



Sub No.	Name	Submission Summary	Decision Requested	Councils reasons for decisions on submissions	Councils decisions on submissions
2	New Zealand Fire Service Commission	For the provision for operation of NZ Fire Service properties it is necessary for both fire stations and fire fighting appliances use sirens when responding to an emergency which may not comply with the standard noise conditions for various zones.	R2 Performance Standard - Noise to include: "The above noise standards shall not apply to emergency sirens"	1. The 2008 noise standard gives examples of appropriate exemption from general noise limits and uses the wording - "in any part of the District where the noise source is a warning device used by emergency services."	<p><u>That</u> submission 2 from New Zealand Fire Service Commission is appreciated, has been considered, and is accepted</p> <p>Changes are recommended to Plan Change 26.</p> <p>Amend Rule R2 to read:</p> <p>R2 Performance standard - Noise</p> <p>Sound emissions from any activity shall not exceed the following limits when measured on, or within, the boundary of any other site zoned for residential purposes.</p> <p>7am to 6pm 50 dBA(L10g)</p> <p>All other times 40 dBA(L10) Lmax: the lower of L95 background sound plus 30 dBA, or 70 dBA</p> <p>The above noise standards shall not apply to temporary military training activities as these activities are subject to separate standards contained in General Rule – Temporary Military Training Activities (Rule R23).</p> <p>The above noise standards shall not apply to emergency sirens.</p> <p>These conditions shall be read with and are subject to the provisions of Appendix A4 – Noise.</p>

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3	Transpower New Zealand Limited	<p>Plan Change 26 amended to ensure: Full effect is given to the National Policy Strategy for Electricity Transmission 2008; Effect is given to the policies of the Regional Policy Statement: Recognition of the National Environmental Standards for Electricity Transmission Activities and ensure that there are no conflicts with provision of the District Plan and the NESETA; The protection of the existing network from issues of reverse sensitivity and the effects of others' activities through the provision of appropriate transmission corridors; Provide an appropriate policy framework for the development of new electricity transmission lines; and; Provide for the on-going operation, maintenance, upgrading and development of existing transmission lines.</p>	<p>Retain Objective 39(c) without the modification as follows: O39 High quality residential areas which consist of; ... c. Development that is integrated with infrastructure: R13 Non Complying Activities The following are Non Complying activities: a. Manufacturing activities b. The establishment or expansion of any sensitive activity within an electricity transmission yard. d. Buildings and structures located within the electricity transmission yard, which are more than 2.5m in height and/or 10m² in area.</p> <p>Amend R12 to clarify the link between the activity status of network utilities in the Residential zone and those provided for by General Rule R15. This could be achieved by adding the following or text to the same effect (additional text underlined): R1 Permitted Activities The following are permitted activities in the Residential Zone. b. 'network utilities as permitted activities by General Rule - Utilities (Rule R15)'. Amend R12 to clarify the link between the activity status of network utilities in the Residential zone and those provided for by General Rule R15. This could be achieved by adding the following or text to the same effect (additional text underlined): R12 Discretionary Activities The following are discretionary activities: ... b. network utilities not provided for as permitted activities by General Rule - Utilities (Rule R15) of the Plan.</p> <p>9. Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in these submissions, as necessary to give effect to this submission.</p>	<p>1. The additional material and altered position of Transpower New Zealand Limited provided at the hearing offered an acceptable way forward.</p> <p>2. A 20 meter buffer from transmission lines already exists in the Plan and the proposed provisions are not a great departure from this. Therefore it is not necessary to consult extensively on the amendments.</p>	<p>That submission 3 from Transpower New Zealand Limited is appreciated, has been considered, and is accepted in part.</p> <p>Changes are made to the Plan by amending the District Plan maps to identify the location of the electricity transmission network as detailed in Appendix 6 and amend the Plan to read:</p> <p>R13 Non-Complying Activities</p> <p>The following activities are non-complying activities in the Residential Zone:</p> <ul style="list-style-type: none"> a. Manufacturing activities. b. The establishment or expansion of any sensitive activity within an electricity transmission yard. c. Buildings and structures located within the electricity transmission yard, which are more than 2.5m in height and/or 10m² in area.¹ <p>Definitions: Electricity Transmission yard (shown in red) means:</p>  <ul style="list-style-type: none"> a. The area located 12 metres in any direction from the outside visible edge of an electricity transmission support structure; and b. The area located 10 metres either side of the centreline of a 110kV electricity transmission line on poles; or c. The area located 12 metres either side of the centreline of a 110kV

¹ Submission 3 – Hearing evidence Transpower

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					<p>electricity line on pi-poles or towers.</p> <p>Electricity Transmission Corridor (shown in red and green) Measured either side if the centreline of the electricity transmission line equals:</p>  <p>a. 14 for 110kV transmission line on single poles</p> <p>b. 16m for 110kV transmission line on pi-poles or towers</p> <p>c. 32m for 110kV transmission lines on towers</p> <p>d. 37m for 220kV transmission lines on towers²</p>
4	House Movers Section of New Zealand Heavy Haulage Association (Inc)	Relocated structures have not been reviewed in the Residential or Rural Lifestyle Plan Changes. Council has indicated that it will address Rule 21 in the Rural phase of its review, to be notified in 2013. However as Rule 21 applies to the residential and rural lifestyle zones, this submission is made in the residential phase so as to 'cover all bases' and ensure that the Association's concerns are addressed.	Delete General Rule 21 Add New general rule 21, "The placement of any relocated building and/or accessory building on any site is permitted subject to the conditions at [x.y.z]" Add the following permitted activity standards: Permitted Activity Standards for Relocated Buildings i. Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling. ii. A building pre-inspection report shall accompany the application for a building consent for the destination site.	1. This provision has not been reviewed as part of this phase of the rolling review. The submitters' comments are being taken into account during the review of this provision as part of Phase 4 – Rural.	That submission 4 from House Movers Section of New Zealand Heavy Haulage Association (Inc) is appreciated, has been considered, and is rejected . No changes are recommended to the Plan as a result of this submission.

² As heard: Submission 10 Heard Wed 15 May 2013

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			That report is to identify all reinstatement works that are to be completed to the exterior of the building. iii. The building shall be located on permanent foundations approved by building consent, no later than [2] months of the building being moved to the site. iv. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within [12] months of the building being delivered to the site. Without limiting (iii) (above) reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations. v. The proposed owner of the relocated building must certify to the Council that the reinstatement work will be completed within the [12] month period.		
5	Victor Frederick Sears	Submitters farm property at 40 Burtts Road is currently zoned "rural". The proposed plan change does not indicate that land holdings in the rural zone have been reviewed for future classification as either Residential or Lifestyle.	Submitters seeks a reference to be included in the plan change that makes it clear, that land holdings in the rural zone have still be evaluated for inclusion in the Rural Lifestyle Zone as part of the next phase of the District Plan Review. Submitter seeks Council to amend PC23 to include a specific statement that land holdings in the rural zone will be evaluated for inclusion in the Rural Lifestyle Zone as part of the next phase of the District Plan review.	1. This provision has not been reviewed as part of this phase of the rolling review. The submitter's comments will be taken into account when the consideration of appropriate zone classification for the rural zone is currently under review.	<u>That</u> submission 5 from Victor Frederick Sears is appreciated, has been considered, and is rejected . No changes are recommended to the Plan as a result of this submission.
6	Horizons Regional Council	Submitter is concerned about the lack of Natural Hazard rules, especially in relation to flooding. Submitter supports Policy P142 (On-site servicing), Rule 267 (Allotment size), Rule 273 (Earthworks) and Criteria C9 (Earthworks), and requests that reference be included in PC27 to the earthworks provisions of the Proposed One Plan.	Horizons seek that Plan Change 25 - Natural Hazards be lawfully amended or withdrawn to include rules to manage activities identified as subject to natural hazards and that consequential amendments be made to Proposed Plan Changes 23, 24, 26, 27,28 and 29 as required to give effect to those rules. That reference is made to PC 27 to the requirements of the earthworks provisions of the POP to ensure consistency of approach, particularly in regards to land disturbance and sediment control requirements.	1. Council is aware of the requirements of Policy 10-1 of the One Plan. It is acknowledged that flood hazard information is absent from Proposed Plan Change 25. The information provided by Horizons in relation to flood hazard mapping was not at a scale that was meaningful at a local site specific scale. It was not easily translated into the Council GIS system. Council has been working with Horizons to establish a meaningful flood hazard line for the 1:200 year flood event. The timing of this mapping work has prevented its inclusion in Plan Change 25. Once the mapping and consequent rule drafting is completed it will be included as part of a subsequent phase of the Plan Review. 2. The wider Plan Review is occurring as a phased approach over several years. This means some parts of the Plan are updated prior to others. It is acknowledged that coastal hazards are absent at present. Council has identified resources to do research in relation to coastal hazard mapping and this research will then be incorporated into the Plan in due course. 3. Council has taken a cautionary approach with regard to all hazards. Policy P114 refers to a precautionary approach being taken in respect to all hazards.	<u>That</u> submission 6 from Horizons Regional Council is appreciated, has been considered, and is accepted in part . No changes are recommended to the Plan as a result of this submission.
7	Powerco Limited	Submission generally supports the intent of the Plan Change	Submitter seeks that effect is given to the policies of the One Plan, in particular policies 3-1, 3-2 and 3-3 including	1. The inclusion of a new performance standard regarding signs for health and/or safety reasons is appropriate with	<u>That</u> submission 7 from Powerco Limited is appreciated, has been considered, and is accepted in part .

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			<p>specific recognition of the need to comply with NZECP 34:2001 Protection of the integrity of electricity lines from earthworks and ensuring compliance with NZECP 34:2001. Health and safety signs associated with network utilities as a permitted activity. 1. Include the following advice notes in R1 Permitted Activities: Advice Note: works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Proactive 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines. Vegetation to be planted within near electricity lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator. 2. Include the following performance standard in R7: Identification and/or health and safety signs associated with infrastructure.</p>	<p>amendments which limit the size and location of the signs.</p>	<p>The following changes are recommended to the Plan:</p> <p>Amend rule R1 to read:</p> <p>Permitted Activities</p> <p>All activities shall comply with Performance Standards and General Rules where relevant.</p> <p>The following are permitted activities in the Residential Zone:</p> <p>.....</p> <p>Advice Note: works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Proactive 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines. Vegetation to be planted within near electricity lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.</p> <p>Amend rule R7 to read:</p> <p>Performance Standard – Advertising</p> <p>....</p> <p>g. One identification and/or health and safety sign associated with infrastructure not exceeding 0.5m² and attached to the corresponding infrastructure.</p>
8	New Zealand Association of Radio Transmitters (Inc)	Submission is that proposed rules are inadequate to accommodate the reasonable requirements of amateur radio operators and users of C-band satellite television.	<p>Submitter seeks the inclusion of rules which allow:</p> <ol style="list-style-type: none"> 1. Radio, television and telecommunications antennas up to and incl. 2m in diameter for an antenna dish. 2. Pedestal mounted dish antenna pivoted up to 4m above ground level and with a maximum diameter of 5 metres. 3. A lattice mast with a maximum inscribed circle of 700mm at 10 metres of height reducing to 500mm diameter at the maximum height with local enlargements to accommodate rotator and lowering mechanisms. 	<ol style="list-style-type: none"> 1. Antenna dishes up to two meters in diameter is reasonable. 2. The Committee is cognisant of the Tauranga City Council Environment Court decision regarding pedestal mounted dishes. 3. R5 (a) allows for masts to exceed 10metres provided that maximum horizontal dimension of 0.7metres. 	<p>That submission 8 point 1 and point 2 from New Zealand Association of Radio Transmitters (Inc) be accepted.</p> <p>Changes are recommended to the Plan, by amending R5 to read:</p> <p>R5 Performance standard – Structures</p> <p>e. Antenna dishes –</p> <ol style="list-style-type: none"> I. antenna dishes shall not exceed 3 2m in diameter (except as provided for in General Rule – Utilities (Rule R5) in relation to network utilities). II. Pedestal mounted dish antenna pivoted up to 4m above ground level with a maximum

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					diameter of 5m.
9	New Zealand Historic Places Trust	Supports Objective O39, Policy P120 and Method M19.	Council to retain the wording identified in this submission, or like wording, in O39 P120 M19.	1. No change to the plan as a result of this submission.	<u>That</u> submission 9 from New Zealand Historic Places Trust be accepted . No changes are recommended to the Plan as a result of this submission.
10	Z Energy Ltd, BP Oil NZ Ltd, Mobil Oil NZ Ltd (the Oil Companies)	Submission is that: 1. Existing performance standards for permitted activities in the Neighbourhood Commercial Zone include standards in respect of Air Discharges (R57) and Hazardous Substances (R60). 2. Rule 57 is unnecessary. 3. Rule 60 plan change deletion - submitter supports part of Appendix A6 but does not consider it necessary in the context of other legislation such as HSNO and the NES. 4. It is not clear that hazardous substances are to be controlled outside of the District Plan.	1. Submitter supports deletion of Hazardous Substance Rule (R60) 2. Include a statement to the effect that Appendix A6 does not apply in the Neighbourhood Commercial Zone and that hazardous substances are controlled outside of the District Plan. 3. Delete Air Discharges Rule R57. 4. Make any additions, deletions or consequential amendments that are made necessary as a result of the matters raised in this submission. 5. Adopt any other such relief as to give effect to this submission.	1. A full review of hazardous facilities and substances has not been covered in phase 2 of the district plan review. This will take part at a later stage of the District Plan Review.	<u>That</u> submission 10 from Z Energy Ltd, BP Oil NZ Ltd, Mobil Oil NZ Ltd (the Oil Companies) be accepted in part . No changes are recommended to the Plan as a result of this submission.
1	Paul McKenna	1. Submitter is concerned at lack of knowledge about the proposed changes - it is vital that industry players are well informed. 2. No mention is made of "South Springvale" restricted services zone being changed to residential zone. 3. Proposal limits potential future development. PC26 increases the lot size for sections in town, but PC23 increases the minimum lot size for Restricted Services zones making it harder and impossible to develop. 4. Concerned about restricting development.	1. Submitter requests more education, perhaps by way of public meetings, to explain the proposals.	1. The area identified as being within the Springvale Indicative Development Plan is the same as the Study area that is used to identify the Springvale Indicative Future Development Area. As the complete servicing plan is not complete it has not been embedded in the District Plan. The area is identified as being indicative only. 2. This work is currently being undertaken by Wanganui District Council's Infrastructure department, along with external consultants. If ad hoc development is otherwise allowed to continue this could adversely affect the ability of the area to be developed in a manner that is efficient and provides for quality design and infrastructure at a cost affordable to the community 3. The Committee preferred a single minimum lot size rather than an averaging suggested by the reporting officer as they believed that this was clearer. 4. The Committee preferred lower minimum lot size of 400m ² as this would go some way to address issues raised by the development community. 5. In reaching its decision on subdivision the Council wishes to acknowledge the limitations placed on it with regard to the lack of quantifiable information regarding the performance and capacity of the reticulated services network. The 2012 –	<u>That</u> submission 1 from Paul McKenna be accepted in part . No changes are recommended to the Plan as a result of this submission.

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				2022 Ten Year Plan has programmed funding for a modelling of Council's reticulated infrastructure network. The Committee agrees that the modelling exercise will allow more specific and better informed management of subdivision including minimum allotment sizes. This will result in a re-examination of the appropriateness of the subdivision framework, and where deemed necessary, result in future changes to the District Plan.	
11	Michael O'Sullivan, Steven Archer, Victoria Laughlin	Submitter opposes PC26 because density is adequately controlled by existing yard requirements and site coverage.	Submitters seeks Council to delete minimum site area or maximum density for a second dwelling on a site.	1. The Committee preferred a single minimum lot size rather than an averaging suggested by the reporting officer as they believed that this was clearer. 2. The Committee preferred lower minimum lot size of 400m ² as this would go some way to address issues raised by the development community.	<u>That</u> submission 11 from Michael O'Sullivan, Steven Archer and Victoria Laughlin and further submission 1 from Jamie O'Leary be accepted in part. Amend R11 to state: Restricted Discretionary Activities The following are restricted discretionary activities in the Residential Zone: a. Subdivision* provided that: h. Minimum average allotment size of 400m ² or in the case of subdivision in the Otamatea Development Overlay 1000m ² ;
FS1	Jamie O'Leary	Submitter supports: Sub #11 (Michael O'Sullivan, Steven Archer, Victoria Laughlin) - Opposition to PC26 and	Submitter seeks the Council in regard to: Sub #11 to delete minimum site area or maximum density for a second dwelling on a site.	3. In reaching its decision on subdivision the Council wishes to acknowledge the limitations placed on it with regard to the lack of quantifiable information regarding the performance and capacity of the reticulated services network. The 2012 – 2022 Ten Year Plan has programmed funding for a modelling of Council's reticulated infrastructure network. The Committee agrees that the modelling exercise will allow more specific and better informed management of subdivision including minimum allotment sizes. This will result in a re-examination of the appropriateness of the subdivision framework, and where deemed necessary, result in future changes to the District Plan.	
12	Michael O'Sullivan, Steven Archer, Victoria Laughlin	Submission is that subdivision should continue to be a controlled activity so as to give greater certainty to subdividers.	Submitter seeks Council to delete this.	1. Controlled Activities must be granted, but have to specify the matters over which the Plan has reserved control. These are processed without notification, service, or written approvals. Restricted Discretionary Activities can be granted or declined, but discretion must be restricted to matters specifically referred to in the Plan.	<u>That</u> submission 12 from Michael O'Sullivan, Steven Archer and Victoria Laughlin and further submission 1 from Jamie O'Leary be rejected. No changes are recommended to the Plan as a result of this submission.
FS1	Jamie O'Leary	Submitter supports: Sub #12 (Michael O'Sullivan, Steven Archer, Victoria Laughlin) that subdivision should continue to be a controlled activity.	Submitter seeks the Council in regard to: Sub #12 to delete proposed change to subdividing.	2. The Restricted Discretionary Rule proposed is recommended to exclude the need for notification, service, or written approvals from affected parties. This is seen as a trade-off for changing the activity status for subdivision. 3. The change in activity status is driven by several factors which include: - The increase in complexity in the matters the Plan is now required to address - The inability to decline poor controlled activity subdivision - Improving flexibility - Avoiding pass/fail provisions - Improve the quality of subdivision and infrastructure	

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				development, in particular, introducing urban design matters 4. It is unlikely that the same flexibility could be achieved through a Controlled Activity status as is proposed under this provision, particularly where supporting provisions are pass/fail.	
13	Michael O'Sullivan, Steven Archer, Victoria Laughlin	Submission is Rule R5(d)(1) restricts off street parking and could have an adverse effect on future development of the property.	Submission is leave previous rule as is - it was sufficient which ensured that any such structure was of similar design to the principal building.	1. The plan changes clarified the intention of the existing rule. The diagram added as part of the plan change also simply clarified the rule.	That submission 13 from Michael O'Sullivan, Steven Archer and Victoria Laughlin and further submission 1 from Jamie O'Leary be rejected. No changes are recommended as a result of these submissions.
FS1	Jamie O'Leary	Sub #13 (Michael O'Sullivan, Steven Archer, Victoria Laughlin) - leaving Rule as is so as not to restrict off street parking which could have adverse effect on future development.	Sub #13 to leave previous Rule as is.		
14	Wanganui District Council	A number of technical changes are requested.	<p>Insert as new rule:</p> <p>Performance standard – Minor Dwellings (Granny Flats).</p> <p>a. One minor dwelling per allotment</p> <p>b. Must not exceed 60m2 in gross floor area.</p> <p>To insert definition:</p> <p>Minor Dwellings (Granny Flats)</p> <p>A self-contained unit accessory to the principal dwelling on the same allotment that has a shared access way with principal dwelling.</p> <p>Home occupation rule to include text with underline and delete text with strike through.</p> <p>means a craft or <u>small business</u>, which typically includes art/pottery studio, dressmaking, hairdressing, and teaching of speech, drama, <u>and</u> music and ballet, <u>working from home in an office, and the production and sale of goods and services that have been substantially made, repaired, or restored on the site (excluding vehicle repair)</u> and which:</p> <p>a. is carried out by a member of the family residing in the dwelling unit;</p> <p>b. a. is clearly incidental and secondary to the use of the dwelling (as a dwelling);</p>	<p>1. The current definition and rules for Home Occupations are too broad and difficult to enforce.</p> <p>2. These small changes should help mitigate the environmental effects without losing the purpose of Home Occupations.</p>	<p>That submission 14 from Wanganui District Council be accepted.</p> <p>Submission 14 to Home Occupation definition to be accepted.</p> <p>The following changes are recommended to the Plan:</p> <p>Insert new rule RXXX:</p> <p>Performance standard – Minor Dwellings (Granny Flats).</p> <p>a. One minor dwelling per allotment</p> <p>b. Must not exceed 60m2 in gross floor area.</p> <p>There is a need to enable granny flat development within the residential zone.</p> <p>R6(a) is recommended to be deleted.</p> <p>R8 Performance standard - Car parking lots</p> <p>Car parkings for Community Activities and Home Occupations (Rule R1) shall:</p>

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			<p>e. <u>b.</u> conforms to conditions and terms specified in the Plan.</p> <p>This definition includes home stays and farm stays for up to five paying guests.</p> <p>R6 a. At all times, the home occupation must remain incidental and secondary to the use of the dwelling for residential purposes.</p> <p>a. At all times, the home occupation must remain incidental and secondary to the use of the dwelling for residential purposes.</p> <p>R8 to state "Car parking for Community Activities and Home Occupations (rule R1) shall"</p>		
15	New Zealand Railways Corporation (KiwiRail)	<p>Submitter seeks to ensure that adjoining land uses to not compromise the ability of the rail network to operate safely and efficiently day and night in the long term. It seeks the inclusion of rules/controls for managing 'sensitive' uses adjoining the rail network to ensure long term amenity. They state it is the proper role of the District Plan to assist in achieving this.</p>	<p>Add three further criteria to Resource Consent Assessment Criteria:</p> <ol style="list-style-type: none"> Whether the proposed activity will have reverse sensitivity effects on adjacent activities or zones; including on the operation of land transport networks, including railways. The proposed methods for avoiding, remedying or mitigating adverse effects including reverse sensitivity effects from locations adjacent to major infrastructure such as transport networks, including railway corridors the design of the building or structure, the use of materials, design, installation and maintenance of landscaping. The degree to which the proposal addresses the reverse sensitivity effects caused by vibration from adjacent zones and/or activities. <p>Add policy:</p> <ol style="list-style-type: none"> Ensure that land use activities, subdivision and development adjoining land transport networks including; the railway corridor avoid, remedy or mitigate any adverse effects by protecting themselves from the reverse sensitivity effects from noise and vibration; particularly in bedrooms and other noise sensitive rooms. <p>Add a further policy:</p> <p>Ensure that land use activities, subdivision and development adjoining land transport networks including; the railway corridor avoid, remedy or mitigate any adverse effects by protecting themselves from the reverse sensitivity effects from noise and vibration; particularly in bedrooms and other noise sensitive rooms. Add a new rule to R1: Residential permitted</p>	<ol style="list-style-type: none"> Land transport infrastructure such as rail and state highways are identified as important infrastructure within the provisions of Objective 3-1 and Policies 3-1, 3-2 and 3-3. However, discussions with Council's Environmental Health staff, it was noted that there are few, if any, noise complaints based upon the movement of trains through the rail corridors. It is also noted that Section 326 of the Resource Management Act excludes noise emitted by a train. However, the duty to avoid unreasonable noise in Section 16 does still apply. This means the normal operation of the rail network is protected unless there is an action or inaction outside normal rail operations that results in unreasonable noise. Therefore, the proposed provisions are not considered necessary. In addition, the topic area did not form part of the consultation for Phase 2 and 3, and neither was the provisions requested by the submitter. The proposals have the potential to affect property rights in that a number of land uses are proposed to be regulated, including earthworks. Given that the majority of the area affected is the rural environment and better aligned with the Rural Phase of the District Plan Review. It is considered that allowing these provisions without substantial consultation would result in unfairness to affected parties. Given that the relief sought in point 2, and point 9 are recommended to be rejected, the additional definition proposed is not required. 	<p>That Submission 15 from New Zealand Railways Corporation (KiwiRail) and further submissions 2 from Powerco Limited and 3 from NZ Transport Agency be rejected.</p> <p>No changes are recommended as a result of these submissions.</p>

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			<p>activities and Rural lifestyle permitted activities Any habitable room in a new noise sensitive activity or any alteration(s) to an existing noise sensitive activity constructed within 30 metres (measured from the nearest edge of the rail corridor) shall be designed, constructed and maintained to meet an internal noise level of: (i) 35dBA LAeq (1 hour) inside bedrooms. (ii) 40dBA LAeq (1 hour) inside other habitable rooms. (iii) Compliance with this Rule XXXX shall be achieved by, prior to the construction of any noise sensitive activity, an acoustic design certificate from a suitably qualified acoustic engineer is to be provided to Council demonstrating that the above internal sound levels will be achieved ; or Locate this rule in one location in the plan where it will have district-wide applicability (i.e. to all zones). Add Level crossing sightline assessment criteria:</p> <ul style="list-style-type: none"> • visibility and sight distances particularly the extent to which vehicles entering or exiting the level crossing are able to see trains • The extent to which failure to provide adequate level crossing sightlines will give rise to level crossing safety risks. • the intensity, scale and traffic generating nature of the proposal is such that associated vehicle movements are unlikely to have an adverse effect on the safety and efficient. 		
FS2	Powerco Limited	<p>Submitter supports Sub #15 (New Zealand Railways Corporation (KiwiRail) the inclusion of assessment criteria that require consideration of reverse sensitivity effects. While Powerco supports the general intent of the suggested assessment criteria 1 and 2, it seeks that they address reverse sensitivity in relation to network utilities in general and not just with particular reference to transport networks. For the avoidance of doubt, an assessment criteria 3 is supported.</p>	<p>Submitters seeks to add three further criteria to Resource Consent Assessment Criteria:</p> <ol style="list-style-type: none"> 1. Whether the proposed activity will have reverse sensitivity effects on adjacent activities or zones; including on the operation of land transport networks, including railways. 2. The proposed methods for avoiding, remedying or mitigating adverse effects including reverse sensitivity effects from locations adjacent to major infrastructure such as transport networks, including railway corridors the design of the building or structure, the use of materials, design, installation and maintenance of landscaping. 3. The degree to which the proposal addresses the reverse sensitivity effects caused by vibration from adjacent zones and/or activities. 		

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FS3	NZ Transport Agency	<p>A. Submitter supports Sub #15 (Z Energy Ltd, BP Oil NZ Ltd, Mobil Oil NZ Ltd (the Oil Companies) of recognising the issue of maintaining level crossing sightlines to ensure the safe and efficient operation of the transport network. "Traffic Sight Lines at Road and Rail Intersections" within the District Plan, this has been designed from the standards within the NZTA's Traffic Control Devices Manual - Part 9: Level Crossings.</p> <p>B. Submitter supports the view of recognising reverse sensitivity effects that development adjacent to the land transport networks can have.</p>	Submitter seeks to retain PC26 as notified with KiwiRail's suggested amendments incorporated.		