

Proposed Plan Change 43 District Wide Summary of Submissions

Submitter Name: Heritage New Zealand
Submission No: 1.1pc43

Summary:

Supports in part the proposed plan change. The proposed note in rule 14.4 (earthworks) relating to the archaeology authority needs to be amended to reflect the Heritage New Zealand Pouhere Taonga Act 2014.

Decision Sought:

1. That the advice note under Rule 14.4 replace the word 'disturb' with 'modify or destroy'.

Submitter Name: Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limits
(*Collectively referred to as the Oil Companies*)
Submission No: 2.1pc43

Summary:

Opposed to the definitions of 'earthworks' and 'earthworks and/land modification'. Having both definitions is confusing for Plan users and the terms are not used often enough to require separate definitions. The amendment to the definition of earthworks will address a number of deficiencies in the current definition.

Decision Sought:

1. That the definition of 'earthworks' is modified and the definition of 'earthworks and/ land modification' is deleted.

Submitter Name: Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limits
(*Collectively referred to as the Oil Companies*)
Submission No: 2.2pc43

Summary:

Supportive in part to the proposed changes to Chapter 14 (Earthworks). The specific parts of Chapter 14 that are part of this submission include:

1. Support for the introduction to Chapter 14 referencing the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) regulation 2009.
2. Support for Issue 14.1.1 as it removes unnecessary examples.
3. Support for Objective 14.2.1 and Policies 14.3.1, 14.3.2 and 14.3.3 as they provide an appropriate framework for the assessment of proposed earthworks.
4. Supportive in part for Permitted Activity Rule 14.4.1, but questions the need for formal documentation for fuel storage system of the backfill compaction.
5. Support for Restricted Discretionary Activity Rule 14.4.2 as the default as it allows for the consideration of the effects that solely relate to earthworks.
6. Opposed to Non-Complying Rule 14.4.3 as the pathway to this status is not clear and the intent of the rule is already met under Rule 14.5.2(h) and the Restricted Discretionary Status.
7. Supportive in part of Performance Standard 14.5.1. The term 'cleared' could be better articulated and Council may also wish to consider providing a maximum area as a ratio of allotments area to recognise that more extensive earthworks may be acceptable as a permitted activity on larger sites.
8. Support for Performance Standard 14.5.2 as they are acceptable.

Decision Sought:

1. Retain the introduction to Chapter 14 as drafted.
2. Retain Issue 14.1.1 as drafted.
3. Retain Objective 14.2.1 and Policies 14.3.1, 14.3.2 and 14.3.3 as drafted.

4. Retain Permitted Activity Rule 14.4.1, but look at the reasoning behind singling out fuel storage systems as requiring backfill documentation.
5. Retain Restricted Discretionary Activity Rule 14.4.2 as drafted.
6. Remove Non-Complying Rule 14.4.3 and use Restricted Discretionary Activity Rule 14.4.2 for protecting infrastructure from the infiltration of sediments.
7. Retain Performance Standard 14.5.1, with amendments to the maximum area of earthworks and the term 'cleared'.
8. Retain Performance Standard 14.5.2 as drafted and with amendments suggested in this submission.

Submitter Name: Rayonier Matariki Forests
Submission No: 3.1pc43

Summary:

Support the proposed plan change. The proposed provisions exclude forestry earthworks as this is handled under the Regional Council's Plan. Minor changes to the proposed provisions are requested to be consistent with the One Plan and for clarity of Plan users.

Decision Sought:

1. That the current approach that excludes forestry earthworks from the definition of earthworks is retained.
2. Amend the advice note (i) in section 14.5.1 to specifically refer to 'Forestry'.
3. Amend the definition of 'Forestry' to be consistent with the Horizons One Plan.

Submitter Name: KiwiRail Holdings Limited
Submission No: 4.1pc43

Summary:

Support the proposed plan change. The proposed note under Rule 14.4.3 and Performance Standard 14.5.2(h) are supported as they provide for the installation, maintenance and protection of infrastructure in relation to earthworks.

Decision Sought:

1. That the note under Rule 14.4.3 and Performance Standard 14.5.2(h) be retained as drafted.

Submitter Name: Powerco Limited
Submission No: 5.1pc43

Summary:

Support in part to the proposed plan change. The introduction to Chapter 14 is supported, however clarification that the chapter does not apply to network utilities would provide consistency throughout the Plan. The references to infrastructure in the Objective and Policy are supported as it will protect strategic assets.

Decision Sought:

1. That the introduction to Chapter 14, paragraph 1 is amended to confirm that network utilities are excluded from the earthwork provisions.
2. That Objective 14.2.1 and Policy 14.3.2 are retained without modification.

Submitter Name: Powerco Limited
Submission No: 5.2pc43

Summary:

Support in part the intention behind proposed plan change in relation to the advice notes for Rule 14.4. Advice note 1 relates to the potential to require Regional consent. The wording of the advice note potentially overstates the need to consult with the Regional Council. The advice note at the end of Rule 14.4 should be relocated to the top of the rule, with the other advice notes and re-numbered '3' for formatting consistency.

Decision Sought:

1. That the advice note 1 of Rule 14.4 is re-worded as to not overstate the need to consult the Regional Council.
2. That the advice note at the end of Rule 14.4 is moved to the top of the rule with the other advice notes and re-numbered '3'.

Submitter Name: Transpower New Zealand Limited
Submission No: 6.1pc43

Summary:

Opposed in part to the proposed plan change. The proposed provisions for temporary military training activities and relocated buildings (temporary or permanent) in the Rural Production, Rural Lifestyle, Rural General and Residential Zones have the potential to affect the National Grid. Relief to ensure that the National Grid is not affected by these activities is requested by this submission.

Decision Sought:

1. That the zone rules for the National Grid apply to temporary military training activities and relocated buildings (temporary or permanent) and that this is clear in the Plan format.

Submitter Name: Transpower New Zealand Limited
Submission No: 6.2pc43

Summary:

Opposed in part to the proposed plan change. The proposed provisions for earthworks in the Rural Production, Rural Lifestyle, Rural General and Residential Zones have the potential to affect the National Grid. Relief is requested to ensure that the National Grid is not affected by these activities.

Decision Sought:

1. That the earthwork rules for the National Grid is inserted into the Residential Zone.

Submitter Name: Transpower New Zealand Limited
Submission No: 6.3pc43

Summary:

Supports the proposed plan change. The proposed Issue 14.1.1, Objective 14.2.1 and Policy 14.3.2 understand that earthworks could affect the safe and efficient operation of the National Grid. Rules 14.4.1 and 14.5 outline the standards for earthworks, but do not mention the relationship to the zone rules for the National Grid.

Amendments to these provisions are requested to be more specific about the requirement to protect infrastructure from these effects and the precedence of rules is required.

Decision Sought:

1. That Issue 14.1.1 and Objective 14.2.1 are amended to include reference to infrastructure.
2. That an advice note under Rule 14.4.1 referring to earthwork activities in proximity to the National Grid to check the zone rules and give them precedence over the general earthworks rules.

Submitter Name: Transpower New Zealand Limited
Submission No: 6.4pc43

Summary:

Support in part the proposed plan change in relation to relocated buildings and temporary military training activities. The submission seeks clarification for both activities that it is the zone based rules that take precedence and determine activity status. Also amendment of Rule 19.6 (Temporary Military Training Activities) to remove the word 'permanent' from the first sentence so that all structures are subject to the zone rules.

Decision Sought:

1. Retain the sentence under Rule 19.4 (Relocated Buildings) about complying with the underlying zone rules.
2. Clarify that the zone bases rules take precedence and determine activity status.
3. Amend the sentence for Rule 19.6 (Temporary Military Training Activities) so that all structures are subject to the zone rules.

Submitter Name: Horizons
Submission No: 7.1pc43

Summary:

Support the proposed plan change. The proposed provisions for earthworks contains advice notes referring Plan users to the One Plan for discharge, land disturbance and vegetation clearance.

Decision Sought:

1. That the advice notes under Rules 14.4 and 14.4.2 be retained as drafted.
2. That the advice note under Performance Standard 4.7.11 be retained as drafted and the advice note is repeated wherever the District Plan references earthworks and vegetation clearance.

Submitter Name: Horizons
Submission No: 7.2pc43

Summary:

Support the proposed plan change. The proposed provisions for temporary military training activities contain advice notes for plan uses pointing out the requirement to refer to the One Plan.

Decision Sought:

1. That the advice note under Rule 19.6 be retained as drafted.

Submitter Name: House Movers Section of New Zealand Heavy Haulage Association (Inc)
Submission No: 8.1pc43

Summary:

Supportive of proposed plan change, but with amendments to improve workability. Suggested amendments include:

1. That the restricted discretionary default status be expressly on a non-notified basis. The potential effects of relocation are such they can be appropriately evaluated without public input.
2. The demolition, removal and re-siting of buildings should expressly be provided for as a permitted activity to avoid any uncertainty to the plan users.
3. People relocating buildings should confirm the date of relocation not less than 48 hours before relocation occurs as it is difficult to confirm dates with precision until close to the actual relocation.
4. A pre-inspection report like the version attached to this submission.

Decision Sought:

1. That the restricted discretionary default Rule 19.4.2(a) contain a statement that all applications shall be processes on a non-notified basis.
2. The demolition, removal and re-siting of buildings should expressly be provided for as a permitted activity to avoid any uncertainty to the plan users.
3. Performance Standard 19.5.1(d) is amended so that the date of relocation is confirmed not less than 48 hours before relocation occurs.

Submitter Name: Wanganui District Council
Submission No: 9.1pc43

Summary:

Supportive of Chapter 19, but request an addition to the activities chapter to include General Temporary Activities such as galas, sports/cultural events and filming. These activities already occur, however there is not specific provision for them in the District Plan.

Decision Sought:

1. That a definition for 'Temporary Activities' is inserted into the Plan and a rule permitting temporary activities subject to performance standards is inserted into Chapter 19.

Submitter Name: New Zealand Defence Force

Submission No: 10.1pc43

Summary:

Not opposed to proposed Plan change, but requests the following formatting changes regarding Temporary Military Training Activities (TMTA):

1. Retain the definition of 'temporary military training activities' as currently proposed.
2. Delete reference to TMTA as a permitted activity in each zone as Chapter 19 states that the zone rules do not apply to TMTA. This causes confusion. This restructure should also apply to other similar activities such as 'Relocated Buildings' and 'Network Utilities'.
3. Correct spelling of 'Temporary' in the Chapter 19 section heading.
4. Retain the first paragraph of Chapter 19 but amend the working to further clarify the application of the provisions.
5. Restructure Chapter 19 so that all the provisions for each activity in the chapter are grouped together.

Decision Sought:

1. Retain the definition of 'temporary military training activities' as currently proposed.
2. Delete reference to TMTA, relocated buildings and network utilities as a permitted activity in each zone.
3. Correct spelling of 'Temporary' in the Chapter 19 section heading.
4. Retain the first paragraph of Chapter 19 but amend the working to further clarify the application of the provisions.
5. Restructure Chapter 19 so that all the provisions for each activity in the chapter are grouped together.

Submitter Name: New Zealand Defence Force

Submission No: 10.2pc43

Summary:

Opposed to proposed Plan change, in respect to Policy 19.3.2. The restriction in proximity to a sensitive noise activity or an identified outstanding natural landscape is not necessary. The noise standards requested by NZDF and proposed by this Plan change require various setbacks from noise sensitive activities. This is sufficient for a temporary activity. The types of TMTA undertaken by the NZDF in outstanding natural landscapes do not result in significantly different effects to other outdoor pursuits.

Decision Sought:

1. That Policy 19.3.2 is amended to delete reference to sensitive noise activities or outstanding natural landscapes and instead states that adverse effects on amenity values are avoided, remedied or mitigated.

Submitter Name: New Zealand Defence Force

Submission No: 10.3pc43

Summary:

Support in part to proposed Plan change, in respect to the rules and performance standards for TMTA in Chapter 19. These are summarised below:

1. Retain the opening statement as drafted as it is not appropriate that TMTA are required to comply with other parts of the Plan except earthworks and permanent buildings.
2. Retain 19.6.1 as providing for TMTA as a permitted activity is appropriate.
3. Amend Rule 19.6.2 to change the status of TMTA that do not comply with the performance standards back to controlled, instead of the restricted discretionary activity that is proposed. Discretion should be limited only to noise related effects, written approval will not be necessary and applications need not be notified.

4. Performance Standard 19.7(b) should be deleted as a limit of 31 days is arbitrary and the effects are similar to other permitted day-to-day activities.
5. Performance Standard 19.7(c) is retained as drafted.

Decision Sought:

1. Retain the opening statement as drafted.
2. Retain 19.6.1 as providing for TMTA as a permitted activity is appropriate.
3. Amend Rule 19.6.2 to change the status of TMTA that do not comply with the performance standards back to controlled. Discretion limited only to noise related effects, with a statement stating that written approval will not be necessary and applications need not be notified.
4. Performance Standard 19.7(b) is deleted.
5. Performance Standard 19.7(c) is retained as drafted.

Submitter Name: Wanganui Federated Farmers of New Zealand

Submission No: 11.1pc43

Summary:

Supports/Opposed to proposed Plan change, in respect to the definition of 'Rural Activities'.

1. Supports the inclusion of artificial crop protection structures and rural airstrips as these are integral to rural activities.
2. Oppose to the removal of beekeeping as it is a legitimate rural activity and should be covered in the definition.
3. The definition of 'Rural Activities' does not include rural industry or intensive farming. Definitions of these terms should be provided for and properly consulted on or the exclusion of these activities deleted.

Decision Sought:

1. Retain the inclusion of artificial crop protection structures and rural airstrips in the definition.
2. Reinstate beekeeping as part of the definition.
3. The definition of 'Rural Activities' does not include rural industry or intensive farming. Definitions of rural industry and intensive farming should be provided for and properly consulted on or the exclusion of these activities deleted from the definition of 'Rural Activities'.

Submitter Name: Wanganui Federated Farmers of New Zealand

Submission No: 11.2pc43

Summary:

Opposed to proposed Plan change, in respect to Chapter 14 (Earthworks) applying in the Rural Zones. Earthworks on rural properties is controlled via the One Plan, and unless special provisions apply, no other control is required.

Decision Sought:

The Introduction of Chapter 14 (Earthworks) and the associated Rules section should be amended to exclude the Rural Zones and direct Plan users of these areas to refer to the Regional Council.