiRail support that consent is required as a Restricted Discretionary Activity.</p> | Retain as notified. |
| 24. | Performance Standard 22.5.1 | Support | KiwiRail support the provision proposed in relation to earthworks where these occur in connection with the construction, maintenance, upgrade or removal of a network utility, and the express provision that the standards in Chapter 14 for earthworks do not apply to network utilities. | Retain as notified. |

30 JUN 2015

RECEIVED

WANGANUI DISTRICT PLAN
SUBMISSION ON PROPOSED PLAN CHANGE NO 41:

This submission is made under the auspices of Wanganui professional members of Architectural Designers New Zealand Inc.

All of the participants are Licensed Building Practitioners.

ADNZ is a

We object to aspects of the proposal to require sound insulation in dwellings built or re-located "in close proximity to State Highway and railway networks".
(30 metres)

In residential zones, owners of noisy activities should mitigate their noise to protect the quiet residential environment. Conversely residential activities in commercial, industrial and rural zones must expect noise and should insulate against it. We agree with that in principle but question whether home owners should be forced to meet the cost of insulating against sound by District Plan rules.

We support inclusion in the Plan of the noise insulation table in clause 17.6 (based on the NZ Building Code standards) but we are concerned about the requirements for reports by "suitably qualified acoustic engineers".

For designers the list of Standards about noise that are referenced in the proposed change is also a concern because Standards are not freely available to us. The rules should incorporate relevant information from the Standards so that they can be complied with from the information in the Plan, as with the Noise Insulation Table.

Housing has been located close to railway lines for many years without apparent adverse health effects. Location is a matter of choice by home owners or developers and we submit that provision of noise insulation should also be their choice.

We also take this opportunity to protest at the process of continual review of the District Plan. This proposed change 41 mentions the desirability of certainty for readers of the Plan but your process means that the Plan itself is always in flux and uncertain. We realise that comprehensive review of the whole Plan is a major project but perhaps that is preferable to a Plan that is in constant upheaval.

As designers it is a considerable problem and risk to advise our clients appropriately when the rules are changing.

Constantly being consulted about further changes is frustrating and we suspect that many people "consulted out" and can't be bothered to keep being involved.

Stephen Palmer (Stephen Palmer Design Studio) ADNZ

Paul Harrison (Harrison Architectural Design Ltd) ADNZ

Jim Richardson (Design Lines 2000 Ltd) ADNZ

Paul McKenna (Paul McKenna Architecture)

ADNZ, Architectural Designers New Zealand Incorporated, is a professional body of Architectural Designers and Architects that have had their skills rigorously assessed.

ADNZ members are specialists in building design and construction, undertaking residential and commercial projects at all stages of the construction process. To be eligible for membership ADNZ members must hold recognised professional qualifications or relevant experience, undertake compulsory professional development and have professional indemnity insurance.

All members of ADNZ have met the stringent ADNZ competency standards and ethics.

Address for service:

Stephen Palmer Design Studio,
18 Shakespeare Road,
Bastia Hill,
Wanganui 4500

stephen.palmer.design@xtra.co.nz



Resource Management Act 1991
**Submission on a Publicly Notified Plan Change
 To The Wanganui District Plan**

In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003



TO: Wanganui District Council, PO Box 637, Wanganui

Name: (print in full) Paul McKenna

This is a submission on Plan Change No. 41 **Closing Date:** 30/6/15

1. (a) I ~~could~~/could not* gain an advantage in trade competition through this submission. (**please delete one*).
- (b) I ~~am/am not~~* directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition (**please delete one*).

2. The specific provisions of the proposed plan change that my submission relates to:

The Proposed requirement to provide noise control measures for new builds/renovations in certain zones.

Use additional pages if required

3. My submission is that (Please state in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made. Please give your reasons):

See attached

Use additional pages if required

4. I seek the following decision from the Council (Give clear details stating what amendments you wish to see made to the Plan Change, and your reasons):

That the proposed requirement for inclusion of noise control measures in new builds/alterations be dropped

Use additional pages if required

5. I ~~do/do not~~* wish to be heard in support of this submission (**please delete one*).

6. If others make a similar submission I ~~would/would not~~* be prepared to consider presenting a joint case with them at any hearing (**please delete one*).

7. Address for service:

3 Buxton Rd
Wanganui 4501

Signature:

(Person making submission or person authorised to sign on

Day time phone No: 3444 729

behalf of person making submission)

Email: paulmck@ihug.co.nz

Date: 30/6/15

WANGANUI DISTRICT PLAN

SUBMISSION ON PROPOSED PLAN CHANGE NO 41:

I wish to oppose Plan Change on the 4 points listed below.

Before doing so, I would first protest at the process council is using whereby stakeholders are constantly being asked to consider multiple plan changes which affect them, when the majority of stakeholders either do not have the time to adequately respond (as they have real jobs to do), or because they are members of the public who do not even understand how the changes will affect them. Many of these changes are being imposed on a general public who's first realisation of what is involved, is when they are asked to do something that has been allowed in the past (such as build a 6 foot high fence) and find they can't do it

That said I would like to address specifically the proposed Plan change as follows:

1. It is illegal - the NZ Building Act is the legislation which covers how things are built and it stipulates that no one is required to build in a way more onerous than the stipulations of the building code. The code only covers inter-tenancy walls and floors joining connected dwellings... nothing more.

The Building Act States:

18 Building work not required to achieve performance criteria additional to or more restrictive than building code

(1) A person who carries out any building work is not required by this Act to—

- (a) achieve performance criteria that are additional to, or more restrictive than, the performance criteria prescribed in the building code in relation to that building work; or
- (b) take any action in respect of that building work if it complies with the building code.

(2) Subsection (1) is subject to any express provision to the contrary in any Act.

Subsection (2) states that this section is subject to any express provisions in another Act. But I am not aware that the RMA has an express provision requiring noise control performance additional to the building Act. As I understand it, a District Plan is not an Act of Parliament and can not make an Act of Parliament subject to it. For a council to pretend to do so (as they frequently do) would be, in my opinion, an abuse of power.

2. It is illogical to force considerable extra cost on everyone in certain zones on the basis that at some time in the future there may only possibly be a need for noise insulation. For example, why should the owner of a property in a rural zone insulate his house from the possibility of noise from a frost fan next door, if none exists and the neighbour only has cows and sheep? Or alternatively, from the possibility that the neighbour might take to doing donuts on his tractor without a muffler? Even if the risk of such activities was high (which it is not- living in the country is generally regarded as being quieter than town life), where is the *empirical* proof that the supposed noise is a health hazard? Why should the council be adopting rules, that cost the community considerably, based on 'what ifs and maybes'?
3. Apropos of point 2; Effective noise control design first of all requires the identification of a specific noise hazard and the precise amount of noise it generates. The system is then designed to reduce this sound level to an acceptable one on the interior of the building. For

example. A house next to a motorway. The motorway might generate 70dB of noise at the property boundary. The owner may require a 25dB noise limit, so the system needs to provide a 45db noise reduction (and STC of 45). The approach will be different for a noise produced from a single point source (ie frost fan) than that produced by an extended hazard zone (ie: motorway). How will an Engineer be able to supply an adequate noise design without first knowing what is generating the noise?

4. The responsibility and cost of protecting the environment from a noise hazard surely rests with the one producing the hazard, not the victims of it. (Do I need to explain this further?)
5. The added cost may break the camels back on many projects with the net result of stifling growth in our already slow economy. We are increasingly being encumbered by petty rules and regulations at the local government level, all of which add their own costs. These costs may seem small but they all add up. A standard response to objections of proposed plan changes is that the applicant can always use the resource consent process to circumvent plan rules. But the cost of this (\$400 min for the application fees and consulting fees on the top) is usually thousands of dollars, and particularly on small projects, (additions etc) represents a huge additional expense relative to the overall cost.

Kind Regards
Paul Mckenna

Submission on Wanganui District Plan Proposed Plan Changes 41 and 43

Clause 6 of First Schedule, Resource Management Act 1991

To: Wanganui District Council
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101 Guyton Street
Wanganui
Email: Leayne.huirua@wanganui.govt.nz
Submitter: New Zealand Defence Force
Contact Person: Rob Owen, Environmental Manager
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C/- Property Group
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INTRODUCTION

The New Zealand Defence Force (NZDF) has military interests throughout New Zealand. Defence facilities are key strategic infrastructure of national and regional importance, playing a significant role in both military training and civil and/or national defence operations. They also play an important role in supporting search and rescue operations and infrastructure support capabilities (for example deployment of water purification and supply facilities as used in the aftermath of the Christchurch earthquakes).

NZDF currently has existing facilities located within the Wanganui District, namely Landguard Bluff, and the property at 20 Hatrick Place/Maria Place. In addition, NZDF undertakes temporary military training activities (TMTA) throughout New Zealand and from time to time may seek to undertake such activities within the Wanganui District. It is therefore necessary that activities undertaken for defence purposes are recognised and accommodated in the provisions of the plan.

NZDF's submission on Proposed Plan Changes 41 and 43 is set out below.

PRELIMINARY MATTERS

New Zealand Defence Force (NZDF) **could not** gain an advantage in trade competition through this submission.

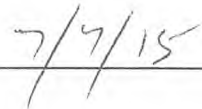
NZDF wishes **to be heard** in support of this submission.

If others make a similar submission, **NZDF will consider** presenting a joint case with them at the hearing.



Person authorised to sign
on behalf of New Zealand Defence Force

Date



| | Plan Provision | Submitter Position | Relief sought | Reasons |
|---|---|--------------------|---|---|
| 1 | Definition of Infrastructure facilities PC44 Sub 10 | Oppose in part | Amend definition to include defence facilities, as suggested below (addition underlined): <i>Infrastructure facilities: means any land, building, installation, device, reticulation line to support land use activities and to provide for the convenience, health and welfare of people and communities, and includes roading, bridges, water supply, liquid and solid waste collection, treatment and disposal systems, network utilities, <u>defence facilities</u>, open space, sports fields and other similar facilities.</i> | Defence facilities are an important part of the nation's security and provide for the health and wellbeing of people and communities. It is important that they are specifically recognised as infrastructure facilities. |
| 2 | Definition of noise | Oppose | Amend or otherwise delete definition of noise. Noise means unwanted sound affecting people. For the purposes of this Plan, the following sounds are exempt from this definition provided that best practicable options are implemented to minimise noise: a. Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1962); b. All reasonable noise arising from within the designated rail corridors as long as it is generated for "Railway Purposes" c. Crowd noise at a park, reserve or any land zoned as recreation, racecourse, conservation and amenity or showgrounds. d. Livestock noise and intermittent noise from rural machinery in the rural zones. e. Non-commercial boating activities on the Whanganui River. f. Emergency sirens. | The definition is exceptionally broad and does not provide any practical use in terms of the application of the plan provisions. In addition, the listed exemptions are still clearly noise generating activities and it is considered unreasonable to exclude them from the definition. A more appropriate way to manage the listed activities would be to exclude them from the relevant rules. |

PC41

| | | | | |
|----|--|--------|--|--|
| 19 | Vibration performance standards for permitted activities throughout the plan | Oppose | Amend the proposed performance standard to refer to the appropriate standard (national and/or international standard). | The vibration rules as currently drafted are not an appropriate standard for a permitted activity, in particular due to the use of the term 'offensive and objectionable'. This is subjective and not easily quantifiable and ultimately NZDF considers such a standard is unworkable. |
|----|--|--------|--|--|

SUBMISSION

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



To: Wanganui District Council

From: Wanganui Federated Farmers of New Zealand

Submission on: **PLAN CHANGE 40 – 45
WANGANUI DISTRICT PLAN**

Date: 30 June 2015

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Federated Farmers wishes to be heard in support of this submission.

1. INTRODUCTION

- 1.1 Farming has a strong presence in Wanganui and contributes significantly to the region. Federated Farmers seeks to uphold and enhance the value of farming. Wanganui Province of Federated Farmers of NZ therefore thanks the Council for this opportunity to provide a submission on Wanganui District Plan 40 - 45. We look forward to being involved in the process moving forward.

- 1.2 The following comments are representative of member views and experiences with the management of resources within the Wanganui District. It reflects the fact that resource management and District Council policies and plans impact on our member's daily lives as farmers, members of the local community, landowners and ratepayers.
- 1.3 It is important that it is not viewed as a single submission, but rather as a collective one that represents the opinions and views of our members.

SUMMARY OF RECOMMENDATIONS

- PC41 1.4 Federated Farmers does not support the inclusion of a Bird Management Plan within the District Plan provisions. We therefore request that any reference to a 'Bird Management Plan' are deleted.
- 1.5 Federated Farmers notes that the definition for Noise excludes "d. Livestock noise and intermittent noise from rural machinery in the rural zones". Federated Farmers proposes that the word intermittent is deleted from this exemption. Some activities that occur in farming activities cannot be considered intermittent, for example regular dairy milking.
- PC43 Sub 11 1.6 Federated Farmers opposes removing beekeeping from the definition of rural activities, as it is a legitimate rural activity. We also support the inclusion of artificial crop protection structures and rural airstrips in the definition as these are integral rural activities.

- PC44 Sub 11 1.7 To reflect the significance of the adversity that infrastructure can create, Federated Farmers proposes that 3.1.4 is amended as follows:

Some infrastructure facilities, especially the roading network, electricity transmission and distribution networks and telecommunication facilities have specific locational and operational requirements resulting in a need to establish in the rural environment. While these facilities are an essential part of the District's infrastructure, they can have a direct impact on land holders as business operators and hosts of the infrastructure.

- 1.8 Federated Farmers notes that the objective provided at 3.2.2 recognises that rural activities are not compromised by non rural activities. To make this clear in the objective, we **propose that the objective is reworded as follows:**

Rural activities and other established land uses ~~that~~ have a functional necessity to be located within the rural environment. ~~Including regionally or nationally significant infrastructure are not.~~ These activities should not be compromised by the establishment of non-rural activities, including regionally or nationally significant infrastructure.

- PC45 Sub 10 1.9 Federated Farmers proposes the following addition to 10.2.5 to recognise the existing production land uses on those margins or adjoining text.

10.2.5 Preserve and protect the natural character of key waterways which provide significant spiritual, cultural, amenity or access value to the community, where this does not compromise existing production land uses on those margins or adjoining land.

- 1.10 Federated Farmers proposes that policies 10.3.2 and 10.3.8 are amended to include text that provides for minor effects on riparian margins. These

PC45
Sub 10

riparian margin, we therefore propose that the following permitted activity is included:

Replacement, maintenance, upgrade or removal of an existing or new structure, road, track, earthwork, fence or trees that are located within 20 metres of a key waterway, but outside the riparian margin.

- 1.14 Federated Farmers also proposes that a rule is added to ensure that beneficial activities such as fencing to protect a waterway can be undertaken without requiring consent.

Installation of a new fence, bridge, culvert, ford or flood protection structure, where that structure will enhance, or protect the natural character of the key waterway.

- 1.15 Federated Farmers also seeks a new sub section vi) Permitted Activities in Riparian Margins, as per the existing District Plan but taken out for this review. Federated Farmers believes it is essential that these activities continue to be reflected in the District Plan as a Permitted Activity, and therefore addition of the following sub section is sought.

To allow planting, tending, harvesting or clearing any vegetation including non-indigenous trees, for conservation, river management or habitat purposes, without defaulting to a restricted discretionary activity.

- 1.16 The following addition is proposed to the notes for restricted discretionary activities for Riparian Margins:

Where an activity would have been a permitted activity under the underlying zone but requires resource consent under the above provisions, the Council will waive resource consent fees.

- PC43
Sub 11
- 1.17 Federated Farmers believes that earthwork activities the Council seeks to control are already controlled under the OnePlan by the Regional Council in the Rural Zones. We therefore consider that there would be unnecessary duplication and cost if the District Council replicated those rules. We therefore propose that the introduction to this chapter is amended as follows:

The objectives, policies and rules in this chapter apply across the District except for the Rural A, B and C zones. They are grouped together to prevent repetition throughout the Plan. The Rural Zones are controlled by provisions in the Manawatu Wanganui Regional Council OnePlan, which allows some land disturbance as permitted activities, but subject to performance standards covering slope angle, area, sediment control methods and protection of sensitive environments. Many land disturbance and cultivation activities require notification to the Regional Council and/or resource consent. Landowners and developers in the Rural Zones should contact the Manawatu Wanganui Regional Council before commencing earthworks.

- 1.18 We recommend that 'Rural Zones' are deleted from 14.4.1 and succeeding rules and performance standards to be consistent with Regional Council control of the Rural Zone earthworks.

- PC41
- 1.19 Federated Farmers proposes that the introduction to the Noise chapter is amended to reflect the coverage of the Resource Management Act in relation to aircraft noise as follows:

Airports, and their associated flight operations, generate noise. This noise is distributed over a wide geographical area, and can vary from barely perceptible to significant nuisance depending on the sensitivity to air noise of the activity where the noise occurs. These provisions manage the relationship between air noise and land use activities that may be sensitive to that air noise. It should be noted that aircraft noise generated after the aircraft has left the ground is not controlled under the Resource Management Act.

- 1.20 Federated Farmers proposes that to ensure that aircraft and helicopter activities that support rural activities are not unduly restricted by the noise provisions of the plan, the following amendments are proposed:

17.1.2 Noise sensitive activities located in existing high noise environments and the adverse effects of that noise cannot reasonably be mitigated. This includes intermittent operation of farm airstrips and helicopter landing areas for servicing rural production activities in the Rural Zones.

17.3.4 To maintain the character and amenity values of the rural zones with respect to noise, without unduly restricting rural activities. Limits for noise received by occupants of dwellings will be set to avoid restrictions on rural activities, provided that such activities adopt the best practicable option. This includes intermittent operation of farm airstrips and helicopter landing areas.

- 1.21 To align with the recognition that aircraft and helicopter activities support rural activities the following addition is sought to 17.4.1 Permitted Activities:

1. The following are permitted activities within the Air Noise Boundary (ANB) and Outer Control Boundary (OCB), unless otherwise stated:

a) All activities, other than Activities Sensitive to Aircraft Noise

2. Intermittent operation of farm airstrips and helicopter landing areas for rural production and ancillary activities in the Rural Zones

- 1.22 Alternatively airstrips and helicopter landing areas could be added to the Definitions under Noise – similar to livestock and farm machinery.

- 1.23 Federated Farmers recommends the following amendment is made to 17.5.3

or

iii if a landscaping or physical noise isolation solution is developed, an acoustic design certificate is provided to Council by a suitably qualified and experienced acoustic engineer (suitable to Council) which confirms that when built to the recommended design and specification will achieve the minimum acoustic insulation standard of DnT,w+ Ctr > 30 dB for the external building envelope of each habitable room.

- 1.24 Federated Farmers recommends that the measurement of noise levels should reflect standard rural operating practise and be amended to start by 6.00am.

- 1.25 Federated Farmers recommends that to keep central to the decision making process, the extent to which District Plan changes with regard to network utilities can impact on landowners and neighbours and surrounding land uses such as primary production, the following paragraph is added after the section "...significance of the adverse effects on the environment".

2. MARKED UP TEXT – Specific Comments to text as proposed

Bird Management Plan

- PC41
- 2.1 We note that provision has been made for a 'Bird Management Plan' within the District Plan, for the purpose of outlining *"how farmer managers bird populations while also managing adverse effects (including noise) on the surrounding environment"*.
- 2.2 **Federated Farmers does not support the inclusion of this type of Plan within the District Plan provisions.** It is not practice for District Council's to enforce the practical applications of farmer pest management as a result of noise restrictions. Federated Farmers believes that these requirements sit more appropriately with the Regional Council via their Pest Management programme, and in addition, the noise provisions of the District Plan as recently considered, provide the ability to mitigate and manage any undue noise effects to surrounding communities.
- 2.3 In addition, as a result of our recent submission to the Council's Long Term Plan, we understand the fiscal pressures that the Council is currently facing. We therefore encourage Council to where possible; remove redundant regulatory provisions that ultimately place the Council under a greater financial burden via tiresome compliance costs.
- 2.4 Federated Farmers therefore requests that any reference to a 'Bird Management Plan' throughout the proposed District Plan are deleted.

Noise

- 2.5 Federated Farmers notes that the definition for Noise (unwanted sound affecting people) excludes *"d. Livestock noise and intermittent noise from rural machinery in the rural zones"*. We appreciate the exemption as noise is a natural activity for farmers.
- 2.6 Federated Farmers proposes however, that the word intermittent is deleted from this exemption. Some activities that occur in farming activities can not be considered intermittent, for example regular dairy milking. Deleting this word provides a more accurate and appropriate exemption for rural activities.
- 2.7 Federated Farmers therefore requests that the word intermittent is deleted from the noise exemption for the rural zone.

Rural Activities

- PC43
Sub 11
- 2.8 Federated Farmers notes the amendments to the definition for rural activities, specifically:
- 2.8.1 The deletion of beekeeping - Federated Farmers opposes removing beekeeping from this definition, as it is a legitimate rural activity and should be covered in the definition.
- 2.8.2 The inclusion of artificial crop protection structures and rural airstrips – Federated Farmers supports this inclusion, as these are integral to rural activities.
- 2.9 Federated Farmers further notes that the definition does not include rural industry or intensive farming, however neither of these are further defined in the plan. Federated Farmers therefore proposes that reference to these is either deleted, or definitions are provided for and appropriately consulted on.

3.1 Issues – Rural Environment

- PC44
Sub 11
- 2.10 Federated Farmers does not believe that the issues covered in the Rural Environment section 3, appropriately reflect the ability for infrastructure to have adverse effects on existing land uses. We appreciate that there is a need to incorporate infrastructure

14 – Earthworks

2.29 Federated Farmers believes that earthwork activities the Council seeks to control in this chapter are already controlled under the OnePlan by the Regional Council in the Rural Zones. These include extensive provisions to address hazards, silt, scouring, slipping, dust and revegetation, as well as land disturbance near waterbodies and sensitive environments. In steep hills and sand dune environments other special provisions apply, and with other sensitive receiving environments direct supervision by Council Land Management officers may be required.

2.30 We therefore consider that there would be unnecessary duplication and cost if the District Council replicated those rules. We therefore propose that the introduction to this chapter is amended as follows:

The objectives, policies and rules in this chapter apply across the District except for the Rural A, B and C zones. They are grouped together to prevent repetition throughout the Plan. The Rural Zones are controlled by provisions in the Manawatu Wanganui Regional Council OnePlan, which allows some land disturbance as permitted activities, but subject to performance standards covering slope angle, area, sediment control methods and protection of sensitive environments. Many land disturbance and cultivation activities require notification to the Regional Council and/or resource consent. Landowners and developers in the Rural Zones should contact the Manawatu Wanganui Regional Council before commencing earthworks.

14.4.1 – Earthworks Rules – Permitted Activities

2.31 As with our previous comment, we believe that Rural Zones are deleted from 14.4.1 and succeeding rules and performance standards to be consistent with Regional Council control of the Rural Zone earthworks.

17 – Noise

2.32 Federated Farmers proposes that the Introduction to the Noise chapter is amended to reflect the coverage of the Resource Management Act in relation to aircraft noise. We believe that for clarity, aircraft noise made once the aircraft has left the ground should be noted as not within the scope of the Act.

2.33 The following amendment to the introduction is proposed.

Airports, and their associated flight operations, generate noise. This noise is distributed over a wide geographical area, and can vary from barely perceptible to significant nuisance depending on the sensitivity to air noise of the activity where the noise occurs. These provisions manage the relationship between air noise and land use activities that may be sensitive to that air noise. It should be noted that aircraft noise generated after the aircraft has left the ground is not controlled under the Resource Management Act.

17.1 – Noise Issues

2.34 Federated Farmers proposes that to ensure that aircraft and helicopter activities that support rural activities are not unduly restricted by the noise provisions of the plan, 17.1.2 and 17.3.4 are amended to give reference to these activities. The following amendments are proposed:

17.1.2 Noise sensitive activities located in existing high noise environments and the adverse effects of that noise cannot reasonably be mitigated. This includes intermittent operation of farm airstrips and helicopter landing areas for servicing rural production activities in the Rural Zones.

17.3.4 To maintain the character and amenity values of the rural zones with respect to noise, without unduly restricting rural activities. Limits for noise received by occupants of dwellings will be set to avoid restrictions on rural activities, provided that such activities adopt the best practicable option. This includes intermittent operation of farm airstrips and helicopter landing areas.

17.4 – Noise Rules

2.35 To align with the recognition of aircraft and helicopter activities supporting rural activities as proposed, Federated Farmers also requests that the Rules are amended to ensure that these activities are permitted. The following addition is sought to 17.4.1 Permitted Activities:

1. The following are permitted activities within the Air Noise Boundary (ANB) and Outer Control Boundary (OCB), unless otherwise stated:

a) All activities, other than Activities Sensitive to Aircraft Noise

2. Intermittent operation of farm airstrips and helicopter landing areas for rural production and ancillary activities in the Rural Zones

2.36 Alternatively airstrips and helicopter landing areas could be added to the Definitions under Noise – similar to livestock and farm machinery.

17.5.3 Noise Sensitive Activities (including dwellings)

2.37 Federated Farmers considers that it may be possible in some circumstances to develop an engineered noise barrier as contemplated in 17.3.3 (d) which could allow noise sensitive activities to locate closer than 30 m from a highway or railway. As a result, the following amendment is made to 17.5.3

or

iii if a landscaping or physical noise isolation solution is developed, an acoustic design certificate is provided to Council by a suitably qualified and experienced acoustic engineer (suitable to Council) which confirms that when built to the recommended design and specification will achieve the minimum acoustic insulation standard of $DnT,w+ C_{tr} > 30$ dB for the external building envelope of each habitable room.

17.5.7 Rural Environment

2.38 As it is common for a number of rural activities to start by 6.00 am, to take advantage of windless conditions in the Rural Zones, especially during summer hours, Federated Farmers recommends that the measurement of noise levels should reflect standard rural operating practise.

| AVERAGE MAXIMUM NOISE LEVEL | | | Lmax |
|-----------------------------|----------------|---------------------|----------------------|
| dB LAeq(15min) | | | dBA |
| Daytime | Evening | Night time | Night time |
| 7 6.00am- 7.00pm | 7.00pm-10.00pm | 10.00pm- 76.00am | 10.00pm 76.00am – |
| 50 | 45 | 40 | 75 |

3. Comments relating to Consultation Documents

- 3.1 Federated Farmers understands that Proposed Plan Changes largely reflect the need to align with the Manawatu Whanganui Regional Council (Horizons) combined Regional Policy Statements, the One Plan. Federated Farmers therefore accepts that to a greater extent, the updated provisions of the District Plan, are intended to give effect to regional developments and provisions.

Financial Contributions – Plan Change 40

- 3.2 We note that the Council has not charged financial contributions for the previous five years, instead relying on the use of development contributions to recover from developers. Of the three options proposed by Council to update the plan, we recognise that Option 3, 'Review current provisions for financial contributions and make them specific' is the preferred option.
- 3.3 Federated Farmers also accepts that it is necessary to update the Plan Provisions to ensure that Council's statutory obligations are fulfilled. We also note the additional benefits noted, of improved certainty to developers, along with a greater tool set of options to apply to recover contributions. We are supportive of Council efforts to ensure that Plan provisions are clear, transparent and efficient, and also, support attempts to ensure that mechanisms are fit for purpose and consider individual users specifically, rather than blanket 'one size fits all approaches'.
- 3.4 Federated Farmers therefore supports the detail provided in 3.3 and 3.4 which we believe provides for individual consideration of the activity, and therefore, personalised calculation of the level of contribution required, if any.

Federated Farmers is a not-for-profit primary sector policy and advocacy organisation that represents the majority of farming businesses in New Zealand. Federated Farmers has a long and proud history of representing the interests of New Zealand's farmers.

The Federation aims to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices.

These comments are representative of member views and reflect the fact that resource management and government decisions impact on our member's daily lives as farmers and members of local communities.

Federated Farmers thanks the Wanganui District Council for considering our submission to the proposed Wanganui District Plan.