

Report to Statutory Management Committee for Decision and Recommendation

Date: 26 February 2014

Councillors
WANGANUI DISTRICT COUNCIL

Subject: **Section 42a Officers Report**
Proposed Plan Change 30 – Designations

Meeting Date: **18 March 2014**

Prepared for Chief Executive by: **Rachael Pull**

1.0 SUMMARY

- 1.1 Council is presently reviewing the District Plan in Phases. This Plan Change is part of the fourth phase of changes proposed to the Plan.
- 1.2 The purpose of Proposed Plan Change 30 (PPC30) is to update the Designations Schedule in Appendix B to give effect to the changes sought by Requiring Authorities. The changes include the removal of designations no longer used, alteration of existing designations and the addition of new designations. A clarification of the Designation provisions and how they relate to Wanganui District Council is also provided at the start of the Designations Chapter.
- 1.3 Submissions have been received, recommending alteration of the Designation wording as part of the Plan Change process.

2.0 RECOMMENDATIONS

That the Statutory Management Committee

1. receives the report.
2. recommends that the notice of requirement by Horizons Regional Council for a new designation (D233) for 'Flood Control Purposes' on land between Wharf Street and Balgownie Avenue along the Whanganui River, legally described as Pt Lot K RBWR, Pt Section 392 RBWR, Pt Lot 1 DP 22302, Lot 1 DP 51075, Lot 4 DP 196, Lot 2 DP 51075, Lot 1 DP 43948, Lot 74 DP 248, Pt Section 227 RBWR, Pt Section 392 RBWR, Lot 2 DP 50299, Pt Lot K RBWR, Lot 1 DP 46506, Gilbert Street Road Reserve, Karoro Street Road Reserve, Lot 2 DP 420707, Pt Lot 19 DP 2471, Lot 1 DP 11021, Lot 69 DP 248 and Section 1 SO 448153 **be confirmed**, subject to the following condition and inclusion of the following advice note:
 1. Any maintenance of the stopbank shall not occur between October and February to protect the breeding grounds of the local birdlife unless it is an emergency works to maintain the integrity of the stopbank.

Advice Note: This designation is secondary to Designation D204 for Railway Purposes.

3. recommends that the notice of requirement by Horizons Regional Council for a new designation (D234) for 'Flood Control Purposes' on land at Kowhai Park along the Whanganui River and Matarawa Stream, legally described as 492 LBWR, Lot 1 DP 34222, Pt Lot 4 DP 12357 and Lot 5 DP 12357 **be confirmed**, subject to the following conditions and inclusion of the following advice notes:

1. Any construction or maintenance of the stopbank along the Matarawa Stream shall not occur between 15 August and 30 November to protect White bating unless it is an emergency works to maintain the integrity of the stopbank.

Advice Notes:

1. This area has the potential to contain Archaeological sites.
2. Please be aware of your responsibilities under the Historic Places Act 1993.

4. **approve** the notice of requirement by Wanganui District Council for a new designation(D232) for 'Proposed Road Purposes' on land between the two ends of Nathan Street, Wanganui, legally described as Lot 3 DP 91037, Lot 3 DP 87110, Lot 2 DP 328559, Lot 1 DP 302640 and Lot 9 DP 68920, without modification but subject to the following conditions and inclusion of the following advice notes:

1. Construction noise from the site shall not exceed the limits recommended in the Residential Zone, and shall be measured and assessed in accordance with, NZS 6803:1999 Acoustics Construction Noise.
2. The final road design shall be to the same level of finish as the rest of Nathan Street.

Advice Notes:

1. A designation lapses 5 years after the date it is included in the District Plan unless it is given effect to before the end of that period.
2. In the event of contractors uncovering archaeological remains, construction work is to cease immediately on site and the New Zealand Historic Places Trust is to be contacted so that appropriate action can be taken before any work may recommence there.

5. recommends for approval the roll-over requests from the Requiring Authorities under clause 4, Schedule 1 of the Resource Management Act 1991 as set out in Section 6.3 of the report.
6. accepts, accepts in part or rejects the submissions as set out in Section 7.0 of the Report for the reasons given.
7. adopts Proposed Plan Change 30 to the Wanganui District Plan.

Appendices:

- 1: **Copy of the Public Notice**
- 2: **Submissions Received**
- 3: **Marked- Up Version of Plan Change 30 following Submissions**
- 4: **Section 32 Report**
- 5: **Officer's Assessment Report for Proposed new Designations**

3.0 INTRODUCTION

- 3.1 Council is presently reviewing the District Plan in Phases.
- 3.2 The Resource Management Act 1991 (RMA) requires each part of the District Plan to be reviewed not later than 10 years after the Plan becomes operative. The Operative Plan was made operative on 27 February 2004. In accordance with Section 73(3) of the RMA, the Wanganui District Council is undertaking a review of the District Plan in phases, with PPC30 as part of Phase 4 – Designations, Protected Trees and Verandah Posts.
- 3.3 PPC30 proposes updating the Designations Schedule in Appendix B and updating Chapter 12 of the District Plan in relation to Designations.

4.0 KEY STATISTICS

- 4.1 PPC30 was publicly notified in accordance with Clause 5 of the 1st Schedule of the RMA on Thursday 12 September 2013, with the period for submissions closing on Friday 11 October 2013. A copy of the public notice is included as Appendix 1.
- 4.2 A total of 5 submissions, from 3 submitters were received in relation to PPC30 at the close of submissions. Copies of all submissions received are included in Appendix 2.
- 4.3 All submissions received were summarised and the decisions requested by submitters were publicly notified in accordance with Clause 7 of the First Schedule of the RMA.
- 4.4 The further submission process closed on Friday 29 November 2013. No further submissions were received on PPC30.
- 4.5 On 19 September 2013, Phases 2 and 3 of the District Plan review became operative. This changed the underlying zone for several of the Designated sites. These have been updated automatically as a minor change.
- 4.6 On 19 December 2013, the District Plan was re-formatted and re-numbered. Therefore the format and numbering within the notified PPC30 may require minor inconsequential changes to fit with the operative District Plan format.

5.0 BACKGROUND

- 5.1 Designations are a provision made in a District Plan to give effect to a requirement made by a Requiring Authority under section 168 or clause 4 of Schedule 1 of the Resource management Act 1991. In simple terms, designations are effectively a form of “spot zoning”, where the normal rules of the zone don’t apply when relating to an activity specified by the Designation.
- 5.2 Designations can only be applied for by a Requiring Authority, through lodgement of a notice of requirement within the relevant Council. Requiring Authorities are Ministers of the Crown, Councils and agencies which have been granted Requiring Authority status under the RMA.
- 5.3 The Wanganui District Council undertook a full review of designations, as required under Schedule 1. In addition, the Council took the opportunity to confirm if the information held by Council in relation to each designation was correct. This would enable the Council to assess designations in the future from a more comprehensive knowledge base. This is added to the Designation Table in Appendix B as “Further Details to be noted in Plan”.

5.4 There are no issues, objectives, policies or rules included in the District Plan relating to designations. This is because the Requirements for Designations are provided for in the Resource Management Act. A summarised version of these requirements as they relate to the Wanganui District Council's practices is included in the District Plan as Chapter 12 Designations.

6.0 DISCUSSION

6.1 Consultation

Section 73 (1A) of the RMA enables a district plan to be changed by a territorial authority in the manner set out in the First Schedule.

In May 2012, pursuant to Clause 4, First Schedule of the RMA, the Council invited Requiring Authorities with designations in the District Plan that were not lapsed, to give written notice stating whether the Requiring Authority still required the Designation, with or without modification.

Responses were received from all Requiring Authorities, in regards to their Designations. The designations proposed to be in the District Plan are:

- 83 Designations were requested to be rolled over (kept as they are).
- 106 Designations were requested to be rolled over with modifications.
- 4¹ new Designations were requested.
- 41 Designations were lapsed or requested to be removed or combined with other designations.

6.2 Key Issues

As well as assessing the roll-over designation requests from the Requiring Authorities, Council received a submission on the proposed wording at the front of Chapter 12 on Designations. This is discussed as part of the submission analysis.

6.3 Requiring Authority Request Analysis

6.3.1 The following is a summary of the Designations requested by the Requiring Authorities and my officer recommendations. A full description of each designation and the changes proposed are found in the Section 32 report and the information submitted by the Requiring Authorities.

6.3.2 Minister of Justice

Designation	Purpose	Roll-over	Officer Recommendation
D1	Wanganui Courthouse	Yes – Without modification.	Accept in full, as there are no changes to consider and the designation has been implemented.

¹ One of the New Designations proposed is actually part of an existing designation for Chorus and does not require a new assessment.

6.3.3 Minister of Corrections

Designation	Purpose	Roll-over	Officer Recommendation
D2	Whanganui Prison	Yes – With modification to the name of the designation and the legal description as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.
D3	Corrections Purposes (Non-Custodial Facility), Including Community Work Centres and Probation Officers, excluding Prisons.		

6.3.4 Minister of Health

Designation	Purpose	Roll-over	Officer Recommendation
D4	Healthcare purposes	Yes – With modification to the name of the designation and the legal description as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.
D5	Hospital purposes	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	

6.3.5 Minister of Defence

Designation	Purpose	Roll-over	Officer Recommendation
D6	Defence Purposes - Training, Administration and Stores Married Quarters	Yes – With modification to the proposed condition and the legal description as shown in marked up text (Appendix 3) and the submission by the Ministry of Defence.	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.
D7	Defence Purposes		

6.3.6 Minister of Education

Designation	Purpose	Roll-over	Officer Recommendation
D8, D9, D10, D13, D14, D15, D16, D17, D18, D19, D21, D22, D24, D27, D32, D34, D37, D38, D39, D40, D233	Educational Purposes	Yes – With modification to the name of the designation and a description of its purpose as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.
D11, D12	Wanganui Universal College of Learning (UCOL)	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	
D20, D23, D25, D26, D28, D29, D30, D31, D33, D35	Educational Purposes	Yes – With modification to the name of the designation, a description of its purpose and a corrected legal description and area as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.
D36	Educational Purposes	Yes – With the common name of the facility added to the purpose as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.

6.3.7 Minister of Police

Designation	Purpose	Roll-over	Officer Recommendation
D41,	Police Purposes- Central Police Station	Yes – With modification to the name of the designation as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.
D43	Police Purposes – Gonville Community Police Station		

Designation	Purpose	Roll-over	Officer Recommendation
D42	Police Purposes – Wanganui East Community Police Station	Yes – With modification to the name of the designation and the legal description as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation implemented.
D44	Police Purposes - Telecommunications	Yes – No modification requested.	Accept in full, as Designation implemented.

6.3.8 Airways Corporation of New Zealand

Designation	Purpose	Roll-over	Officer Recommendation
D45	Airport Purposes	Yes – With modification to the name of the designation as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.

6.3.9 Transpower New Zealand Limited

Designation	Purpose	Roll-over	Officer Recommendation
D46, D47	Substation – Electricity Transmissions and Telecommunications Networks	Yes – With modification to the name of the designation and correction of the area as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.

6.3.10 PowerCo Limited

Designation	Purpose	Roll-over	Officer Recommendation
D48,	Electricity Substation	Yes – With modification to the purpose of the designation as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.

Designation	Purpose	Roll-over	Officer Recommendation
D49, D50, D51, D52, D53, D54, D55, D56, D57, D58, D59, D60, D61, D62, D63, D64, D65, D66, D67, D68, D69, D225, D226, D227, D228, D231	Electricity Substation	Yes – With no modification.	Accept in full as designation has been implemented.
D230	Electricity Substation	Yes – With correction of the legal description and area as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.

6.3.11 Manawatu-Whanganui Regional Council

Designation	Purpose	Roll-over	Officer Recommendation
D70	Matarawa Flood Control Scheme - Detention Dam 1.1	Yes – With modification to the area to define the dam and the temporary pond area as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D72	Matarawa Flood Control Scheme - Detention Dam 2.1		
D71	Matarawa Flood Control Scheme - Detention Dam 1.2	Yes – With modification to the area to define the dam and the temporary pond area and to correct the legal description as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D73	Matarawa Flood Control Scheme - Detention Dam 3.1		

Designation	Purpose	Roll-over	Officer Recommendation
D74	Matarawa Flood Control Scheme Detention Dam 3.2	Yes – With modification to the area to define the dam and the temporary pond area and to correct the legal description as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D233	Flood Control Purposes	This is a new Designation that covers the Balgownie Stopbank (constructed 2010). It is recommended that this designation is approved, (see Appendix 5 for assessment) subject to the proposed conditions and is secondary to the Railway Designation D204.	
D234	Flood Control Purposes	This is a new Designation that covers the Kowhai Park stopbank (to be constructed 2014). It is recommended that this designation is approved, (see Appendix 5 for assessment) subject to the proposed conditions.	

6.3.12 Wanganui District Council

Designation	Purpose	Roll-over	Officer Recommendation
D75, D76	Service Lane	Yes – With modification to the purpose of the designation as it is no longer proposed, but implemented as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.
D77	Service Lane	Yes – With modification to the purpose of the designation as it is no longer proposed, but implemented. Also correction of the legal description and area as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.
D78	Service Lane Extension	Yes – With no modification.	Accept in full. This will lapse in 2019 if not implemented.

Designation	Purpose	Roll-over	Officer Recommendation
D79, D81	Proposed Service Lane	Yes – With no modification.	Accept in full. This will lapse in 2019 if not implemented.
D80	Cooks Street Service Lane	Yes – With modification to the purpose of the designation as it is no longer proposed, but implemented. Also correction of the legal description and area as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.
D82	Phoenix Car Park Service Lane		
D83	WDC Carpark	Yes – With correction of the legal description as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are minor and administrative. Designation has been implemented.
D84, D85 D86, D87	WDC Carpark	Yes – With no modification.	Accept in full. Designation has been implemented.
D88, D91	WDC Carpark	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	
D89, D90	WDC Carpark	Yes – With no modification.	Accept in full. Designation has been implemented.
D92, D93, D94	Cemetery	Yes – With no modification.	Accept in full. Designation has been implemented.
D95	Water Supply Purpose – No.1 Bore and Buildings	Yes – With modification to the purpose to define what the Designation covers as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D96	Water Supply Purpose – No.2 Bore and Buildings		

Designation	Purpose	Roll-over	Officer Recommendation
D97	Water Supply Purpose – No.3 Bore and Buildings	Yes – With modification to the purpose to define what the Designation covers as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D98	Waitahinga Dam – Potential Water Storage for electricity generation	Yes – With modification to the purpose to define what the Designation covers as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D99	Water Supply Purpose – Westmere Reservoirs, Soft Water Plant, Buildings, Pump Station, Bore and Chlorination		
D100	Water Supply Purpose – Mt Russell Storage		
D101	Water Supply Purpose – Bastia Tower Storage		
D102	Water Supply Purpose – Pump Station		
D103	Water Supply Purpose – Arles Well	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	
D104	Water Supply Purpose – Putiki Nth		

Designation	Purpose	Roll-over	Officer Recommendation
D105	Water Supply Purpose – Putiki North Tanks and Pump Station	Yes – With modification to the purpose to define what the Designation covers and include the land that was previously covered in designation D104, which is part of the same activity as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D106	Water Supply Purpose – Airport Bore and Chlorination	Yes – With modification to the purpose to define what the Designation covers as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D107	Water Supply Purpose – Airport Bore – Airport Tanks	Yes – With no modification.	Accept in full. Designation has been implemented.
D108	Water Supply Purpose – Fordell Reserve – Pump Station, Chlorination and Storage	Yes – With modification to the purpose to define what the Designation covers as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D109	Water Supply Purpose – Mowhanau Bore Pump Station and Buildings	Yes – With modification to the purpose to define what the Designation covers and the Road name as shown in marked up text (Appendix 3).	
D110	Water Supply Purpose – Mowhanau Tanks	Yes – With no modification.	Accept in full. Designation has been implemented.

Designation	Purpose	Roll-over	Officer Recommendation
D111	Water Supply Purpose – Water Supply- Bore, Storage, Treatment, Buildings, Pump Station, Ozonation and Chlorination	Yes – With modification to the purpose to define what the Designation covers as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D112	Water Supply Purpose – Water Supply	Yes – With no modification.	Accept in full. Designation has been implemented.
D113	Water Supply Purpose – Storage, Pump Station and Chlorination	Yes – With modification to the purpose to define what the Designation covers as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D114	Water Supply Purpose - Bore	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	
D115	Water Supply Purpose – Intake/Storage		
D116	Water Supply Purpose – Castlecliff Water Main	Yes – With modification to the purpose to define what the Designation covers and to include the land that was previously covered in designations D117-D135, which are part of the same activity and therefore should be part of the same designation as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative only. Designation has been implemented.

Designation	Purpose	Roll-over	Officer Recommendation
D117, D118, D119, D120, D121, D122, D123, D124, D125, D126, D127, D128, D129, D130, D131, D132, D133, D134, D135	Water Supply Purpose- Main	No – These designations have been combined into designation D116 and are no longer relevant. There is no decision to be made.	
D136	Water Supply- bore, Water Treatment Facility, Buildings, and Chlorination	Yes – With modification to the purpose to define what the Designation covers and extend it to cover a bore as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative, apart from the new bore which is in line with the original purpose of the designation and will have no greater effects than the existing designation activities. Designation has been implemented apart from the bore.
D137	Sewage Pump Station	Yes – With no modification.	Accept in full. Designation has been implemented.
D138	Sewage Treatment Disposal		
D139	Sewage Treatment Irrigation Area		

Designation	Purpose	Roll-over	Officer Recommendation
D140	Sewage Pump Station	Yes – With no modification.	Accept in full. Designation has been implemented.
D141	Sewage Treatment - Oxidation Ponds		
D142	Sewage Pump Station	Yes – With modification to the legal description to record the correct piece of land subject to the designation as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D143	Sewage Pump Station	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	
D144 D145 D146	Sewage Pump Station	Yes – With modification to the legal description to record the correct piece of land subject to the designation as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D147	Sewage Pump Station	Yes – With no modification.	Accept in full. Designation has been implemented.
D148	Drainage Purpose - Detention Area		
D149	Drainage Purpose - Detention Area		
D150	Drainage Purpose - Detention Area		
D151	Stormwater Detention Area		
D152	Drainage Purpose - Detention Area		

Designation	Purpose	Roll-over	Officer Recommendation
D153	Drainage Purpose Control Gates and Diversion Channel	Yes – With no modification.	Accept in full. Designation has been implemented.
D154	Road Widening (5 metre depth)	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	
D155	Road Widening (5 metre depth)	Yes – With modification to the purpose to define the depth of the Designation as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D156	Road Widening	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	
D157 D158 D159	Road Widening	Yes – With no modification.	Accept in full. This will lapse in 2019 if not implemented.
D160	Corner Splay, Road Widening (2)	Yes – With no modification.	Accept in full. This will lapse in 2024 if not implemented.
D161	Road Widening	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	
D162	Road Widening	Yes – With modification to the legal description as the land has been subdivided as shown in marked up text (Appendix 3).	Accept in full. This will lapse in 2019 if not implemented.

Designation	Purpose	Roll-over	Officer Recommendation
D163, D164, D165, D166, D167, D168, D169, D170, D171, D172, D173, D174, D175, D176, D177	Road Widening	Yes – With no modification.	Accept in full. This will lapse in 2019 if not implemented.
D178	Road Widening	Yes – With modification to the purpose to define the depth of the Designation as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D179	Road Widening	Yes – With no modification.	Accept in full. This will lapse in 2019 if not implemented.
D180	Road Widening	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	
D181, D182, D183, D184, D185, D186	Road Widening	Yes – With no modification.	Accept in full. This will lapse in 2019 if not implemented.
D187	Balgownie Landfill	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	

Designation	Purpose	Roll-over	Officer Recommendation
D188	Wanganui Wastewater Scheme - Wastewater Treatment and Pump Station	Yes – With no modification.	Accept in full. Designation has been implemented.
D189	Wanganui Wastewater Scheme - Transportation Pipeline		
D222	Water Supply Purposes - Bore	Yes – With modification to the purpose to define what the Designation covers as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.
D229	Sewage Pump Station	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	
D232	Proposed Road	This is a new Designation that covers the land between the two pieces of Nathan Street and is not constructed at this time. It is recommended that this designation is approved, (see Appendix 5 for assessment) subject to the proposed conditions.	

6.3.13 Chorus New Zealand Limited

Designation	Purpose	Roll-over	Officer Recommendation
D190, D191, D192, D193, D194, D195, D196, D197, D198, D199, D200, D201, D202	Telecommunication and Radiocommunication and Ancillary Purposes	Yes – With modification to the purpose to define what the Designation covers and inclusion of the Computer Freehold Register number as shown in marked up text (Appendix 3).	Accept in full, as the proposed changes are administrative. Designation has been implemented.

6.3.14 Telecom New Zealand Limited

Designation	Purpose	Roll-over	Officer Recommendation
D224	Telecommunication and Radiocommunication and Ancillary Purposes	Yes – This designation is secondary to D197 for Chorus New Zealand Limited. It does not change the purpose or implementation of D197 as shown in marked up text (Appendix 3).	Accept in Full. By giving Telecom New Zealand Limited a separate secondary designation to D197, Council is implementing the Telecommunications Amendment Act 2011 in a way that future users of the District Plan can understand without having to reference the legalisation.

6.3.15 Meteorological Service of New Zealand

Designation	Purpose	Roll-over	Officer Recommendation
D203	Meteorological Activities	Yes – With no modification.	Accept in full. Designation has been implemented.

6.3.16 New Zealand Railways Corporation

Designation	Purpose	Roll-over	Officer Recommendation
D204	Railway Purposes	Yes – With a minor change to the legal description to state various, rather than just some of the land that is designated as shown in marked up text (Appendix 3).	Accept in full. Designation has been implemented.

6.3.17 Kordia Limited

Designation	Purpose	Roll-over	Officer Recommendation
D205, D206	Broadcasting and Telecommunication Purposes	Yes – With no modification.	Accept in full. Designation has been implemented.

6.3.18 New Zealand Transport Agency

Designation	Purpose	Roll-over	Officer Recommendation
D207, D208, D209, D210, D211, D212, D213	State Highway 3	Yes – With no modification.	Accept in Part. It is recommended that the separate designations for State Highway 3 be combined into one designation in order to reduce confusion regarding designation reference numbers and document storage.
D214, D215	State Highway 4	Yes – With no modification.	Accept in Part. It is recommended that D214 be lapsed as the area and purpose is already covered by D215.
D216, D217, D218, D219, D220, D221	Limited Access Road State Highway	No – The designation has lapsed at the request of the Requiring Authority. There is no decision to be made.	

6.4 Section 32 Evaluation

The new wording at the front of the Designation Chapter is advice only, and while it has been modified through the submission process, it is not an objective, policy or rule.

As Plan Change 30 does not propose or introduce any new objectives, policies or rules, this means an assessment of the plan change is not required against Section 32 of the RMA.

7.0 THE SUBMISSION ANALYSIS

Submitter Name: Telecom New Zealand Limited

Submission No: 1.1c30

Summary:

Remove definition of “Ancillary Purposes” from designation D224. This is ultra vires as it was not specifically requested in the roll-over request. There is no justification, and it is inconsistent with the Chorus designation on the site, it goes beyond ancillary, is potentially confusing and creates uncertainty.

Decision Sought:

Remove definition of “Ancillary Purposes” from designation D224 and make any consequential amendments necessary as a result.

Officer Recommendation:

That Submission 1.1c30 from Telecom New Zealand Limited be Accepted. The definition of “Ancillary Purposes” shall be removed from designation D224.

Accept in full as the definition does not add any value and is not legally correct.

Submitter Name: New Zealand Defence Force

Submission No: 2.1c30

Summary:

Modify the wording of the condition attached to Designations D6 and D7 to clarify the meaning. The proposed words were not what was requested in the roll-over request, however minor changes will result in the same outcome.

Decision Sought:

Modify the condition in Designations D6 and D7 to read “That no Outline Plan is required for works and projects that comply with the rules of the underlying zone”.

Officer Recommendation:

That Submission 2.1c30 from New Zealand Defence Force be Accepted.

The proposed wording change results in no additional adverse effects and creates the same outcome.

Submitter Name: New Zealand Defence Force

Submission No: 2.2c30

Summary:

Correct the legal description for D7 to read: Pt Lots 1 DP 822, Pt Lot 1 DP 10523.

Decision Sought:

Modify the legal description in Designation D7 to read: Pt Lots 1 DP 822, Pt Lot 1 DP 10523.

Officer Recommendation:

That Submission 2.2c30 from New Zealand Defence Force be Accepted.

The legal descriptions identified by the New Zealand Defence Force have been confirmed as the correct ones.

Submitter Name: New Zealand Defence Force

Submission No: 2.3c30

Summary:

Amend text to more accurately reflect the RMA provisions.

Decision Sought:

Make amendments to the explaining text for the Designations in accordance with the submission in order to clarify the process.

Officer Recommendation:

That Submission 2.3c30 from New Zealand Defence Force be Accepted.

The proposed wording changes do not alter the intent of Chapter 12, which is to explain the RMA provisions in relation to the Designations set out in Appendix B.

Submitter Name: New Zealand Transport Agency

Submission No: 3.1c30

Summary:

Supports the Plan Change for the Removal of the Proposed State Highway and Retention of State Highways 3 and 4.

Decision Sought:

That the Council confirms all the NZTA designations.

Officer Recommendation:

That Submission 3.1c30 from New Zealand Transport Agency be Accepted in Part.

This submission is the same as the roll-over request from the New Zealand Transport Agency, but I recommend that the designations for each State Highway be combined in order to provide clarity for the users. Currently there are seven Designations for State Highway 3 and two for State Highway 4 (one overlapping the other).