

Please see attached my submission for the Plan Change 54.

If you have any questions please let me know.

Regards  
Matthew Smith  
General Manager



ADDRESS: 131 SOMME PARADE, ARAMOHU, WANGANUI  
PO BOX 5101, WANGANUI 4542, NEW ZEALAND  
PHONE: +64 6 343 9009 Ext 740  
E.MAIL: [m.smith@axiam.co.nz](mailto:m.smith@axiam.co.nz)  
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# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## Submission on a Publicly Notified Plan Change to the Whanganui District Plan

Resource Management Act 1991 In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

Name: (print in full) Matthew Smith

This is a submission on Plan Change No. 54 to the Whanganui District Plan.

Closing Date: 30/07/21

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

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

7. **Address for service:**

131 Somme Parade  
Wanganui  
.....  
.....

Signature:  .....

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

Day time phone No: 021 203 3854.

Email: .....

Date: 5/07/21 .....

Question 2.

Re-zoning GRZ and COMZ to GIZ

Question 3.

I support the Provisions and I wish to make an amendment to the proposed plan by adding some additional GIZ.

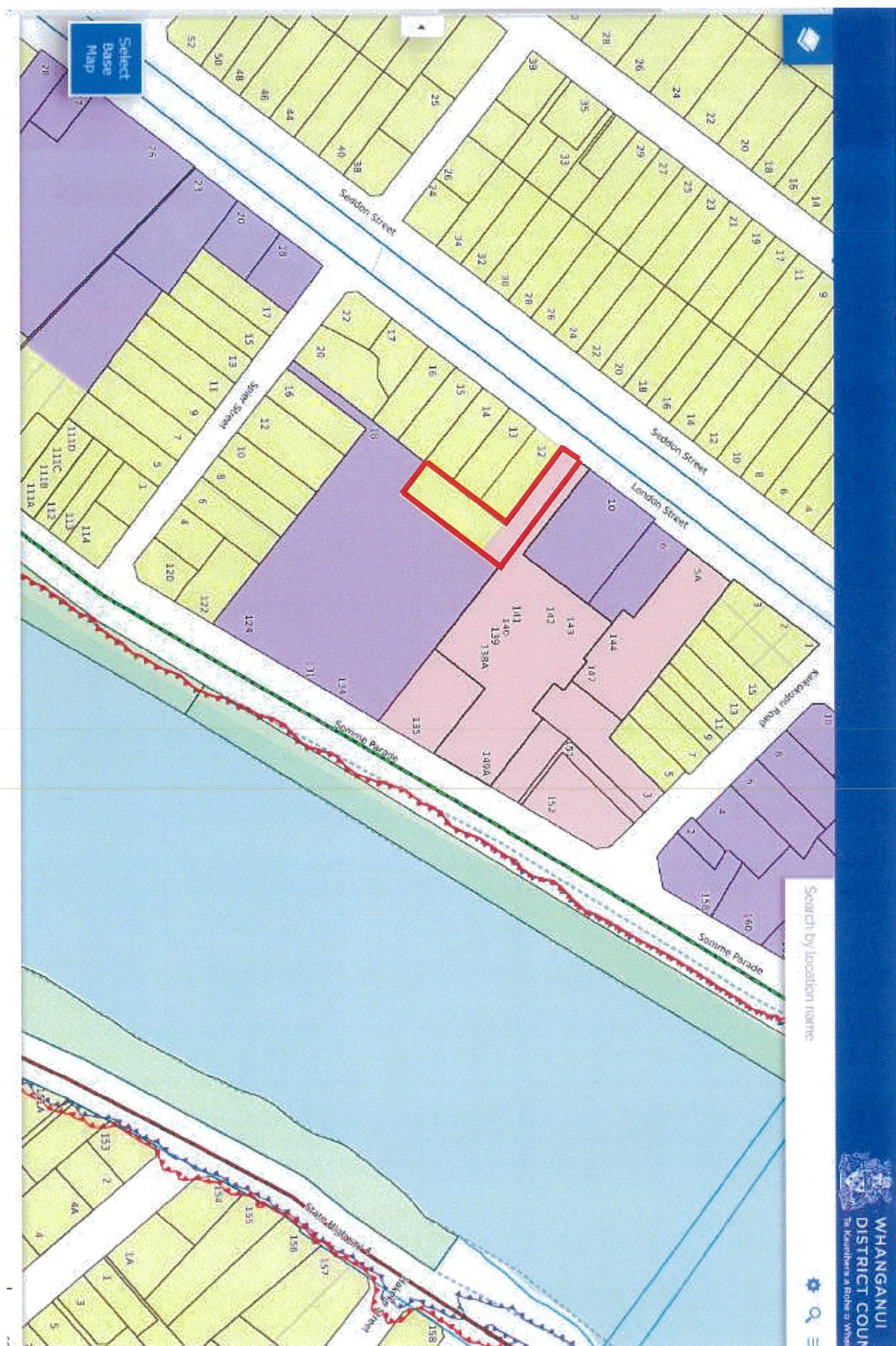
Question 4.

In 2021, Axiam Plastics, located at 131 Somme Parade, purchased portions of the rear sections of 12, 13, and 14 London Street. In addition, Axiam Plastics purchased a strip of grass located next to 12 London Street.

I would like this combined area, identified in red in attached doc, to also be re-zoned GIZ as this is now an extension to our site.

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# **SUBMISSION ON A PUBLICLY NOTIFIED PLAN CHANGE TO THE WHANGANUI DISTRICT PLAN**

## **Pursuant to Clause 6 of the First Schedule of the Resource Management Act 1991**

**To: Whanganui District Council  
P O Box 637  
Whanganui**

**Name of Submitter: The Roman Catholic Bishop of the Diocese of Palmerston North.**

**This is a submission on Plan Change 54 Industrial to the Whanganui District Plan.**

**Closing Date: 30 July 2021**

- 1. The submitter could not gain an advantage in trade competition through this submission.**
- 2. The specific provisions of the proposed plan change that my submission relates to are:**
  - i) The proposed change of zoning from industrial to residential at 31-34 London Street being St Mary's School.**
  - ii) The proposed retention of industrial zoning for a small triangular piece of land at 32D Peat Street shown on the attached Plan. The legal description of this land is Lot 1 DP 41586 in title WN 13B/1202.**
- 3. My submission is that:**
  - i) The land owned by the submitter and occupied by St Mary's School at 31-34 London Street is designated for Education Purposes. It is appropriate that the underlying zoning for this site be Residential. The proposed change in zoning for part of the site from Industrial to Residential is therefore supported.**
  - ii) The land at 32D Peat Street is proposed to be retained with Industrial zoning. The land is part of Cullinane College which is largely on the opposite side of Peat Street. The land is undeveloped and is used for school related vehicle parking. The use of the land for permitted industrial activities would have adverse effects on the amenity of the wider residential area and the College. Even though it is a small area of only 1341 m<sup>2</sup>, it is considered more efficient and effective if this land is zoned residential and not industrial.**



4. The following decision is sought from Council.

- i) That the proposed residential zoning for St Marys School be confirmed.
- ii) That the zoning of the land at 32D Peat Street be changed from industrial to residential.

5. I do wish to be heard in support of this submission.

6. If others make a similar submission I would be prepared to consider a joint case with them at any hearing.

Address for Service

Paul Thomas  
Thomas Planning Ltd  
2A, Jacobsen Lane  
Ngaio  
Wellington 6035

A handwritten signature in blue ink, appearing to read 'Paul Thomas', is written over a light blue rectangular background.

Signature:

Authorised signatory on behalf of The Roman Catholic Bishop of the Diocese of Palmerston North.

Day time phone No: 0274534816

E Mail: [paul@thomasplanning.co.nz](mailto:paul@thomasplanning.co.nz)

Date: 22 July 2021

**ANNEXURE 1**

**AERIAL PHOTOGRAPH IDENTIFYING 32D PEAT STREET**





44 Peat Street,  
Whanganui 4500  
Macblack.co.nz

**Submission to:**

Whanganui District Plan Change 54- Industrial  
28 July 2021

## Declaration

I am owner/Managing Director of MacBlack Timber Ltd (lessee of 44 Peat Street and industrial land at the end of George Street), and Trustee of Nikau Trust (owner of 44 Peat Street).

I could not gain advantage in trade competition through this submission.

I am not directly affected by an effect of the subject matter of the submission that adversely affects the environment; and my submission does not relate to trade competition or the effects of trade competition.

## Provisions of the Plan Change – subject of this submission

The specific provisions of the plan change that my submission relates to are proposed zone changes in Kaikokopu Road and George Street

## Changes sought

That these areas remain as General Industrial Zone:

**384 Kaikokopu Road (or the flat parts of this area)**

**6 and 8 George Street**

# Reasons

## General

1. I don't believe it is necessary or desirable to have a policy of seeking strict segregation of industrial, commercial and residential zones whenever possible. A mix of activities adds life to our community and adverse effects, including reverse sensitivity, can be managed through rules and standards. Refer to a more detailed submission I made to the review in November 2019 (attached – Appendix A).
2. I have tried to understand the rationale for the proposed zoning changes within zones (such as George Street) and as far as I can gather the primary reason seems to be to avoid reverse sensitivity. However there isn't evidence of this happening to any great degree and it can be managed. Here is an extract from my earlier submission:

*There will probably be times when minor nuisances arise, most likely noise, but also a degree of traffic congestion when a truck is being loaded or perhaps some dust or odour.*

*However, there appears to be a very high tolerance of this from people living in the area. I think this is because there is generally a lot of goodwill to "local" businesses by ordinary New Zealanders. Residents relate to and support the people working in these businesses. They might buy things from them, or know someone who works there. To a degree they are used to it and they will put up with the occasional nuisance because that's life. It's very admirable.*

*There are also some benefits from this situation:*

- *Being close to work means that for employees commuting distances and climate effects of driving are reduced. Our business has two [now five] full-time and three part-time employees. Four of the five live in Aramoho or Whanganui East. One employee has children at Cullinane College and St Mary's School and can easily pop out to collect a sick child or attend a school meeting*
- *Inter-business activities are made easier, where materials and products are transferred. There is a lot of this happening in our area*
- *Businesses that sell to the public can service their local clientele.*

## Kaikokopu Road

3. This area, although under utilised at present, provides potential for growth in the Aramoho industrial area.
4. The GHD *Industrial Land Demand Study, July 2018*, identifies that the Aramoho area is "surrounded by residential development" as one of the constraints to further industrial land use, however the Kaikokopu road area proposed for re-zoning has very little connection to residential areas.

5. There may be issues in relation to delivery of infrastructure but some industrial uses may not need these at a large scale. For example our drying yard at the end of George Street requires very minimal infrastructure services. There may be insufficient capacity in the existing stormwater and wastewater network to support further development of the Kaikokopu Road area but that doesn't necessarily mean it could never be provided.
6. I acknowledge that some of this land is hilly and probably not suitable for industrial use however a large part of it, perhaps half, is largely flat.
7. If there isn't a demonstrated demand for land use on this area that is not compatible with this zoning, then this area, or at least the areas with flat topography, should be kept as industrial to maximise future options.

## 6 and 8 George Street

8. These neighbouring properties together house a long established successful light engineering business. On one side they abut a commercial property (tyre shop and workshop), on the others residential property. The sites at 6 and 8 are completely covered by buildings or hard surface.
9. Although these two properties are a small area of industrial zoned land in a largely residential area, the present use is not inconsistent with what one might expect in the wider surrounding area, such as Rotherham Street or London Street, where residential, commercial and industrial zones and uses successfully intermingle.
10. It is hard to imagine that these sites would be worth converting to residential given their current state and the cost of conversion.
11. The most efficient use of this land is for the present owner to carry out their earthquake strengthening and building expansion plans and for the existing use to continue. However, as I understand it, the owner is unwilling to make those investments when facing a zoning plan change of the site from industrial to residential where existing use is not permitted. Granting existing use rights (as has been promised by Council officers) does not solve this problem because it will only apply to the present owner (or a similar business) and therefore reduces the ability to sell and recover investment.
12. To change the zone of 6 and 8 George Street, in the absence of any current cross boundary issues, and for little clear reason seems very harsh considering the effect on the property value. It will also deter or even prevent investment and business improvement to the detriment of the individual owner, the business involved and the wider Whanganui community.

13. In 1998 the Proposed Wanganui District Plan proposed to change the zoning of all the manufacturing zoned properties in George St, Rotherham Street and Gibson Street to residential. There was considerable opposition to this, a petition was organised and many submissions were made requesting that the affected properties, especially the business properties, retained their existing zoning.

14. The decision of the District Plan Submissions Committee was that these submissions were accepted in part to the extent that properties that were used for business purposes, such as 6 and 8 George Street, 5 and 7 Rotherham Street and 24 Gibson Street would stay Manufacturing.

15. The reasons for this this part of the Committee's decision were stated as:

*Retaining the proposed Residential zoning of the entire area places unnecessary restrictions on existing manufacturing activities. The variety of uses within the area and lack of resident complaint reinforce this observation. Equally, the retention of the entire area as Manufacturing fails to give due consideration to the rights and amenity values of residents. Allowing manufacturing activities of any scale to locate within the area as of right, subject to only performance standards designed for predominantly industrial area, goes beyond that which a resident might reasonably expect given the current situation.*

*Zoning existing commercial activities as Manufacturing and retaining the proposed Residential zoning on the remaining properties has some advantages. This would allow existing businesses the flexibility to develop, while ensuring that the level of manufacturing in the area does not increase significantly.*

16. This is good pragmatic reasoning that recognises the real life situation, messy though it may be. I submit that these reasons still stand and for these properties the status quo should remain.

17. The arguments I have made for 6 and 8 George Street apply equally to commercial properties on the other side of George Street and in Gibson Street. I am less familiar with the owners' preferences so have not submitted on them directly, however I would support their staying Manufacturing.

## Hearing

I do wish to be heard in support of this submission.

If others make a similar submission I would be prepared to consider presenting a joint case with them at any hearing.

**Richard Thompson**

[richard@macblack.co.nz](mailto:richard@macblack.co.nz)

027 44 00 861



## APPENDIX A



44 Peat Street,  
Whanganui 4500  
Macblack.co.nz

### **Submission to Issues and Options discussion document**

Whanganui District Plan Review Industrial Environment Chapter I Manufacturing Zone

17 November 2019

## Background

We (MacBlack Timber Ltd) operate from a 3245m<sup>2</sup> site at 44 Peat Street, Aramoho.

The site is in the Manufacturing Zone and on our four boundaries are:

- a commercial premises (also Manufacturing)
- a railway corridor (not sure how this is zoned),
- three houses (Residential), and
- Peat Street, with a park on the other side of the street.

We conduct light manufacturing in our joinery workshop. This creates some machine noise during normal weekday working hours, although this is directed away from the houses by the orientation of the buildings.

We air-dry timber in the remaining part of the yard. There is a small amount of noise from our forklift and from handling iron cover sheets, and some dust from the gravel surface during dry weather, again only during working hours.

We also operate a small dehumidifying kiln that operates 24/7 when on. Fan noise will be barely discernible on the property boundary.

Our commitment to being good a neighbour means we are careful about noise in the design and operation of our business. However, I appreciate that other operators might not be so motivated and there is a risk that more intrusive activities would create nuisance effects. These are able to be controlled by rules and standards under existing DP provisions.

## To segregate or not

The situation I have described arises from historical planning decisions when Whanganui was a very different place. I assume that the manufacturing zones in Aramoho were largely designated as such in recognition of the businesses that had located close to the railway corridor. We have been told that goods were loaded directly onto trains from our yard.

Some businesses would have been providers of services to the nearby railway workshops. Some will have serviced others.

Today there is a lively and interesting mix of residential, commercial and manufacturing activities in this area. Usually but not always strictly according to the zoning of the property they are located on.

There will probably be times when minor nuisances arise, most likely noise, but also a degree of traffic congestion when a truck is being loaded or perhaps some dust or odour.

However, there appears to be a very high tolerance of this from people living in the area. I think this is because there is generally a lot of goodwill to “local” businesses by ordinary New Zealanders. Residents relate to and support the people working in these businesses. They might buy things from them, or know someone who works there. To a degree they are used to it and they will put up with the occasional nuisance because that’s life. It’s very admirable.

There are also some benefits from this situation:

- Being close to work means that for employees commuting distances and climate effects of driving are reduced. Our business has two full-time and three part-time employees. Four of the five live in Aramoho or Whanganui East. One employee has children at Cullinane College and St Mary’s School and can easily pop out to collect a sick child or attend a school meeting
- Inter-business activities are made easier, where materials and products are transferred. There is a lot of this happening in our area
- Businesses that sell to the public can service their local clientele.

An alternative would be to eventually separate all activities in Whanganui so that there would be large, dedicated zones for manufacturing. I don’t favour this segregation because I like the human-scale mix of activities within our Aramoho village. Recently I walked down London Street, past a fascinating mix of businesses and “character” houses. It was not perfect, but it was much nicer than if I’d had the same walk through Rotokawau, or down the Heads Road industrial area.

Although there is the perception that residential zones should be quiet and peaceful we need to be careful not to make them deadly and isolating. Similarly, industrial areas don’t always need to be bleak and hazardous.

Yes we need to make sure that effects don’t negatively compromise enjoyment of life in one’s residence. So there are scale and duration issues that need to be controlled by rules and standards.

There might be some industrial or manufacturing activities that are so large, noisy or odorous that they cannot be nestled into residential or commercial areas. These will indeed need dedicated locations and decent separation distances.

But we all put up with our neighbour's loud lawn mower or smoky barbeque because it is not going to be for long, and anyway something we might ourselves be doing tomorrow!

We will also put up with the odd loud noise or vehicle movement from the business next door because we support them for having a go. We like seeing the guys in hi-vis vests coming into the local dairy for pies, and shouting out to their mate or the local school teacher who taught them not so long ago. We are happy to wait for minute for the forklift to load a packet onto a truck because it is something made in Whanganui that someone else wants to buy. It has value and so do we.

## Recommendation

I recommend that the status quo with regard to mixed zones be allowed to continue and that there is not a strategy for zoning changes, either short or long term, that will lead to eventual separation of activities.

The exemption might be for heavy industry that has effects of a nature or duration that will always be incompatible with residential values.

### **Richard Thompson**

Owner/Managing Director – MacBlack Timber Ltd (lessee of 44 Peat Street)

Trustee – Nikau Trust (owner of 44 Peat Street)

[richard@macblack.co.nz](mailto:richard@macblack.co.nz)

027 44 00 861



# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## Submission on a Publicly Notified Plan Change to the Whanganui District Plan

Resource Management Act 1991 In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

Name: (print in full) ..... GREYTOWN DISTRICT TRUST LANDS TRUSTEES

This is a submission on Plan Change No. <sup>54</sup> ..... to the Whanganui District Plan.  
Closing Date: 30 JULY 2021

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

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

.....  
PLEASE REFER TO 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):*

.....  
PLEASE REFER TO 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):*

EXCLUDE LOT 1 DP 349242, LOT 2 DP 349242

SECTION 1 SO 36411 FROM PROPOSED REZONE

..... (Use additional pages if required)

5. I ~~do/don't~~ wish to be heard in support of this submission.
6. If others make a similar submission I **would** /~~would not~~ be prepared to consider presenting a joint case with them at any hearing.

7. **Address for service:**

..... PO BOX 16  
..... GREYTOWN 5742  
.....

Signature: ..... *PAUL BROUGHTON* .....

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

Day time phone No: ..... 029 494 2289 .....

Email: ..... gm@greytowntrustlands.org.nz .....

Date: ..... 28 JULY 2021 .....

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

My submission relates to the proposed zone change from General Industrial Zone (GIZ) to Residential in respect to three sites, being:

34 Bedford Avenue, Gonville - Lot 1 DP 349242

Adjoining site, Gonville Lot 2 DP 349242

37 Bedford Avenue, Gonville - Section 1 SO 36411

Herein referred to in this submission as “**Bedford Avenue GIZ**”

### **3.0 My submission is that:**

The proposed rezoning of the Bedford Avenue GIZ to Residential will result in adverse outcomes that, in my view, will override any perceived benefit resulting from the proposed rezoning. Areas of adverse impact I consider as likely to occur are, but not limited to; adverse impact on existing use site utilisation, heightened risk of reverse sensitivity issues as a result of potential mixed use of Bedford Avenue GIZ, intensification of use on land that has high susceptibility to liquefaction, adverse impact on traffic flows, poor outcome in respect to optimum land utilisation.

The level and nature of the impacts vary, from negative valuation and future leasing outcomes through to reverse sensitivity issues. Each of these potential impacts are set out below.

#### **3.1 Adverse impact on existing site utilisation – 34 Bedford Avenue**

The owner of 34 Bedford Street is the Greytown District Trust Lands Trust (GDTLT) purchased the site in 2005 as its cornerstone industrial investment. GDTLT has existed since 1871, coming into existence via its own Act of Parliament. As a not for profit organisation, its principle reason for being is to provide financial assistance to the community it serves, made possible through its investment in the commercial property sector.

The purchase of 34 Bedford Street in 2005 was a result of detailed due diligence on behalf of GDTLT's Trustees, in order to ensure the significant investment would deliver the returns envisaged and as would be expected of a property of this nature.

Full recognition was afforded to the “bundle of rights” that the existing zoning provides and investment decision was made on that basis. The site was specifically developed as a Ministry of Works Depot in 1981, the location being a critical part of that initial development. Nothing has changed in terms of that decision, demonstrated by the fact its use has been consistent since that initial development was undertaken.

Currently the site is tenanted by Downer EDI as its Whanganui District base with the tenant maintaining the Whanganui District's lines network from this base. The existing tenant expanded its premises on site in the early 2000's, however given growth in the Whanganui region there is the distinct possibility they will need additional undercover storage etc in the future as the demands of the district increases their workload. The site has the potential to allow such further expansion under its existing zoning.

The tenant has been very clear that the location is ideal, providing them with the best location to provide a critical service to the District.

It is understood that rezoning to residential may not adversely impact existing use, in terms of current occupation density, however should the tenant (or any future tenant) wish to expand we understand under residential zoning this would be treated as non-complying activity, requiring consent from persons who may be affected.

In the event the adjoining sites were developed as residential (an outcome we understand to be highly likely) it would be safe to assume obtaining such approvals would likely become highly problematic.

Material adverse effects due to restrictions on site utilisation would result in a reduction in asset value given lack of ability to fully utilise the site as per its current zoning. Additionally the ability to retain and or attract tenants may also result in a materially adverse outcome, again negatively impacting on the assets medium to long term investment performance.

### **3.2 Heightened risk of reverse sensitivity**

In the event the area was rezoned, the potential for reverse sensitivity issues arising will be high should the adjoining site and 37 Bedford Avenue be redeveloped as residential. 34 Bedford Street existing use rights include 24/7 heavy traffic, with linesmen frequently called out at night to attend line faults etc.. The ability to utilise no.34's site area that borders the adjoining site in particular will be subject to sensitivity matters and it is this area that offers the most potential for onsite expansion.

### **3.3 Intensification of use on land that has high susceptibility to liquefaction**

Council's mapping data shows the Bedford Avenue GIZ to be highly susceptible to liquefaction as a result of seismic activity. Intensifying the land use and increasing occupation density can only increase the negative outcome an event such as liquefaction will have post rezone. Has Council reviewed the potential for future liability claims in the event it rezones or is it relying on passing that potential liability to a developer? Mortgage lenders, and most certainly, insurers will view this as an additional risk they may wish to avoid, given the exposure they may already have in that area.

### **3.4 Adverse impact on traffic flows**

While I'm unsure of the potential maximum residential units possible in the subject area, the current intersection of Heads Road and Bedford Avenue is problematic under current zoning without the addition of further residential development. Heads Road is one of the region's most heavily used routes for industrial vehicles and goods trains, adding additional private vehicles to an intersection with that road will result in increased risk of negative outcomes/public safety. Has a traffic modelling exercise been undertaken to assess this risk? How would the risk be mitigated?

### **3.5 Poor outcome in respect to optimum land utilisation**

Residential planning rules and physical constraints particular to the Bedford Avenue GIZ are likely to result in less than desirable land utilisation outcomes should the land be rezoned residential

A river inundation zone of approximately five metres along the river boundary, a significant storm water easement through the centre of the site and additional roading required to service residential

sections will all combine to reduce the potential optimal use of the site. Re zoning will result in material loss of usable area, which given the site's location is not a desirable outcome from a land economics perspective.

### **Summary**

Rezoning Bedford Avenue Giz to residential will result in more negative impacts than positive both in terms of existing use and potential use if rezoned.

The owners investment in 34 Bedford Avenue will be diminished, given the constraints rezoning will entail.

The tenant's ability to provide a critical service to a growing District will be impacted by its inability to expand its presence on site should rezoning proceed.

Pressure on traffic and infrastructure due to intensified occupation, alongside poor land utilisation are further outcomes that fail to support the proposed rezoning of the Bedford Avenue GIZ to residential.

Rezoning the area to residential will have little if any material impact in terms of adding to the Districts housing stock, but will come at a risk of removing a strategically located industrial site that serves the District.

While it is understood Plan Change 54 has taken a city wide view of the current industrial zoning, there would appear to be no compelling reason to include Bedford Avenue GIZ as part of the zone changes proposed.





# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## Submission on a Publicly Notified Plan Change to the Whanganui District Plan

Resource Management Act 1991 In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

Name: (print in full) ..... Ian McDonald .....

This is a submission on Plan Change No. ...54... to the Whanganui District Plan.

Closing Date: ...30/07/2021.....

- 1 (a) I ~~could~~ / could not gain an advantage in trade competition through this submission.  
(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.

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

Is to the rezoning of the land in the Kaikokopu Road / Kelvin Street area from Industrial (GIZ) to Rural (GRUZ)

*(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):*

The rezoning of the above land will reduce industrial expansion opportunities in the area and will create a zone boundary change hard on currently utilized industrial land. McDonald Concrete Group moved from Balgownie Industrial area some 5 years ago to new premises at 18 Murray Street that has provided scope for significant expansion of the business. This expansion has been occurring with staff numbers increasing from 12 to 40. Investment in the business has steadily continued and we are currently in the process of adding additional buildings and machinery.

McDonald Concrete Group manufacture concrete products including manholes, stormwater, wastewater culvert pipes, EleTank water tanks, sewerage treatment systems, septic tanks, troughs, rain gardens, electrical pull pits, cess pits etc for government, councils, iwi, contractors and individuals.

With current water reforms and the booming economy, demand for these products has reached unprecedented levels and we foresee this will continue to increase.

Our current site, and the adjoining industrial land, provided us the potential for expansion and the certainty of having neighboring industrial activities. Having small properties adjacent rezoned to rural would not only decrease expansion possibilities both for land and/or access, but it would mean a zone change on our boundary. Currently the industrial zone is separated from residential properties by Kaikokopu Road.

The blocks of land along Kaikokopu Road to be rezoned also appear somewhat small for traditional uses.

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 properties fronting Kaikokopu Road, Lot 1 DP352705, Lot 1 DP54394, Lot 1 DP20406 and part section 21 RB Whanganui River.

By retaining the Industrial zoning on these properties this allows for more industrial expansion in the area and retains Kaikokopu Road as the boundary between zones.

5. I ~~do~~/~~do not~~ wish to be heard in support of this submission.
6. If others, make a similar submission I **would** /~~would not~~ be prepared to consider presenting a joint case with them at any hearing.

7. **Address for service:**

**18 Murray Street, Aramoho, Whanganui**

**Signature:**



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

**Day time phone No:** ...021 778 651 .....

**Email:** .....manager@mcg-ele.co.nz .....

**Date:** ...28-07-2021.....



## ARA POUTAMA AOTEAROA, THE DEPARTMENT OF CORRECTIONS: SUBMISSION ON PLAN CHANGE 54 (INDUSTRIAL) TO THE WHANGANUI DISTRICT PLAN

**To:** Whanganui District Council  
P O Box 637  
Whanganui

Attention: Leayne Huirua  
Email: [Leayne.Huirua@whanganui.govt.nz](mailto:Leayne.Huirua@whanganui.govt.nz)

**Submitter:** Ara Poutama Aotearoa, the Department of Corrections  
Private Box 1206  
Wellington 6140

Attention: Andrea Millar – Manager, Resource Management and Land Management  
Phone: 027 216 7741  
Email: [andrea.millar@corrections.govt.nz](mailto:andrea.millar@corrections.govt.nz)

Ara Poutama Aotearoa, the Department of Corrections (the **Department** or **Ara Poutama**) makes submissions on Plan Change 54 (Industrial) to the Whanganui District Plan ("PC54") in the **attached** document.

The Department confirms it could not gain an advantage in trade competition through this submission.

The Department would like to be heard in support of its submission. If other submitters make a similar submission, the Department will consider presenting a joint case with them at a hearing.

A handwritten signature in blue ink, appearing to read 'Andrea Millar'.

---

**Andrea Millar – Manager, Resource Management and Land Management**

For and behalf of Ara Poutama Aotearoa, the Department of Corrections

Dated this 28<sup>th</sup> day of July 2021

## Introduction

Ara Poutama Aotearoa, the Department of Corrections (the **Department** or **Ara Poutama**) is responsible under the Corrections Act 2004 for enforcing sentences and orders of the criminal court and the New Zealand parole board. In meeting this responsibility, Ara Poutama establishes and operates custodial and non-custodial corrections facilities, monitors people in the care of the Department serving their sentences in the community, and provides supported and transitional accommodation to assist people to reintegrate back into the community.

## Non-Custodial Community Corrections Sites

Non-custodial community corrections sites include service centres and community work facilities and are essential social infrastructure. Non-custodial services and their associated infrastructure play a valuable role in reducing reoffending. Community work helps offenders learn vital skills and to give back to their community, and in return the community benefits from improved amenities. Ara Poutama considers that its services enable people and communities to provide for their social and cultural well-being and for their health and safety, and therefore those activities and services contribute to the sustainable management purpose of the RMA.

The service centres provide for probation, rehabilitation and reintegration services. Offenders report to probation officers as required by the courts or as conditions of parole. The Department's staff also use service centres to undertake assessments and compile reports for the courts, police and probation officers. Service centres may also be used as administrative bases for staff involved in community-based activities. The overall activity is effectively one of an office where the generic activities involved are meetings and workshop type sessions, activities which are common in other office environments.

In addition to these service centres, the Department operates community work facilities. Community work is a sentence where offenders are required to undertake unpaid work for non-profit organisations and community projects. Offenders will report to a community work facility where they subsequently travel to their community work project under the supervision of a Community Work Supervisor. The community work facilities can be large sites with yard-based activities and large equipment and/or vehicle storage. Service centres and community work facilities may also be co-located on the same site.

Community corrections sites support offenders living in that community. The Department therefore looks to locate its sites in areas accessible to offenders, and near other supporting government agencies. Commonly, sites are therefore located in commercial or business areas, but may also be located in industrial areas, where large lots and accessibility suit the yard-based nature of some operations. As community corrections facilities are not sensitive to the effects of an industrial environment (e.g. noise, high traffic movements, etc), they are not prone to reverse sensitivity.

## Existing Community Corrections Site in Whanganui

Ara Poutama currently operates one non-custodial community corrections site in the Whanganui District, situated on two adjoining properties:

- 39 Wilson Street, Whanganui. This property is the community corrections service centre and is located within the Outer Commercial Zone in the Operative Whanganui District Plan. The property is subject to a designation in favour of the Minister of Corrections (Designation MCOR-2 "Corrections Purposes (non-custodial facility)").
- 55 Maria Place, Whanganui. This property is the community corrections work facility and is located within the Outer Commercial Zone in the Operative Whanganui District Plan. Whilst not subject to a designation, community corrections activities are permitted in this zone.

**Plan Change 54**

Whilst the Department does not currently operate a community corrections facility located in the General Industrial Zone, it has a vested interest in the implications that PC54 would have on any future proposed establishment and operation of a non-custodial facility within the zone. The Department’s specific submissions on PC54 are outlined in the following table.

## Submissions

PC54 Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in <del>strikethrough</del> )
Rules / GIZ-R1 Permitted Activities	<p><b>Oppose</b></p> <p>PC54 as drafted does not specifically reference community corrections activities within the activity rules for the General Industrial Zone. As such, they are captured as a discretionary activity in accordance with proposed Rule GIZ-R3.4 (“<i>Any other activity not provided for as permitted, controlled, restricted discretionary or non-complying</i>”). N.B. community corrections activities are defined within the Operative District Plan (Part 1 – Introduction and General Provisions / Interpretation / Definitions) as follows:</p> <p><b><i>community corrections activity</i></b></p> <p><i>means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups.</i></p> <p>Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending. They enable people and communities to provide for their social and cultural well-being and for their health and safety.</p> <p>Industrial areas provide suitable sites for community corrections activities; in particular community work components often require large sites for yard-based activities and large equipment and/or vehicle storage.</p> <p>Community corrections activities are a compatible and appropriate activity in industrial zones. They are consistent with the character and amenity of such zones. Furthermore, as community corrections facilities are not sensitive to the effects of an industrial environment (e.g. noise, high traffic movements, etc), they are not prone to reverse sensitivity.</p> <p>The Department therefore requests that proposed rule GIZ-R1 be amended to provide for “community corrections activities” as a permitted activity.</p>	<p>1. Amend proposed rule GIZ-R1 (permitted activities) as follows:</p> <p><i>The following activities, provided they achieve compliance with the standards in GIZ-S1 - GIZ-S10:</i></p> <ol style="list-style-type: none"> <li><i>Industrial activities;</i></li> <li><i>Recreation facilities;</i></li> <li><i>Commercial activities that: i. Are ancillary to industrial activities on the site; or ii. Primarily supply food or fuel to people working in the zone.</i></li> <li><i>Reserves and open space;</i></li> <li><i>Network utilities as provided by NU-Network Utilities</i></li> <li><i>Relocated buildings and temporary relocatable buildings that comply with TEMP-Temporary Activities;</i></li> <li><i>Temporary military training activities <u>that</u> comply with TEMP-Temporary Activities;</i></li> <li><u><i>Community corrections activities.</i></u></li> </ol> <p>2. Any consequential amendments required to give effect to this relief.</p>
Standards / GIZ-S4 Extent of Ancillary Commercial Activity	<p><b>Oppose</b></p> <p>Community corrections activities, when located in industrial areas, typically involve a large building that accommodate work programmes, probation, rehabilitation and other reintegration services (e.g. meetings and workshop-type activities). This is in addition to</p>	<p>1. Amend proposed standard GIZ-S4 (Extent of Ancillary Commercial Activity) as follows:</p> <ol style="list-style-type: none"> <li><i>No more than 500m<sup>2</sup> or 35%, whichever is the lesser, of the gross floor area of a building or part of a building used by an industrial activity,</i></li> </ol>

PC54 Provision	Submission	Relief Sought (additions shown in <u>underline</u> , deletions shown in <del>strikethrough</del> )
	<p>outdoor yard-based activities, which include work programmes, large equipment and/or vehicle storage.</p> <p>As such, a building used for community corrections purposes in an industrial area, whilst comprising in part elements of "office" activities, will include a range of other activities. Such buildings may be larger than 500m<sup>2</sup> in gross floor area, are likely to exceed 10% site coverage, and the entirety of the building (i.e. 100% of the floor area) will likely be used for community corrections purposes.</p> <p>To avoid any doubt, or the potential for interpretation issues around the "office" and other internal building elements of a community corrections facility, the Department requests that proposed standard GIZ-S4 be amended to provide an exclusion for community corrections activities. This would avoid the potential for the Department to go through a resource consent process to establish and operate a community corrections facility in the General Industrial Zone.</p> <p>All other proposed standards for the zone (i.e. GIZ-S1 – GIZ-S3 and GIZ-S5 – GIZ-S10) would apply to community corrections activities.</p>	<p><i>shall be used for retailing or office purposes.</i></p> <p><i>b. Where the sole use of a building is for ancillary office purposes the gross floor area shall not exceed 10% site coverage.</i></p> <p><i>c. <u>Standards GIZ-S4 a and b do not apply to community corrections activities.</u></i></p> <p>2. Any consequential amendments required to give effect to this relief.</p>



**SUBMISSION BY POWERCO LIMITED ON PLAN CHANGE 54  
TO THE WHANGANUI DISTRICT PLAN**

**To:** Whanganui District Council  
PO Box 637  
Whanganui

Email [leayne.huirua@whanganui.govt.nz](mailto:leayne.huirua@whanganui.govt.nz)

**From:** Powerco Limited (**Powerco**)  
Private Bag 2061  
New Plymouth  
*(Note that this is not the address for service.)*

1. This is a submission by Powerco Limited on Plan Change 54 (PC54) to the Whanganui District Plan.
2. The reasons for Powerco's submission are set out in the attached schedule (**Schedule 1**). In summary, this submission seeks to delete reference to network utilities within the General Industrial Zone as there is a standalone chapter for Network Utilities (NU-Network Utilities) in the District Plan. Powerco has outlined what we support and where we request changes to the policies, rules and standards.
3. Powerco's comments are focused on key matters of concern. Powerco reserves the right to comment further on draft objectives, policies and rules as PC54 develops. In particular, if the key point of relief is not granted, Powerco would seek further changes to the Issues, Objectives and Policies for the General Industrial Zone.



4. Powerco wishes to be heard in support of this submission.
5. If others make a similar submission, Powerco would be prepared to consider presenting a joint case at any hearing.
6. Powerco could not gain an advantage in trade competition through this submission.

Dated at Tauranga this 29<sup>th</sup> day of July 2021.

Signature of person authorised to sign on behalf of Powerco Limited ☐



.....  
Gary Scholfield  
Environmental Planner

**ADDRESS FOR SERVICE:**                      **Powerco Limited**  
   **PO Box 13 075**  
   **Tauranga 3141**  
   **Attention: Gary Scholfield**

**Phone: (07) 928 5659**  
   **Email: [planning@powerco.co.nz](mailto:planning@powerco.co.nz)**

## Schedule 1 – Submission by Powerco

### REASON FOR POWERCO'S SUBMISSION

#### 1. Introduction

- 1.1. This submission has been prepared on behalf of Powerco Limited (**Powerco**). Powerco is New Zealand's largest electricity and second largest gas distributor in terms of network length, and has been involved in energy distribution in New Zealand for more than a century. The Powerco network spreads across the upper and lower central North Island servicing over 440,000 consumers. This represents 46% of the gas connections and 16% of the electricity connections in New Zealand.
- 1.2. Powerco is a "Lifeline Utility" as described in Part B of Schedule 1 of the Civil Defence Emergency Management Act 2002, as we are an entity that distributes both natural gas and electricity through a network.
- 1.3. Powerco owns and operates its electricity distribution network within the Whanganui district, and therefore has an interest in the Whanganui District Plan. In particular, Powerco is concerned with the approach Council intends to take providing for network utilities within the General Industrial Zone. The electricity distribution network is located everywhere a customer chooses to locate, including in all zones (and within the General Industrial Zone), overlays, and areas subject to contaminated land and natural hazards.
- 1.4. A reliable and constant energy supply is critical to sustaining the regional economy, population and way of life. Demand for energy is constantly increasing. Powerco faces an increasing number of constraints, in terms of providing a secure and reliable supply of energy to meet the increasing demand and population growth.
- 1.5. In all cases, suggested changes are marked as additions (bold and underlined) and deletions (strikethrough).

## 2. General comments:

- 2.1. Plan Change 54 (**PC54**) creates a General Industrial Zone to provide for a broad range of industrial and supporting activities. However, the Whanganui District Plan has been drafted so that the Network Utilities Chapter is a standalone chapter (NU- Network Utilities) and applies across the district through all zones. This means the General Industrial Zone does not need to be considered for network utility activities.
- 2.2. However, PC54's proposed Rule 1 in the General Industrial Zone complicates this by saying that the network utilities as provided for in its chapter are permitted as long as they achieve compliance with the General Industrial Zone's standards 1-10. Rules 2 and 3 then provide for those activities which don't satisfy the standards 1-10, as either restricted discretionary or discretionary activities. Powerco submits that all references to network utilities be removed from the General Industrial Zone (i.e. in Rules 1 – 3). Network utilities should continue to be addressed within the Network Utilities standalone Chapter, which cross-references (as appropriate) back to the standards contained within the General Industrial Zone.
- 2.3. Powerco supports the separate Network Utilities Chapter within the Whanganui District Plan. Considering network utilities on a district-wide basis and containing all rules in a separate section assists plan administration and enables both network utility operators and the community to be able to easily determine the status of an activity. Powerco supports this clarity.
- 2.4. **Table 1** contains a detailed list of submission points that Powerco wishes to make on the PC54.

**Table 1**

Objective / Policy / Rule	Provision	Position	Reason for position	Relief Sought - Amendments emboldened in underline and strike through
<b>GIZ-General Industrial Zone</b>				
GIZ-P8	GIZ-P8	Support	Powerco supports the Mill Road Structure Plan and ensuring the development integrates with other infrastructure including electricity.	Retain as notified.
GIZ-R1	GIZ-R1	Oppose	Network Utilities should be entirely contained within the NU-Network Utilities chapter across all zones, including within the General Industrial Zone. To otherwise provide for network utilities within the General Industrial Zone unnecessarily complicates the structure of the Whanganui District Plan and does not achieve the intended district plan clarity.	<p>Amend Rule GIZ-R1 as follows□</p> <p>The following activities, provided they achieve compliance with the standards in GIZ-S1 – GIZ0S10□</p> <ol style="list-style-type: none"> <li>1. Industrial activities□</li> <li>2. Recreational facilities□</li> <li>3. Commercial activities that□1. Are ancillary to industrial activities on the site□ or 2. Primarily supply food or fuel to people working in the zone□</li> <li>4. Reserves and open space□</li> <li><b><u>5. Network utilities as provided by NU-Network Utilities;</u></b></li> <li>6. Relocated buildings and temporary relocatable buildings that comply with TEMP-Temporary Activities□</li> <li>7. Temporary military training activities that comply with TEMP-Temporary Activities.</li> </ol>
GIZ-R2	GIZ-R2	Oppose	Network utilities should be contained within the NU-Network Utilities chapter across all zones, including within the General Industrial Zone. To provide for network utilities within the General Industrial Zone unnecessarily complicates the structure of the Whanganui District Plan and does not achieve the intended district plan clarity.	Ensure that Network Utilities are not captured by this Rule (by deleting Network Utilities from GIZ-R1).
GIZ-R3	GIZ-R3	Oppose	Network utilities should be contained within the NU-Network Utilities chapter across all zones, including within the General Industrial Zone. To provide for network	<p>Amend Rule GIZ-R3 as follows□</p> <p>The following activities not specified elsewhere□</p> <ol style="list-style-type: none"> <li>1. Community activities;</li> </ol>

Objective / Policy / Rule	Provision	Position	Reason for position	Relief Sought - Amendments emboldened in underline and strike through
			utilities within the General Industrial Zone unnecessarily complicates the structure of the Whanganui District Plan and does not achieve the intended district plan clarity.	2. Commercial activities; <b><u>3. Network utilities not provided for as permitted or restricted discretionary in NU Network Utilities;</u></b> 4. Any other activity not provided for as permitted, controlled, restricted discretionary or non-complying.
GIZ-R4	GIZ-R4	Support	Sensitive activities and visitor accommodation should be discouraged from locating in the General Industrial Zone.	Retain as notified.
GIZ-S1	GIZ-S1	Support	It is appropriate that Network Utility masts, poles and antennas be exempt from complying with the height recession plane standard.	Retain as notified.
<b>SUB-Subdivision and Infrastructure</b>				
SUB-R2	SUB-R2(11)	Support	It is appropriate to restrict Council's discretion to providing appropriate infrastructure and services including electricity.	Retain as notified.

# WADHAM PARTNERS

## LAWYERS

### PARTNERS

MARK SOMERVILLE DOBSON LL.M. (HONS)

ALAN DOUGLAS PIERCE LL.B

DANIELLE HEIDI WILLIAMSON LL.B

MELANIE JANE SARGENT LL.B

29 July 2021

Whanganui District Council  
PO Box 637  
Whanganui 4541

By email: [Gavin.McCullagh@whanganui.govt.nz](mailto:Gavin.McCullagh@whanganui.govt.nz) / [Leayne.Huirua@whanganui.govt.nz](mailto:Leayne.Huirua@whanganui.govt.nz)

### WHANGANUI DISTRICT PLAN – PLAN CHANGE 54 – SUBMISSION BY A T WANGANUI LIMITED

We act for A T Wanganui Limited. We **attach** a submission by A T Wanganui Limited.

Please acknowledge receipt.

Yours faithfully

**WADHAM PARTNERS**



Melanie Sargent  
**Partner**



# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## Submission on a Publicly Notified Plan Change to the Whanganui District Plan

Resource Management Act 1991 In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003


TO: Whanganui District Council, PO Box 637, Whanganui

**Name:** A T Wanganui Limited

**This is a submission on Plan Change No 54 to the Whanganui District Plan.**

**Closing Date: 40 July 2021**

1. (a) **I cannot** gain an advantage in trade competition through this submission.  
(b) **I am** 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.
2. The specific provisions of the proposed plan change that my submission relates to:  
Refer **Section A** attached.
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):*  
Refer **Section B** attached.
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):*  
Refer **Section C** attached.
5. I **do** wish to be heard in support of this submission.
6. If others make a similar submission I **would not** be prepared to consider presenting a joint case with them at any hearing.
7. **Address for service:**  
Melanie Sargent  
Wadham Partners  
192 Broadway Avenue, Palmerston North 4410  
PO Box 345, Palmerston North 4440

Signature:  .....  
authorised person.

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

Day time phone No: 06 358 2076

Email: mjs@wadham.co.nz

Date: 29. 07. 2021 .....



## **Details of submission by A T Wanganui Limited**

### **Section A – provisions to which my submission relates**

#### **A1 - Concerning General Industrial Zone provisions (GIZ – General Industrial Zone)**

My submission relates to all of the new provisions proposed for this section.

My submission particularly relates to the items highlighted in **Attachment A**.

#### **A2- Concerning Hazards and Risks (HAZ – Hazards and Risks)**

My submission relates to all of the new provisions proposed for this section

My submission particularly relates to the items highlighted in **Attachment A**.

#### **A3- Concerning Subdivision and Infrastructure (SUB – Subdivision and Infrastructure)**

My submission relates to all of the new provisions proposed for this section.

My submission particularly relates to the items highlighted in **Attachment A**.

#### **A4 Definitions**

My submission relates to all of the new provisions proposed for this section.

### **Section B – the grounds of my submission**

#### **General**

The relevant sections of the plan change have headers called 'draft' of different dates.

The planning rationale and justification for the changes is poorly constructed and does not meet the requirements of Part 5 RMA.

The additional particularised grounds below.

#### **B1-Concerning new General Industrial Zone provisions (GIZ – General Industrial Zone)**

The proposed new provisions to the General Industrial Zone are a solution looking for a problem. They are neither efficient nor effective and do not meet the requirements of the RMA, s 32.

The RM s 32 assessment is deficient.

Some of the provisions appear to be focused on encouraging efficient utilisation of under-utilised sites. The efficiency of utilisation is not obviously connected to any provisions that are proposed to be inserted. There is therefore a disconnect between the policy and the relevant regulatory tools that are created.

The control of infrastructure use by discretions is poor planning and open to abuse as a coercive tool contrary to the rule of law and the arrangements for infrastructure provision in the LGA 2002 and the RMA.

Issue GIZ-L1 is not proven by any reference to examples in the RMA, s 32 analysis. Nor is it obvious that these matters are addressed by the proposed regulatory provisions. The principle tool of the Plan is zoning to manage reverse sensitivity and incompatibility. This has proved a sufficient tool. There is no evidence that significant adverse effects can occur to the transport network on zoned Industrial Land that results in reduced quality of environment and incompatibility with different land uses beyond the zone.

GIZ-L2, the first paragraph is not correct and is not demonstrated by the s 32 analysis.

GIZ-L3, this policy is an inappropriate attempt to control development when the Council should be providing infrastructure and promulgating an appropriate development contributions policy. This is inappropriate policy that has no regulatory tool that follows from the policy. It therefore should not be included in the Plan.

Policy GIZ-P3. This is not the business of the Council and planning.

Policy GIZ-P7. This policy makes no sense. First, there is no Mill Road Structure Plan. Also, the Structure Plan will be for major infrastructure and does not control development. The policy therefore makes no sense.

Rule GIZ-S3 has not been evaluated under RMA, s 32 and does not appear to be justified.

Rule GIZ-S4 has not been evaluated under RMA, s 32 and there is no demonstrated need for that provision.

Rule GIZ-S10 concerning hazard substances makes no sense. There are no standards in the chapter HAZ - Hazardous Substances.

## **B2- Concerning new Hazards and Risks (HAZ – Hazards and Risks)**

Rule HAZ-R1 is not appropriate. It is not necessary to make a discretionary activity for hazardous facilities in the General Industrial Zone. The activity should be a restricted discretionary activity, after specifying non-compliance with appropriate standards. The General Industrial Zone is an appropriate place generally for hazardous facilities

### **B3- Concerning new Subdivision and Infrastructure (SUB – Subdivision and Infrastructure)**

Issue sub-34A, the amendment to sub-34A to include the "Mill Road Structure Plan Areas" makes no sense since there is no Structure Plan for Mill Road attached to the Plan Change.

Policy Sub-P35 (as above).

Policy Sub-P38 , there should not be any control on subdivision or development concerning infrastructure limitations. It is the Council's job to provide sufficient infrastructure to enable the Mill Road area to develop as a critical infrastructure area.

Sub-R2-11, the restricted discretion concerning the matters specified in the Industrial Zone are inappropriate. There is no demonstrated need for restricted discretion in relation to those matters. The matter of discretion (g) relates to a Structure Plan that does not exist and is otherwise inappropriate attempt to try and use planning discretions to obtain infrastructure from developers.

### **B4 Definitions**

The changes and their purpose are unclear.

## **Section C – relief sought**

### **C1- Concerning new General Industrial Zone provisions (GIZ – General Industrial Zone)**

Reject the amendments to the District plan or relief including consequential relief that meets this submission.

**C2- Concerning new Hazards and Risks (HAZ – Hazards and Risks)**

Reject the amendments to the District plan or relief including consequential relief that meets this submission.

**C3-Concerning new Subdivision and Infrastructure (SUB – Subdivision and Infrastructure)**

Reject the amendments to the District plan or relief including consequential relief that meets this submission.

**C4 Definitions**

Reject the amendments to the District plan or relief including consequential relief that meets this submission

## **Attachment A**

# CL - Contaminated Land

Contaminated land (CL) relates to any site where hazardous substances occur in concentrations that are likely to pose an immediate or long-term hazard to human health or the environment – this can include industrial and commercial sites as well as sports fields. Sites of this nature may have been used, or are currently being used, for industrial processing, storage and use of hazardous substances including agricultural sprays, industrial chemicals or fuel, or the disposal of hazardous waste.

Horizons Regional Council has identified through its Regional Policy Statement the need to prepare a regional inventory of contaminated sites. Several sites in the District have been identified as potentially contaminated, assessed and confirmed as contaminated, or formerly contaminated.

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) provide a national environmental standard for activities on land where soil contamination may present a risk to human health. The Council is responsible for applying and enforcing the provisions of the NESCS.

The NESCS sets out a range of planning controls relating to activities on contaminated or potentially contaminated land. These include methods to establish whether land is contaminated such as whether an associated activity or industry listed in the Hazardous Activities and Industries List (HAIL) has or is likely to have been undertaken on the land. The NESCS requires that land affected by contaminants is identified and assessed before it is developed and, if necessary, is either remediated or the contaminants contained to ensure that it is safe for human use.

## Issue

### CL-11

The subdivision, use, and development of contaminated land can lead to adverse effects on human health, particularly when essential remediation or management measures have not been undertaken prior to use.

## Objectives

### CL-O1

The risks to human health from contaminated land are avoided, remedied or mitigated.

## Policies

### CL-P1

Identify sites that are known to contain contaminated soil as a result of current and historical land use and activities.

### CL-P2

Ensure that contaminated or potentially contaminated land is suitable for use and minimises the risk to human health by requiring investigation, remediation or management, where necessary, at the time of any subdivision, site re-development or change in land use.

## Rules

There are no rules regarding contaminated land in the District Plan. The NESCS manages subdivision, use and development of potentially contaminated land and may require resource consent for these activities separately. The Council holds information that may assist in establishing whether HAIL listed activities or industries either currently operate or previously operated on the land.

# Appendix F – Hazardous Facility Screening Procedure

## 1 Rules Applying to Hazardous Facilities

The Hazardous Facility Screening Procedure (HFSP) will be applied to all proposed new facilities manufacturing, using or storing hazardous substances or generating hazardous wastes.

Existing facilities will not be subject to the HFSP unless they significantly expand or alter their operations. A significant alteration occurs when the effects of the use are not the same or similar in character, intensity or scale as previously, as is defined by Sections 10, 10A and 20 of the Resource Management Act. In general, a significant change can be defined as a 20-30% or higher increase in the storage or use of hazardous substances, or a change in the type of process carried out on the site. It is unlikely that the replacement of tanks or other equipment would attract screening by the HFSP unless this would enable a considerable increase in the storage or use of hazardous substances.

The HFSP will be used as a screening tool to assist in making decisions on:

- Whether a proposed hazardous facility is permitted, subject to defined minimum conditions; or
- Whether it requires a consent and additional, merit based assessment of risks. The risk assessment for a discretionary activity will take account of the matters outlined in Section 1.3 below.

Currently various legislative requirements exist which deal with the safety aspects of hazardous substances used or stored on site or when they are transported and disposed off-site. Other relevant legislation which applies to hazardous substances includes:

- Hazardous Substances and New Organisms Act 1996
- Building Act 1991
- Radiation Protection Act 1965 and Regulations
- Ozone Layer Protection Act 1996
- Health and Safety in Employment Act 1992;
- Animal Remedies Act 1967 and Regulations

Land Transport Act 1993 and New Zealand Standard 5433: 1988 – Code of Practice for the Transport of Hazardous Substances on Land.

Regulations under the Hazardous Substances and New Organisms Act 1996 (HSNO) are currently being developed and will include technical standards for the use, storage,



inspection, identification and regulation of individual hazardous substances. However, the HSNO Act does not address the effects on the environment or other properties of activities involving hazardous substances in various combinations and quantities. This is left to local authorities under Sections 30 and 31 of the Resource Management Act 1991.

The Regional Policy Statement for Manawatu-Wanganui states that the Regional Council will assume responsibility for managing the effects of hazardous substance disposal and territorial local authorities have the responsibility for managing the effects of the use, storage and transportation of hazardous substances. In response, this section of the Plan contains rules relating to the effects of the use and storage of hazardous substances. In relation to the transportation of hazardous substances, district plan rules have not been considered necessary as this aspect is adequately controlled by a range of other existing legislation, New Zealand Standards and codes of practice.

## 1.1 Consent Status Matrix and Rules

### 1.1.1 Permitted Activities.

The following are permitted activities provided that the performance standards in Section 1.2 below are complied with:

- Any hazardous facility with an Effects Ratio equal to or below the Effects Ratio specified for the zone in which it proposes to locate, as indicated in the following Consent Status Matrix (refer to section 2 below to calculate the Effects Ratio).
- Service stations which are deemed to be a permitted activity in the relevant zone rules and which store fuels in volumes not exceeding the following amounts:
  - petrol – 100,000 litres in underground storage tanks
  - diesel – 50,000 litres in underground storage tanks
  - LPG – 6 tonnes single vessel storage

### 1.1.2 Discretionary Activities.

- Any hazardous facility with an Effects Ratio above the Effects Ratio specified for the zone in which it proposes to locate, as indicated in the following Consent Status Matrix (refer to section 2 below to calculate the Effects Ratio).
- Service stations which are deemed to be a discretionary activity in the relevant zone rules and service stations which exceed the limits in 1.1.1(b) above or any permitted activity standard.

### 1.1.3 Consent Status Matrix.

The Consent Status Matrix of Hazardous Facilities

Zone	Effects Ratio for Permitted Activities	Effects Ratio for Discretionary Activities
Manufacturing and Airport	$\leq 1.0$	$> 1.0$
Central Commercial	$\leq 0.2$	$> 0.2$
Outer Commercial	$\leq 0.2$	$> 0.2$
Neighbourhood Commercial	$\leq 0.1$	$> 0.1$
Residential, Settlement and Restricted Services Residential	$\leq 0.05$	$> 0.05$
Rural, Coastal Special Management Zone	$\leq 0.5$	$< 0.5$
Reserves and Open Spaces Zone	$\leq 0.1$	$> 0.1$

## 1.2 Performance Standards

The following minimum standards address the discharge of liquids and solids, and shall apply to all hazardous facilities:

### 1.2.1 Site design:

- a. Any part of a hazardous facility site where hazardous substances are used, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled shall be designed, constructed and managed in a manner that prevents:
  - i. The contamination of any land and/or water (including groundwater and potable water supplies) in the event of a spill or other unintentional release of hazardous substances.
  - ii. The entry or discharge of the hazardous substance into the stormwater drainage system in the event of a spill or other unintentional release.
  - iii. The entry or discharge of the hazardous substance into the sewerage system in the event of a spill or other unintentional release.
- b. The hazardous facility site shall be designed, constructed and managed in a manner that any stormwater originating on, or collected on, the site that has become contaminated:
  - i. Does not contaminate any land and/or water (including groundwater and potable water supplies) by acting as a transport medium for hazardous substances unless permitted by a resource consent.
  - ii. Does not enter or discharge into the stormwater drainage system.

**iii. Does not enter or discharge into the sewerage system unless permitted by the sewerage utility operator.**

**Adherence to the following design guidelines is deemed to comply with this condition.**

**1.2.2 Spill containment system.**

**The parts of the hazardous facility site described in 1.2.1, (a) and (b) above, shall be serviced by a spill containment system that is:**

- Constructed from impervious materials resistant to the hazardous substances used, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled on the site.**
- Able to contain the maximum volume of the largest tank used, or where drums or other containers are used, able to contain half of the maximum volume of substances stored.**
- Able to prevent any spill or other unintentional release of hazardous substances, and any stormwater and/or fire water that has become contaminated, from entering the stormwater drainage system.**
- Able to prevent any spill or other unintentional release of hazardous substances, and any stormwater and/or fire water that has become contaminated, from discharging into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a resource consent.**

**1.2.3 Stormwater drainage.**

**All stormwater grates on the site shall be clearly labelled 'Stormwater Only'.**

**1.2.4 Washdown area.**

**Any part of the hazardous facility site where vehicles, equipment or containers that are or may have become contaminated with hazardous substances are washed shall be designed, constructed and managed to prevent the effluent from the washdown area from:**

- Entry or discharge into the stormwater drainage system.**
- Entry or discharge into the sewerage system unless permitted by the sewerage utility operator.**
- Discharge into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a resource consent.**

**1.2.5 Fuel storage tanks.**

~~Tanks for the storage of petroleum products shall be designed, constructed and managed to prevent leakage and spills.~~

~~Adherence to the Code of Practice for 'Design, Installation and Operation of Underground Petroleum Systems' (Department of Labour – Occupational Safety and Health) is deemed to be one method of complying with this condition. LPG tanks shall be designed and sited in accordance with "Australian Standard (AS 1596-1989) for LP Gas Storage and Handling – Siting of LP Gas Automotive Retail Outlets".~~

#### **1.2.6 Signage.**

~~Any hazardous facility shall be adequately signposted to indicate the nature of the substances stored, used or otherwise handled.~~

~~Adherence to the Code of Practice for 'Warning Signs for Premises Storing Hazardous Substances' of the New Zealand Chemical Industry Council, or any other Code of Practice approved by the New Zealand Fire Service, is deemed to be one method of complying with this condition.~~

#### **1.2.7 Waste management.**

- ~~a. Any process waste or waste containing hazardous substances shall be managed to prevent:
 
  - ~~i. The waste entering or discharging into the stormwater drainage system.~~
  - ~~ii. The waste entering or discharging into the sewerage system unless permitted by the sewerage utility operator.~~
  - ~~iii. The waste discharging into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a resource consent.~~~~
- ~~b. The storage of any process waste or waste containing hazardous substance shall at all times comply with the conditions in Section a.~~
- ~~c. The storage of any waste containing hazardous substance shall be in a manner that prevents:
 
  - ~~i. The exposure to ignition sources.~~
  - ~~ii. The corrosion or other alteration of the containers used for the storage of the waste.~~
  - ~~iii. The unintentional release of the waste.~~~~
- ~~d. Any hazardous facility generating waste containing hazardous substances shall dispose of these wastes to appropriately permitted facilities, or be serviced by a reputable waste disposal contractor.~~

### **1.3 Assessment Criteria for Discretionary Activities**

~~Where the HFSP has determined that a hazardous facility is a discretionary activity and will~~

therefore require a resource consent, the consent application shall be accompanied by an assessment of environmental effects. This shall be provided in such detail as corresponds with the scale and significance of the actual or potential effects and risks of the proposed development.

An application will be assessed having regard to the following matters:

- a. Consistency with the objectives, policies and controls for the relevant zone.
- b. Risk assessment.

A qualitative or quantitative risk assessment may be required, depending on the scale or potential effects of the proposed development.<sup>4</sup> As well as addressing more analytically the issues addressed in the HFSP, this assessment should place particular emphasis on those issues not addressed in detail by the HFSP, including:

- i. Identification of potential hazards, failure modes and exposure pathways.
- ii. The separation distance to neighbouring activities, with emphasis on people sensitive activities such as child care facilities, schools, rest homes, hospitals, shopping centres and residential areas.
- iii. The location of the facility in relation to the nearest aquifer, waterway, coast or other sensitive environments.
- iv. The nature of the sub-soil and the site geology.
- v. The distance to environmentally sensitive areas such as wildlife habitats or water catchments.
- vi. Assessment of the probability and potential consequences of an accident leading to a release of a hazardous substance or loss of control.
- vii. Identification of cumulative and/or synergistic effects.
- viii. Fire safety and fire water management.
- ix. Adherence to health and safety and/or environmental management systems.
- x. Spill contingency and emergency planning, monitoring and maintenance schedules.
- xi. Site drainage and off site infrastructure, eg stormwater drainage system, sewer type and capacity, the transport of hazardous substances.
- xii. The disposal of wastes containing hazardous substances.

- c. Risk mitigation and management.

Consideration will be given to the adoption of specific spill contingency plans, emergency procedures, stormwater management and treatment, treatment and disposal procedures for wastes containing hazardous substances, fire safety, monitoring and maintenance procedures, and appropriate site management systems.

- d. Alternatives.

Where it is likely that an activity may result in significant adverse effects on the environment, a description of alternative locations or methods for undertaking the activity shall be submitted.

- e. Traffic safety.

It should be demonstrated that the proposal will generate no significant adverse effects on the safety of the operation of the adjoining road network and that vehicles transporting hazardous substances will not utilise local roads in residential areas as a regular means of transport. Conditions may be imposed that require access along specified routes.

## 1.4 Monitoring and Cross Boundary Issues

### 1.4.1 Cross-boundary effects.

The Hazardous Facility Screening Procedure, and the management strategy of which it is a part, focus on the potential off-site effects a hazardous facility may have on the environment, people and property, including surrounding land uses.

Liaison between neighbouring district/regional councils to ensure that zoning or land use strategies are compatible is therefore essential. This is of particular importance where a hazardous facility is located at district/regional boundaries and has the potential to affect the neighbouring district/region.

Cross boundary liaison is also important with respect to the transport of hazardous substances. Where the council identifies specific transport routes, it needs to ensure that this is compatible with district/regional plans of other affected authorities.

### 1.4.2 Monitoring.

Monitoring by the council is an integral component of any management strategy, to establish the effectiveness or otherwise of the adopted system. With respect to land use planning for hazardous facilities, the following matters should be considered for inclusion in monitoring programmes:

- Information on the location and layout of the facility.
- The quality and availability of plant documentation, including operating procedures.
- Information about the nature and quantity of the hazardous substances used, stored and transported.
- Process description and design.
- Emergency planning for the facility.
- Transport movements and routes.
- Information on waste management.
- A review of the hazards and safeguards in place.

Where deemed appropriate, the Council may require the consent holder to undertake self-monitoring.

## 2 How to Use the Hazardous Facilities Screening Procedure

This section works through a step-by-step guide on how to use the Hazardous

Facility Screening Procedure (HFSP), Council staff are available to assist people to work through the HFSP. The following worksheets are available from Council and may be of assistance when applying the HFSP:

- Worksheet 1— Site information sheet
- Worksheet 2— Hazardous substances inventory
- Worksheet 3— Hazardous substances worksheet
- Worksheet 4— Summary sheet for HFSP calculations • Attachment A— Classification of hazardous substances.

## 2.1 Step 1— Assemble site-specific information.

Site-specific information is an essential component of the HFSP. Because it deals with effects, any sensitive land uses or environmental features on or near the site need to be noted. A Worksheet (Worksheet 1) is available from Council to assist with this task.

## 2.2 Step 2— Compile hazardous substances inventory.

To use the Hazardous Facility Screening Procedure, it is necessary to create a full inventory of hazardous substances held on a site, including substances that are only stored or used temporarily. The inventory should contain:

- a. The names of hazardous substances (including proprietary names and suppliers where necessary).
- b. Quantities in weight (tonnes) or volume.
- c. UN classifications of all the hazardous substances on the site.

A Worksheet (Worksheet 2) is available from Council to assist with this task.

It is noted that the HFSP uses the standard unit of tonnes (for solids, liquids and liquefied gases) and m<sup>3</sup> (for compressed gases). It is therefore sometimes necessary to convert substance quantities to these units. In the case of liquids, it is necessary to apply the specific gravity (or density) to convert litres to kilograms, or m<sup>3</sup> to tonnes. The specific gravity is the specific weight of a liquid in relation to that of water. Therefore, a liquid with a specific gravity of greater than 1.0 sinks, while a liquid with a specific gravity of less than 1.0 will float on water. For example, 1000 litres of petrol weighs approximately 800kg or 0.8 tonnes.

Conversions of quantities are also necessary where a substance is diluted, or mixed with another substance. In this instance, only the percentage of the pure substance in the dilution or mixture is accounted for. For example, if it is proposed to store 10 tonnes of a substance that has a concentration of 30%, the proposed quantity should be 3 tonnes.

An exception to this are corrosives (UN Class 8) and oxidising substances (UN Class 5), where the UN Class is sometimes directly applied to specific commercially available concentrations. In these instances, conversions are only applied when these commercially supplied concentrations are further diluted for specific purposes. Pesticides are also substances which are commonly available as diluted commercial products. The UNRTDG (1993) lists a range of pesticides and their dilutions, and their related packaging groups in Class 6.1 in terms of a human poison rating.

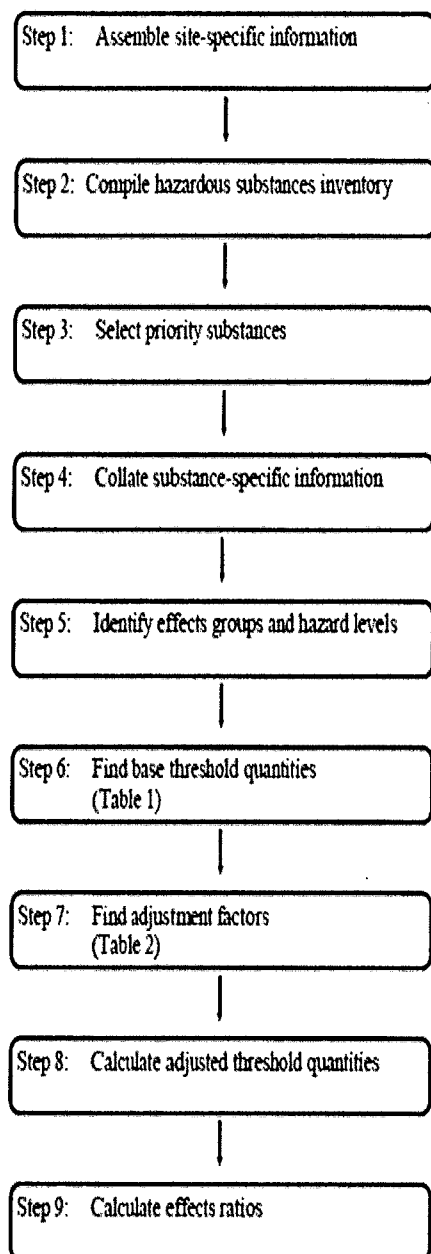
If a substance is in a mixed form, proposed quantities for the percentage of pure substance in the mixture should be listed. In cases where synergistic effects result in a mixture that is more hazardous than its components, the mixture may need to be subjected to appropriate testing procedures to obtain the necessary information, unless relevant information is readily available.

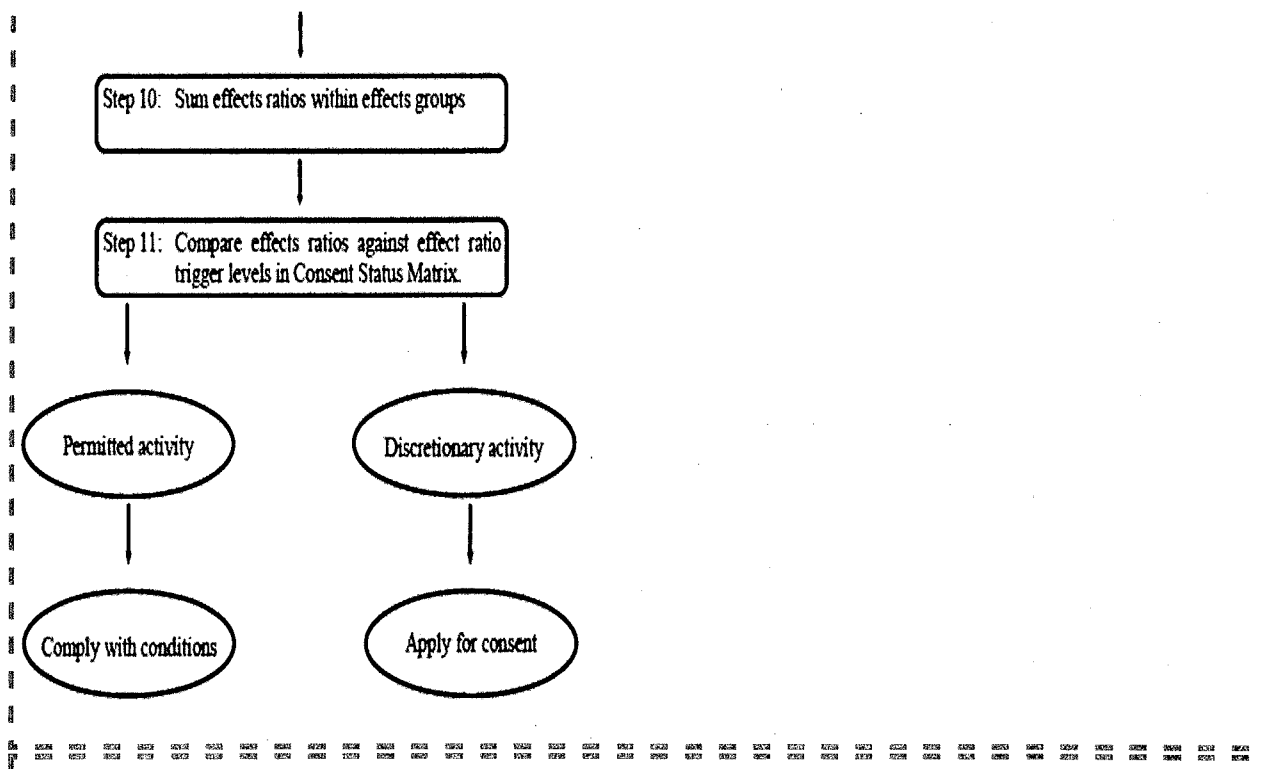
It is also important to note that small packages are generally treated the same as bulk quantities. While small packages or containers reduce the risk of a major spill, they may still react like bulk quantities in some emergencies. For this reason, a conservative approach has been taken, especially as the HFSP generally does not apply to retail outlets.

In some cases, it may be difficult to decide whether a substance is in use or storage. Generally, the HFSP considers a substance is in use when the full amount of the substance is used at any one time, for example as an acid bath. A substance that is taken from a container and used in small amounts while its bulk continues to be stored would be rated as being in storage.

## 2.2.1 A step-by-step guide to the hazardous facility screening procedure







### 2.3 Step 3 – Select ‘priority status’ substances

Often, a large number of hazardous substances are held on a site, and it is neither practical nor necessary to submit every substance to the HFSP; therefore, the following ‘common sense’ guidelines apply for sites where multiple hazardous substances are held:

- a. If there are ten or fewer substances on site, the HFSP is carried out on all substances unless it is evident that one single substance is likely to exceed the relevant trigger levels in the Consent Status Matrix (in which case the proposal would require a consent application).
- b. If there are more than ten substances on site, the HFSP is carried out on those substances which:
  - i. Are highly or extremely dangerous; and/or
  - ii. Are held in quantities exceeding 10% of the total stock of hazardous substances listed in the inventory.

### 2.4 Step 4 – Collate substance-specific information

The next task is to record information about the hazard level of substances. This can be extracted from the UN Recommendations on the Transport of Dangerous Goods (UNRTDG) 8th edition, material safety data sheets, national and international databases, and text/reference books. The District and Regional Councils hold a summary of such databases and it is available upon request. A Worksheet (Worksheet 3) is available from Council to assist with this task.

Where the necessary information to carry out this step is not readily available from public information sources, a precautionary approach should be taken, and the substance should be assigned at least a medium hazard level of the fire/explosion and human health effects groups, and a high hazard level for the environmental effects groups.

## 2.5 Step 5 – Identify effects groups and hazard levels

For the purposes of the HFSP, the effects of substances are categorised into three groups:

- Fire/explosion effects: concerned with damage to property, the built environment and safety of people.
- Human health effects: concerned with the well-being, health and safety of people.
- Environmental effects: concerned with damage to ecosystems and natural resources.

Each effects group is divided into four hazard levels: extreme; high; medium; low.

Hence, the HFSP allows for the fact that many substances may fit into more than one effects group, which is similar to the approach taken in the proposed HSNO legislation.

Hazardous substances (including raw materials, product and wastes) can be classified into effects groups and assigned a hazard level for each effects group. A Worksheet (Worksheet 4) and a list of UN Classes and other information is available from Council to assist with this task.

## 2.6 Step 6 – Select base threshold quantities

The base threshold (B) is a pre-calibrated quantity. It is the amount of a substance that has been assessed as generating no significant off-site effects in a heavy industrial area before site and substance specific considerations have been taken into account. These aspects are addressed through the application of adjustment factors. Base thresholds corresponding to the hazard levels in each effects group are listed in Table 1.

## 2.7 Step 7 – Find adjustment factors

Pre-calibrated adjustment factors (FF, FH and FE) are used to multiply the base threshold quantities in order to take account of the substance properties and specific circumstances on each site which will influence the severity of any potential effect. This multiplication yields the adjusted threshold (T).

For each effects group, different types of adjustment factors are relevant. For example, for the fire/explosion effects group, the temperature is relevant, while for the human health effects group, proximity to a potable water resource is important.

Table 2 lists the pre-calibrated adjustment factors to be used for each effects group.

In some instances, more than one adjustment factor within each effects group will need to be applied to a substance. Where this is the case, the adjustment factors are multiplied by that one factor.

**Table 1 – Base thresholds for all effects groups and hazard levels**

UN Class			Hazard	Hazard Levels								
				Low	Medium	High	Extreme					
Sub-Category: Flammables												
LPG				LPG								
2	Gases							2.1 (exclude LPG)				
3	Flammable Liquids			Combustible Liquids				3-PGI		3-PGI		
4	Flammable Solids							4.1		4.2 4.3		
5	Oxidisers							5.1		5.2		
B(tonnes)				100		30		10		4		
B(m³)*								10,000				
Sub-Category: Explosives												
1—			Explosives		1.3				1.2		1.1	
B(tonnes)				3				4		0.1		
Human Health Effects Group												

UN-Class	Hazard	Hazard Levels			
		Low	Medium	High	Extreme
2.3	Toxic Gases			2.3(b)-(d)	2.3(a)
6	Poisons	6.1 PGIII	6.1 PGII	6.1 PGI(b)	6.1 PGI
	Carcinogen			Carcinogen	
8	Corrosives		8 PGI 8 PGII		
B(tonnes)		30	10	1	0.1
B(m <sup>3</sup> )*				500	50

## Environmental Effects Group

UN-Class	Hazard	Hazard Levels			
		Low	Medium	High	Extreme
3	Flammable Liquids		3G		
8	Corrosives			8 PGI 8 PGII 8 PGIII	
	Ecotoxic	Group 1(d) Group 2(d)	Group 1(e) Group 2(e)	Group (b)	Group (a)
	Pesticides				Pesticide
B(tonnes)		100	30	3	0.3

**Note:** Base threshold in m<sup>3</sup> at 101.3 kPa and 20°C for permanent or compressed gases.

Table 2 – Adjustment factors for each effects group

Adjustment Factors for Fire/Explosion Effects Group	Adjustment Factors for Human Health Effects Group	Adjustment Factors for Environmental Effects Group
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F1: Substance Form		F1: Substance Form		F1: Substance Form	
Solid = 1 Liquid, Powder = 1 Gas (at 101.3 kPa and 20°C) = 0.1		Solid = 3 Liquid, Powder = 1 Gas (at 101.3 kPa and 20°C) = 0.1		Solid = 3 Liquid, Powder = 1	
F2: Handling/Storage Conditions <sup>3</sup>		F2: Separation Distance from Site Boundary (Gases only)		F2: Environmental Sensitivity	
F3: Separation Distance from Site Boundary		F3: Proximity to Potable Water Resource		F3: Type of Activity	
$< 30$ metres = 1 $> 30$ metres = 3		Normal = 1 Proximity to potable water resource <sup>2</sup> = 0.3		Use = 0.3 Above ground storage = 1 Underground storage <sup>3</sup> = 3	
F4: Type of Activity		F4: Type of Activity			
Use = 0.3 Above ground storage = 1 Underground storage <sup>3</sup> = 10		Use = 0.3 Above ground storage = 1 Underground storage <sup>3</sup> = 10			
F1 x F2 x F3 x F4 = FF		F1 x F2 x F3 x F4 = FH		F1 x F2 x F3 = FE	

<sup>1</sup> Waterbody includes streams, springs, lakes, wetlands, sea and estuaries, but does not include aquifers and entry points to the stormwater drainage network.

<sup>2</sup> Potable water resource as defined by the regional council.

<sup>3</sup> Applicable to UN Class 3 substances (Flammable Liquids) and Combustible Liquids only.

## 2.8 Step 8 – Calculate adjusted threshold quantities

The adjusted threshold (T) is calculated for each effects group by multiplying the base threshold (B) by the relevant adjustment factor (FF, FH, FE), as follows:

- $T = B \times FF$  provides the adjusted threshold for a substance in the fire/explosion effects group.
- $T = B \times FH$  provides the adjusted threshold for a substance in the human health effects group.
- $T = B \times FE$  provides the adjusted threshold for a substance in the environmental effects group.

## 2.9 Step 9 – Calculate effects ratios

The effects ratio (R) is a dimensionless number. It is obtained by dividing the quantity of a substance (Q) that is proposed to be used or stored on a site by the adjusted threshold (T):

$$\text{Effects Ratio (R)} = \frac{\text{Proposed quantity of substance (Q)}}{\text{Adjusted threshold (T)}}$$

## 2.10 Step 10 – Sum the effects ratios to find the total effects ratio

When assessing several hazardous substances on a site, it is necessary to add the effects ratios within each effects group together.

## 2.11 Step 11 – Determine consent status against Consent Status Matrix

The sum of all effects ratios within each effects group determines the consent status of a particular site when compared against the effects ratio trigger levels in the Consent Status Matrix for the effects group.

Only the highest effects ratio in any of the three effects groups needs to be considered to identify the consent status; that is, whether a hazardous facility or activity is permitted, controlled or discretionary.

# GIZ – General Industrial Zone

The urban area of Whanganui straddles the lower reaches of the Whanganui River. The extent of urban development generally follows the sweep of the river plain and surrounding terraces. It is greater on the western side of the river, extending beyond the river estuary along the coast to the clifftops beyond Castlecliff.

The urban area takes up less than 1% of the total area of the District but is home to about 90% of the District's population.

Urban development is an important component of the District's economy. It provides homes, jobs, shopping facilities, professional and community services and recreation opportunities for people.

The present pattern of urban development and anticipated development trends use up land and, if unmanaged, and over time, may also lead to increased servicing costs and damage to the quality of the urban environment.

Urban development will be managed to sustain resource use to meet present and foreseeable future needs of the District community and protect and enhance environmental quality.

The purpose of the General Industrial Zone (GIZ) is to provide for a broad range of industrial activities that make an important contribution to the economic wellbeing of Whanganui. Provision is also made for some supporting activities that are compatible with adverse land use effects typically associated with industrial activities (such as noise, odour, heavy traffic movements) or less sensitive to the lower levels of amenity usually experience in such zones. More sensitive non-industrial activities such as residential dwellings, educational and health facilities, retail shops and commercial offices are discouraged from establishing in the zone.

## Issues

### GIZ-11

#### Adverse Environmental Effects of Urban Development



Uncontrolled urban growth into rural and other less intensively developed areas can be characterised by:

1. A general intensification in residential activity leading to a loss of visual amenity and a reduction in the open character of the countryside.
2. Irreversible physical damage to the life supporting capacity of soils.
3. Groundwater pollution and contamination.
4. Higher loadings on existing infrastructure such as roads, sewerage and water supply services leading to such adverse effects as groundwater pollution from overloaded sewerage systems and a reduction in the safety and efficiency in the roading network.
5. An inappropriate interface between urban and primary production leading to conflict between established primary production and new residential (mainly) activities.
6. Ad hoc development which has little recognition for the long term form and efficiency of urban environments, its roading patterns, reserve and recreation facilities, sewer, stormwater and water utilities.
7. General uncertainty over the future form and direction of the urban (and indirectly rural) areas and the associated costs of this development.

In providing for urban development, the following concerns need to be addressed:

1. Land take—urban development is irreversible and takes up land which can be used for other purposes, now, and in the future. Present development patterns may unduly restrict future options for development.
2. Loss of the productive potential of land—the impact of restricting future development options is even more significant when considered in the context of the productive potential of land. Highly productive land is a scarce resource, in the District and nationally.
3. Infrastructure needs—urban development relies on an efficient infrastructure system to support its activities. Infrastructure facilities are costly to provide and maintain. Matters concerning the timing of provision, standards, who pays and who is responsible for the work shall also be clearly identified.
4. Commercial form—the physical form of commercial areas has developed as the city has grown. Commercial areas in Whanganui are relatively compact and often complemented by key visual landmarks, view vistas and significant heritage buildings and streetscapes. Specific car parking, pedestrian and vehicle access arrangements have been tailored to the needs of each commercial area. Some areas have also recently been upgraded with street improvements.

The establishment of new commercial centres may lead to unnecessary duplication of physical resources. Such development may not maximise the existing built form and supporting infrastructure in existing commercial areas.

**GIZ-12**

There are a number of particular amenity 'sub-issues' that relate to how the effects of urban land use should be managed in the interests of sustaining a high level of amenity in the city. In order to establish what effects will be adverse to urban amenity, the individual components of urban amenity require identification. These would then form the basis of the 'sub issues'.

Components of urban amenities include:

1. Landscape and visual characteristics—the shape, size, landscape features, streetscape and landmarks of the urban area; bulk, location and height of buildings; openness or density of development.
2. Land use, environmental health and safety characteristics—the nature, scale, location and mix of activities; noise; smells; vibrations; traffic volumes and movements (pedestrian and vehicular); parking, loading and unloading.
3. Convenience and comfort—accessibility; road standards; availability of footpaths, street lighting, water supply, network utilities, waste disposal and recreation and community facilities.
4. Character—the vibrancy, style intensity and uniqueness of the urban form, its structures, and recreation opportunities, monuments and infrastructure.

Adverse effects on amenity include:

1. Features and characteristics valued by the District community could come under threat from inappropriate development, unsympathetic modification, pollution and natural hazards. The landscape character of Whanganui is defined and enhanced by a number of landscape features, heritage buildings, landmarks and physical characteristics which give shape, cohesion, and identity to the urban area. Examples of such features include the Whanganui River and adjacent terraces, the estuary and coastal dune system, Bastia and Durie Hills, Queens Park, the Old Town and tree-lined streetscape etc.
2. New medium to low density residential developments are often characterised by open, featureless 'suburbia'. Featureless housing estates may detract from the amenity standards set by the current urban form.
3. Environmental health problems where industrial activity with significant offensive or harmful emissions or heavy industrial traffic operate in close proximity to residential areas without adequate mitigation measures.
4. Redevelopment and infill development in the existing urban area increases the density of development. This may reduce on site and neighbourhood amenities like daylight, privacy,

outlook and visual character.

5. ~~New decentralised commercial development which may not contribute to the character and vibrancy of the town centre. In particular the atmosphere associated with a focussed commercial heart may be eroded and then fail to maximise the cultural and recreational opportunities that are located here.~~

~~There are specific locations in the urban area with poor amenities and pollution problems. These areas are a focus of particular concern as they have a high public profile in the urban area. What is at issue is how these areas can be improved so that their amenity standards improve.~~

~~The following are examples of problem areas:~~

1. ~~There are vacant, disused or visually unattractive industrial sites and road corridors in the Heads Road and Aramoho industrial areas. The existing development represents an under-utilisation of land and infrastructure.~~
2. ~~The Balgownie Landfill site is located in close proximity to residential areas. Problems of smells, landfill traffic and visual pollution seriously reduce the amenities of the adjacent residential neighbourhoods. There is the added problem of possible contamination of land and water due to leachate from the Landfill.~~
3. ~~The Whanganui River is an outstanding landscape feature. It is a taonga of spiritual and cultural significance particularly to Iwi. While the natural values in the river will be significantly improved with the completion of the wastewater project, concern has been raised about degradation of the landscape character, loss or under utilised recreation opportunities around the river margins, and little recognition of the ecological value of the estuary.~~

## Objectives

### GIZ-01

#### **Urban Development Which Minimises Adverse Environmental Effects and Maximises Effective and Efficient Use of Natural and Physical Resources**

**Industrial activities are able to easily establish and safely and efficiently operate within the zone.**

**Urban development shall recognise the importance of the soil resource, avoid pollution of groundwater systems and promote effective and efficient infrastructure services. It will also contribute to the overall structure of the city in a way that has regard for future generations and promotes high amenity standards.**

**GIZ-02****To Manage Effects of Different Urban Activities to Ensure High Quality Urban Amenities are Sustained**

Adverse effects on amenity values within the zone and adjoining zones are managed, particularly at Residential Zone boundaries.

Amenity values include those matters that contribute to the visual character of the development and the quality of life of people living or working in, or visiting, the urban area of Whanganui. (refer to GIZ-12 for discussion of amenity). The objective seeks to maintain the urban area as a pleasant place to live, where interrelationships between different uses, types of activities, natural environments and effects will, as far as possible be compatible.

**GIZ-03**

The industrial role, function and character of the zone is not compromised by the establishment of non-industrial or other incompatible activities.

**GIZ-04**

The level of amenity within the zone is consistent with its primary industrial role, function and character.

**Policies****GIZ-P1****Promote Urban Development that is Cost-Effective, Efficient in the Use of Land and Infrastructure Services, and Co-ordinated with a Long Term Programme of Infrastructure Development**

Urban development is an on-going process of intensification and change in the existing urban area, and expansion into new areas. It uses up land and requires the timely provision of infrastructure facilities to support land use activities.

This policy recognises that urban development and infrastructure development should be co-ordinated. It also recognises that some areas are easier and cheaper to service than others.

Implementation of this policy relies on Council undertaking long term comprehensive planning to assess future development needs and the most cost effective options for urban expansion.

This approach is considered appropriate as it provides input to Council's asset management and financial planning. It also provides certainty and a framework to guide private development.

**Enable industrial activities and other activities compatible with the role, function and character of the zone.**

## GIZ-P2

### **Encourage the Redevelopment of Vacant or Under-Utilised Industrial Land**

**There is a significant amount of vacant or disused land in the existing established industrial areas. These areas could be used for new industries or other land use activities. This policy aims at encouraging a more efficient use of this serviced land resource.**

**Implementation requires working closely with land owners and developers to negotiate a suitable development package. It may also be necessary to use incentives to make redevelopment a more attractive option.**

**Discourage activities that are incompatible, do not support the primary industrial role and function of the zone or could result in unanticipated reverse sensitivity effects.**

## GIZ-P3

### **Ensure All Development Provides Adequate and Affordable Infrastructure Services Appropriate to the Nature and Scale of Activities and Needs of the Respective Development Areas**

**Currently there are different levels of infrastructure services available in the urban area. It may not be efficient, affordable or cost effective to provide the same level of service throughout the urban area as different land use activities have different infrastructure needs. Any extensions to the existing infrastructure system also needs to be prioritised and programmed.**

**The District Plan recognises the different levels of infrastructure provision that exist and ensure an appropriate level of infrastructure service is provided by the developer to support the proposed development.**

**This policy therefore sets out the respective responsibilities of Council and developers. It requires Council to indicate the planned level of infrastructure service and timing of provision in the urban area. Appropriate District Plan rules covering standards for infrastructure facilities for different land use activities to be provided by the private developer will be established.**

**This implementation approach provides input to Council's asset management and financial planning. It provides certainty to developers regarding what services are available where and what they have to provide, and flexibility in the location of activities.**

**GIZ-P4****Protect and Enhance the Rural Landscape Setting and the Visual Character of the Urban Environment**

The landscape features, vegetation and land use pattern around and in the urban area provide an attractive green rural setting for urban development. They provide form and character and a distinctive identity to Whanganui.

Views of the Whanganui River and adjacent river terraces, the tree-lined streetscape, the townscape with its collection of heritage buildings, and the open spaces contribute to the visual character and quality of the urban environment.

Both the landscape setting and visual character of the urban environment contribute to amenity qualities in the urban area. They are valued by the community.

Significant aspects of the landscape setting and visual character of the urban environment need to be identified and appropriate performance standards for protection established. These will be used to manage the effects of subdivision and building development to avoid modification, damage or loss of identified landscape value.

While it is not possible to set standards for good design, it is possible to provide for minimum standards, or 'bottom-lines', to protect those matters or aspects that are important and contribute to the landscape setting, visual character and quality of the urban environment.

In areas of high landscape values, or where the scale of proposed development is likely to significantly modify the landscape and visual character, it may be necessary to seek greater degrees of management.

Therefore, this approach, while regulatory in nature, is considered appropriate as it focuses on providing minimum standards to protect significant values. It provides certainty regarding what aspects contribute to urban amenities and the quality of the built environment.

It is considered appropriate to target subdivision as it is usually the start of a development process. Negotiations with developers prior to development taking place may prevent problems from arising.

The implementation approach also relies on negotiations and the use of information and advice to guide development to protect and enhance the urban landscape and the quality of the built environment. Incentives will also be used, where appropriate, to achieve voluntary protection and enhancement of landscape character. Council activities, eg roading projects and the development of open space and reserves, can also make a significant contribution to protecting and enhancing visual character.

There are a number of prominent sites in the urban area with significantly poor visual amenities

and, in some cases, pollution problems. Remedial and mitigation action is required.

Manage the establishment of non-industrial activities in the zone by assessing their appropriateness including whether:

1. the purpose of the activity supports or provides services to industrial activities and results in the efficient use of industrial land;
2. the activity has a functional or operational need to establish in the zone;
3. the activity will limit or constrain the establishment of activities that are permitted in the zone;
4. the activity will result in any conflict and/or potential reverse sensitivity effects with existing industrial activities; and
5. the activity has the potential to undermine the vitality of the district's commercial areas.

## **GIZ-P5**

To Define Industrial Areas Where the Following Characteristics are Maintained

1. a range of industrial and industrial activity;
2. a range of activities to support the predominantly industrial activity provided that they will not adversely affect the ability of industrial activity to function efficiently and effectively;
3. protection for the amenity values of neighbouring areas;
4. safe urban design (including pedestrian and vehicle safety);
5. retention of natural and cultural heritage features.

Maintain the role, function and level of amenity appropriate to the zone by managing the effects of:

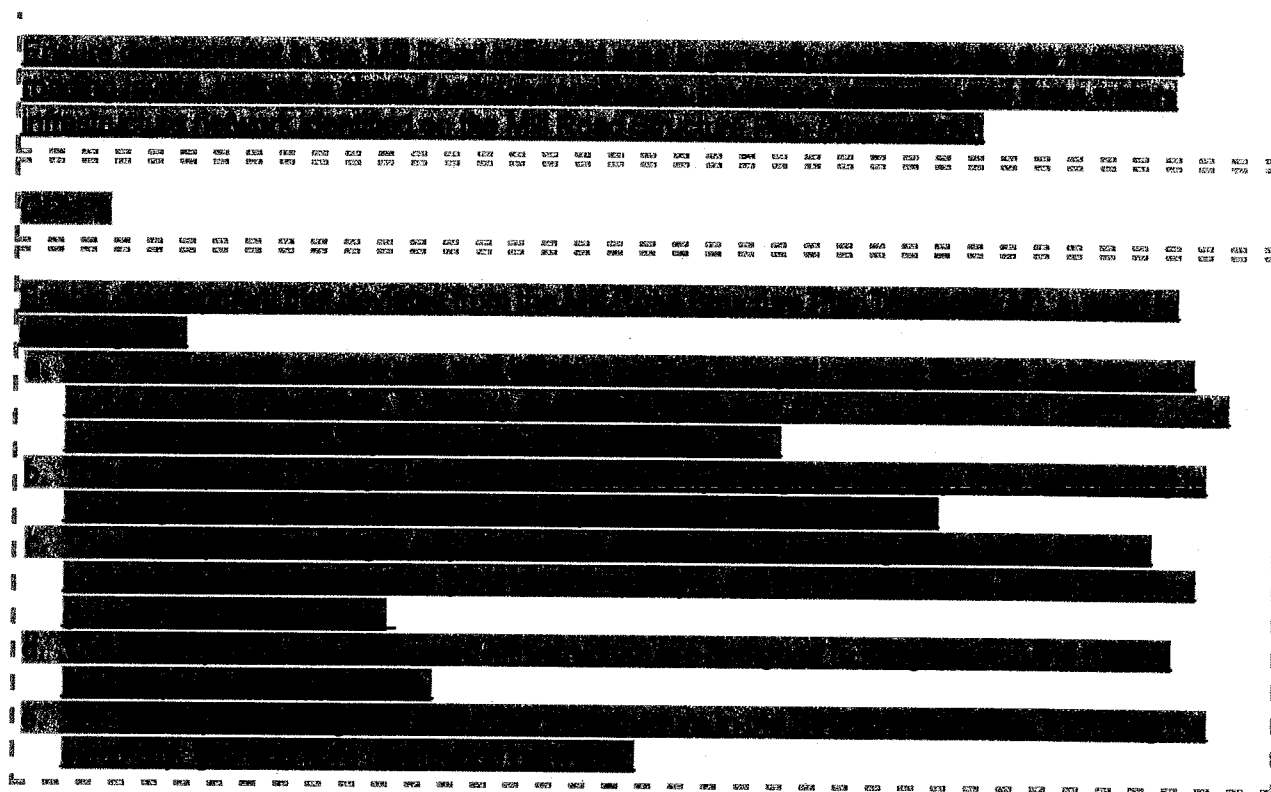
1. Bulk, scale and location of buildings and structures;
2. Outdoor storage;
3. Traffic and parking;
4. Signage;
5. Earthworks;
6. Stormwater;
7. Noise;
8. Light; and
9. Hazardous substances.

## **GIZ-P6**

Require industrial activities located on sites adjoining land zoned Residential, Open Space or Rural Lifestyle to manage adverse effects on sites within those zones, including by:

- a. Achieving adequate separation and/or setbacks to:
  - i. Minimise adverse visual amenity effects associated with their operation and/or development;
  - ii. Limit noise and light overspill;
  - iii. Minimise adverse daylighting and shading effects.
- b. Internalising adverse effects within the zone and mitigating potential conflict with existing activities in adjacent zone.

## **GIZ-P7**



## Rules

The Council seeks to maintain industrial areas with the following characteristics:

1. A range of industrial activity;
2. A range of activities to support the predominantly industrial activities provided that they will not adversely affect the ability of industrial activities to function efficiently and effectively;
3. Protection for the amenity values of neighbouring areas;
4. Safe urban design (including pedestrian and vehicle safety); retention of natural and cultural heritage features;
5. Street infrastructure that reflects the roading hierarchy and provides a level of amenity consistent with that hierarchy.

The General Industrial Zone rules in this section aim to:

1. Maintain the scale and character of industrial areas;
2. Recognise streetscape as having high public value;
3. Recognise the operational requirements of industrial activities but which address nuisance at the zone boundaries from noise, light spill, vibration, visual amenity and advertising; and
4. Ensure a high standard of property access and avoid street congestion.

GIZ-R1	<ol style="list-style-type: none"> <li>1. Industrial activity;</li> <li>2. Recreation facilities;</li> </ol>	Permitted (PER)
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	<ol style="list-style-type: none"> <li>3. <del>Commercial activity which:</del> <ol style="list-style-type: none"> <li>a. <del>Are ancillary to industrial activity; or</del></li> <li>b. <del>Primarily provide food or fuel to people in the General Industrial Zone; or</del></li> <li>c. <del>Primarily provide materials or components to activities in the General Industrial Zone.</del></li> </ol> </li> <li>4. <del>Reserves and open spaces;</del></li> <li>5. <del>Network utilities as provided by NU-Network Utilities contains some exemptions from the zone rules for network utilities;</del></li> <li>6. <del>Relocated buildings and temporary relocatable buildings that comply with TEMP-Temporary Activities and</del></li> <li>7. <del>Temporary military training activities that comply with TEMP-Temporary Activities.</del></li> </ol> <p><u>The following activities, provided they achieve compliance with the standards in GIZ-S1 - GIZ-S10:</u></p> <ol style="list-style-type: none"> <li>1. <u>Industrial activities;</u></li> <li>2. <u>Recreation facilities;</u></li> <li>3. <u>Commercial activities that:</u> <ol style="list-style-type: none"> <li>i. <u>Are ancillary to industrial activities on the site;</u> or</li> <li>ii. <u>Primarily supply food or fuel to people working in the zone.</u></li> </ol> </li> <li>4. <u>Reserves and open space;</u></li> <li>5. <u>Network utilities as provided by NU-Network Utilities</u></li> <li>6. <u>Relocated buildings and temporary relocatable buildings that comply with TEMP-Temporary Activities;</u></li> <li>7. <u>Temporary military training activities tat comply with TEMP-Temporary Activities</u></li> </ol>	
<b>GIZ-R2</b>	<ol style="list-style-type: none"> <li>1. <del>Subdivision.</del> <del>Refer to standards relating to subdivision in this zone.</del></li> </ol>	<b>Controlled (CON)</b>
<b>GIZ-R32</b>	<ol style="list-style-type: none"> <li>1. <del>Any permitted or controlled activity which does not comply with a General Industrial Zone standard.</del></li> </ol> <p><del>Council restricts its discretion to:</del> <del>The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliance.</del></p> <ol style="list-style-type: none"> <li>1. <u>Activities listed in Rule GIZ-R1 that do not comply with one or more of the standards in GIZ-S1 - GIZ-S10.</u> <u>Council shall restrict its discretion to:</u> <ol style="list-style-type: none"> <li>a. <u>The effect of the area of non-compliance on the</u></li> </ol> </li> </ol>	<b>Restricted Discretionary (RDIS)</b>

	<u>environment, including the cumulative or combined effect of non-compliance.</u>	
<b>GIZ-R43</b>	<ol style="list-style-type: none"> <li>1. <del>Community facility except where specified as a permitted activity;</del></li> <li>2. <del>Commercial activity unless specified as a permitted activity;</del></li> <li>3. <del>Network utilities not provided for as permitted or restricted discretionary activities by NU-Network Utilities and</del></li> <li>4. <del>Any other activity which is not provided for as a permitted, controlled, non-complying or restricted discretionary activity.</del></li> </ol> <p><u>The following activities not specified elsewhere:</u></p> <ol style="list-style-type: none"> <li>1. <u>Community activities;</u></li> <li>2. <u>Commercial activities;</u></li> <li>3. <u>Network utilities not provided for as permitted or restricted discretionary in NU-Network Utilities;</u></li> <li>4. <u>Any other activity not provided for as permitted, controlled, restricted discretionary or non-complying.</u></li> </ol>	<b>Discretionary (DIS)</b>
<b>GIZ-R54</b>	<ol style="list-style-type: none"> <li>1. Residential activities:</li> </ol> <p><u>Sensitive activities and visitor accommodation.</u></p>	<b>Non-Complying (NC)</b>

Notification: Applications subject to Rule GIZ-R2 are precluded from public or limited notification except where the subject site adjoins a residential zone site.

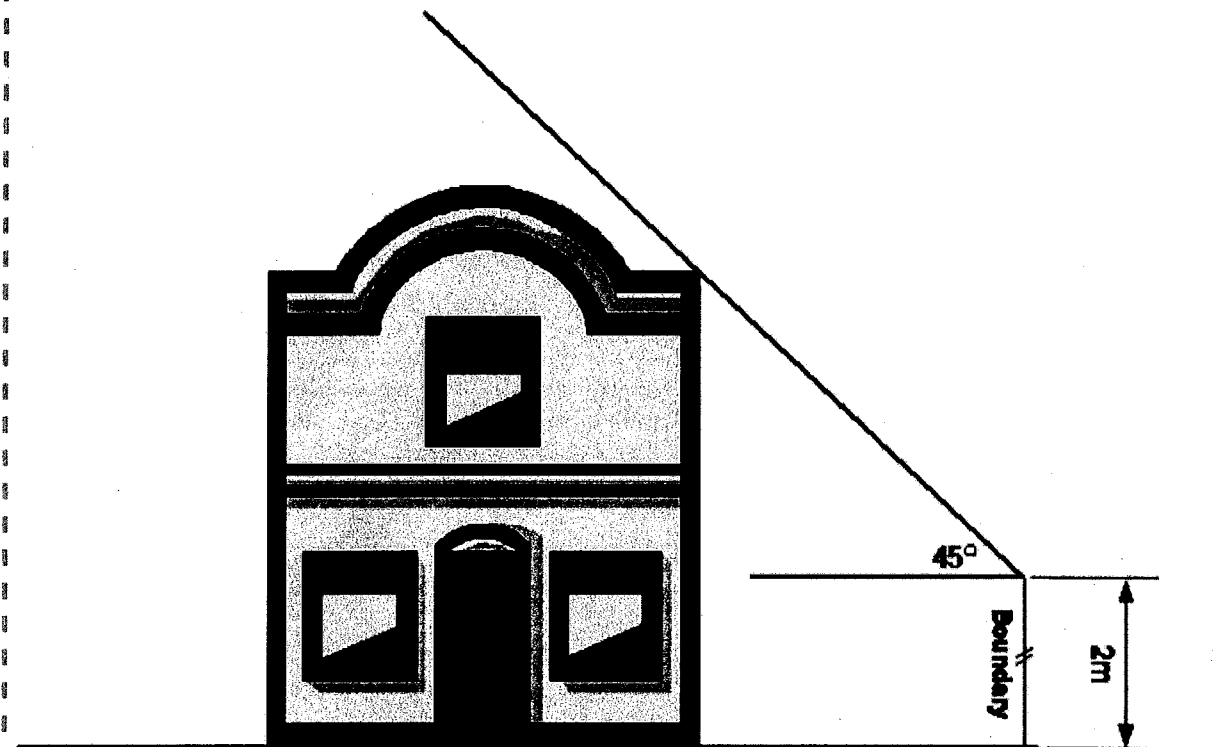
## Standards

The following standards apply to the rules above



## Noise

All activities shall comply with the performance standards in NOISE.



The following structures are exempt from the above height recession plane standard:

- a. Network utility masts, poles and antennas;
- b. Flagpoles;
- c. Signs;
- d. Chimneys;
- e. Wires;
- f. Television and radio antennas and support structures;
- g. Vertical ventilation shafts;
- h. Solar heating devices.

Note that **NOISE** contains requirements for noise sensitive activities.

## **GIZ-S2 Outdoor Storage and Work Areas**

### **Light**

Any particular artificial lighting system shall not result in increased luminance in excess of 8 lux in the measured ambient level in the vertical plane at the windows of any residential building in the

residential zones. No light source shall cause glare which may adversely affect the vision of motorists on a road.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

#### 1. Height in relation to boundary

All new buildings and structures, and additions to buildings and structures shall be designed and constructed to fit within a height to boundary plane which commences at 2 metres above ground level at any site boundary which adjoins a residential zone, and then projects from this line inwards at a 45 degree angle.

This standard also applies to all front boundaries.

#### GIZ – Figure 1 – Height in relation to boundary

[REDACTED]

**2. Exceptions from height in relation to boundary standard**

The following structures are exempt from the above height in relation to boundary standard:

- a. Network utility masts, poles and antennas;
- b. Flagpoles;
- c. Signs;
- d. Chimneys;
- e. Wires;
- f. Television and radio aerials, antennas and support structures; satellite dishes under 1m diameter, poles, lattice masts up to 15m in height;
- g. Vertical ventilation shafts;
- h. Solar panels; and
- i. Photovoltaic panels fixed no more than 200mm from the main bulk of the residential unit.

**3. Yards**

The height in relation to boundary standard ensures that buildings are set back in proportion to their height from General Residential Zone boundaries and street boundaries.

**4. Antenna dishes shall not exceed 2 metres in diameter (except as provided for in Chapter NU- Network Utilities in relation to network utilities).****GIZ-S65 Parking, Loading and Vehicle Crossings****Extent of Ancillary Commercial Activity**

No more than 500m<sup>2</sup> or 35%, whichever is the lesser, of the gross floor area of a building or part of a building used by any activity, shall be used for retailing or office purposes, except that where the sole use of a building is for ancillary office purposes, the gross floor area shall not exceed 10% building coverage.

The restrictions in this standard shall not apply to listed permitted commercial activities.

**GIZ-S7****Parking, Loading and Vehicle Crossings**

All activities shall comply with the standards in TRAN-Transport.

**GIZ-S86 Signage****Signage**

All activities shall comply with the standards in SIGN-Signs.

**GIZ-S7 Noise**

All activities shall comply with the standards in NOISE-Noise.

**GIZ-S98 Earthworks****Earthworks**

All activities shall comply with the standards in **EW-Earthworks**.

**GIZ – General Industrial Zone**  
**At the end of the project, the site shall be returned to its original state.**

# HAZ – Hazards and Risks

In addition to natural events, hazards are associated with hazardous facilities, ie the storage, use and transportation of hazardous substances. These facilities are commonly found in both the rural and urban parts of the District. Hazardous substances, like agricultural sprays, industrial chemicals or fuel, have properties which are, or when in contact with air or water are, potentially flammable or explosive, and toxic. If hazardous facilities are not located appropriately or managed properly, the accidental release of, or loss of control of, hazardous substances can cause short or long term damage to human health and contamination of land, water, air, or damage to ecosystems.

## Issues

### HAZ-11

#### Identification of Hazardous Substances

Information on the location of hazardous facilities and their impact on people and communities and the environment is not complete.

Most of the known hazardous facilities are located in the urban area of Whanganui. The majority of these are in industrial areas, with other concentrations in commercial areas, eg service stations. Location of hazardous facilities in residential areas is increasing. This is associated with home businesses. In the rural areas, agrichemicals are commonly stored on farms.

A number of sites in the District have been identified as potentially contaminated, assessed and confirmed as contaminated or formerly contaminated.

Contaminated sites are sites where hazardous substances occur in concentrations which are likely to pose an immediate or long term hazard to human health or the environment. Sites of this nature may have been used in the past, or are being used, for industrial processing, storage of hazardous substances, or dumping of hazardous wastes. This has implications for the Manawatu-Wanganui Regional Council, Council, land owner, occupier, polluter and neighbouring land owners/occupiers. The Manawatu-Wanganui Regional Council has identified through its Regional Policy Statement the need to prepare a regional inventory of contaminated sites. Council, along with the Manawatu-Wanganui Regional Council, has an active responsibility in contaminated sites' management. Once comprehensive information is available, Whanganui District Council may instigate a Plan change if appropriate, require redevelopment of the land or initiate other enforcement action.

Part of this issue is the recognition and realisation that many of the methods used for the

disposal of hazardous waste in the past have been inadequate.

Many facilities are either inappropriately sited or unable to cope with the increased levels of waste being deposited. Accordingly, the Whanganui District has few suitable facilities available for the disposal of hazardous waste and the District lacks a dedicated hazardous waste treatment facility. This is also recognised as a national and regional waste management issue.

Identification and recognition of hazards is an essential part of risk management. Action is required to:

1. Improve the information base regarding hazards in the District, including natural hazards and contaminated sites.
2. Increase community knowledge and awareness of risks.
3. Establish the level of risk that the community is prepared to accept to guide future development.

## HAZ-12

### Reduction of Hazardous Substances

With respect to hazardous substances and facilities, and the risk they pose, the hazard is principally defined by the characteristics of the intrinsic properties of the substances and facilities, eg flammability of chemicals and their storage areas. The risk is defined by the probability of occurrence combined with the potential effects of that occurrence.

It is not possible to control the properties of hazardous substances. However, it is possible to reduce the hazard potential to protect human life, property and the environment.

To reduce hazard potential, the following matters need to be addressed:

1. The location, design and operation of new hazardous facilities in environmentally sensitive areas and areas with high concentrations of population.
2. Protection of existing developments in high risk areas.

Coordinate actions between the Manawatu-Wanganui Regional Council and Council having regard to the provisions of the Regional Policy Statement for Manawatu-Wanganui:

1. Contaminated sites—This is an issue where there is dual responsibility between the regional and district councils. The District Council will address contaminated site issues as they arise through resource consent processes and will otherwise liaise with the Regional Council to ensure coordinated responses to this issue.



## Policies (not yet reviewed)

### HAZ-P1

#### Contaminated Soils

Ensure that land affected by contaminants in soil is appropriately identified and assessed at the time of being developed and if necessary managed, which may include remediation, or containment, to make land fit for the purpose for which the land is proposed to be used.

### HAZ-P2

#### Community Awareness of Hazards

Promote better community knowledge and awareness of risks associated with hazardous facilities.

A fundamental requirement of risk management is knowledge about the location and impact of natural hazards and hazardous facilities on people, communities and the environment, and awareness about the degree of risk present.

Traditionally, there is reluctance to identify and recognise hazards as development constraints. This is due to a lack of, or inadequate, knowledge and information, and concern that the identification of hazards can alarm people and reduce the value of properties. However, not recognising the presence of hazards can also lead to increased risks of environmental damage, property damage or loss of life.

Current information about hazards and associated risks is limited and not readily available. Work will be required to extend, update and continuously monitor and review the information available. While it may not be possible to provide definitive or predictive information about hazards and their associated risks, the availability of information should be regarded as a trigger mechanism, or a warning system, for potential land owners and developers.

This policy represents a long term, indirect approach to risk management. It requires resources to be devoted to information gathering and establishing links with the community. There are existing mechanisms which can be tapped into for implementation, eg civil defence activities, use of Project Information Memoranda and Land Information Memoranda etc.

The use of cleaner and safer production guidelines will complement District Plan conditions and terms.

The guidelines will be voluntary and self-regulating. They will be particularly useful for small industrial or commercial operators or home businesses involving the use of hazardous substances.

The approach is also consistent with the requirements of section 35 of the Resource Management Act 1991.

### HAZ-P3

#### Manage Hazardous Facilities

Meet identified safety standards.

Facilities or activities involving hazardous substances may cause adverse environmental effects when the substances are not adequately controlled and escape into the environment. Such releases, whether accidental or brought about by poor management practices, may cause environmental contamination and damage, and endanger human health, and cause damage to or loss of property.

To avoid, remedy and mitigate potential adverse environmental effects, these facilities and activities need to be located appropriately and managed correctly. The site design, layout and operational management procedures can greatly affect the risks to people and the environment from hazardous facilities.

Due to the high risks and seriousness of potential damage to human life and the environment, specific controls relating to the location, design and management of hazardous facilities are considered necessary and appropriate. Such controls are considered effective in directly influencing the nature and scale of adverse effects and the level of risk presented by hazardous facilities.

### Hazardous Substances

Hazardous substances are used as part of undertaking many activities in the district. If not appropriately stored and used, hazardous substances can pose a serious risk to human health and the environment. Hazardous substances are substances that have one or more of the following 'hazardous properties': explosiveness, flammability, capacity to oxidise, corrosiveness, toxicity (including chronic toxicity), or ecotoxicity, with or without bioaccumulation. They are substances that are often associated with industrial operations, workshops, agricultural, and horticultural activities, and domestic activities, for example fuel, pesticides, cleaning solutions and explosives.

If facilities that use or store hazardous substances are not appropriately located or managed the accidental release or uncontrolled use of such substances can cause short to long term damage to human health and ecosystems; they can also contaminate land, water and/or air.

Currently anyone using or storing hazardous substances needs to comply with a range of requirements, including those contained in the following legislation:

- Hazardous Substances and New Organisms Act 1996 (HSNO)
- Health and Safety at Work Act 2015 (HSW)
- Resource Management Act 1991 (RMA), including changes to Sections 30 and 31 introduced by the Resource Legislation Amendment Act 2017.

Together this package of legislation and associated regulations sets out the compliance requirements, with primary management of hazardous substances falling under HSNO and HSW. Given this, Council needs to ensure that relevant provisions in the District Plan do not duplicate or conflict with these other requirements.

Although amendments to the RMA in 2017 removed the explicit requirements for councils to manage hazardous substances in their District Plans, the broad management of potential effects on the environment remains the responsibility of councils as these are not covered by the HSNO and HSW legislation. The role of councils therefore is to ensure that District Plan rules adequately address relevant effects, with these typically focused on managing the location of facilities that use and store hazardous substances. Within this context the District Plan provisions address the above matters as they relate to significant hazardous facilities, zones which pose the greatest risks to people, property and the environment.

**Note: Contaminated land matters are dealt with in CL - Contaminated Land**

## Issues

### HAZ-11

Risks to human health, property and the environment can arise when new significant hazardous facilities are established in proximity to sensitive environments and activities, and when existing significant hazardous facilities are expanded or changed.

### HAZ-12

Locating new sensitive activities near existing significant hazardous facilities can increase risks to human health and property and result in unintended reverse sensitivity effects.

## Objectives

### HAZ-O1

Recognise the benefits associated with the use, storage, and disposal of hazardous substances, while ensuring that unacceptable risks to the environment and human health are avoided and that any residual risks are minimised to be as low as reasonably practicable.

**HAZ-O2**

Sensitive activities are located where they:

- Avoid areas exposed to unacceptable levels of risk from existing significant hazardous facilities; and
- Do not constrain or compromise the safe and efficient operation, maintenance and repair or upgrading of significant hazardous facilities due to reverse sensitivity effects.

**Policies****HAZ-P1**

Manage significant hazardous facilities to ensure they are located, designed, constructed and managed to internalise adverse effects on the environment and human health within the facility's site and by:

- avoiding unacceptable risk; and
- minimising residual risk to as low as reasonably practicable.

**HAZ-P2**

Ensure that new or expanding significant hazardous facilities are located appropriately, having regard to:

- the type, scale, intensity, duration and frequency of the effects of the activity on the environment and human health and safety;
- the extent to which adverse effects can be avoided, or where avoidance is not possible, remedied or mitigated;
- the design and site layout of the activity and the ability for any associated effects to be internalised within the site;
- whether the activity has the potential to compromise tangata whenua's relationship with their ancestral lands, water, sites, wāhi tapu, and other taonga and if so, the outcomes of any consultation with tangata whenua, including with respect to mitigation measures;
- adequate separation from sensitive activities and identified key waterbodies and archaeological sites to ensure conflict between activities, adverse effects and reverse sensitivity effects are minimised;
- avoidance or management of risks associated with natural hazards, particularly flooding and subsidence;
- any potential adverse cumulative or synergistic effects; and
- whether effective rehabilitation of the site will occur, either by a staged process or at the end of the life of the facility, having regard to the expected life of the facility.

**HAZ-P3**

Avoid duplication with other statutory processes applying to activities involving hazardous substances.

## HAZ-P4

Avoid the establishment of new sensitive activities in areas that are exposed to unacceptable risks from existing significant hazardous facilities.

## Rules

		Discretionary (DISC)
HAZ-R2	<ol style="list-style-type: none"> <li>1. Significant Hazardous Facilities in all other zones.</li> <li>2. Sensitive activities and visitor accommodation activities within 250m of an existing Significant Hazardous Facility in any zone.</li> <li>3. Significant Hazardous Facilities within: <ol style="list-style-type: none"> <li>a. any Land Stability Assessment or Flood Risk Area identified on the District Plan maps;</li> <li>b. 50m of any key waterbody identified in Policy NFL-P1;</li> <li>c. the buffer area of any archaeological site identified in Appendix K - Archaeological and Wāhi Tupuna.</li> </ol> </li> </ol>	Non-Complying (NC)

## SUB – Subdivision and Infrastructure

Note: The following provisions only apply to subdivision and land use activity in the General Residential, Settlement, all Rural, Airport, Neighbourhood Commercial, **General Industrial** and Open Spaces zones.

### Low Impact and Urban Design

Council is a signatory to the New Zealand Urban Design Protocol, a document prepared by a number of agencies to promote the integration of urban design in New Zealand cities. Council is therefore committed to promoting good urban design outcomes.

The Protocol outlines the 7 'C's' of good urban design:

**Context:** Demonstrating an understanding that subdivision, buildings, land uses, movement corridors, the natural environment and processes, and public places and spaces occur within site specific and broader Whanganui settings.

**Character:** Reflecting, enhancing and protecting the distinctive natural and physical qualities within the local and broader context of Whanganui in the development proposal. This includes significant cultural and visual landscape features, the surrounding built environment, and historic heritage.

**Connections:** Enhancing connectivity within multi-modal transportation networks and the links between the different transport modes (pedestrian, cycleway, street) to ensure safe and easy movement for people and the integration of the subdivision with existing and future surrounding neighbourhoods through these networks.

**Custodianship:** Design that is environmentally and economically safe and accessible. Spaces that are protected as places of value by the community.

**Collaboration:** Designs that acknowledge the contribution of different disciplines and perspectives, communicating and sharing knowledge for the integration of land use, structures and networks. This includes the wider and affected communities.

**CPTED:** Crime Prevention through Environmental Design.

### Infrastructure Services Development

1. Co-ordinated with the planning and development of land use activities to ensure timely, adequate, affordable and cost-effective provision;
2. Managed to ensure safe and efficient operation; and
3. Managed to avoid, remedy or mitigate any adverse effects on people, communities and the natural environment.

## Issues

### SUB-I1

[REDACTED]

### SUB-I2

New and redeveloped sites with insufficient drainage, or designed with poor solar access, inappropriate site orientation, and a lack of consideration of the benefits of energy efficiency are less sustainable.

### SUB-I3

While conventional solutions for the supply of services are effective in some circumstances, a lack of consideration of alternative approaches often limits the potential to achieve sustainable low impact design. These approaches can work with the existing natural processes and landforms, maximising environmental benefits, increase liveability and has the potential to reduce the cost of developing infrastructure.

### SUB-I4

Network utilities contribute to the health, safety and wellbeing of the community. However, this can be compromised by development that is not compatible with their operational needs.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4. Is resource and energy efficient;
5. Has low environmental impact and integrates the natural environment; and
6. Avoids, or minimises adverse effects on historic heritage including archaeological sites.

## **SUB-O2**

Subdivision and infrastructure development that demonstrates the following qualities of good urban design:

1. Context - An understanding of the setting in which the subdivision occurs, including significant vegetation, historic heritage and amenities to enhance the surrounding area.
2. Character - An understanding of existing natural and physical features including trees, waterways, viewshafts, historic heritage and significant topographical features of the subject site and surrounding areas.
3. Connections – Linkages between the roading network, recreation spaces, other neighbourhoods and natural features; use of green connections and corridors, the degree of permeability of the roading layout and incorporation of multi modal transport options.
4. Creativity – Enabling connections with places of value in the community and/or providing places for community interaction.
5. Collaboration – Engagement with the affected community including Iwi and interest groups.
6. Crime Prevention through Environmental Design (CPTED) - Safe, direct routes and connections; good visibility, sightlines and casual surveillance (overlooking) of public or publicly accessible spaces; appropriate lighting and illumination for the anticipated uses of a space.

## **SUB-O3**

Subdivision and infrastructure development that:

1. Performs its function effectively and efficiently;
2. Is flexible in design;
3. Provides resilience to natural hazards and local conditions;
4. Is durable over its lifespan;
5. Provides capacity and connectivity in reticulated services for the intended future land uses in the catchment;
6. Provides for ongoing maintenance in an effective, efficient and cost effective manner;
7. Achieves lifecycle costs that are affordable to the community;
8. Takes into account the risk of climate change; and
9. Is consistent with any relevant Servicing and/or structure plans.

## **SUB-O4**

Subdivision and development that does not compromise and is compatible with the effective operation, maintenance, upgrading and development of existing network utilities.

## **Policies**



## Efficient Subdivision Design

### SUB-P1

Promote a pattern of urban development that is compact and efficient in the use of land and infrastructure services.

### SUB-P2

Require new urban subdivision and development to locate in areas within the urban boundary and where there is available infrastructure capacity or where upgrades or extensions to services have been planned or programmed.

### SUB-P3

Promote the optimal use of existing reticulated infrastructure by identifying and supporting areas of increased density where:

1. Infill and higher density development does not compromise environmental quality and amenity values; and
2. Suitable levels of service can be achieved.

[REDACTED]

[REDACTED]

### SUB-P5

Protect reticulated and network utility infrastructure resources from the adverse effects from inappropriate land use and subdivision development which compromises operation, maintenance and upgrading.

[REDACTED]

[REDACTED]

[REDACTED]

## Residential Zone

### SUB-P6

Require new subdivision and development of residential scale, intensity, and character to locate in the Residential Zone.

**SUB-P7**

Require new residential subdivision and development to locate in areas where there is a suitable level of service from reticulated infrastructure available.

**SUB-P8**

Avoid subdivision and land use development that utilises infrastructure capacity allocated for other identified areas or uses.

**SUB-P9**

Provide for a reduction in minimum allotment size in the Residential Zone where the entire infrastructure catchment can support both:

1. The level of service required by the proposed development, and;
2. The proposal will not reduce the ability of the catchment to provide for development in any other location for which it is intended to service.

**SUB-P10**

Promote infill subdivision and development that:

1. Complements the character of the area in which it is located;
2. Is located in an area that has capacity for reticulated services;
3. Provides on-site amenity; and
4. Enables continued solar access.

**Rural Lifestyle Zone****SUB-P11**

Avoid connections to, and extensions of, the reticulated infrastructure network in the Rural Lifestyle Zone.

**SUB-P12**

Ensure adequate information is provided prior to the granting of subdivision or land use consent to demonstrate that there is provision for additional connections to reticulated infrastructure and network utilities to all allotments to a suitable standard.

**SUB-P13**

Require the design of new reticulated water, wastewater and stormwater infrastructure to take into account:

1. The relevant upstream and downstream capacity and restrictions in the servicing catchment when land in the catchment is fully developed to a level anticipated by the Plan and
2. The future anticipated servicing demand of the proposed development when completed.

#### **SUB-P14**

Require connectivity and compatibility between existing and new reticulated infrastructure.

#### **SUB-P15**

Require all new residential subdivision to connect to an appropriate level of infrastructure and network utilities prior to the issue of a section 224 completion certificate.

### **Transport Network**

#### **SUB-P16**

Promote street design roading that integrates transport functions with adjoining lands uses in a manner that is appropriate for surrounding environment.

#### **SUB-P17**

Encourage the development of liveable streets that contribute to a sense of place, safety and positive community interaction by enabling use of local roads for a variety of purposes that result in the integration of adjoining land uses and people with the transportation network.

#### **SUB-P18**

Require new transport corridors to be designed, constructed, and operated in accordance with their intended function in the roading hierarchy.

#### **SUB-19**

Require the connectivity of new streets and public accessways with existing infrastructure, in a logical progression and in a manner that does not compromise future subdivision or development of surrounding sites at the time of subdivision.

#### **SUB-P20**

Require new allotments to have legal and physical access to a formed legal road.

#### **SUB-P20A**

Applications to defer the construction of vehicle crossings after the issue of a section 224 completion certificate shall be approved at Council's discretion. In addition the following shall also apply:

1. The applicant shall be required to provide information to establish that either:
  - a. damage to the formation of the crossing will occur prior to the establishment of the land use served by the crossing; or
  - b. there are multiple locations for a complying vehicle crossing available; and,
2. A cash bond may be taken in lieu of works of an amount appropriate to the satisfaction of Council.
3. This does not apply to crossings serving multiple lots or where there is only one location for a complying crossing, or for a crossing that has been approved in a specific location but does not comply.

#### **SUB-P20B**

Excluding vehicle crossings, where applications to bond or defer the construction of connections or infrastructure until after the issue of a section 224 completion certificate these shall be approved at Council's discretion. In addition the following shall also apply:

1. The applicant shall be required to provide information to establish that either:
  - a. That damage to the infrastructure will occur prior to the establishment of the land use served by the crossing; or
  - b. In the case of vegetation and landscaping, that the subdivision is otherwise finished but is currently outside appropriate planting/growing season, and;
  - c. Where the infrastructure is to be vested in another party, the approval of that party must be supplied.
  - d. A cash bond may be taken in lieu of works of an amount appropriate to the satisfaction of the Development Engineering Officer.

#### **SUB-P21**

Maintain the ability of land transport networks to efficiently and safely move people and goods through and within the District.

#### **Three Waters**

#### **SUB-P22**

Encourage the use of low impact stormwater management in subdivision and development where ground conditions are suitable.

#### **SUB-P23**

Require the use of low impact stormwater management where downstream capacity in the reticulated system likely to be exceeded and ground conditions are suitable.

#### **SUB-P24**

With the exception of lots for network utilities, all subdivision and infrastructure development within the urban boundary shall ensure that each allotment is provided with connections to reticulated services that provide levels of service for water, wastewater, and stormwater.

#### **SUB-P25**

Require new allotments in the rural zones to provide for wastewater and stormwater disposal onsite, and sufficient non-reticulated potable and fire-fighting water supply.

#### **SUB-P26**

A whole catchment approach shall be used in the design, construction and operation of stormwater, water and wastewater infrastructure through subdivision and infrastructure development. New and extended reticulation shall be compatible with existing and potential future upstream and downstream infrastructure.

#### **SUB-P26A**

##### **Mechanical Pump Stations**

Subdivision proposing or requiring the installation of additional mechanical pump stations shall be assessed on the following:

1. The availability and viability of alternative servicing arrangements for that land;
2. Whether the land is developable without the use of a pump station;
3. The costs of operation and maintenance over the lifetime of the station;
4. Whether or not the land serviced by the pump station is zoned for further intensive development; and
5. The degree of risk associated with failure of that pump station.

##### **Design Solutions**

#### **SUB-P27**

Enable the use of quality alternative infrastructure solutions where they are in accordance with industry best practice, quality urban design and infrastructure design principles where approved by Council.

#### **SUB-P27A**

Where there is not sufficient available servicing capacity or supply for a proposed

development, the development shall:

1. Provide a suitable alternative method for servicing and associated connections that has been approved by the way of the Alternative Design Procedure; and/or
2. Create supply or capacity in accordance with the requirements of this Plan, NZS 4404 2010 and the Engineering Document 2016 to service the proposal at the subdividers cost; and/or
3. Provision of on-site attenuation, retention or mitigation of peak and/or total flows to create pre and post development hydrological equilibrium where practicable in the case of stormwater, or
4. The deferral of the completion of a proposal until such time as Council provides capacity where upgrades to any network is programmed, or provisions are made for Council to provide that capacity where works are proposed in an existing capital works programme.

#### **SUB-P28**

Require the assessment for the approval of alternative infrastructure solutions to be processed through the Alternative Design Procedure and meet the assessment criteria for quality urban design and infrastructure.

#### **SUB-P29**

Promote subdivision and infrastructure development that demonstrates the New Zealand Urban Design Protocol qualities of good urban design.

#### **SUB-P30**

Promote the integration of natural processes, including solar energy, landforms, land features, and overland flow paths into subdivision and infrastructure design and construction where appropriate.

#### **SUB-P31**

Consider the principles of Crime Prevention through Environmental Design (CPTED) when incorporating public open space into subdivision including passive surveillance, definition of public and private spaces, and access management.

#### **Site Suitability**

#### **SUB-P32**

Require subdivision creating additional allotments intended to support building development to provide safe and stable building platforms suitable for building development.

The design shall be assessed against the proposal's ability to achieve the following:

1. The design alternative proposed is functional with the subdivision layout proposed;
2. The alternative does not constrain the ability for connectivity to infrastructure serving other land zoned for development, nor the ability of that land to be developed;
3. The design alternative meets all the relevant general infrastructure and specific infrastructure requirements and criteria;
4. Alternative solutions reflect industry best practice;
5. In the case of design, alternative solutions are approved by the relevant network or infrastructure provider in which it will be;
6. In the case of construction and materials, alternative solutions shall be approved by the relevant network or infrastructure provider in which it will be vested prior to an application for a section 224 completion certificate being made;
7. The required levels of service for infrastructure are maintained; and
8. The ongoing life cycle costs of maintenance are comparable to those in NZS 4404 2010 and the Engineering Document 2016.

### **SUB-P33**

Avoid the creation of new residential allotments that require significant additional engineering works (excluding specific foundation design and construction) to provide for building development.

### **SUB-P33B**

Earthworks on development sites shall maintain existing topography, significant natural features and existing hydrological flows while ensuring:

1. Retention of topsoil on proposed allotments;
2. Avoidance of soil runoff as a result of earthworks; and
3. Avoidance of discharging sediment from earthworks onto roads or into stormwater or wastewater infrastructure by the development and approval of a Sediment Management Plan that identifies methods to be used to manage any off-site disposal of soils.

### **SUB-P34**

Ensure that applications for subdivision and intensified land use activities:

1. Can achieve an appropriate level of service for telecommunication, electricity and gas networks for that allotment and/or use prior to the granting of subdivision consent;
2. That any specific technical requirements to achieve (a) are considered prior to the issue of a section 224 completion certificate;
3. Maintain existing topography, significant natural features and existing hydrological flows as far as practicable;
4. Include details any proposed allotment that has undergone significant construction or reconstruction including cut, fill or that is subject to overland flows or natural hazards; and
5. Identifies any specific requirements for low impact stormwater solutions including appropriate soil conditions, maintenance provisions and costs, and life cycle.

**SUB-P34A****Building Platforms, NZECP: 34 2001, and the Electricity Transmission Corridor**

For subdivision that creates allotments that do not comply with SUB-S6(2)(f) & (g), the following assessment criteria apply:

1. The extent to which the design, construction and layout of the subdivision (including landscaping) allows for activities to be set back from Electricity lines to ensure adverse effects on and from them and on public health and safety are appropriately avoided, remedied or mitigated;
2. The provision for the ongoing operation, maintenance and planned upgrade of Electricity lines;
3. The risk to the structural integrity of the Electricity lines;
4. The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from Electricity lines;
5. The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity and nuisance effects of Electricity lines; and
6. Outcomes of consultation with the affected lines owner.

**SUB-P35**

1. Stormwater is managed comprehensively and not in an ad-hoc manner including, within the structure plan area only, consideration of the impacts of climate change;
2. The transport network is consistent with the Wanganui Urban Transport Strategy 2011, and the indicative roading layout;
3. Encourages connectivity of services and land uses with public open space;
4. Quality urban design outcomes are achieved;
5. Infrastructure is developed in a logical sequence, and generally designed and located as shown on the relevant Plan.

**SUB-P36**

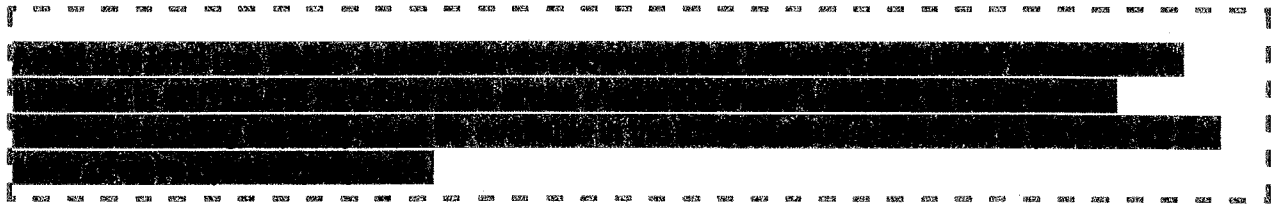
Avoid development in the Springvale Structure Plan area that:

1. Is in conflict with the indicative transport layout; and the stormwater management infrastructure, including ponding areas shown on the Springvale Structure Plan.
2. Results in ad-hoc, unconnected and piecemeal infrastructure development.



**SUB-P37**

Enable development on land identified in Appendix J located in the Springvale Structure Plan area where the development is generally in accordance with the provisions of the Springvale Structure Plan.

**SUB-P38****SUB-P39**

Reserve areas within the North West Structure Plan area (Appendix L) shall achieve one or more of the following:

1. protect historic heritage or ecological corridors; or
2. facilitate stormwater management, including consideration of the impacts of climate change; or
3. provide for public recreational purposes, including cycle/pedestrian and public open space networks.

**Heritage****SUB-P40**

Ensure subdivision, infrastructure and earthworks are respectful of historic and cultural heritage, including archaeological sites.

**SUB-P40A**

Promote the identification and protection of areas and values relating to historic heritage, including archaeological sites.

**Network Utilities****SUB-P41**

To provide for subdivision, use and development in the National Grid Subdivision Corridor located in the Residential and Rural Lifestyle Zones that achieve the following:

1. Does not compromise the safe and efficient operation, maintenance and upgrading of the transmission network, including by:
  - a. Ensuring security of supply and integrity of transmission assets;

- b. Not compromising existing access to conductors and support structures for maintenance and upgrading works;
  - c. Not foreclosing operation and maintenance options, or the carrying out of planned upgrade works;
  - d. Preventing new incompatible built development in close proximity to the support structures and/or under the area of conductor swing during every day wind; and
  - e. Enabling the alteration to and/or extension of existing development already under the area of conductor swing during every day wind where any restrictions or impediments created by that existing development are not further compromised.
2. Ensure electrical safe distances are maintained.
  3. Manages sensitive activities to avoid exposure to risk and minimise exposure to nuisance and to avoid, remedy or mitigate adverse effects on amenity. Where built development already exists under a particular line span or around an electrical substation, enables additions and/or expansions to such development only where this does not increase, or where it reduces the existing degree of risk or exposure to nuisance and where amenity is maintained or enhanced.
  4. To assist in achieving 1. – 3. above, and to facilitate good amenity and urban design outcomes, takes the proximity of transmission assets into account at the design stage of subdivision including whereby:
    - a. the ability to maintain and inspect transmission assets is protected, including ensuring for access;
    - b. The potential intensity of incompatible development under and in close proximity to a line is minimised and measures are taken to prevent building in the area of conductor swing during every day wind, including that:
      - i. A suitable building platform and, where appropriate, curtilage area is identified on each new developable lot, having regard to the range of activities that are likely to be subsequently established; and
      - ii. Measures are taken to prevent building in the area of conductor swing during every day wind
    - c. A good level of amenity is achievable.

#### **SUB-P41A**

Avoid, remedy or mitigate any adverse effects generated by land use activities, subdivision or development adjoining major infrastructure, such as land transport networks where such adverse effects have the potential to reduce the safety and efficiency of the land transport network. Adverse effects include glare, inappropriate lighting, smoke or discharges that enter into the land transport network.

#### **SUB-P42**

Ensure that land use activities, subdivision or development adjoining strategic land transport networks, including the railway corridor avoid, remedy or mitigate adverse reverse sensitivity effects of noise and vibration from that land transport network.

#### **SUB-P43**

Ensure that where infrastructure and network utility connections cross private land, that appropriate provision and legal protection of private connections to infrastructure and network utility services is provided.

#### SUB-P44

Where infrastructure and network utility infrastructure is to be vested in Council, efficient access to public infrastructure for operational and maintenance purposes shall be achieved by ensuring that sufficient land area is vested and or easements provided. Additional vested land area or easements shall be required to accommodate factors such as topography and the location of other infrastructure.

### Rules (Part 1)

Note: The following provisions <u>only</u> apply to subdivision and land use activity in the General Residential, all Rural, Airport, Neighbourhood Commercial and Open Spaces Zones.		
<b>SUB-R1</b>	<ol style="list-style-type: none"> <li>1. Boundary adjustments, subject to meeting the standards of the relevant zone.</li> <li>2. Conversion of cross lease allotments to freehold.</li> </ol> <p>Council retains control over:</p> <ol style="list-style-type: none"> <li>a. The extent to which the amenity values of the surrounding areas are affected and compliance with the general subdivision Standards.</li> </ol> <p><b>Note:</b> Applications for controlled activities subject to this rule are precluded from public and limited notification.</p>	<b>Controlled (CON)</b>
<b>SUB-R2</b>	<ol style="list-style-type: none"> <li>1. Subdivision unless otherwise stated.</li> <li>2. Subdivision within the North West Structure Plan area provided that the application is accompanied by an assessment, by a person suitably qualified in mana whenua cultural history or archaeology, confirming the location within the site of any identifiable wahi tapu or archaeological site, which:               <ol style="list-style-type: none"> <li>a. assesses the impact the proposed earthworks could have on any identified wāhi tapu; and</li> <li>b. recommends mitigation measures, including setbacks from any identified wāhi tapu, to preserve or otherwise protect the cultural, spiritual and historic heritage values of the identified sites; and</li> <li>c. identifies opportunities for strengthening the cultural connection between mana whenua and any of the identified sites; and</li> </ol> </li> </ol>	<b>Restricted Discretionary (RDIS)</b>

- d. identifies any consequential implications for the development of the site; **except that no such assessment shall be required where:**
- i. a person suitably qualified in mana whenua cultural history or archaeology certifies in writing that the proposed earthworks will not damage or destroy any identifiable wāhi tapu; or
  - ii. a pre-existing wider assessment of the structure plan area including the site, undertaken by a person or persons qualified in mana whenua cultural history or archaeology, has identified the location of wāhi tapu and archaeological sites and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites; or
  - iii. a pre-existing assessment of the site, undertaken by a person or persons qualified in mana whenua cultural history or archaeology, has identified the location of wāhi tapu and archaeological sites and any consequential implications for the alignment of connecting roads on adjoining sites, and the proposal is in accordance with any recommendations of that assessment for management of those culturally significant sites.

In relation to 1) and 2) above, Council restricts its discretion to:

- a. The ability of a proposal to meet the relevant subdivision and infrastructure standards, and rules.
- b. The ability of a proposal to meet the relevant urban design standards.
- c. Consequences for the implementation of the North West Structure Plan (Appendix L).
- d. Within the North West Structure Plan area:
  - i. The extent to which any individual elements of cultural heritage value are affected; and
  - ii. Whether written approval has been obtained from mana whenua representatives;
  - iii. The extent of earthworks required to implement the subdivision, including earthworks associated with the construction of roads, pedestrian paths, stormwater detention areas, infrastructure services and site contouring;
  - iv. Measures to recognise and provide for the relationship of mana whenua and their culture

and traditions with their ancestral lands, water, wāhi tūpuna, and other taonga;

- v. Whether a cultural impact assessment prepared in liaison with mana whenua for the specific development proposed, has been included with the application and any recommendations of that assessment;
- vi. Mitigation measures, including measures identified in any assessment prepared under SUB-R2(2), to avoid, remedy or mitigate any identified adverse effects of the activity on the cultural values, associated with any identified wāhi tapu or archaeological site;
- vii. The location and extent of any exclusion areas, buffers or setbacks; and
- viii. Mitigation measures, including rehabilitation planting and the plant species used in rehabilitation planting; and
- ix. The imposition of an accidental archaeological discovery protocol, as specified in **HH-NWSP-S2**.

### 3. Subdivision in the Neighbourhood Commercial Zone.

Council restricts its discretion to:

- a. Impact on the Residential Zone amenity values.
- b. Impact on parking provisions and traffic flows.

### 4. Subdivision in the Airport Enterprises Zone.

Council restricts its discretion to:

- a. The provision of access to the runways for airport users.
- b. The avoidance of allotment layouts that will adversely affect the ability of the airport to operate efficiently and safely.

### 5. Subdivision in the Open Spaces Zone.

Council restricts its discretion to:

- a. Impact on the amenity values of the surrounding residential area.
- b. The ability of sites to be independently serviced for stormwater and wastewater.

### 6. Subdivision in the Rural Lifestyle Zone.

Council restricts its discretion to:

- a. The ability of sites to be independently serviced for stormwater and wastewater.
- b. Maintain or enhance rural lifestyle character.

7. Subdivision in the Settlement Zone.

Council restricts its discretion to:

- a. The ability of sites to be independently serviced for stormwater and wastewater.
- b. The ability of sites to maintain or enhance rural lifestyle character.

8. Subdivision in the Rural Production Zone provided that, for subdivision located within the National Grid Subdivision Corridor the identified Building Platform shall be located outside the National Grid Yard.

Council restricts its discretion to:

- a. The ability of sites to:
  - i. Be independently serviced for stormwater and wastewater;
  - ii. Maintain or enhance rural character and to avoid potential reverse sensitivity.
- b. Impact on the operation, maintenance, upgrade and development of the National Grid, including:
  - i. Compliance with NZECP34:2001;
  - ii. The location and orientation of identified Building Platforms relative to the National Grid;
  - iii. The nature and location of any vegetation proposed to be planted in the vicinity of the National Grid;
  - iv. Access to the National Grid; and
  - v. The risk of electrical hazards affecting public safety, and the risk of property damage.

9. Subdivision in the Rural Production Zone to create one allotment with a minimum site area of 5000m<sup>2</sup> and a maximum site area of one hectare site area provided that:

- a. The site proposed for subdivision, legally existed at the 21st March 2016;
- b. The balance site area is at least 10 hectares, and
- c. For subdivision located within the National Grid Subdivision Corridor the identified Building Platform shall be located outside the National Grid

Yard.

Council restricts its discretion to:

- i. The ability of the development to be serviced by on-site means with regard to effluent and stormwater disposal;
- ii. Impact on the rural character of the surrounding area, and to avoid potential reverse sensitivity;
- iii. Impact on the operation, maintenance, upgrade and development of the National Grid, including:
- iv. Compliance with NZECP34:2001;
- v. The location and orientation of identified Building Platforms relative to the National Grid;
- vi. The nature and location of any vegetation proposed to be planted in the vicinity of the National Grid; and
- vii. Access to the National Grid.
- viii. Risk of electrical hazards affecting public or individual safety, and the risk of property damage.

10. Subdivision in the Rural General Zone provided that, for subdivisions located within the National Grid Subdivision Corridor the identified Building Platform shall be located outside the National Grid Yard.

Council restricts its discretion to:

- a. The ability of sites to:
  - i. Be independently serviced for stormwater and wastewater;
  - ii. Maintain or enhance rural lifestyle character.
- b. Impact on the operation, maintenance, upgrade and development of the National Grid including:
  - iii. Compliance with NZECP34:2001;
  - iv. The location and orientation of identified Building Platforms relative to the National Grid;
  - v. The nature and location of any vegetation proposed to be planted in the vicinity of the National Grid;
  - vi. Access to the National Grid; and
  - vii. Risk of electrical hazards affecting public or individual safety, and the risk of property damage.

[REDACTED]

[REDACTED]:

66



	<ol style="list-style-type: none"> <li>3. Subdivision in the General Residential Zone that does not meet the minimum net allotment size of:               <ol style="list-style-type: none"> <li>a. 400m<sup>2</sup> (excluding sites within the North West Structure Plan (Appendix L - pink shaded area only)</li> <li>b. 800m<sup>2</sup> on sites within the North West Structure Plan (Appendix L pink shaded area only)</li> </ol> </li> <li>4. Subdivision not in accordance with the North West Structure Plan (Appendix L).</li> <li>5. Subdivision in the Coastal Residential Zone where the subdivision is part of a comprehensive structure plan developed for subdivision and infrastructure provision for the whole zone.</li> </ol>	
<b>SUB-R4</b>	<ol style="list-style-type: none"> <li>1. Subdivision of land in the National Grid Subdivision Corridor where the identified building platform cannot be located wholly outside the National Grid Yard.</li> <li>2. Subdivision in the Springvale Structure Plan area not provided for by <b>SUB-R3(3)</b></li> <li>3. Subdivision in the Coastal Residential Zone that:               <ol style="list-style-type: none"> <li>a. Is not shown on a proposed Comprehensive Structure Plan for the whole zone or is not consistent with an approved Comprehensive Structure Plan for the whole zone; or</li> <li>b. Proposes a subsequent subdivision of a lot for which subdivision consent had been granted pursuant to a Comprehensive Structure Plan for the whole zone; or</li> <li>c. Proposes to create more than 100 residential allotments in the entire Coastal Residential Zone.</li> </ol> </li> <li>4. Subdivision with a Building Platform for a principal building or residential unit located within the National Grid Yard.</li> <li>5. Subdivision in the Rural Lifestyle Zone that proposes to connect to or extend reticulated infrastructure including water, wastewater, and piped stormwater drains.</li> </ol>	<b>Non-Complying (NC)</b>

## Standards

The following standards apply to all subdivision development unless otherwise stated.

**Note:** For the Engineering Document (refer Appendix I).

### SUB-S1

#### Subdivision Engineering Basis

Subdivision and infrastructure design and construction shall be in accordance with NZS: 4404 2010 and the Engineering Document 2016. Where there is conflict between NZS 4404 2010, the Engineering Document 2016 prevails. The provisions in the Plan shall prevail over both NZS 4404:2010 and the Engineering Document 2016.

## **SUB-S2**

### **Boundary Adjustments**

1. Boundary adjustments shall comply with the following standards:
  - a. Existing allotments that comply with the minimum site area for the zone prior to the boundary adjustment should not be made non-compliant; and,
  - b. Existing allotments that do not comply with a minimum site area for the zone shall not be made less compliant; and

## **SUB-S3**

### **Existing Buildings**

1. Any new boundaries created by subdivision shall be located such that any existing buildings comply with the rules of the relevant zone or that the appropriate land use consents have been obtained.
2. Subdivisions shall comply with all other relevant rules and provisions of the Plan.

## **SUB-S4**

### **Allotment Size**

1. New allotments, including balance allotments, shall meet the requirements of the following table:

**SUB – Table 1 – Minimum Net Allotment Area**

<b>Zone</b>	<b>Allotment Size Requirements - Net Site Area – Metres (m<sup>2</sup>) or Hectares (ha)</b>
Rural Production	Minimum 10ha or 5000m <sup>2</sup> to 1 hectare for allotments subject to RPROZ-R1(7)
Rural Lifestyle	Minimum 5000m <sup>2</sup> or 0.5ha
Rural General	10,000m <sup>2</sup> (1 Hectare)
Rural Settlement	Allotments shall be of sufficient size and shape to contain an activity or development in a manner that complies with the rules and standards for the zone concerned.
Residential (excluding North West Structure Plan - Appendix L -pink shaded area only)	Minimum 400m <sup>2</sup>

Residential (North West Structure Plan - Appendix L -pink shaded area only)	Minimum 800m <sup>2</sup>
Neighbourhood Commercial	None
Reserves and Open Spaces	None
Sites Specifically for Network Utilities	No Minimum
Airport Enterprise	No Minimum
All other zones	Allotments shall be of sufficient size and shape to contain an activity or development in a manner that complies with the rules and standards for the zone concerned.

**SUB-S5****Easements**

1. Where private service connections, the diversion of overland flows, and vehicle access will be located over private property the subdivider shall be required to provide suitable easements in respect of any of the following:
  - a. The creation of right of way access to any allotment;
  - b. The right in respect of a dominant tenement or easement in gross to lay, construct, erect, convey, discharge or maintain an underground or overhead water, electric power, telecommunications, gas, sewage, or stormwater service; widths shall be in accordance with the requirements of NZS 4404 2010 and the Engineering Document 2016 unless stated in this Plan; and
  - c. Any other easement that the specific situation may require.
2. Infrastructure that is to be vested in Council shall be provided with easements and constructed in accordance with NZS 4404 2010 and the Engineering Document 2016.

**SUB-S6****Site Suitability**

1. Each allotment intended to accommodate building development in the future shall identify at least one potential building platform that meets all of the following:
  - a. In the residential zones the building platform shall be a rectangular area of land for building purposes measuring no less than 10 metres by 15 metres.
  - b. Subdivision in zones that require on-site effluent disposal shall also be required to identify an area of no less than 30 metres by 30 metres suitable for on-site effluent disposal.
  - c. For all other zones, identify an area suitable for the likely scale and nature of development.
  - d. For unit title and multiple unit developments in the Residential zone, a building platform shall identify the area that is intended for future building.
2. In addition, the identified building platform shall :
  - a. Be free of buildings and structures (where intended for future development), building restrictions, easements, yard setback requirements, or other restrictions to building.

- b. Be identified on the proposed plan of subdivision.
  - c. Not be subject to material damage by inundation, erosion, falling debris, subsidence, or slippage.
  - d. Meet the requirements for 'good ground' for 'conventional residential development' in NZS: 3604 2011 for standard timber framed buildings.
  - e. Exceed a minimum of one metre in height above subsurface groundwater at all times, and
  - f. Have the ability to achieve compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZCEP: 34 2001) for the likely activities on any such allotment.
  - g. For allotments in the Residential and Rural Lifestyle Zones, be located outside the National Grid Yard.
  - h. Excluding allotments in the Residential and Rural Lifestyle zones, each allotment shall provide a building platform that is not within 20 metres of the centreline of any electrical transmission lines which are designed to operate at or above 110kV.
  - i. Comply with **NOISE-s2(1)** (Noise Sensitive Activities) and if **NOISE-S2(2)** applies this will be lodged on a section 221 certificate.
3. The following are exempted from identifying a building platform:
- a. Subdivision to create allotments for the sole purpose of accommodating network utilities, parks and open spaces, and roads;
  - b. Subdivision around existing buildings where no further development will result; and
  - c. Applications for boundary adjustments where no additional development will result.
4. An applicant shall certify compliance with the above requirements and shall include:
- a. A record of the level of consideration and investigations, if any; and
  - b. Any constraints on development that do not require specific foundation design.
5. Where ground conditions cannot be certified as meeting the above, or where significant works or specific foundation design is required, a supporting geotechnical report from a suitably qualified and experienced professional shall be provided detailing the suitability of the site for the future intended development.
- The report shall also outline any restrictions or conditions that may be required prior to the grant of a section 224 completion certificate and any on-going restrictions after the issue of that certificate.
- Any on-going requirements will be required to be detailed and secured by consent notices.
6. In addition to the above and subject to any other requirement of this Plan, the design, and any necessary construction, of building platforms shall not result in the diversion of overland flows unless such diversions:
- a. Are discharged into an approved stormwater system; or
  - b. Approved by way of easements over all properties affected.

#### Notes:

- 1. The above requirements are in addition to any requirement placed on development by the provisions of the Hazards and Earthworks provisions of the Plan and the requirements of section 106 of the Act.
- 2. The onus is on the applicant to demonstrate the site is suitable for development without significant works in the first instance, prior to the issue of subdivision consent.
- 3. Allotments that have been assessed pursuant to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health are deemed to

be suitable activities, pursuant to that NES to be acceptable on that land.

## **SUB-S7**

### **Site Serviceability**

1. Each new allotment shall connect to reticulated water services (sewer, stormwater and water supply) excluding the Rural Lifestyle Zone which shall be required to demonstrate it can provide those services in the proposed allotment.

**Note:** For the purposes of this rule, open drains and swales are considered reticulated stormwater services only where owned and maintained by the Whanganui District Council

2. Where connections are required, these shall be provided to the allotment boundary in accordance with NZS 4404 2010 and the Engineering Document 2016 or alternative approved by way of the Alternative Design Procedure, prior to the issue of a section 224 completion certificate.
3. Connections shall be provided underground, except that stormwater connections may be provided above ground where retention or attenuation measures are required or low impact design approaches are to be used.
4. For sites in any rural zone applications shall:
  - a. Provide secure suitable non-reticulated levels of service for potable water supply; and
  - b. Demonstrate the ability to comply with New Zealand Fire Service Fire Fighting Water Supplies Code of Practice 2008 SNZ PAS 4509:2008.

**Note:** Connections for the discharge of trade waste are managed through the Trade Wastes Bylaw 2008.

## **SUB-S8**

### **Network Utilities**

#### **Supply – Electricity and Telecommunications**

1. Electricity supply and telecommunications services are required for all development within the urban boundary and shall provide a suitable level of service and/or capacity to serve each allotment created by that development.
2. In commercial and industrial zones the supply of network utilities shall recognise the operational needs of the probable occupation and use.

#### **Supply – Gas**

3. Provision should be made to ensure that gas connections can be provided to each allotment within the urban boundary unless the network utility operator does not wish to supply that area.

#### **Connections**

4. Connections to electricity and telecommunications infrastructure shall be required in all zones, excluding the rural zones. Within the urban boundary, connections may be above ground only where there is an existing overhead supply.
5. For greenfield subdivision where fibre reticulation is not presently available, red or green ducting shall be installed (both sides of the road) and fibre cabling shall be installed in accordance with the Engineering Document 2016.

**Note:** Crown UFB Partners may be required to install infrastructure. Developers should discuss the requirements of the subdivision with a representative of the relevant UFB Partner prior to lodging an application. If fibre is to be included then it should be installed during construction.

#### Design and construction

6. Design and construction of gas, telecommunication and electricity facilities shall be to the requirements and approval of the respective network utility operators. Design and construction shall recognise the operating access and service requirements of other adjacent utilities.

#### Compliance

7. A compliance certificate shall be provided from the relevant network utility operator, stating that the design and construction of gas, telecommunications or electricity facilities is satisfactory in standard and level of service and that the network utility operator has undertaken to take over operation and maintenance of the facilities at no cost to Council.

### SUB-S9

#### Site Access

#### Rights of way and shared access.

1. Each allotment and additional residential unit shall be served by legal access to a formed legal road in accordance with the table below:

**SUB – Table 2 – Legal accessway width**

Access type	Number of potential household units	Minimum legal width – Metres (m)
Single user	1	3.6m
Shared accesses	1-3	3.6m
	4-6	6.5m
	7 and above	Road

2. For additional residential units, physical width is an area on a plan identified for access equal to the maximum potential household units for the allotment/s that is clear of buildings

and structures, that meets the remaining access requirements of this Plan.

3. The legal width for subdivision, and physical width for additional residential units, shall be clear of buildings, trees, or any other above ground.
4. The maximum number of household units, and potential household units, which may share a private access shall be no more than 6.

**Note:** Potential household units for a site will be calculated by dividing the allotment area by the minimum net site area for the zone less any area subject to physical constraints, easements, and existing or proposed right of ways. Where less than a whole number, the next lowest whole number will be used.

5. The construction of shared accessways and rights of way shall be required prior to the issue of a certificate pursuant to Section 224 of the Resource Management Act 1991, for the actual number of residential units it serves only, except in the Residential zone any vacant allotments shall be considered as one residential unit.
6. For development where a fire appliance is not able to reach either the residential unit or the source of firefighting water supply from a public road in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice 2008 SNZ PAS 4509:2008, the minimum access way width shall be 4m as required under this code.

#### Vehicle Crossings

7. Each new allotment shall be serviced by at least one formed vehicle crossing onto a formed legal road.
8. The design and construction of vehicle crossings shall be in accordance with the requirements of NZS 4404 2010 and the Engineering Document 2016 where Council is the Road Controlling Authority.

#### Notes:

1. All new or upgraded crossings are required to use the Council Corridor Access Request system, except that this shall not apply where Council is not the Road Controlling Authority.
2. The design, location and construction of vehicle crossings onto state highways are managed by the New Zealand Transport Agency.  
Where subdivision and land use requires access to state highways a subdivision application shall include a written statement from the Road Controlling Authority approving that access to the satisfaction of Council.
3. The removal of street trees for the purpose of creating a vehicle crossing is not managed by the Plan. Council's Parks and Property Department should be contacted whenever alteration or removal of a street tree is proposed or required.

#### SUB-S10

#### Transport

1. Any applications for subdivision shall not include the creation of segregation strips or any other mechanism that:

- a. Prevents access to any existing road or public pedestrian or cycle accessway;
- b. Prevents connectivity or connections to a proposed road in the Springvale Structure Plan area, or the North West Structure Plan area; or the Mill Road Structure Plan area; or
- c. Prevents land zoned for residential development from being developed to its anticipated potential; or
- d. The above does not apply where the Road Controlling Authority requires access to a road or public pedestrian or cycle accessway to be prevented for health and safety purposes, or where access would adversely affect the purpose of a road or public pedestrian or cycle accessway.

## 2. Roding Hierarchy

- a. All new roads shall be designed, constructed, and operate in accordance with its intended function within the Roding Hierarchy as shown on the planning maps.
- b. Where new roads are not shown in the Roding Hierarchy the road design shall be clearly appropriate to its intended function within the overall roding network.
- c. Roding layouts shall generally give effect to the Indicative Roding layouts as shown on the planning maps.

## 3. Roding and stormwater

No road reserve shall be used as a secondary flow path, for attenuation or detention, or for low impact stormwater treatment unless approved by the Road Controlling Authority.

## 4. Connectivity

An indicative future roding layout shall be identified on the plan of subdivision that identifies connections to existing or potential future road and cycle and pedestrian accessways that can comply with the provisions of this Plan.

## 5. Frontage to Public Open Space

Public open space should be prominent and accessible, with a minimum of 40% of the length of the boundary having direct road frontage.

## 6. Cycle and Pedestrian Accessways

Where pedestrian and/ or cycle accessways are required, they shall be formed and comply with the following requirements:

- a. All pedestrian and cycle accessways shall be vested in Council;
- b. Be a minimum of 4 metres in width for its length;
- c. Have suitable lighting at each entrance;
- d. Where exceeding 60 metres in length, accessways shall be lit at intervals not exceeding 30 metres;
- e. Have a direct line of sight from each access point to the point of egress; and
- f. Be secured at any entrance that has direct road access by bollards or other approved devices to prevent motor vehicles entering public spaces.

## 7. Cul de sac Roads

The following are specific requirements for the use of cul de sacs in proposed subdivision layouts:

- a. A cul de sac shall not exceed 150 metres in length measured from the centreline of the roads intersection with the feeder road and the head of the cul de sac road.
- b. A cul de sac shall not gain access off another cul-de-sac or terminating road unless there is no other physical or practical means of developing the related land.
- c. A cul de sac shall, at the terminating head, provide an accessway for cycling and pedestrian access that:



- i. Connects to another existing or proposed road, cycleway, or public open space, public facility or neighbourhood commercial zone.
- ii. That reduces travel time to cycleway, or public open space, public facility or neighbourhood commercial zone.
- d. Is located in the most efficient location to achieve the above.

**Note:** For 7) b) above, 'no practical and physical means' refers to constraints regarding topography, ground conditions and existing roading and development layouts. This does not include land in different ownership.

#### 8. Street Lighting

- a. Street lighting shall be provided on new road reserve to ensure the safety of road users and pedestrians in accordance with NZS 4404 2010 and the Engineering Document 2016.
- b. All new street lighting fixtures shall:
  - i. Be designed installed and maintained to minimise glare uplight and spill onto properties;
  - ii. Use energy efficient lamps; and
  - iii. Be of a standard design and construction.

#### 9. Entranceway Features

All permanent entranceway features and/or structures for the purpose of promoting or branding a subdivision name shall be located entirely within private property and not within road reserve.

#### 10. Footpaths

Road and/or pedestrian connections between the land being subdivided, existing roads, adjoining properties, and balance lots shall be provided in accordance with NZS 4404 2010 and the Engineering Document 2016.

#### 11. Site Frontage

The total number of allotments with no direct access onto road reserve including those with shared access with no frontage and rear allotments using access legs shall not exceed 20% of the lots in any one greenfield subdivision application.

#### 12. Landscaping

Landscaping shall be in accordance with the requirements of the Road Controlling Authority. In the case of road reserve being vested in the Council this shall be in accordance with the Council ~~Tree Policy 2008~~ Street Tree Strategy 2016.

### SUB-S11

#### Earthworks

In addition to the earthworks standards and rules, the following standards also apply for subdivision.

In residential zones, earthworks and land modification shall not exceed the removal of topsoil for the purpose of establishing building platforms, construction of roads, and trenching and back filling ancillary to the installation of utilities and services.

Where land is being filled to a level that exceeds 0.6m in depth measured vertically:

1. The area/s of cut and fill shall be identified on a plan and as-built drawings shall be supplied to Council prior to the issue of a certificate pursuant to Section 223 or the Resource Management Act, and in accordance with the technical requirements of NZS 4404 2010 and the Engineering Document 2016.
2. Where intended to be used as a building platform the fill shall be certified by a suitably qualified engineering professional as being suitable to meet the definition of 'good ground' required for timber framed buildings in NZS 3604 2011.

**Note:**

1. The requirements of the Land Drainage Act 1908 still apply and should be referred to by anyone moving significant amounts of earth or altering overland flows.
2. Persons considering large earthworks are advised to contact Wanganui- Manawatu Regional Council.

**SUB-S12****Servicing Capacity**

Where subdivision occurs in any reticulated servicing catchment for water, wastewater, or stormwater and there is not sufficient capacity to meet the specified level of service, or the ability of that infrastructure catchment to provide that level of service to the remaining area of developable land in that catchment is reduced.

The subdivider shall:

1. be required to provide that level of service for their development at their own cost;
2. only be allocated an equitable proportion of existing servicing capacity based on land area, unless.

Where additional capacity is available in an infrastructure catchment in excess of what is required to provide the specified level of service for the remaining areas of developable land, this may be allocated subject to approval of Council.

**SUB-S13****Consideration of Alternative Solutions**

Alternative infrastructure solutions to those in NZS 4404 2010 and the Engineering Document 2016 shall be required to use the alternative design procedure.

**Note:** It is recommended that where a subdivision layout is based upon an alternative design that the applicant engages with Council at the earliest possible opportunity for discussions around concept and design approval.

**SUB-S14****Catchment Management Basis**

The design, construction and operation of stormwater, water, and wastewater infrastructure to be vested in council or where it will connect to Council owned infrastructure shall take a whole of catchment based approach and shall meet the following requirements:

1. New infrastructure shall be adequate to meet the maximum potential demand arising from the development the allotments, including future land uses as anticipated by the Plan.
2. Proposals shall identify any downstream works required to cater for the anticipated use of the allotments.

## SUB-S15

### Stormwater

1. Subdivision to create new stormwater infrastructure shall not require additional mechanical pumping stations.
2. Post development stormwater run-off rates shall not exceed those prior to development in catchments required to achieve hydraulic neutrality.
3. New stormwater infrastructure shall be designed and constructed to a standard that ensures stormwater is not discharged into the reticulated wastewater system.
4. The design capacity of any piped stormwater facilities shall be sufficient to accommodate the surface water flows resulting without relying on secondary flowpaths in accordance with the Table 3 below.

**SUB – Table 3 – Stormwater Design Requirements**

Function	Annual Exceedance Probability (AEP %)	Return Period (years)
Primary Systems –		
- Rural	20	5
- Residential and rural lifestyle areas	10	10
- Commercial and industrial areas	10	10
- All areas where no secondary flow paths are available	1	100
Secondary systems	1	100

5. Secondary overland flow paths must cater for a minimum of a 1% AEP storm event. Where this is not feasible, the piped system must perform that requirement.

**Note:** All discharges will need to meet the requirements of Wanganui- Manawatu Regional Council, including any relevant conditions of any applicable consent.

6. Low Impact Stormwater Treatment
  - a. Stormwater management and treatment shall avoid significant modification to natural

drainage system and overland flow paths.

- b. Where low impact stormwater approaches including swales, rain gardens, and other mechanisms are proposed or required, these shall:

i. Be required to be approved by the Alternative Design Procedure, excluding the construction of the swale in the Springvale Structure Plan area or the stormwater detention areas identified in the North West Structure Plan.

ii. Meet the same performance requirements of conventional infrastructure.

#### 7. Parks and Reserves

Areas to be vested in Council that are set aside for the purpose of accommodating stormwater flows shall not offset or replace any requirement for recreation reserves.

### SUB-S16

#### Water

1. Water supply shall meet the requirements of the Ministry of Health: Drinking Water Standards for New Zealand 2005 as updated in 2008.
2. In the Residential Zone fire fighting supply shall be provided in accordance with the New Zealand Fire Service Fire Fighting Supplies Code of Practice 2008 SNZ PAS 4509:2008.

### SUB-S17

#### Wastewater

Wastewater systems shall not provide for the direct discharge of stormwater into the reticulated system.

### Rules (Part 2)

Rules (Part 2) have not yet been reviewed as part of the Plan Review)

These sections apply to all zones except all Rural, Settlement, Residential, Airport, Open Spaces, General Industrial and Neighbourhood Commercial zones.

The rules for each zone specify whether subdivision is a:

- Controlled activity;
- Discretionary activity; or
- Non-complying activity.

<b>SUB-R5</b>	<p>1. Where subdivision is a controlled activity:</p> <p>Control is reserved over:</p> <ol style="list-style-type: none"> <li>a. Subdivision layout <ol style="list-style-type: none"> <li>i. Allotment sizes;</li> <li>ii. Site dimensions;</li> <li>iii. Boundary positions; and</li> <li>iv. Easements.</li> </ol> </li> </ol>	<b>Controlled (CON)</b>
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	<ul style="list-style-type: none"> <li>b. Provision of infrastructure and services               <ul style="list-style-type: none"> <li>i. Roading;</li> <li>ii. Water supply;</li> <li>iii. Wastewater disposal ;</li> <li>iv. Stormwater control;</li> <li>v. Earthworks (cut and fill);</li> <li>vi. Energy supply (electricity and/or gas);</li> <li>vii. Telecommunications; and</li> <li>viii. Streetscape and landscaping.</li> </ul> </li> <li>c. Provision of reserves               <ul style="list-style-type: none"> <li>i. Local purpose;</li> <li>ii. Recreation;</li> <li>iii. Esplanade reserves/esplanade strips/access strips; and</li> <li>iv. Other reserves.</li> </ul> </li> <li>d. Suitability of sites               <ul style="list-style-type: none"> <li>i. Access;</li> <li>ii. Building platforms; and</li> <li>iii. Flood control and hazard mitigation.</li> </ul> </li> <li>e. Preservation of places or items of natural or cultural heritage value or amenity value;</li> <li>f. The imposition of financial contributions;</li> <li>g. Any matters relating to compliance with subdivision standards;</li> <li>h. Riparian management measures:               <ul style="list-style-type: none"> <li>i. Protection of existing vegetation;</li> <li>ii. Fencing and planting; and</li> <li>iii. Ongoing management of riparian margins.</li> </ul> </li> </ul> <p>2. In exercising control over the 'provision of infrastructure and services' (refer to SUB-R1-b) above) the Council will seek to ensure that subdivisions meet the performance criteria.</p> <p>The 'acceptable solution' provided will be just one of a range of possible methods of compliance. Applications which meet the Plan's '<i>Subdivision Performance Criteria</i>' by other means, which have been fully researched and documented, will be approved.</p>	
<b>SUB-R6</b>	<p>1. Subdivision or road stopping adjacent to the Whanganui River, Mangawhero River or the coast.</p> <p>Council's discretion is restricted to:</p>	<b>Restricted Discretionary (RDIS)</b>

	<p>a. Those matters in <b>SUB-R5(b)</b> above over which Council has control in respect of controlled activity subdivisions;</p> <p>b. The requirement (if any) for an esplanade reserve, esplanade strip and/or access strip.</p> <p>In assessing (b) above, the width of any esplanade reserve or strip will depend on the circumstances involved but will not exceed 20 metres. In any given case, Council reserves the right not to require, or accept, any esplanade reserve or strip.</p>	
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## Standards

The following standards shall apply to subdivision that is a controlled activity, that will be used as a guide in assessment.

### SUB-S18

#### Allotment Size

1. In all zones other than rural, allotments shall be of sufficient size and shape to contain an activity or development in a manner that complies with the rules and standards for the underlying zone.
2. In all zones where there is no sewerage or stormwater reticulation, allotments shall be of sufficient size to enable the treatment and disposal of sewage and stormwater in an environmentally acceptable manner within lot boundaries. This is where the treatment and disposal of sewage and stormwater does not, or will not, either on its own or cumulatively, lead to adverse environmental or health effects either within or beyond the boundaries of the site (including ground or surface water contamination, odours and surface run-off from land). Regard shall be had to the proposed use of the land, and the size, shape and soil characteristics of the land.

### SUB-S19

#### Existing Buildings

Where any land to be subdivided contains existing buildings, there shall be no increase in the degree of non-compliance with any permitted activity standard for the zone concerned.

### SUB-S20

#### Hazard Potential

1. Each allotment shall be able to be provided with a building platform, and access to that platform, for a residential unit or other intended building. The building platform and access to that platform shall not be subject, or likely to be subject, to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.
2. Each allotment shall be able to be provided with a building platform that is not within 20

metres of the centreline of any electrical transmission lines which are designed to operate at or above 110kV.

3. Where subdivision of unstable land is proposed the title of that land shall be covenanted to ensure that the allotment is not intended to be used for any building.

## **SUB-S21**

### **Access**

1. Each allotment shall be provided with practical, legal access to a formed legal road (or to a proposed road that is to be formed as part of the subdivision) in a manner that complies with **TRAN-Transport**.
2. Any new access created to a sealed road shall be sealed from the edge of road seal to the property boundary.

**Note:** A Limited Access Road (LAR) is deemed by Section 93 of the Government Rounding Powers Act 1989, not to be a road for the purposes of obtaining access in relation to a subdivision. Accordingly, unless the Minister of Transport gives special authorisation, land adjoining a Limited Access Road cannot be subdivided unless legal frontage to an alternative road is provided.

## **SUB-S22**

### **Subdivision Adjacent to Waterways**

Subdivision or road stopping adjacent to the Whanganui River, Mangawhero River or the Coast is deemed to be a restricted discretionary activity, not a controlled activity.

## **SUB-S23**

### **General Rules**

Subdivisions shall comply with the rules of the Plan to the extent that they are applicable. In particular, rules in the following plan sections apply:

**NFL-Natural Features and Landscapes & HH-Historic Heritage Natural and Cultural Heritage Resources**

**NFL Protected Trees**

**NFL Riparian Margins**

**TRAN-Transport Parking, Loading and Vehicle Crossings**

**NU-Network Utilities Utilities**

## **Esplanade Reserve and Strips**

(This section has not been reviewed)

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Section 229 of the Act lists the main purposes of esplanade reserves and strips as being:

1. Protection of conservation values (particularly: natural functioning of waterbody, water quality, aquatic habitats, natural values of the esplanade reserve or strip, mitigation of natural hazards);
2. Enabling public access to sea, river or lake;
3. Enabling public recreational use where the use is compatible with conservation values.

The Council seeks to create esplanade reserves and strips at the time of subdivision along specified rivers and the coast where there is significant recreation value to achieve 2) and 3) above. However, Council does not seek to use esplanade reserves and strips to achieve 1) above.

This is because reliance on the esplanade reserve provisions (in relation to subdivision) in section 230 of the Act will not assist achievement of any significant conservation values.

Even in the few cases where opportunity to take reserves upon subdivision is available, it is doubtful that the creation of esplanades would be a cost-effective method of conservation. This is particularly so as the planting of esplanades (by far the most effective method of contributing to the protection of conservation values) is best promoted in a non-regulatory manner.

## **SUB-S24**

### **Where an Esplanade Strip May be Required**

An esplanade strip may only be required on a waterbody where the strip has significant recreation potential.

Where an esplanade reserve is required by SUB-R2 above, and one or more of the following circumstances exist, the Council may instead impose a condition of consent requiring an esplanade strip:

1. Where the mark of MHWS, river bank or lake margin may change.
2. Where it is desirable for the adjoining landowner to retain ownership of the land subject to an esplanade reserve, in order to maintain or promote the efficient and effective use of the adjoining land.
3. Where the mitigation of natural hazards would be better addressed by the creation of an esplanade strip.
4. Where public usage is likely to be facilitated or promoted by the creation of an esplanade strip.
5. Where the costs of the provision and maintenance of an esplanade reserve, including the costs of compensation (where applicable), are more than the public benefits in respect of the purposes of an esplanade reserve. In assessing this, it shall be recognised that benefits primarily in terms of access has value which cannot readily be expressed in monetary terms.
6. Where the creation of an esplanade reserve would create economic hardship, risks to



public safety or to the security of plant, machinery, stock or other property.

## **SUB-S25**

### **Width of Esplanade Reserves/Strips May be Varied or the Requirement Waived**

The width of an esplanade reserve or esplanade strip may be varied or completely waived under the following circumstances.

1. Where the recreational values are so limited that no esplanade strip or esplanade reserve can be justified.
2. Where special recreational values, cultural significance or public access arrangements warrant a wider or narrower esplanade reserve or esplanade strip.
3. Where topography or the siting of any building or other feature renders the 20 metre width excessive in regard to meeting the recreational and cultural purposes of the esplanade reserve or esplanade strip.
4. Where access to an existing or potential future reserve would be enhanced by the extra width.
5. Where the protection of waahi tapu or other taonga, as well as the provision of access to areas of importance to Maori, will be maintained or enhanced.
6. Where the land is in a natural hazard area or where there is an identified risk from one or more natural hazards (such as coastal erosion).
7. Where the costs of the provision and maintenance of a 20 metre wide esplanade reserve or esplanade strip, including the costs of compensation for any increased width, are more than the public benefits in respect of the purposes of the esplanade reserve or esplanade strip. In assessing this, it shall be recognised that benefits in terms of improved water quality, habitat and access have important values which cannot readily be expressed in monetary terms.
8. Where no additional allotments are being created by the subdivision.
9. Where access to and along the waterbody is facilitated by the existence of alternative legal access (such as paper roads).

## **SUB-S26**

### **Instrument to Create an Esplanade Strip**

The tenth schedule of the Act identifies matters which are to be included in an instrument to create an esplanade strip. The 'instrument' is registered on land titles and contains the following standard conditions.

Prohibitions include:

1. Wilfully endangering, disturbing, or annoying any lawful user (including the land owner or occupier) of the strip;
2. Wilfully damaging or interfering with any structure adjoining or on the land, including any building, fence, gate, stile, marker, bridge, or notice;
3. Wilfully interfering with or disturbing any livestock lawfully permitted on the strip.

The following acts are also prohibited on the strip:

1. Lighting any fire;
2. Carrying, discharging or shooting any firearm;
3. Camping;
4. Taking any vehicle on to, or driving or having charge or control of any vehicle on, the land (whether the vehicle is motorised or non-motorised);
5. Wilfully damaging or removing any plant (unless acting in accordance with the Noxious Plants Act 1987 or the Biosecurity Act 1993);
6. Laying any poison or setting any snare or trap (unless acting in accordance with the Agricultural Pests Destruction Act 1967 or the Biosecurity Act 1993).

The previous prohibitions will not apply to the owner/occupier of the strip or land unless the instrument specifically states so.

The following management measures may be included in the instrument:

- a. Conditions relating to animal access and/or animal control, including use of the strip for dog exercise;
- b. Closure of the strip for farm management purposes, for any specified period, including particular times and dates;
- c. Provision of signage or markings for closures and other restrictions, hazard warnings and boundary demarcation;
- d. Provision of fencing.

Where the Council and the landowner agree that works need to be completed for the safety or convenience of the public using the strip, the nature of these works shall be settled by negotiation between the land owner and the Council, with Council paying for any works of public benefit.

## **SUB-S27**

### **Compensation**

1. Section 237E of the Act states that no compensation for esplanade reserves or esplanade strips is payable where an allotment of less than 4 hectares is created when land is subdivided;
2. Section 237F of the Act states that compensation is payable in respect of any esplanade reserve or strip required on, or from, an allotment of 4 hectares or more which is created.

## NFL – Natural Features and Landscapes

### NFL-CESM-S4

#### Hazardous Substances

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous Facility Screening Procedure.

All activities shall comply with the standards in **HAZ - Hazards and Risks**

## GRZ – General Residential Zone

### GRZ-S9

#### Hazardous Substances

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous Facility Screening Procedure.

All activities shall comply with the standards in **HAZ - Hazards and Risks**

## CRZ – Coastal Residential Zone

### CRZ-S3

#### Hazardous Substances

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous Facility Screening Procedure.

All activities shall comply with the standards in **HAZ - Hazards and Risks**

## GRUZ – General Rural Zone

### GRUZ-S3

#### Hazardous Substances

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous Facility Screening Procedure.

All activities shall comply with the standards in **HAZ - Hazards and Risks**

## RLZ – Rural Lifestyle Zone

### RLZ-S6

#### Hazardous Substances

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous Facility Screening Procedure.

All activities shall comply with the standards in **HAZ - Hazards and Risks**

## RPROZ -- Rural Production Zone

### RPROZ-S3

#### Hazardous Substances

Any new or expanded hazardous facility is subject to the provisions of Appendix F--  
Hazardous Facility Screening Procedure.

All activities shall comply with the standards in **HAZ - Hazards and Risks**

## SETZ -- Settlement Zone

### SETZ-S3

#### Hazardous Substances

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous  
Facility Screening Procedure.

All activities shall comply with the standards in **HAZ - Hazards and Risks**

## COMZ -- Commercial Zone

### COMZ-CC-S3

#### Hazardous Substances

Any new or expanded hazardous facility is subject to the provisions of Appendix F-- Hazardous  
Facility Screening Procedure.

All activities shall comply with the standards in **HAZ - Hazards and Risks**

### COMZ-NC-S7

#### Hazardous Substances

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous  
Facility Screening Procedure.

All activities shall comply with the standards in **HAZ - Hazards and Risks**

## AZ -- Airport Zone

### AZ-S3

#### Hazardous Substances

Any new or expanded hazardous facility is subject to the provisions of Appendix F--  
Hazardous Facility Screening Procedure.

All activities shall comply with the standards in **HAZ - Hazards and Risks**

## Definitions

**ancillary activity** \_\_\_\_\_ an activity that supports and is subsidiary to a primary activity

### **hazardous facilities**

means any activity, site, building, installation or vehicle associated, or intended to be associated, with the use, storage, handling or disposal of hazardous substances, but does not include the following:

- a. incidental use or storage of hazardous substances in domestic scale quantities;
- b. trade waste sewer and waste treatment or disposal facilities, due to the difficulty of identifying the quantity and nature of the substances involved;
- c. storage or use of hazardous consumer products for private domestic purposes, because the degree of hazard is generally below the scale of potential effects considered by the HFSP;
- d. retail outlets for the domestic usage sale of hazardous substances (eg supermarkets, hardware shops, pharmacies), because storage of hazardous substances is generally in small packages;
- e. facilities using genetically modified or new organisms;
- f. developments that are, or may be, hazardous but do not involve hazardous substances (eg mineral extraction, high voltage transmission lines, radio masts, electrical substations). These are controlled by other District Plan provisions;
- g. dust explosions;
- h. gas and oil distribution systems;
- i. fuel in motor vehicles, boats and small engines such as weed eaters, lawnmowers, chainsaws etc;
- j. the transportation, storage, and/or use in any zone of hazardous substances in association with temporary military training activities.

means the use of land and/or buildings (or any part of) for one or more of the following activities:

- a. Manufacturing and associated storage of hazardous substances (including manufacture of agricultural fertilisers, acids/alkalis or paints).
- b. Petroleum exploration and petroleum production.
- c. The storage/use of more than 100,000L of petrol.
- d. The storage/use of more than 100,000 of diesel.

- e. The storage/use of more than 6 tonnes of LPG.
- f. Galvanising plants.
- g. Electroplating and metal treatment.
- h. Tanneries.
- i. Timber treatment.
- j. Freezing works and rendering plants.
- k. Wastewater treatment plants.
- l. Metal smelting and refining (including battery refining or recycling).
- m. Milk processing plants (except where milk processing plant is specifically designed to contain and store milk so that any reasonably potential spillage of milk is contained within the site of the plant until it can be disposed of to an approved wastewater system).
- n. Fibreglass manufacturing
- o. Polymer foam manufacturing.

For (c) and (d), it does not include the underground storage of petrol at service stations undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum - Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum - Operation.

#### **Industrial activities**

means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.

means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.

#### **'synergistic effect**

means an effect arising between two or more substances that produces an effect greater than the sum of their

individual effects.





**WHANGANUI  
DISTRICT COUNCIL**  
Te Kaunihera a Rohe o Whanganui

**Submission on a Publicly Notified Plan Change to the Whanganui District Plan**

Resource Management Act 1991 In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

Name: (print in full) George Russell.

This is a submission on Plan Change No. 54 to the Whanganui District Plan.

Closing Date: 30-01-21.

1. (a) ~~I could~~ could not gain an advantage in trade competition through this submission.  
(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.

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

Re-zoning 34-37 Bedford Avenue  
from G1Z to GR2 Residential.

(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):

We have owned the property since 2000 & lived at 37 Bedford since 2016. Have had many enquires re residential section sale of adjacent 8150m<sup>2</sup> site. Site is well suited with adjacent walkway & river aspect.  
We totally support the re-zoning plan change.

(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):

Re Zone of 31-39 Bedford Land from  
G1Z to GR2 Residential

(Use additional pages if required)



5. ~~I do~~/do not wish to be heard in support of this submission.
6. If others make a similar submission I would /~~would not~~ be prepared to consider presenting a joint case with them at any hearing.

7. Address for service:

31 Bedford Avenue  
Glenville  
Whanganui 4501

Signature: [Signature]

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

Day time phone No: 021 447240

Email: georgeandhelen@extra.co.nz

Date: 27-07-21

3. Continued

Rezoning of the riverside land would provide much needed additional residential development opportunity. It would also greatly enhance the cycle/walkway providing a far more attractive use of land than any industrial development. With limited riverside land available we anticipate high interest in a residential development. Focus would be on quality housing or apartment style development.



## Form 5

### Submission on notified proposal for Plan Change 54 – General Industrial Zone, Hazardous Substances and Contaminated Land Chapters

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To Whanganui District Council**

**Name of Submitter: Fire and Emergency New Zealand (Fire and Emergency)**

This is a submission on the notified Proposed Plan Change 54 – General Industrial Zone, Hazardous Substances and Contaminated Land Chapters (PC54), to the District Plan (the Plan) as notified by Whanganui District Council.

Fire and Emergency could not gain an advantage in trade competition through this submission.

**Fire and Emergency's submission is:**

In achieving the sustainable management of natural and physical resources under the Resource Management Act 1991 (RMA), decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment. The risk of fire represents a potential adverse effect of low probability but high potential impact. Fire and Emergency has a responsibility under the Fire and Emergency New Zealand Act 2017 to provide for firefighting activities to prevent or limit damage to people, property and the environment. As such, Fire and Emergency has an interest in the land use provisions of the District Plan to ensure that, where necessary, appropriate consideration is given to fire safety and operational firefighting requirements.

The main functions of Fire and Emergency, as identified in section 11 of the Fire and Emergency New Zealand Act 2017, are

- to promote fire safety, including providing guidance on the safe use of fire as a land management tool,
- to provide fire prevention, response, and suppression services,
- to stabilise or render safe incidents that involve hazardous substances,
- to provide for the safety of persons and property endangered by incidents involving hazardous substances,
- to rescue persons who are trapped as a result of transport accidents or other incidents,
- to provide urban search and rescue services, and
- to efficiently administer the Fire and Emergency New Zealand Act 2017.

Fire and Emergency also assists in the following additional functions, as identified in section 12 of the Fire and Emergency New Zealand Act 2017, to the extent it has capability and capacity to do so

- responding to medical emergencies,
- responding to maritime incidents,
- performing rescues, including high angle line rescues, rescues from collapsed buildings, rescues from confined spaces, rescues from unrespirable and explosive atmospheres, swift water rescues, and animal rescues, providing assistance at transport accidents (for example, crash scene cordoning and traffic control),
- responding to severe weather-related events, natural hazard events, and disasters,
- responding to incidents in which a substance other than a hazardous substance presents a risk

- to people, property, or the environment,
- promoting safe handling, labelling, signage, storage, and transportation of hazardous substances, and
- responding to any other situation if Fire and Emergency has the capability to assist.

This submission seeks to enable Fire and Emergency to carry out its responsibilities under the Fire and Emergency New Zealand Act 2017 effectively in the protection of lives, property and the surrounding environment. This submission addresses matters relating to activities required to be undertaken to enable effective firefighting training, emergency response and to provide for the health and safety of people and communities in the Whanganui District.

**The specific provisions of the proposal that Fire and Emergency's submission relates to are:**

- Fire safety and fire prevention□
- Water supply and access to this supply□
- The establishment of new fire stations□
- The operation of fire stations□
- Hazards and risks□
- Subdivision and infrastructure□and
- Development.

Fire and Emergency seeks to ensure that appropriate consideration is given to fire safety and operational firefighting requirements, particularly in relation to subdivision, rural development and fire station development.

As such, PC54 provides Fire and Emergency an opportunity to better facilitate the health, safety and wellbeing of people and communities by providing for fire station facilities, fire safety, fire prevention, fire extinction, and associated training. This will enable Fire and Emergency to achieve their principal objective which include reducing the incidence of unwanted fire and the associated risk to life and property, protecting and preserving life, and preventing or limiting injury, damage to property and the environment.

To do so, Fire and Emergency requires□

- The ability to construct and operate fire stations in locations which will enable reasonable response times to fires and other emergencies□and
- Adequate water supply and access for firefighting activities.

Comment on each of these provisions concerning the Proposed Plan Change is provided below□

**The ability to construct and operate Fire and Emergency fire stations in locations which will enable reasonable response times to fires and other emergencies**

The 2020 – 2021 Statement of Performance Expectations contains a commitment by FENZ to the New Zealand Government for the following response times to emergencies in urban areas□

- Career crews respond to 80□ of medical emergencies within eight minutes□
- Urban volunteer crews respond to 85□ of medical emergencies within 11 minutes□
- 90□ of vegetation fires arrived at within 30 minutes□
- Crews from specialist resource locations respond to 85□ of hazardous substances incidents within 60 minutes.

These response time commitments are a key determinant for the location of fire stations and, as such, fire stations must be able to be located throughout the urban and rural environment so that FENZ is able to attend an emergency within a primary response area in an effective and timely manner. Further, communities have an expectation that FENZ will respond promptly to fire and other emergencies in order to protect lives and property and therefore avoid or mitigate the adverse effects of fire.

There is currently one fire station within the Whanganui District, as listed in the table below□

**Table 1: Fire Station in the Whanganui District**

Station	Address	Current Zone	Proposed Zone
Whanganui Voluntary Fire Station	89 Maria Place	Outer Commercial Zone	No change

The effects of a fire station can be largely anticipated and, in the most part, do not differ to the effects of a number of activities that may be anticipated in industrial environments.

In terms of height requirements, fire stations will generally be single storied buildings of approximately 8 to 9 metres in height. Hose drying towers may also be required in some cases, which can be around 12 to 15 metres in height.

Setback distances from road frontages are also required to accommodate the stopping of appliances outside the appliance bays, but off the road reserve area.

Vehicle movements to and from fire station sites differ depending on whether a fire station accommodates volunteer or career firefighters, on the number of emergencies, and are primarily related to fire appliances movements and firefighter private vehicles.

### **Adequate water supply and access for firefighting activities**

The provision for adequate water supply, especially in rural and isolated areas is critical. It is important to Fire and Emergency that any new development that does not have access to a reticulated water supply has access to an adequate firefighting water supply of some kind. This essential emergency supply will provide for the health, safety and wellbeing of people and the wider community, and therefore achieves the purpose of the RMA.

The New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (Code of Practice) is a non-mandatory New Zealand Standard that sets out the requirements for firefighting water and access. The Code of Practice ensures a consistent approach throughout New Zealand and enables Fire and Emergency to operate effectively and efficiently in a fire emergency. The Code of Practice provides techniques to define a sufficient firefighting water supply that may vary according to the circumstances and is based on an assessment of the minimum water supplies needed to fight a fire and to limit fire spread according to each different building's fire hazards. The firefighting water supply required to address the fire hazard may be established by use of tables within the Code, or by calculation. The Code of Practice is written to provide flexibility as to how the firefighting water supplies can be provided.

Adequate access to both the source of a fire and a firefighting water supply is also essential to the efficient operation of Fire and Emergency. The requirements for firefighting access are set out in the Code of Practice and further detailed in Fire and Emergency's 'Emergency Vehicle Access Guidelines' (May 2015).

A fire appliance requires, as a minimum, access which is 4 metres in width and 4 metres in height clearance, with a maximum gradient of 1 in 5 (and accompanying transition ramps).

### **Key submission themes**

New fire stations may be necessary in order to continue to achieve emergency response time commitments in situations where development occurs, and populations change. In this regard it is noted that Fire and Emergency is not a requiring authority under section 166 of the Resource Management Act 1991 (RMA), and therefore does not have the ability to designate land for the purposes of fire stations. Provisions within the rules and standards of the Whanganui District Plan are therefore the best way to facilitate the development of any new fire stations within the Whanganui District as urban development progresses.

Fire and Emergency seeks that PC54 includes rules and standards that provide for new emergency service facilities throughout the district. Fire and Emergency also seeks that PC54 makes provision for activities on

the current fire station sites, and for new fire stations, within the objectives, policies, rules and standards of the Plan in order to achieve the purpose of the RMA.

Depending on population developments, a new station could conceivably be required in the General Industrial Zone within the Whanganui District Plan and Fire and Emergency seeks that new stations are provided for in this zone as permitted or restricted discretionary activities.

In this regard it is noted that a fire station falls within the definition of a 'hazardous facility' and as it is currently drafted, establishment of a new fire station would require resource consent.

In order for Fire and Emergency to achieve their principal objective which includes reducing the incidence of unwanted fire and the associated risk to life and property, protecting and preserving life, and preventing or limiting injury, damage to property land, and the environment, Fire and Emergency requires adequate water supply be available for firefighting activities and adequate access for new developments and subdivisions to ensure that Fire and Emergency can respond to emergencies.

Fire and Emergency seeks that PC54 includes provision for adequate water supply and considers this critical. It is important to Fire and Emergency that any new subdivision or land use has access to adequate water supply. It has been noted that the reticulated water supply in the district may not have capacity to provide adequate firefighting water supplies to new buildings and therefore the consideration of alternative water supply systems is critical. This essential emergency supply will provide for the health, safety and wellbeing of people and the wider community, and therefore contributes to achieving the purpose of the RMA.

For many years Fire and Emergency has submitted on notified subdivision and land use applications and proposed plan changes within the Whanganui District to seek that new buildings provide appropriate water supply and access for firefighting appliances in accordance with the Code of Practice. Fire and Emergency acknowledges that new and amended provisions sought in its submissions have usually been accepted and incorporated into plan changes and consents.

**Fire and Emergency seek the following decision from the local authority:**

- Amend PC54 where requested to provide for the safety and wellbeing of people and communities in the Whanganui District by making the changes set out in Appendix A to this submission, including any further or consequential relief that may be necessary to address the matters raised in this submission.

**Fire and Emergency wishes to be heard in support of its submission.**

**If others make a similar submission, Fire and Emergency will consider presenting a joint case with them at a hearing.**



Signature of person authorised to sign on behalf of

**Fire and Emergency**

Date 30/07/2021

**Electronic address for service of person making further submission:** Britta.blann@beca.com

**Telephone:** 04 460 1763

**Postal address:** Beca Ltd, PO Box 3942, Wellington 6140

**Contact person:** Britta Blann

## Appendix A: Fire and Emergency New Zealand Submission Points on the Proposed Plan Change 54 to the Whanganui District Plan

The following table sets out the decisions sought by Fire and Emergency, including specific amendments to provisions of the Proposed Plan Change 54. These amendments are shown as **red** (for new text sought).

	Provision	Position	Comment	Decision Sought
<b>General Industrial Zone</b>				
1	GIZ-P1 <i>'Enable industrial activities and other activities compatible with the role, function and character of the zone.'</i>	Support	This policy specifically manages industrial activities in the General Industrial Zone.	Retain as notified.
2	GIZ-P4 <i>'Manage the establishment of non-industrial activities in the zone by assessing their appropriateness including whether:</i> <ol style="list-style-type: none"> <li><i>1. the purpose of the activity supports or provides services to industrial activities and results in the efficient use of industrial land;</i></li> <li><i>2. the activity has a functional or operational need to establish in the zone;</i></li> <li><i>3. the activity will limit or constrain the establishment of activities that are permitted in the zone;</i></li> <li><i>4. the activity will result in any conflict and/or potential reverse</i></li> </ol>	Support	This policy specifically manages non-industrial activities in the General Industrial Zone and would generally support the establishment of a fire station in the Industrial Zone.	Retain as notified.

	Provision	Position	Comment	Decision Sought
	<p><i>sensitivity effects with existing industrial activities; and</i></p> <p>5. <i>the activity has the potential to undermine the vitality of the district's commercial areas.'</i></p>			
3	<p>GIZ P7</p> <p><i>'Ensure development in the Mill Road industrial area is generally consistent with the indicative roading layout, indicative shared pathways/walkways, landscape screening and three waters infrastructure network identified on the Mill Road Structure Plan (Appendix M)'</i></p>	Support	Policy GIZ-P7 ensures consistency with the indicative roading layout and three waters infrastructure network identified on the Mill Road Structure Plan which Fire and Emergency generally supports.	Retain as notified.
4	<p>GIZ-R3</p> <p>Activity Status <input type="checkbox"/> Discretionary</p> <p><i>The following activities not specified elsewhere:</i></p> <p>1. ..</p> <p>..</p>	Oppose in part	<p>Emergency service facilities are not listed as a permitted activity and therefore default to a discretionary activity under Rule GIZ-R3.</p> <p>There may be a functional need for emergency service facilities (including fire stations) be located within this zone to improve emergency response times and availability of staff resourcing.</p> <p>Fire stations are located to provide appropriate and timely response services to communities. Fire stations of a larger nature can be required in industrial areas because</p>	<p>Retain notified provision subject to the amendment and additional definition as below <input type="checkbox"/></p> <p><u>GIZ-R1</u></p> <p>Activity status <input type="checkbox"/> Permitted activity.</p> <p><u>8. Emergency service facilities</u></p> <p>A consequential amendment seeking the inclusion of the definition as below <input type="checkbox"/></p> <p><u>Emergency service activities</u></p>

	Provision	Position	Comment	Decision Sought
			<p>this is the best place to cover the risk to the community.</p> <p>Emergency service facilities should not be defined as residential or industrial facilities however they do provide important community services. Therefore, emergency service facilities should be a permitted activity in the communities they serve, further providing certainty that emergency service facilities are provided for where required.</p> <p>Emergency service facilities will continue to be subject to the provisions of the HSWA □ HSNO, outside of the District Plan.</p>	<p><u>means those activities and associated facilities that respond to emergency callouts, including police, fire, civil defence and ambulance services, but excluding health care facilities and hospitals.</u></p>
5	<p>GIZ-S1 Buildings and Structures</p> <p><i>'Height recession plane</i>  <i>All new buildings and structures, and additions to existing buildings and structures, shall be designed and constructed to fit within a recession plane (or height-to-boundary plane) commencing at 2 metres above the existing ground level at any front or residentially zoned side boundary, then projecting from this line inwards at a 45-degree angle.</i></p> <p><i>The following structures are exempt from the above height recession plane standard:</i>  a. ..</p>	Oppose in part	<p>Emergency service facilities generally include hose drying towers as part of the operation of the activity.</p> <p>Fire stations are single storied buildings of approximately 8 to 9 metres in height. Some fire stations also include a hose drying tower of between 12 to 15 metres in height. Fire and Emergency considers that the inclusion of an exemption for emergency service facilities from the recession plane better provides for the health and safety of the community by enabling the efficient functioning of Fire and Emergency.</p>	<p>Retain notified provision subject to addition as below□</p> <p><i>The following structures are exempt from the above height recession plane standard:</i>  a. ..'  ..'  <u>(h). Ancillary structures associated with Emergency service facilities including hose drying towers for fire stations up to 15 metres in height.</u></p>

	Provision	Position	Comment	Decision Sought
	..'			
6	<p>GIZ-S2 Outdoor Storage and Work Areas</p> <p>a. All outside storage work areas shall be screened from any public road or adjoining residential or open space zoned site by either :</p> <p>i. a solid fence to a minimum height of 1.8 metres; or</p> <p>ii. shrubs capable of growing to a minimum height at maturity of 1.8 metres, with plant spacing designed to achieve solid screening within two years of planting.</p> <p>b. This standard does not apply to outside areas used for the purpose of sales display or vehicle access.</p>	Support in part	Fire and Emergency considers that GIZ-S2 includes reasonable mitigation measures to address amenity considering the Industrial nature of the zone. However, planting and screening should not be required where it will obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves or other emergency response facilities or should be constructed in a way to ensure the signs and facilities are visible and accessible.	<p>Retain notified provision subject to addition as below</p> <p>GIZ-S2 Outdoor Storage and Work Areas</p> <p>a. ..</p> <p>b. ..</p> <p><u>(c.) Planting and screening shall not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves or other emergency response facilities.</u></p>
7	<p>GIZ-S3 Visual Amenity</p> <p>All new development on the southern and western boundaries of the Mill Road Structure Plan</p>	Support in part	Fire and Emergency consider that GIZ-S3 includes reasonable mitigation measures to address amenity considering the industrial nature of the zone. However, planting and screening should not be required where it will obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves or other emergency	<p>Retain notified provision subject to addition as below</p> <p>GIZ-S3 Visual Amenity</p> <p>...</p> <p>a. ...</p> <p>..</p>



	Provision	Position	Comment	Decision Sought
	<p><i>Area indicated on Appendix M, shall provide a 5m wide screen planting area that meets the following specifications:</i></p> <ul style="list-style-type: none"> <li><i>a. The area must be established, planted and maintained with a variety of shrubs and trees; and</i></li> <li><i>b. Shrubs must be capable of growing to a minimum height at maturity of 4 metres; and</i></li> <li><i>c. Trees must be capable of growing to a minimum height at maturity of 9 metres; and</i></li> <li><i>d. Plants shall each be 1.5m minimum height at time of planting; and</i></li> <li><i>e. Plant spacing shall be designed to achieve solid screening within two years of planting.</i></li> </ul>		response facilities or should be constructed in a way to ensure the signs and facilities are visible and accessible.	<u>(f.) Planting and screening shall not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves or other emergency response facilities.</u>
8	Standards GIZ (General)	Support in part	<p>There are no rules provisions to ensure that adequate water supply for firefighting purposes will be provided to all new buildings and structures.</p> <p>While policy GIZ-P7 ensures consistency with the indicative roading layout and three waters infrastructure network identified on the Mill Road Structure Plan, the Structure Plan specifically states that reticulated water supplies does not have capacity to provide for water supplies for firefighting purposes.</p>	<p>Retain notified provision with the introduction of an additional standard</p> <p><u>GIZ-S(x) Firefighting water supply</u>  <u>All new buildings and structures shall provide an adequate supply of water and access to water supplies for firefighting purposes in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</u></p>

	Provision	Position	Comment	Decision Sought
			<p>There are no provisions requiring an alternative method to provide for an adequate firefighting water supply and therefore poses a risk to Fire and Emergency.</p> <p>The addition of a standard to ensure that an adequate water supply is provided to any new buildings or structures will better achieve the purpose of the RMA by providing for the health and safety of people and communities.</p>	
<b>Hazards and Risks</b>				
9	<p>Definition <input type="checkbox"/> Hazardous Facilities</p> <p><i>Means the use of land and/or buildings (or any part of) for one or more of the following activities:</i></p> <p><i>a. Manufacturing and associated storage of hazardous substances (including manufacture of agrichemicals fertilisers, acids/alkalis or plants).</i></p> <p><i>b. ..</i></p>	Neutral	<p>Fire service facilities meet the definition of hazardous facilities based on the activity thresholds proposed. However, the definitions lack clarity in their application in the Hazards and Risks chapter.</p> <p>Where 'manufacturing' is included in the definition, all businesses will have some amount of hazardous substances on site and anyone 'manufacturing' and storing hazardous substances (which could include domestic cleaning products) may unreasonably require consent as a discretionary activity.</p> <p>There are no provisions relating to 'hazardous facilities' in PC54. It is unclear if 'hazardous facilities' are considered 'significant hazardous facilities'.</p> <p>Anything on this scale should be defined in the District Plan and evaluated by Council to</p>	<p>Request for further information and consequential amendments as below <input type="checkbox"/></p> <p>Clarification is sought on the provisions that relate to 'hazardous facilities' and the determining factors in relation to 'significant hazardous facilities' as worded in various provisions throughout PC54.</p> <p><i>Means the use of land and/or buildings (or any part of) for one or more of the following activities:</i></p> <p><i>a. Manufacturing <del>and associated storage</del> of hazardous substances (including manufacture of agrichemicals fertilisers, acids/alkalis or plants).</i></p> <p><i><u>(p.) The storage and/or treatment of hazardous waste (including reuse and</u></i></p>

	Provision	Position	Comment	Decision Sought
			ensure it meets the requirements for amenity values and impact on cultural and environmental values as noted throughout the plan.	<u>recycling facilities) or hazardous substances awaiting reuse, recycling or treatment.</u>  Note: Quantity thresholds of that being stored should be provided with this definition point.  <u>(q.) Any facility deemed a Major Hazardous Facility under the Health and Safety at Work Major Hazardous Facilities Regulations 2016.</u>
10	HAZ-R1 Activity status <input type="checkbox"/> Discretionary <i>Significant Hazardous Facilities in the General Industrial, Rural Production, Rural Lifestyle, General Rural and Rural Settlement zones.</i>	Neutral	Significant hazardous facilities are listed as discretionary activities in the General Industrial Production, Rural Lifestyle, General Rural and Rural Settlement zones and non-complying activities in all other zones.  As stated in the submission point above, there are no provisions relating to 'hazardous facilities' in PC54.  It is unclear if 'hazardous facilities' are considered 'significant hazardous facilities'.	Request for further information as below <input type="checkbox"/>  Clarification is sought on the definition of 'Significant hazardous facilities' and the determining factors in relation to 'hazardous facilities'.
<b>Subdivision</b>				
11	SUB-R2 <i>'11. Subdivision in the General Industrial Zone</i>  <i>Council restricts its discretion to:</i> .. c. <i>Provision of appropriate infrastructure and services, including water supply (including firefighting water supply), ..</i> ..'	Support in part	Fire and Emergency supports Rule SUB-R2, acknowledging that matters of discretion include the provision of appropriate infrastructure including firefighting water supply.  It is noted from the Mills Road Structure Plan that firefighting water supply cannot be provided through reticulated water supply systems. There are no requirements to provide an alternative firefighting water supply system.  This rule should provide a clear requirement and give assurance that an adequate	Retain notified provision subject to amendments as below <input type="checkbox"/>  'SUB-R2 <i>11. Subdivision in the General Industrial Zone</i>  <i>Council restricts its discretion to:</i> .. c. <i>Provision of appropriate infrastructure and services, including water supply (including firefighting water supply <u>in accordance with New Zealand Fire</u></i>

	Provision	Position	Comment	Decision Sought
			<p>firefighting water supply will be provided to all new subdivisions in the General Industrial Zone.</p> <p>It should be noted that the note provided with rule SUB-R2 states</p> <p><i>'The following provisions only apply to subdivision and land use activity in the General Residential, all Rural, Airport, Neighbourhood Commercial and Open Spaces Zones'.</i></p> <p>This presents inconsistency with SUB-R2 11. which applies to the General Industrial Zone.</p>	<p><u><a href="#">Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</a></u>), ..</p> <p>..'</p>



## FORM 5

### Submission on a publicly notified proposal for policy statement or plan, change or variation under Clause 6 of Schedule 1, Resource Management Act 1991.

To <input type="checkbox"/>	Whanganui District Council
Name of submitter:	Ministry of Education ('the Ministry')
Address for service <input type="checkbox"/>	C/- Beca Ltd PO Box 6345 Wellesley Auckland 1141
Attention <input type="checkbox"/>	Adriene Grafia
Phone <input type="checkbox"/>	09 308 0863
Email <input type="checkbox"/>	adriene.grafia@beca.com

**This is a submission on the Proposed Plan Change 54 – Industrial to the Whanganui District Plan (the proposed Plan Change).**

#### Background

The Ministry is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry assesses population changes, school roll fluctuations and other trends and challenges impacting on education provision at all levels of the education network to identify changing needs within the network so the Ministry can respond effectively.

The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing. The Ministry is therefore a considerable stakeholder in terms of activities that may impact on existing and future educational facilities and assets in the Whanganui District, and has a strong interest in the provision of educational facilities in the Whanganui District Plan ('the District Plan') generally.

The Minister of Education is a Requiring Authority as defined in Section 166 of the Resource Management Act. Designation of existing and proposed school sites is a technique used nationally by the Minister. It is the most effective way of ensuring that the Minister's interests in a site are protected. Certainty is important since the Minister traditionally makes a long-term commitment to any particular site selected for such uses. Schools and related properties are considered to be positive assets within their local community.

In addition to state schools, the Minister also has an interest in respect of state integrated (SI) schools. SI schools are not Crown-owned property and as such, some SI schools may choose not to be designated. As part of its wider education responsibilities, the Ministry also has an interest in the District Plan provisions for educational facilities which are not subject to the designation process.

#### The Ministry of Education's submission is:

The specific amendments, additions or retentions sought by the Ministry for the proposed Plan Change are listed in Attachment 1 of this submission. Proposed additions are shown as underline.



That the proposed amendments, additions, and retentions as set out in Attachment 1 be accepted.


**The Ministry wishes to be heard in support of its submission.**

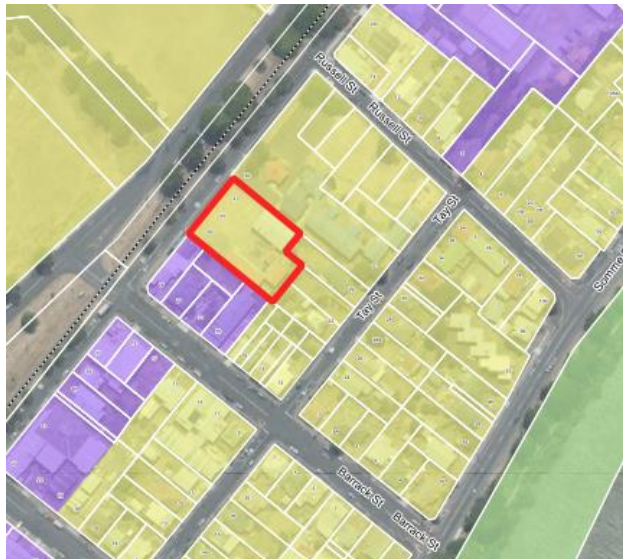


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**Date:** 30 July 2021

Attachment 1 – Ministry submission on the Proposed Plan Change

ID	Proposed Provision	Position	Reason for submission	Decision requested
1	<p>Proposed District Plan Map Changes</p> <p>16 – 36 Matipo Street Castlecliff (Te Kura o Kokohuia School)    66 Matipo (part Kokohuia Reserve)</p> <p>Description of change – The proposed Plan Change is seeking to rezone approximately 2.4 ha of land designated for education purposes (Designation reference – D17) from General Industrial Zone to General Residential Zone. It also proposes rezoning of the approximately 4.9 ha of land immediately adjoining the land designated under D17 and existing Te Kura o Kokohuia School from General Industrial Zone to Open Space Zone.</p> 	Support	<p>The Ministry supports the proposed zoning changes.</p> <p>The proposed zone change to General Residential Zone is consistent with that same zoning across the school site.</p> <p>The rezoning of adjoining land to Open Space Zone links to the adjoining Open Space Zone.</p>	Retain the zoning as proposed.

2	<p>Proposed District Plan Map Changes</p> <p>31-34 London Street (St Mary's School)</p> <p>Description of changeThe proposed Plan Change is seeking to rezone approximately 2000 m² of land from General Industrial Zone to General Residential Zone.</p> 	Support	<p>The Ministry support the proposed rezoning of the land from General Industrial Zone to General Residential Zone. Part of the existing St Mary's School is located on the land subject to the zone change. It is noted that the adjoining land to the north comprises the rest of St Mary's School and is already zoned General Residential Zone. The proposed zoning change provides for consistent zoning being applied to the School.</p>	Retain the zoning as proposed.						
3	<p>General Industrial Zone</p> <table><tr><td>GIZ-R3</td><td>The following activities not specified elsewhere 1. Community activities; 2. Commercial activities; 3. Network utilities not provided for as permitted or restricted</td><td>Discretionary (DIS)</td></tr></table>	GIZ-R3	The following activities not specified elsewhere 1. Community activities; 2. Commercial activities; 3. Network utilities not provided for as permitted or restricted	Discretionary (DIS)	Oppose	<p>The proposed Plan Change is seeking to apply a Non-complying activity status for "Sensitive activities". Education facilities are considered Sensitive Activities under the District Plan definitions.</p> <p>The Ministry opposes this Non-complying activity status for education facilities within the General Industrial Zone. Certain education facilities such as work</p>	<p>Insert 'Education facilities' as one of the activities in Rule GIZ-R3.</p> <table><tr><td>GIZ-R3</td><td>The following activities not specified elsewhere 1. Community activities; 2. Commercial activities;</td><td>Discretionary (DIS)</td></tr></table>	GIZ-R3	The following activities not specified elsewhere 1. Community activities; 2. Commercial activities;	Discretionary (DIS)
GIZ-R3	The following activities not specified elsewhere 1. Community activities; 2. Commercial activities; 3. Network utilities not provided for as permitted or restricted	Discretionary (DIS)								
GIZ-R3	The following activities not specified elsewhere 1. Community activities; 2. Commercial activities;	Discretionary (DIS)								



		discretionary in NU- Network Utilities; 4. Any other activity not provided for as permitted, controlled, restricted discretionary or non- complying.			<p>skills training centres may have a functional need to be located within industrial areas, in close proximity to the industry they relate to. The Ministry therefore considers that a Non-complying activity status is too restrictive on the provision of this type of essential educational facility.</p> <p>The Ministry therefore requests that education facilities be given a Discretionary activity status within the General Industrial Zone. It is noted that the assessment can be guided by the provisions proposed under GIZ-P4.</p>		<p>3. Network utilities not provided for as permitted or restricted discretionary in NU-Network Utilities; 4. <u>Educational facilities</u> <input type="checkbox"/> 5. Any other activity not provided for as permitted, controlled, restricted discretionary or non-complying.</p>	
	GIZ-R4	Sensitive Activities and visitor accommodation	Non-complying (NC)					



# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## Submission on a Publicly Notified Plan Change to the Whanganui District Plan

Resource Management Act 1991 In accordance with Form 5 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

**Name:** *(print in full)* .....First Gas Limited .....

**This is a submission on Plan Change No. 54... to the Whanganui District Plan.**

**Closing Date:....30 July 2021.....**

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

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

.....Please refer to full submission attached, which provides comments on all proposed provisions.

.....  
.....

*(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):*

.....Please refer to full submission attached. In summary, First Gas Limited have provided support, support in part, and oppose in part, to certain provisions with the intention of ensuring that the gas transmission network is protected, can be effectively operated and maintained and that those persons living and working nearby are kept safe.....*(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 Council agree with the relief being sought in the attached submission.....

..... *(Use additional pages if required)*

5. I ~~do~~/~~do not~~ wish to be heard in support of this submission.
6. If others make a similar submission I **would** /~~would not~~ be prepared to consider presenting a joint case with them at any hearing.

7. **Address for service:**

**First Gas Limited  
Private Bag 2020  
New Plymouth 4342  
Attention: Nicola Hine**

.....

Signature: .....  .....

...(Land and Planning Advisor).....

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

**Day time phone No:** ...06 215 4025.....

**Email:** .....nicola.hine@firstgas.co.nz

**Date:** .....30 July 2021.....

**First Gas Limited**

42 Connett Road, Bell Block  
Private Bag 2020, New Plymouth, 4340  
New Zealand

P 064 6 755 0861

F 064 6 759 6509

27 July 2021

Whanganui District Council  
PO Box 637  
Whanganui

[yourcouncil@whanganui.govt.nz](mailto:yourcouncil@whanganui.govt.nz)

## **SUBMISSION ON PUBLICLY NOTIFIED PLAN CHANGE 54 TO THE WHANGANUI DISTRICT PLAN – FIRST GAS LIMITED**

Firstly, thank you for the initial opportunity for First Gas Limited ('Firstgas') to provide comments on the Draft Plan, which we did in our letter of 19 March 2019.

### **Confirmation of Interests**

Firstgas has an interest in the General Industrial Zone (formerly referred to as the Manufacturing Zone) and has pipelines through some areas with this zoning.

Firstgas' predecessors typically relied on gas easements to protect the interests of the gas transmission network. However, reliance on easements has not delivered consistently good planning outcomes. As a result, Firstgas has become more proactive in the amendment to and development of planning documents.

In summary, Firstgas seeks that the gas transmission network, inclusive of above ground assets and incidental equipment, is

- Enabled to be safely, effectively and efficiently accessed, operated, maintained, replaced, upgraded, removed and developed and
- Protected from third party activities (including reverse sensitivity effects) which may adversely affect the safe, effective and efficient operation of the gas transmission network, inclusive of access.


We seek that these outcomes are secured for our infrastructure through a range of definitions, objectives, policies and methods (including rules, notification statements and illustrating the network on maps) in district plans. Our submission includes this letter, the following 20 pages, and the submission form.

Firstgas request the opportunity to be heard at a hearing.

Yours faithfully



**Nicola Hine**  
Land and Planning Advisor

Reference	Provision	Support / oppose and reason	Requested Relief
<b>Appendix 1 – Proposed District Plan Map Changes</b>			
16 - 36 Matipo Street Castlecliff (Te Kura O Kokohuia School) □ 66 Matipo (part Kokohuia Reserve)	As notified. Specifically 	Support – Firstgas note the proposed rezoning of the parcel known as Part Section 227 Right Bank Wanganui River from Industrial to Open Space Zone. Firstgas have pipeline along the northern boundary of the site and support this change, as open space areas coincide better with pipelines than areas earmarked for more intensive development.	Retain
<b>Appendix 2 – Proposed District Plan Text Changes</b>			
GIZ-I3	The Mill Road industrial area is a key contributor to providing locational choice and industrial development opportunities in the district, particularly for light-medium industries. As the area is still largely undeveloped and predominantly under individual ownership it is critical that the effects and demands of future industrial development are managed in an orderly, integrated fashion, particularly in terms of the location and staging of supporting infrastructure services.	Support – the provision is adequate	Retain

GIZ-O1	Industrial activities are able to easily establish and safely and efficiently operate within the zone.	Support – the provision is adequate	Retain
GIZ-O2	Adverse effects on amenity values within the zone and adjoining zones are managed, particularly at Residential Zone boundaries.	Support – the provision is adequate	Retain
GIZ-O3	The industrial role, function and character of the zone is not compromised by the establishment of non-industrial or other incompatible activities.	Support – the provision is adequate	Retain
GIZ-O4	The level of amenity within the zone is consistent with its primary industrial role, function and character.	Support – the provision is adequate	Retain
GIZ-P1	Enable industrial activities and other activities compatible with the role, function and character of the zone.	Support – the provision is adequate	Retain
GIZ-P2	Discourage activities that are incompatible, do not support the primary industrial role and function of the zone or could result in unanticipated reverse sensitivity effects.	Support – the provision is adequate	Retain
GIZ-P3	Encourage the efficient use and development of vacant or underutilised industrially zoned land.	Support – the provision is adequate	Retain
GIZ-P4	<p>Manage the establishment of non-industrial activities in the zone by assessing their appropriateness including whether</p> <ul style="list-style-type: none"> <li>1. the purpose of the activity supports or provides services to industrial activities and results in the efficient use of industrial land;</li> <li>2. the activity has a functional or operational need to establish in the zone;</li> <li>3. the activity will limit or constrain the establishment of activities that are permitted in the zone;</li> <li>4. the activity will result in any conflict and/or potential reverse sensitivity effects with existing industrial activities; and</li> <li>5. the activity has the potential to undermine the vitality of the district's commercial areas.</li> </ul>	Support – the provision is adequate	Retain

GIZ-P5	<p>Maintain the role, function and level of amenity appropriate to the zone by managing the effects of</p> <ol style="list-style-type: none"> <li>1. Bulk, scale and location of buildings and structures;</li> <li>2. Outdoor storage;</li> <li>3. Traffic and parking;</li> <li>4. Signage;</li> <li>5. Earthworks;</li> <li>6. Stormwater;</li> <li>7. Noise;</li> <li>8. Light; and</li> <li>9. Hazardous substances.</li> </ol>	Support – the provision is adequate	Retain
GIZ-P6	<p>Require industrial activities located on sites adjoining land zoned Residential, Open Space or Rural Lifestyle to manage adverse effects on sites within those zones, including by;</p> <ol style="list-style-type: none"> <li>a. Achieving adequate separation and/or setbacks to. Minimise adverse visual amenity effects associated with their operation and/or development; ii. Limit noise and light overspill; and iii. Minimise adverse daylighting and shading effects.</li> <li>b. Internalising adverse effects within the zone and mitigating potential conflict with existing activities in adjacent zone.</li> </ol>	Support – the provision is adequate	Retain

GIZ-P7	Ensure development in the Mill Road industrial area is generally consistent with the indicative roading layout, indicative shared pathways/walkways, landscape screening and three waters infrastructure network identified on the Mill Road Structure Plan (Appendix M)	<p>Support in part – the intent of this policy is supported.</p> <p>Oppose in part - Mill Road Structure Plan (Appendix M) has not been provided as one of the documents notified for submissions. The documents on the website are for maps and text however the content of Appendix M features in neither. Submitters could instead review the “Mill Road Structure Plan Report (March 2020)” for maps and text about the Mill Road Structure Plan area. This report only appears as a technical report and not part of the proposed plan change. The report itself has multiple appendices including Appendix A (Figures). It is unclear what parts of the report and appendices make up the Appendix M that the proposed text changes refer to.</p>	<p>Amend the proposed plan change documents to provide Appendix M.</p> <p>The Firstgas pipeline is shown on some of the plans mentioned in GIZ-P7 and it is requested that some plans that are included in Appendix M show the Firstgas pipelines.</p>
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GIZ-P8	<p>Enable development that deviates from the Mill Road Structure Plan (Appendix M), subject to ensuring that</p> <ul style="list-style-type: none"> <li>a. The development creates safe and efficient internal linkages catering for both vehicles and active modes of transport, including pedestrian/cycle use, and opportunities to optimise cycle connections with land adjacent to the Structure Plan area.</li> <li>b. The development manages stormwater to ensure hydrological neutrality, thus contributing to ensuring neutral environmental effects beyond the Structure Plan area.</li> <li>c. The development manages any associated earthworks or lowering of the water table to ensure that surface water and groundwater quality is not diminished due to acidic run-off or groundwater acidification.</li> <li>d. The development and associated infrastructure are designed to integrate with the natural landscape as far as possible.</li> <li>e. The development integrates with other infrastructure in the Structure Plan area, including the electricity, gas and fibre distribution networks.</li> </ul>	<p>Support in part – the integration of development with the gas network is supported.</p> <p>Oppose in part – as above, it is unclear what constitutes Appendix M</p>	As for GIZ-P7
GIZ-R1	<p>Permitted</p> <p>The following activities, provided they achieve compliance with the standards in GIZ-S1 - GIZ-S10</p> <ul style="list-style-type: none"> <li>1. Industrial activities;</li> <li>2. Recreation facilities;</li> <li>3. Commercial activities that. Are ancillary to industrial activities on the site; or ii. Primarily supply food or fuel to people working in the zone.</li> <li>4. Reserves and open space;</li> <li>5. Network utilities as provided by NU-Network Utilities</li> <li>6. Relocated buildings and temporary relocatable buildings that comply with TEMP-Temporary Activities;</li> <li>7. Temporary military training activities tat comply with TEMP-Temporary Activities</li> </ul>	Support – the provision for network utilities as a permitted activity and as per their existing chapter is supported	<p>Retain, but the standards possibly only go up to GIZ-R9 as mentioned later in this table.</p> <p>Amend</p> <p>7. Temporary military training activities <del>tat</del> <u>that</u> comply with TEMP-Temporary Activities</p>

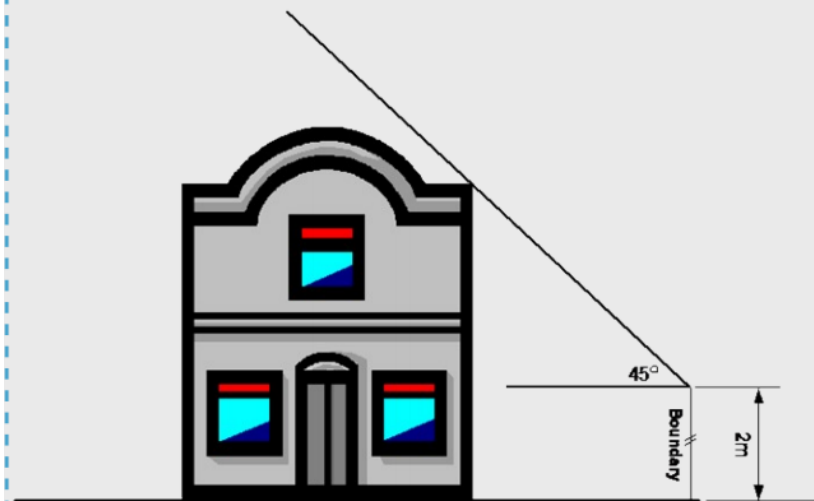
GIZ-R2	<p>Restricted Discretionary <input type="checkbox"/></p> <p>1. Activities listed in Rule GIZ-R1 that do not comply with one or more of the standards in GIZ-S1 - GIZ-S10.</p> <p>Council shall restrict its discretion to <input type="checkbox"/></p> <p>a. The effect of the area of non-compliance on the environment, including the cumulative or combined effect of non-compliance.</p>	<p>Support in part – the intent of the rule is supported.</p> <p>Oppose in part – the wording with regard to ‘area’ requires clarification on whether this refers to the spatial area in which the non-compliance is occurring, or the type of non-compliance.</p>	<p>Amend <input type="checkbox"/></p> <p>a. The effect of the <del>area of</del> non-compliance on the environment, including the cumulative or combined <u>effects</u> of non-compliance.</p>
GIZ-R3	<p>Discretionary <input type="checkbox"/></p> <p>The following activities not specified elsewhere <input type="checkbox"/></p> <p>1. Community activities;</p> <p>2. Commercial activities;</p> <p>3. Network utilities not provided for as permitted or restricted discretionary in NU-Network Utilities;</p> <p>4. Any other activity not provided for as permitted, controlled, restricted discretionary or non-complying.</p>	<p>Oppose in part – the cross-referencing of the rule back to the network utilities chapter is not required</p>	<p>Amend <input type="checkbox"/></p> <p>3. Network utilities not provided for as permitted or restricted discretionary <u>activities in the General Industrial Zone in NU-Network Utilities</u>;</p>

GIZ-R4	<p>Non-complying <input type="checkbox"/></p> <p>Sensitive activities and visitor accommodation.</p>	<p>Oppose in part – these activities are not considered to be appropriate for the Industrial zone, however earthworks and buildings / structures within 20 m of the Gas transmission network should also be avoided.</p>	<p>Amend <input type="checkbox"/></p> <p><u>1. Sensitive activities and visitor accommodation <input type="checkbox"/></u></p> <p><u>2. Earthworks, buildings and / or structures within 20 m of the Gas transmission network.</u></p> <p><u>Note <input type="checkbox"/> When assessing resource consent applications for 2. above, Council will take into account the outcomes of consultation with Firstgas.</u></p>
Notification <input type="checkbox"/>	<p>Applications subject to Rule GIZ-R2 are precluded from public or limited notification except where the subject site adjoins a residential zone site.</p>	<p>Support – the provision is adequate</p>	<p>Retain</p>

GIZ-S1 Buildings and Structures

Height recession plane

All new buildings and structures, and additions to existing buildings and structures, shall be designed and constructed to fit within a recession plane (or height-to-boundary plane) commencing at 2 metres above the existing ground level at any front or residentially zoned side boundary, then projecting from this line inwards at a 45-degree angle.



The following structures are exempt from the above height recession plane standard:

- a. Network utility masts, poles and antennas;
- b. Flagpoles;
- c. Signs;
- d. Chimneys;
- e. Wires;
- f. Television and radio antennas and support structures;
- g. Vertical ventilation shafts;
- h. Solar heating devices.

Oppose in part – the provision is supported however further control on setback of buildings and structures is required.

Retain but amend by including another standard as per the proposed GIZ-S10 or S11 Setbacks from the Gas Transmission Network standard later in this table.

<p>GIZ-S2 Outdoor Storage and Work Areas</p>	<p>a. All outside storage work areas shall be screened from any public road or adjoining residential or open space zoned site by either <input type="checkbox"/></p> <p>i. a solid fence to a minimum height of 1.8 metres; or</p> <p>ii. shrubs capable of growing to a minimum height at <u>maturity</u> of 1.8 metres, with plant spacing designed to achieve solid screening within two years of planting.</p> <p>b. This standard does not apply to outside areas used <u>fore</u> the purpose of sales display or vehicle access.</p>	<p>Support – the provision is adequate</p>	<p>Retain but amend spelling of ‘maturity’ and ‘for’.</p>
<p>GIZ-S3 Visual Amenity</p>	<p>All new development on the southern and western boundaries of the Mill Road Structure Plan Area indicated on Appendix M, shall provide a 5m wide screen planting area that meets the following specifications <input type="checkbox"/></p> <p>a. The area must be established, planted and maintained with a variety of shrubs and trees; and</p> <p>b. Shrubs must be capable of growing to a minimum height at maturity of 4 metres; and</p> <p>c. Trees must be capable of growing to a minimum height at maturity of 9 metres; and</p> <p>d. Plants shall each be 1.5m minimum height at time of planting; and</p> <p>e. Plant spacing shall be designed to achieve solid screening within two years of planting.</p>	<p>Oppose in part – there should be no planting of any vegetation within 10 metres of the Gas transmission network without the prior authorisation from Firstgas. Plants that have an extensive root structure or can grow tall pose a threat to the integrity of the pipeline.</p> <p>Registered pipeline easements include provisions such that no planting is permitted without Firstgas approval, and that Firstgas has the right to remove vegetation, without reinstatement, at any time.</p> <p>A copy of Firstgas planting guideline can be found by searching ‘planting guidelines’ on the Firstgas website, which is <a href="http://www.firstgas.co.nz">www.firstgas.co.nz</a></p>	<p>Amend with an exclusion such that the 5m wide screen planting area is not required within 10m of the transmission gas pipeline without the prior approval of Firstgas, noting that plants that can achieve tall heights or have an extensive root structure will not be permitted to be planted close to the gas transmission pipeline.</p> <p>Note <input type="checkbox"/> A permit is required to work within the gas easement. This includes digging/earthworks, driveway construction, laying services, planting, and fencing.</p>

GIZ-S4 Extent of Ancillary Commercial Activity	<p>a. No more than 500m or 35%, whichever is the lesser, of the gross floor area of a building or part of a building used by an industrial activity, shall be used for retailing or office purposes.</p> <p>b. Where the sole use of a building is for ancillary office purposes the gross floor area shall not exceed 10% site coverage.</p>	Support – the provision is adequate	Retain
GIZ-S5 Parking, Loading and Vehicle Crossings	All activities shall comply with the standards in TRAN-Transport.	Support – the provision is adequate	Retain
GIZ-S6 Signage	All activities shall comply with the standards in SIGN-Signs.	Support – the provision is adequate	Retain
GIZ-S7 Noise	All activities shall comply with the standards in NOISE-Noise.	Support – the provision is adequate	Retain

<p>GIZ-S8 Earthworks</p>	<p>All activities shall comply with the standards in EW-Earthworks.</p>	<p>Oppose in part – the intent of the standard is supported however additional protection is required for the gas pipeline which is not covered in the Earthworks chapter.</p>	<p>(Preferred) Amend the EW - Earthworks chapter <input type="checkbox"/></p> <p><u>EW-R3</u></p> <p><u>Earthworks that are proposed within 20 m of the Gas transmission network – Non-Complying</u></p> <p>EW-S2 – General Earthworks Standards</p> <p><u>9. Earthworks shall not occur within 20 m of the Gas transmission network.</u></p> <p>Alternatively, amend proposed Plan Change 54 <input type="checkbox"/></p> <p>All activities shall comply with <input type="checkbox"/></p> <p>a) the standards in EW-Earthworks <input type="checkbox"/> and</p> <p><u>b) shall not be within 20 m of the Gas transmission network.</u></p>
<p>GIZ-S10 Hazardous Substances</p>	<p>All activities shall comply with the standards in HAZ-Hazardous Substances.</p>	<p>Support – the provision is adequate</p>	<p>Retain, with an amendment to “GIZ-S9”</p>

<u>GIZ-S10 or S11 Setbacks from the Gas Transmission Network</u>	<u>Buildings and structures shall be set back no less than 20 m from the Gas transmission network.</u>	Support – the provision of this standard is supported by Firstgas as it appropriately controls activities near gas assets and helps to maintain health and safety	Amend by including the proposed provision
HAZ-I1	Risks to human health, property and the environment can arise when new significant hazardous facilities are established in proximity to sensitive environments and activities, and when existing significant hazardous facilities are expanded or changed.	Support – the provision is adequate	Retain
HAZ-I2	Locating new sensitive activities near existing significant hazardous facilities can increase risks to human health and property and result in unintended reverse sensitivity effects.	Support – the provision is adequate	Retain
HAZ-O1	Recognise the benefits associated with the use, storage, and disposal of hazardous substances, while ensuring that unacceptable risks to the environment and human health are avoided and that any residual risks are minimised to be as low as reasonably practicable.	Support – the provision is adequate	Retain
HAZ-O2	<p>Sensitive activities are located where they <input type="checkbox"/></p> <p>a. Avoid areas exposed to unacceptable levels of risk from existing significant hazardous facilities; and</p> <p>b. Do not constrain or compromise the safe and efficient operation, maintenance and repair or upgrading of significant hazardous facilities due to reverse sensitivity effects.</p>	Support – the provision is adequate	Retain



HAZ-P1	<p>Manage significant hazardous facilities to ensure they are located, designed, constructed and managed to internalise adverse effects on the environment and human health within the facility's site and by□</p> <ul style="list-style-type: none"> <li>a. avoiding unacceptable risk; and</li> <li>b. minimising residual risk to as low as reasonably practicable.</li> </ul>	<p>Oppose in part – it is not practical to internalise all possible adverse effects</p>	<p>Amend□</p> <p>Manage significant hazardous facilities to ensure they are located, designed, constructed and managed to internalise adverse effects on the environment and human health within the facility's site <u>as much as is practical</u> and by□</p> <ul style="list-style-type: none"> <li>a. avoiding unacceptable risk; and</li> <li>b. minimising residual risk to as low as reasonably practicable.</li> </ul>
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HAZ-P2	<p>Ensure that new or expanding significant hazardous facilities are located appropriately, having regard to <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>a. the type, scale, intensity, duration and frequency of the effects of the activity on the environment and human health and safety;</li> <li>b. the extent to which adverse effects can be avoided, or where avoidance is not possible, remedied or mitigated;</li> <li>c. the design and site layout of the activity and the ability for any associated effects to be internalised within the site;</li> <li>d. whether the activity has the potential to compromise tangata whenua's relationship with their ancestral lands, water, sites, wāhi tapu, and other taonga and if so, the outcomes of any consultation with tangata whenua, including with respect to mitigation measures;</li> <li>e. adequate separation from sensitive activities and identified key waterbodies and archaeological sites to ensure conflict between activities, adverse effects and reverse sensitivity effects are minimised;</li> <li>f. avoidance or management of risks associated with natural hazards, particularly flooding and subsidence;</li> <li>g. any potential adverse cumulative or synergistic effects; and</li> <li>h. whether effective rehabilitation of the site will occur, either by a staged process or at the end of the life of the facility, having regard to the expected life of the facility.</li> </ul>	Oppose in part – it is not practical to internalise all possible adverse effects	<p>Amend <input type="checkbox"/></p> <p>c. the design and site layout of the activity and the ability for any <u>unacceptable</u> associated effects to be internalised within the site;</p>
HAZ-P3	Avoid duplication with other statutory processes applying to activities involving hazardous substances.	Support – the provision is adequate	Retain
HAZ-P4	Avoid the establishment of new sensitive activities in areas that are exposed to unacceptable risks from existing significant hazardous facilities.	Support – the provision is adequate	Retain
HAZ-R1	<p>Discretionary <input type="checkbox"/></p> <p>Significant Hazardous Facilities in the General Industrial, Rural Production, Rural Lifestyle, General Rural and Rural Settlement zones.</p>	Support – the provision is adequate	Retain

HAZ-R2	<p>Non-complying <input type="checkbox"/></p> <ol style="list-style-type: none"> <li>1. Significant Hazardous Facilities in all other zones.</li> <li>2. Sensitive activities and visitor accommodation activities within 250m of an existing Significant Hazardous Facility in any zone.</li> <li>3. Significant Hazardous Facilities within <input type="checkbox"/> <ol style="list-style-type: none"> <li>a. any Land Stability Assessment or Flood Risk Area identified on the District Plan maps;</li> <li>b. 50m of any key waterbody identified in Policy NFL-P1;</li> <li>c. the buffer area of any archaeological site identified in Appendix K - Archaeological and Wāhi Tupuna.</li> </ol> </li> </ol>	Support – the provision is adequate	Retain
SUB-P35	<p>Require all subdivision and development in the Springvale Structure Plan, North West Structure Plan and Mill Road Structure Plan areas to proceed generally in accordance with the provisions of the structure plan to ensure that <input type="checkbox"/></p> <ol style="list-style-type: none"> <li>1. Stormwater is managed comprehensively and not in an ad-hoc manner including, within the structure plan area only, consideration of the impacts of climate change;</li> <li>2. The transport network is consistent with the Wanganui Urban Transport Strategy 2011, and the indicative roading layout;</li> <li>3. Encourages connectivity of services and land uses with public open space;</li> <li>4. Quality urban design outcomes are achieved;</li> <li>5. Infrastructure is developed in a logical sequence, and generally designed and located as shown on the relevant Plan.</li> </ol>	As for GIZ-P7 – it is unclear what the provisions of the Mill Road Structure Plan are as Appendix M is not provided.	As for GIZ-P7
SUB-P38	<p>Avoid any land use and/or subdivision development that allocates reticulated infrastructure intended to service the structure plan areas (Appendix L and M) to other areas.</p> <p>Sufficient existing capacity must be available in the infrastructure catchment to provide for the scale of development proposed.</p>	The intent of the provision of supported, however as for GIZ-P7 – it is unclear what the provisions of the Mill Road Structure Plan are as Appendix M is not provided.	As for GIZ-P7

<p>SUB-R2</p>	<p>Restricted Discretionary <input type="checkbox"/></p> <p>11. Subdivision in the General Industrial Zone</p> <p>Council restricts its discretion to <input type="checkbox"/></p> <p>a. The extent of compliance with the relevant subdivision and infrastructure standards.</p> <p>b. The subdivision design and layout, including the size, shape and location of lots, and the design and location of building platforms and access to minimise earthworks and land disturbance.</p> <p>c. Provision of appropriate infrastructure and services, including water supply (including firefighting water supply), wastewater systems, stormwater control and disposal (including low impact stormwater treatment), telecommunications, electricity and gas.</p> <p>d. Effects on natural features and landforms, waterbodies, indigenous vegetation, historic heritage, sites of significance to tangata whenua, archaeological sites or identified features. Effects on the stability of land and buildings, and potential to create new or exacerbate existing natural hazards.</p> <p>e. Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control.</p> <p>f. Effects of acid sulphate soils on surface water and groundwater quality in the Mill Road area, including the potential for earthworks or lowering of the water table to generate acidic run-off or exacerbate acidification of groundwater.</p> <p>g. Subdivision in the Mill Road area being in general accordance with the development staging sequence indicated on the Mill Road Structure Plan (Appendix M), subject to <input type="checkbox"/></p> <p>i. the availability of key infrastructure such as roading, water supply, wastewater systems and stormwater control and disposal; and</p> <p>ii. the capacity of the water, wastewater and stormwater systems to accommodate intended site development.</p>	<p>Oppose in part – a trigger is required to ensure that gas infrastructure is considered for proposed subdivisions. Firstgas also needs to be considered an affected party if any activities including new boundaries, earthworks or potentially resulting subsequent development is proposed near our assets.</p>	<p>Amend <input type="checkbox"/></p> <p>The subdivision design and <del>layout</del> layout, including the size, shape and location of lots, and the design <del>wand and</del> location of building platforms and access to minimise earthworks and land disturbance.</p> <p>d. Effects on natural features and landforms, waterbodies, indigenous vegetation, historic heritage, sites of significance to tangata whenua, archaeological sites, or <u>any other identified features such as gas transmission pipelines</u>. Effects on the stability of land and buildings, and potential to create new or exacerbate existing natural hazards.</p> <p>Delete <input type="checkbox"/></p> <p><del>Note <input type="checkbox"/> Applications subject to this rule (except on land within the North West Structure Plan area) shall</del></p>
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	Note <input type="checkbox"/> Applications subject to this rule (except on land within the North West Structure Plan area) shall be considered without service, public notification or written approvals from affected persons.		<del>be considered without service, public notification or written approvals from affected persons.</del>  Or change to <input type="checkbox"/>  Note <input type="checkbox"/> Applications subject to this rule (except on land within the North West <u>and Mill Road</u> Structure Plan <u>areas</u> ) shall be considered without service, public notification or written approvals from affected persons.
NFL-CESM-S4 Hazardous Substances	As notified	Support – the provision is adequate	Retain
GRZ-S9 Hazardous Substances	As notified	Support – the provision is adequate	Retain
CRZ-S3 Hazardous Substances	As notified	Support – the provision is adequate	Retain
GRUZ-S3 Hazardous Substances	As notified	Support – the provision is adequate	Retain
RLZ-S6 Hazardous Substances	As notified	Support – the provision is adequate	Retain
RPROZ-S3 Hazardous Substances	As notified	Support – the provision is adequate	Retain
SETZ-S3 Hazardous Substances	As notified	Support – the provision is adequate	Retain

COMZ-CC-S3 Hazardous Substances	As notified	Support – the provision is adequate	Retain
COMZ-NC-S7 Hazardous Substances	As notified	Support – the provision is adequate	Retain
AZ-S3 Hazardous Substances	As notified	Support – the provision is adequate	Retain
Definition – hazardous facilities	As notified	Support – the provision is adequate	Retain
<b>Mill Road Structure Plan Report (March 2020) Appendix A - Figures</b>			
Note <input type="checkbox"/> The following submissions are made assuming some or all of the figures are intended to be part of Appendix M, as previously explained in this table.			
Figure 1 - Site Location	As notified	Support – the provision is adequate	Retain
Figure 7 - LIDAR Map Displaying the Topography of the Site	As notified	Support in part – updated cadastral boundaries are required to provide a more accurate map	Amend with the most recent Landbase cadastral boundaries at the time of the map becoming operative. Flip the elevation key so that it shows lowest to highest from left to right and state what it is measured in (mean sea level <input type="checkbox"/> ).
Figure 8 - On-site Land Use	As notified	Support in part – it is unclear whether this is existing or intended land use	Amend the title to “Existing On-Site Land Use (2021)”
Figure 9 – Site surrounds	As notified	Support – the provision is adequate	Retain

Figure 11 - District Plan zoning and relevant features	As notified	<p>Oppose in part – most features of the map have turned black and are not able to be interpreted. The zoning is also out of date e.g. it is understood there is no manufacturing zone proposed This is Figure 10, not 11 as labelled.</p> <p>Support in part – Firstgas supports the inclusion of the Gasline on the map.</p>	<p>Amend the plan so the features and zones show. Retain the Gasline feature. Update for the relevant zoning.</p> <p>Figure <u>10</u></p>
Figure 11 - Existing three waters infrastructure	As notified	Support – the provision is adequate	Retain
Figure 13 - Electricity, Gas and Telecommunication Services Available	As notified	<p>Oppose in part – connections available from service providers change often and it is not Council's obligation to show their services. This map will quickly become out of date and will be misleading and potentially unsafe. It should be deleted or, if it must be retained, it should show some generic transmission networks of these network utilities only (not to the distribution / service connections scale). Gas has also been omitted from the map though it is in the title.</p>	<p>Delete the map (preferred), or do not reference it in operative plan provisions. If it must become part of Appendix M, amend the map to include the Firstgas pipelines.</p>

Figure 15 - Transport connections to and within the zone	As notified	Support – the provision is adequate	Retain
Figure 20 - Mill Road structure plan staging	As notified	Support – the provision is adequate	Retain
Figure 21 - Proposed road layout and gas mains alignment	As notified	Support in Part – Firstgas generally support the alignment of proposed road reserve with parts of the gas pipeline.	Retain with amendments which provide for the road carriageway to be located not within two metres of the edge of the pipelines.  Note <input type="checkbox"/> Permit to work within the gas pipeline easement is required and design review is required prior to Firstgas Permit being issued.
Figure 22 - Proposed shared path location	As notified	Support – Firstgas supports the shared path being across its pipeline in the southeast corner of the Structure Plan Area	Retain  Note <input type="checkbox"/> Permit to work within the gas pipeline easement is required and design review is required prior to Firstgas Permit being issued.

Submission finishes.



**SUBMISSION ON PROPOSED PLAN CHANGE 54 TO THE WHANGANUI DISTRICT PLAN  
PURSUANT TO CLAUSE 6 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT  
1991**

**To:** **Kym Fell, Chief Executive**  
Whanganui District Council  
PO Box 637  
Whanganui

Via email only: [Leayne.Huirua@whanganui.govt.nz](mailto:Leayne.Huirua@whanganui.govt.nz)

**Submitter:** Z Energy Limited  
PO Box 2091  
**WELLINGTON 6140**

BP Oil New Zealand Limited  
PO Box 99873  
**AUCKLAND 1149**

Mobil Oil New Zealand Limited  
PO Box 1709  
**AUCKLAND 1140**

*Hereafter referred to as the Oil Companies*

**Address for service:**

4Sight Consulting Limited  
Aviation House  
Level 6, 12 Johnston Street  
PO Box 25356, Featherston St  
Wellington 6146

Attention: Megan Barr

Phone: 021 468 108

Email: [Megan.Barr@4sight.co.nz](mailto:Megan.Barr@4sight.co.nz)

## INTRODUCTION

1. The Oil Companies receive, store and distribute refined petroleum products around New Zealand. In the Whanganui District, the Oil Companies' core business relates to distributing petroleum products and operating retail fuel outlets, including service stations and truck stops.
2. Whanganui District Council (*Council*) has, for some years, been conducting a "rolling review" of its district plan provisions. As part of this review, Council notified Proposed Plan Change 54 – Industrial (*PC54*) on 3<sup>rd</sup> July 2021.
3. This submission relates primarily to the proposed changes to the Hazards and Risks provisions contained within Part 2 – District Wide Matters of the plan but also addresses proposed changes to definitions contained in Part 1 – Introduction and General Provisions.

### THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN THAT THE OIL COMPANIES' SUBMISSION RELATES TO ARE SUMMARISED AS FOLLOWS

4. The specific provisions submitted on, the rationale for the Oil Companies' submission on each of these matters, and the relief sought is contained in the schedules below. Changes sought to the provisions are shown by deletion in ~~strike through~~ and addition in underline. The Oil Companies support alternative relief that achieves the same outcomes.
5. In addition to the specific outcomes and relief sought, the following general relief is sought:
  - a) Achieve the following:
    - i. The purpose and principles of the Resource Management Act 1991 (*RMA*) and consistency with the relevant provisions in Sections 6 - 8 RMA;
    - ii. Give effect to Horizons Regional Council's 'One Plan';
    - iii. Assist the Council to carry out its functions under Section 31 RMA;
    - iv. Meet the requirements of the statutory tests in section 32 RMA; and
    - v. Avoid, remedy or mitigate any relevant and identified environmental effects;
  - b) Make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the proposed plan change that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document; and
  - c) Any other relief required to give effect to the issues raised in this submission.

### THE OIL COMPANIES WISH TO BE HEARD IN SUPPORT OF THIS SUBMISSION.


IF OTHERS MAKE SIMILAR SUBMISSIONS THE OIL COMPANIES MAY BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING.

THE OIL COMPANIES COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.

THE OIL COMPANIES ARE DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT –

- I. ADVERSELY AFFECTS THE ENVIRONMENT; AND
- II. DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION.

Signed on behalf of Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited

A handwritten signature in black ink, appearing to read 'Megan Barr', with a long horizontal line extending to the right.

**Megan Barr**  
Senior Planning and Policy Consultant  
30 July 2021

## SCHEDULE ONE - GENERAL

### A. THE SPECIFIC PARTS OF PROPOSED PLAN CHANGE 54 THAT THIS SUBMISSION RELATES TO ARE:

- Contaminated Land Chapter and provisions, which is supported
- Deletion of Appendix F – Hazardous Facility Screening Procedure, which is supported
- Hazardous Substances standards NFL-CESM-S4, GRZ-S9, CRZ-S3, GRUZ-S3, RLZ-S6, RPROZ-S3, SETZ-S3, COMZ-CC-S3, COMZ-NC-S7, and AZ-S3, which are opposed
- Hazardous facilities definition, which is opposed

### B. THE REASONS FOR THE SUBMISSION ARE:

#### 1. Contaminated Land

The provisions relating to Contaminated Land were not visible to this submitter on the Council's website until 27<sup>th</sup> July 2021 after inquiry with Council staff. It is not clear if this unavailability has caused potential scope or natural justice issues for other submitters.

The provisions are as follows:

##### *Objective CL-O1*

*The risks to human health from contaminated land are avoided, remedied or mitigated.*

##### *Policy CL-P1*

*Identify sites that are known to contain contaminated soil as a result of current and historical land use and activities.*

##### *Policy CL-P2*

*Ensure that contaminated or potentially contaminated land is suitable for use and minimises the risk to human health by requiring investigation, remediation or management, where necessary, at the time of any subdivision, site re-development or change in land use.*

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 does not contain an objective or policy to assist in guiding decision making for discretionary activities. It is appropriate there is such a policy framework in the Plan while relying on the NESCS for the rules. For this reason, the proposed provisions are supported.

#### 2. Appendix F – Hazardous Facility Screening Procedure

PC54 proposes to remove Appendix F – Hazardous Facility Screening Procedure. The Section 32 Report indicates that the intent of this is to remove “*unnecessary overlaps and inefficiencies with the Hazardous Substances and New Organisms Act, particularly as current plan provisions have been superseded by more recent legislative requirements governing hazardous substance management*”.

The Oil Companies support the removal of the HFSP provisions as proposed by Council and made in response to the repeal of Section 31(1)(b)(ii) of the RMA (by the Resource Legislation Amendment Act 2017), namely that territorial authorities no longer have the explicit function relating to preventing or mitigating any adverse effects of the storage, use, disposal or transportation of hazardous substances.

It is noted that, although PC54 proposes to remove Appendix F in its entirety, PC54 does not include the deletion of references to the Hazardous Facility Screening Procedure elsewhere in the District Plan, for example, in COMZ-OC-S4. This is matter that Council may wish to correct.

### **3. Hazardous Substances Standards NFL-CESM-S4, GRZ-S9, CRZ-S3, GRUZ-S3, RLZ-S6, RPROZ-S3, SETZ-S3, COMZ-CC-S3, COMZ-NC-S7, and AZ-S3**

PC54 includes new standards across all District Plan zones requiring “*all activities shall comply with the standards in HAZ – Hazards and Risks*”. However, Appendix 2 – Proposed District Plan Text Changes does not contain any standards. Furthermore as the Hazards and Risk provisions are District Wide matters any cross reference is technically redundant. If Council wishes to retain a link to the Hazards and Risk Chapter then the word “standards” should be deleted and replaced with “provisions”.

### **4. Definition of Significant Hazardous Facilities**

PC54 proposes to revise the definition of *significant hazardous facilities* as follows:

*Significant hazardous facilities*

*means the use of land and/or buildings (or any part of) for one or more of the following activities:*

- a. *Manufacturing and associated storage of hazardous substances (including manufacture of agrichemicals fertilisers, acids/alkalis or paints.*
- b. *Petroleum exploration and petroleum production.*
- c. *The storage/use of more than 100,000L of petrol.*
- d. *The storage/use of more than 100,000L of diesel.*
- e. *The storage/use of more than 6 tonnes of LPG.*
- f. *Galvanising plants.*
- g. *Electroplating and metal treatment.*
- h. *Tanneries.*
- i. *Timber treatment.*
- j. *Freezing works and rendering plants.*
- k. *Wastewater treatment plants.*
- l. *Metal smelting and refining (including battery refining or recycling).*
- m. *Milk processing plants (except where milk processing plant is specifically designed to contain and store milk so that any reasonably potential spillage of milk is contained within the site of the plant until it can be disposed of to an approved wastewater system).*
- n. *Fibreglass manufacturing.*
- o. *Polymer foam manufacturing.*

*For (c) and (d) it does not include the underground storage of petrol at service stations undertaken in accordance with HSNOCOP 44 Below Ground Stationary Containers Systems for Petroleum – Operation.*

Both the Section 32 Report and Appendix 2 – Proposed District Plan Text Changes contain references to *significant hazardous facilities*, including in Rules HAZ-R1 and HAZ-R2. However, it was noticed that PC54, as accessible through the Council website up to 27<sup>th</sup> July, only had the term “hazardous facility” defined in the tracked change version of the PC54 provisions. Following discussions with Council staff on the 27<sup>th</sup> of July, the definition was amended to “significant hazardous facility”. This potentially raises some scope and prejudice issues that Council should address before any hearing as the definition may not have been appropriately notified, i.e. some potentially interested parties may not have submitted, for instance if they were classified as “hazardous facilities” but the new provisions only related to “significant hazardous facilities”.

Further, it is not clear what the risks are that Council is seeking to control through the scope of the definition. For example, it would be unusual for there to be off-site risks associated with diesel storage. The Oil Companies accept that there can be land use implications of locating sensitive activities near some major hazardous facilities. (as defined in the Health and Safety at Work (Major Hazard Facilities) Regulations 2016). However, the definition of *significant hazardous facilities* as proposed would appear to leave out some other potential major hazardous facilities.

In not picking up a range of major hazard facilities (as defined in the Major Hazard Facilities Regulations), the “significant hazardous facilities” definition will not require consent for activities which may have potential off-site effects. For instance, a facility that stores and dispenses more than 5 tonnes of hydrogen would not appear to be picked up and yet under the Major Hazard Facilities Regulations would be a major hazardous facility.

Conversely, the proposed significant hazardous facilities definition combined with the provisions has potential to trigger consents for a wide range of activities, both hazardous facilities and other activities in the wider vicinity of hazardous facilities, irrespective of there likely not being any significant off-site risk to address. For instance, the significant hazardous facilities definition will capture a range of manufacturing facilities that use hazardous substances and any subsequent development of ‘sensitive activities’ within 250m of those activities would require consent as a non-complying activity. The Section 32 Report does not include the reasoning behind the proposed buffer distance of 250m or any justification for this figure. As the proposed definition of “significant hazardous facilities” includes a wide range of activities with varying degrees of risk, it is considered inappropriate to adopt the figure of 250m without providing supporting evidence to justify why such a significant buffer distance is required for each of these activities.

It is noted that there are currently no Major Hazard Facilities listed on the Worksafe website in Whanganui. However, this does not preclude such facilities establishing within the Whanganui District in future.

The intent to exclude underground storage of petrol at service stations where it complies with HSNOCOP 44 is acknowledged and supported. However, there are a number of issues with this. It is accepted that underground storage of vehicle fuels (i.e. petrol and diesel) do not pose significant off-site risks when underground and this is why they are not identified as “major hazardous facilities” as defined in the Health and Safety at Work (Major Hazard Facilities) Regulations 2016. This would also apply to any underground fuel facility irrespective of whether it is a service station. Furthermore, it is understood that HSNOCOP 44 is likely to be changed to a Worksafe instrument under the Worksafe legislation and why the Oil Companies consider there should be a more appropriate focus on major hazardous facilities.

The Oil Companies oppose the proposed definition of “significant hazardous facilities” and seek to ensure that any facilities that are subject to the provisions are only captured where they result in demonstrable off-site effects and / or are out of zone. This could be achieved by deleting the definition of “significant hazardous facilities” and replacing it with the definition of “major hazard facility” in section 4(1) of the Health and Safety at Work (Major Hazard Facilities) Regulations 2016.

## C. THE RELIEF SOUGHT IS:

Where specific changes are proposed, these are shown in ~~strike through~~ (deletions) and underline (additions).

### 1. Contaminated Land

- a. Confirm that the Contaminated Land provisions and the proposed definition of Significant Hazardous Facilities were appropriately notified, that there has not been any prejudice to potential submitters and, if not, adjust the process accordingly.
- b. Retain the objective and policies of the Contaminated Land chapter without further modification (CL-O1, CL-P1 and CL-P2).

### 2. Appendix F – Hazardous Facility Screening Procedure

Retain the intent and ensure deletion of Appendix F – Hazardous Facility Screening Procedure from the District Plan.

### 3. Hazardous Substances Standards NFL-CESM-S4, GRZ-S9, CRZ-S3, GRUZ-S3, RLZ-S6, RPROZ-S3, SETZ-S3, COMZ-CC-S3, COMZ-NC-S7, and AZ-S3

- a. That Hazardous Substances Standards NFL-CESM-S4, GRZ-S9, CRZ-S3, GRUZ-S3, RLZ-S6, RPROZ-S3, SETZ-S3, COMZ-CC-S3, COMZ-NC-S7, and AZ-S3 be deleted in their entirety.
- b. That if Council wishes to retain a link to the Hazards and Risk Chapter then the word “standards” should be deleted and replaced with “provisions”.

### 4. Definition of Significant Hazardous Facilities

- a. That the proposed definition of “significant hazardous facilities” is deleted in its entirety and replaced with “major hazard facility”, as follows:

*~~hazardous facilities~~*

*~~means the use of land and/or buildings (or any part of) for one or more of the following activities:~~*

- ~~p. Manufacturing and associated storage of hazardous substances (including manufacture of agrichemicals fertilisers, acids/alkalis or paints.~~*
- ~~q. Petroleum exploration and petroleum production.~~*
- ~~r. The storage/use of more than 100,000L of petrol.~~*
- ~~s. The storage/use of more than 100,000L of diesel.~~*
- ~~t. The storage/use of more than 6 tonnes of LPG.~~*
- ~~u. Galvanising plants.~~*
- ~~v. Electroplating and metal treatment.~~*
- ~~w. Tanneries.~~*
- ~~x. Timber treatment.~~*
- ~~y. Freezing works and rendering plants.~~*
- ~~z. Wastewater treatment plants.~~*
- ~~aa. Metal smelting and refining (including battery refining or recycling).~~*
- ~~bb. Milk processing plants (except where milk processing plant is specifically designed to contain and store milk so that any reasonably potential spillage of milk is contained within the site of the plant until it can be disposed of to an approved wastewater system).~~*
- ~~cc. Fibreglass manufacturing.~~*

~~dd. Polymer foam manufacturing.~~

~~For (c) and (d) it does not include the underground storage of petrol at service stations undertaken in accordance with HSNOCOP 44 Below Ground Stationary Containers Systems for Petroleum — Operation.~~

major hazard facility

has the same meaning as “major hazard facility” in section 4(1) of the Health and Safety at Work (Major Hazard Facilities) Regulations 2016 (as set out in the box below)

means a facility that WorkSafe has designated as a lower tier major hazard facility or an upper tier major hazard facility under regulation 19 or 20 of the Health and Safety at Work (Major Hazard Facilities) Regulations 2016

- b. Notwithstanding the in principle issues identified above, in the event the definition of “significant hazardous facilities” is retained, the Oil Companies seek that the reference to underground storage is amended as follows:

~~For (c) and (d) it does not include the underground storage of petrol or diesel at service stations undertaken in accordance with HSNOCOP 44 Below Ground Stationary Containers Systems for Petroleum — Operation.~~



## **SCHEDULE TWO – HAZARDOUS SUBSTANCES**

### **A. THE SPECIFIC PARTS OF PROPOSED PLAN CHANGE 54 THAT THIS SUBMISSION RELATES TO ARE:**

- HAZ – Hazards and Risks, Hazardous Substances – Overview, which is supported in part
- HAZ-Issues I1 and I2, which are supported in part
- HAZ-Objectives O1 and O2, which are supported in part
- HAZ Policies P1 to P4, which are supported in part
- HAZ-Rules R1 and R2, which are opposed

### **B. THE REASONS FOR THE SUBMISSION ARE:**

#### **1. HAZ – Hazards and Risks, Hazardous Substances – Overview**

The Oil Companies support the approach of Council to Hazardous Substances where it is seeking only to control matters in relation to hazardous substances that are not covered by other more specific legislation.

The focus of the proposed provisions is appropriately on hazardous facilities rather than “hazardous substances”. This would helpfully be reflected in the naming of the subheading of the chapter to Hazardous Facilities.

In addition, as outlined in Schedule One above, the proposed definition of “significant hazardous facilities” is opposed. Therefore it is requested that all references to “significant hazardous facilities” be replaced by the term “major hazard facilities”.

#### **2. HAZ-Issues HAZ-I1 and HAZ-I2**

The Oil Companies support the general intent of Issues HAZ-I1 and HAZ-I2 but request that all references to “significant hazardous facilities” be replaced by the term “major hazard facilities”.

#### **3. HAZ Objectives HAZ-O1 and HAZ-O2**

The Oil Companies support Objectives HAZ-O1 and HAZ-O2 in part. For the reasons outlined in Schedule One above, it is requested that all references to “significant hazardous facilities” be replaced by the term “major hazard facilities”.

In addition, it is requested that the word “minimised” in Objective HAZ-O1 be replaced with the word “managed”.

This reflects that the term “minimised” requires reduction to the smallest possible amount or degree and that this does not align with the appropriate focus in the balance of provisions on reduction of risk to acceptable levels.

#### **4. HAZ Policies HAZ-P1 to HAZ-P4**

The Oil Companies support Policy HAZ-P3 as drafted.

The Oil Companies support Policies HAZ-P1, HAZ-P2 and HAZ-P4 in part. For the reasons outlined in Schedule One above, it is requested that all references to “significant hazardous facilities” be replaced by the term “major hazard facilities”.

In addition, it is requested that the word “minimised” in Objective HAZ-P1 be replaced with the word “managed”.

This reflects that the term “minimised” requires reduction to the smallest possible amount or degree and that this does not align with the appropriate focus in the balance of provisions on reduction of risk to acceptable levels.

## **5. HAZ-Rules R1 and R2**

The wording of HAZ-R1 and HAZ-R2, as drafted, does not make it clear whether the rules apply solely to new activities establishing on a site or also to the expansion of existing activities on a site. If the provisions were intended to cover the expansion of existing activities as well as the establishment of new activities then Council may wish to re-word the provisions to make this explicit.

The current wording of the provisions is likely to present interpretation challenges, for example if an existing “sensitive activity” located within 250m of a “significant hazard facility” was to expand, would this require resource consent as a non-complying activity?

In addition, it is anticipated that the proposed 250m buffer will trigger a wide range of consents for sensitive activities where in most instances it is not anticipated there is a risk to justify the same. It is also a potential issue for a range of ‘live / work’ activities.

It is considered that zoning may be the most appropriate tool for most of the activities listed in the proposed definition of “significant hazardous facilities”.

The Section 32 Report does not identify the risks that the 250m buffer is intended to control or provide an evidence base for the figure of 250m. It is considered that Council should map the facilities within the District that are considered “significant hazardous facilities” if they are going to be subject to the proposed restrictions. This would enable people to determine whether they are potentially affected by these provision in addition to zoning and zone-based rules and standards.

## **C. THE RELIEF SOUGHT IS:**

Where specific changes are proposed, these are shown in ~~strike through~~ (deletions) and underline (additions).

### **1. HAZ – Hazards and Risks, Hazardous Substances – Overview**

- a. That the chapter sub-heading be amended from “Hazardous Substances” to “Hazardous Facilities”.
- b. That the Overview be amended to replace the term “significant hazardous facilities” with the term “major hazard facilities” wherever it occurs.

## 2. HAZ-Issues HAZ-I1 and HAZ-I2

That Issues HAZ-I1 and HAZ-I2 be amended to replace the term “significant hazardous facilities” with the term “major hazard facilities” wherever it occurs.

## 3. HAZ Objectives HAZ-O1 and HAZ-O2

- a. That HAZ-O1 is amended to require management rather than minimisation of residual risk, as follows:

### HAZ-O1

*Recognise the benefits associated with the use, storage, and disposal of hazardous substances, while ensuring that unacceptable risks to the environment and human health are avoided and that any residual risks are ~~minimised~~ managed to be as low as reasonably practicable.*

This reflects that minimise requires reduction to the smallest possible amount or degree and that this does not align with the appropriate focus in the balance of provisions.

- b. That HAZ-O2 is amended to replace the term “significant hazardous facilities” with the term “major hazard facilities” wherever it occurs.

## 4. HAZ Policies HAZ-P1 to HAZ-P4

- a. That Policy HAZ-P3 be retained as drafted.
- b. That Policies HAZ-P1, HAZ-P2 and HAZ-P4 be amended as follows:

### HAZ-P1

*Manage ~~significant hazardous~~ major hazard facilities to ensure they are located, designed, constructed and managed to internalise adverse effects on the environment and human health within the facility's site and by:*

- a. *avoiding unacceptable risk; and*
- b. *~~minimising~~ managing residual risk to be as low as reasonably practicable.*

### HAZ-P2

*Ensure that new or expanding ~~significant hazardous~~ major hazard facilities are located appropriately, having regard to:*

- a. *the type, scale, intensity, duration and frequency of the effects of the activity on the environment and human health and safety;*
- b. *the extent to which adverse effects can be avoided, or where avoidance is not possible, remedied or mitigated;*
- c. *the design and site layout of the activity and the ability for any associated effects to be internalised within the site;*
- d. *whether the activity has the potential to compromise tangata whenua's relationship with their ancestral lands, water, sites, wāhi tapu, and other taonga and if so, the outcomes of any consultation with tangata whenua, including with respect to mitigation measures;*
- e. *adequate separation from sensitive activities and identified key waterbodies and archaeological sites to ensure conflict between activities, adverse effects and reverse sensitivity effects are minimised;*
- f. *avoidance or management of risks associated with natural hazards, particularly flooding and subsidence;*
- g. *any potential adverse cumulative or synergistic effects; and*

- h. whether effective rehabilitation of the site will occur, either by a staged process or at the end of the life of the facility, having regard to the expected life of the facility.

HAZ-P4

Avoid the establishment of new sensitive activities in areas that are exposed to unacceptable risks from existing ~~significant hazardous~~ major hazard facilities.

## 5. HAZ-Rules R1 and R2

The Oil Companies seek that Rules HAZ-R1 and HAZ-R2 be amended as follows:

HAZ-R1	<del>Significant Hazardous</del> <u>Major Hazard</u> Facilities in the General Industrial, Rural Production, Rural Lifestyle, General Rural and Rural Settlement zones.	Discretionary (DISC)
HAZ-R2	<ol style="list-style-type: none"> <li>1. <del>Significant Hazardous</del> <u>Major Hazard</u> Facilities in all other zones.</li> <li>2. Sensitive activities and visitor accommodation activities within 250m of an existing <del>Significant Hazardous</del> <u>mapped Major Hazard</u> Facility in any zone.</li> <li>3. <del>Significant Hazardous</del> <u>Major Hazard</u> Facilities within: <ol style="list-style-type: none"> <li>a. any Land Stability Assessment or Flood Risk Area identified on the District Plan maps;</li> <li>b. 50m of any key waterbody identified in Policy NFL-P1;</li> <li>c. the buffer area of any archaeological site identified in Appendix K - Archaeological and Wāhi Tupuna.</li> </ol> </li> </ol>	Non-Complying (NC)



# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## **Further Submission on a Publicly Notified Plan Change to the Whanganui District Plan**

Resource Management Act 1991 In accordance with Form 6 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

Nicola Hine

**Name:** *(print in full)* .....

**This is a further submission on Plan Change No. ....<sup>54</sup> to the Whanganui District Plan. Closing Date:.....<sup>24/09/21</sup>**

Oppose in Part

Ministry of Education, submission number 11.3

1. I ~~support or oppose~~ the submission of: .....

.....

.....

*(Please state name and address of person making original submission and submission number of original submission)*

2. The particular parts of the submission I / we ~~support or~~ oppose are: .....

.....MOE seek the inclusion of Educational Facilities within Rule GIZ-R3 as a Discretionary Activity. Firstgas does not support an education facility being located within 60 metres of the Gas Transmission Network.

.....

.....

*(Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the Proposed Plan Change. Use additional pages if required)*

3. The reasons for ~~my/ our support or~~ opposition are: *(Please state in summary the nature of your submission giving clear reasons)* .....

Firstgas are required to operate to Australian/New Zealand

Standard (AS) 2885. This standard requires Firstgas to operate the high-pressure gas assets in consideration of the use of the land in which it is located. Included within the definitions of land use is Sensitive Use. An education facility is deemed to be a Sensitive Use within AS.2885.

.....

Sensitive Use can be described as the land where the consequences of a pipeline failure may be increased because it is developed for use by sectors of the community who may be unable to protect themselves in that scenario.....

.....*(Use additional pages if required)*

While Firstgas appreciate the intention of MOE's submission, in which they seek the ability to be able to create a skills training facility, which I interpret to likely include young adults/adults, the term 'Educational Facilities' is broad enough to include all ranges of education, including early childhood education.

4. I seek the following decision from the Council (*Give precise details*):

Firstgas seek that should the decision be made to include 'Educational Facilities' within Rule GIZ-13 this is subject to the requirement that the facility shall not be located within 60 metres of the Gas Transmission Network.

(Use additional pages if required)

5. I ~~do~~/~~do not~~ wish to be heard in support of this submission.

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

7. **Address for service:**

.....Private Bag 2020, New Plymouth 4342.....

**Signature:** .....

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

027 647 1531

**Day time phone No:** .....

nicola.hine@firstgas.co.nz

**Email:** .....

24 September 2021

**Date:** .....

## Form 6

### Further submission on notified proposal for Plan Change 54 – General Industrial Zone, Hazardous Substances and Contaminated Land Chapters

*Clause 8 of Schedule 1, Resource Management Act 1991*

#### To Whanganui District Council

#### Name of submitter: Fire and Emergency New Zealand (submitter 10)

This is a further submission by Fire and Emergency New Zealand (Fire and Emergency) regarding the Oil Companies' submission (submitter 14) on notified Proposed Plan Change 54 – General Industrial Zone, Hazardous Substances and Contaminated Land Chapters (PC54) to the District Plan as notified by Whanganui District Council. Fire and Emergency oppose the Oil Companies submission on PC54 in part.

Fire and Emergency has an interest in PC54 greater than that of the general public and also represents a relevant aspect of the public interest. This is for the following reasons□

- The role of Fire and Emergency prescribed in legislation includes promoting fire safety and fire prevention, and extinguishing fires. PC54 has the potential to impact on this in terms of defining and adequately managing hazardous substances. This will enable people, communities and businesses to provide for their social and economic well-being, and for their health and safety with regards to managing fire safety, extinction and risk associated with hazardous substances
- It is essential that Fire and Emergency is able to meet its responsibility of providing an efficient and effective emergency service to all New Zealanders, so as to avoid, remedy or mitigate the adverse effects of fire and other emergencies (as required by the Fire and Emergency New Zealand Act 2017).

#### Hazardous substances overview

The RMA is one of three key pieces of legislation that direct how hazardous substances are managed in New Zealand. A significant change of the RMA amendments in April 2018 was the amendment of sections 30 and 31 of the RMA which removed the control of hazardous substances as an explicit function of councils. This is because the provisions of the Hazardous Substances and New Organisms Act (HSNO) and Health and Safety at Work Act are adequate to manage risks, for the most part. Where they are not, councils can place additional controls on hazardous substance use through RMA plans to address specific or potential environmental effects.

In addition, Fire and Emergency's recent firefighting chemicals work has highlighted a number of challenges and limitations with the way the hazardous substances rules are written in district plans. Some issues relate to□

- Unrealistic quantity limits□
- Bundling requirements that do not differentiate between solids and liquids and/or that are significantly different to HSW/HSNO□
- The use of the hazard ratio system□and
- The fact that a number of fire stations are located in urban areas but there are no provisions to account for their specialist activities.

### **Fire and Emergency's further submission:**

The Oil Companies made a submission on PC54 seeking to remove the proposed definition for 'significant hazardous facilities'. Fire and Emergency (on the advice of the Fire and Emergency's National Hazardous Substances Advisor) opposes for the following reasons□

1. Fire and Emergency sought clarification in its submission regarding the proposed definition for 'significant hazardous facilities'. It was noted that no provisions had been proposed for 'significant hazardous facilities', and that the proposed provisions only relate to 'hazardous facilities' which was not included in the definition list in the proposal.
2. The threshold for 'major hazardous facilities' (MHF) is high and most medium to large industrial facilities do not trigger this threshold and therefore will likely fall into the definition of 'significant hazardous facilities'. Council's Section 32 report provided for PC54 notes that 'significant hazardous facilities' include large-scale petrol storage, freezing works, milk processing plants, wastewater treatment plants.
3. Sites that have been identified as an MHF may wish to adjust their practices to come under the MHF threshold, however they still hold significant amounts of hazardous substances and Council may wish to manage or assess the activity more thoroughly than that for 'hazardous facilities' to ensure its objectives are met. This is particularly the case where non-compatible land uses (sensitive areas and waterways) are in close proximity.

Fire and Emergency considers that removing the proposed definition for 'significant hazardous facilities', as requested by the Oil Companies, will mean that some activities will not be adequately considered and hazardous substances objectives and policies may not be achieved. The potential outcome is that any hazardous substance emergency could have a higher impact than necessary on the community and on the natural environment.

Fire and Emergency seeks that Council defines hazardous activities and facilities that it wishes to adequately manage and include thresholds to define that point in which there could be potential impacts on sensitive activities.

### **Fire and Emergency wishes to be heard in support of its submission.**

**If others make a similar submission, Fire and Emergency will consider presenting a joint case with them at a hearing.**



Signature of person authorised to sign on behalf of

**Fire and Emergency**

Date□08/10/2021

**Electronic address for service of person making further submission:** Britta.blann@beca.com

**Telephone:** 04 460 1763

**Postal address:** Beca Ltd, PO Box 3942, Wellington 6140

**Contact person:** Britta Blann





# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## Further Submission on a Publicly Notified Plan Change to the Whanganui District Plan

Resource Management Act 1991 In accordance with Form 6 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

Name: (print in full) DARRYN McDONNELL

This is a further submission on Plan Change No. 54 to the Whanganui District Plan. Closing Date: 24 September 2021 5PM

1. I support or oppose the submission of: Ian McDonald  
18 Murray Street, Aramoho, Whanganui

(Please state name and address of person making original submission and submission number of original submission)

2. The particular parts of the submission I / we support or oppose are: the retention of the industrial zoning on the properties on / near Kahakopa Road (Lot 1 DP 352705, Lot 1 DP 54394, Lot 1 DP 20406 and part section 21 RB Whanganui River

(Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the Proposed Plan Change. Use additional pages if required)

3. The reasons for my / our support or opposition are: (Please state in summary the nature of your submission giving clear reasons) The proposed Rural (GRU2) zone will reduce the amount of industrial land available for expansion and will create a zone boundary line hard on currently utilised industrial land

(Use additional pages if required)



4. I seek the following decision from the Council (Give precise details):

That the Industrial zoning be retained on the properties  
fronting Kaitokopu Road, Lot 1 DP 352705, Lot 1 DP 54394  
Lot 1 DP 20406 and part section 21 RB Whangarei River

(Use additional pages if required)

5. I ~~do~~/do not wish to be heard in support of this submission.
6. If others make a similar submission I ~~would~~/would not be prepared to consider presenting a joint case with them at any hearing.

7. Address for service:

27 KELVIN STREET  
ARAMOHO

Signature: 

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

Day time phone No: 021 905 488

Email: dmcdonnell@sealeswinlow.co.nz

Date: 24/9/2021







# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## Further Submission on a Publicly Notified Plan Change to the Whanganui District Plan

Resource Management Act 1991 In accordance with Form 6 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

Name: (print in full) Jamie-Lea Maddox & James McManaway

This is a further submission on Plan Change No. 54 to the Whanganui District Plan. Closing Date: 24 September 2021 5PM

1. I support or oppose the submission of: Ian McDonald  
18 Murray Street, Aramoho, Whanganui

(Please state name and address of person making original submission and submission number of original submission)

2. The particular parts of the submission I / we support or oppose are: the retention of the industrial zoning on the properties on / near Kahakopa Road (Lot 1 DP 352705, Lot 1 DP 54394, Lot 1 DP 20406 and part section 21 RB Whanganui River

(Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the Proposed Plan Change. Use additional pages if required)

3. The reasons for my / our support or opposition are: (Please state in summary the nature of your submission giving clear reasons) The proposed Rural (GRU2) zone will reduce the amount of industrial land available for expansion and will create a zone boundary line hard on currently utilised industrial land

(Use additional pages if required)



4. I seek the following decision from the Council (Give precise details):

That the Industrial zoning be retained on the properties  
fronting Kaitokapu Road, Lot 1 DP 352705, Lot 1 DP 54394  
Lot 1 DP 20406 and part section 21 RB Whangarei River

(Use additional pages if required)

5. I ~~do~~/do not wish to be heard in support of this submission.

6. If others make a similar submission I would ~~would not~~ be prepared to consider  
presenting a joint case with them at any hearing.

7. Address for service:

77 Brunswick Road  
Whangarei

Signature: 

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

Day time phone No: 027 500 3011

Email: admin@jdmearthmoving.co.nz

Date: 24/09/21







# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## Further Submission on a Publicly Notified Plan Change to the Whanganui District Plan

Resource Management Act 1991 In accordance with Form 6 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

Name: (print in full) ..... MICHAEL EDEN .....

This is a further submission on Plan Change No. 54..... to the Whanganui District Plan. Closing Date: 24 SEPTEMBER 2021 5PM

1. I support or oppose the submission of: IAN McDONALD  
..... 18 MURRAY STREET, ARAMOHU, WHANGANUI .....

(Please state name and address of person making original submission and submission number of original submission)

2. The particular parts of the submission I / we support or ~~oppose~~ are: the retention  
..... of the industrial zoning on the properties on / near  
..... Kahakopu Road (Lot 1 DP 352705, Lot 1 DP 54394, Lot 1  
..... DP 20406 and part section 21 RB WHANGANUI RIVER .....

(Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the Proposed Plan Change. Use additional pages if required)

3. The reasons for my / our support or ~~opposition~~ are: (Please state in summary the nature of your submission giving clear reasons) ..... The proposed Rural (GRU2) zone  
..... will reduce the amount of industrial land available for  
..... expansion and will create a zone boundary line  
..... hard on currently utilised industrial land .....

.....(Use additional pages if required)

4. I seek the following decision from the Council (Give precise details):

That the Industrial zoning be retained on the properties  
fronting Kaitake Road, Lot 1 DP 352705, Lot 1 DP 54394  
Lot 1 DP 20406 and part section 21 RB Whanganui River

(Use additional pages if required)

5. ☒ I do/do not wish to be heard in support of this submission.
6. If others make a similar submission I ☒ would/would not be prepared to consider presenting a joint case with them at any hearing.

7. Address for service:

25 GILBERT ST  
WHANGANUI

Signature: 

MICHAEL EDEN

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

Day time phone No: 021 713336

Email: michael@dgmretail.com

Date: 24/10/21

NB I AM THE OWNER OF 9 MURRAY ST ARAMOHU  
WHANGANUI





# WHANGANUI DISTRICT COUNCIL

Te Kaunihera a Rohe o Whanganui

## **Further Submission on a Publicly Notified Plan Change to the Whanganui District Plan**

Resource Management Act 1991 In accordance with Form 6 – RM (Forms, Fees and Procedure) Regulations 2003

TO: Whanganui District Council, PO Box 637, Whanganui

Name: (print in full) ..... Paul James McKee .....

This is a further submission on Plan Change No. 54..... to the Whanganui District Plan. Closing Date: 24 SEPTEMBER 2021, 5PM

1. I support or ~~oppose~~ the submission of: IAN Mc DONALD .....
- 18 MURRAY STREET, ARAMOHU, WHANGANUI .....

(Please state name and address of person making original submission and submission number of original submission)

2. The particular parts of the submission I / we support or ~~oppose~~ are: the retention .....
- of the industrial zoning on the properties on / near .....
- beyond Murray Street .....
- Kaikokopu Road (Lot 1 DP 352705, Lot 1 DP 54394, Lot 1 .....
- DP 20406 and part section 21 RB Whanganui River .....

(Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the Proposed Plan Change. Use additional pages if required)

3. The reasons for my / our support or ~~opposition~~ are: (Please state in summary the nature of your submission giving clear reasons) ..... The proposed Rural (GRUZ) zone .....
- will reduce the amount of Industrial Land available for .....
- expansion and will create a zone boundary line hard .....
- on currently utilised industrial land .....

.....(Use additional pages if required)

4. I seek the following decision from the Council (Give precise details):

That the properties fronting Kairakopy Road, Lot 1 DP352705,  
Lot 1 DP 54394, Lot 1 DP 20406 and part section 21 RB Whangonui  
River be retained as Industrial (G12)

(Use additional pages if required)

5. I ~~do~~/do not wish to be heard in support of this submission.

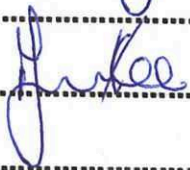
6. If others make a similar submission I ~~would~~/would not be prepared to consider  
presenting a joint case with them at any hearing.

7. Address for service:

Paul McKee

15 Murray Street

Signature:



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

Day time phone No: 0274 439 693

Email: mckeebobcat@xtra.co.nz

Date: 23/9/21