Proposed Plan Change 60:
Designations
Hearing Report

Appendix 2
Submissions Received
9 August 2016

Manawatu District Council
Proposed Manawatu District Plan
Private Bag 10 001
FEILDING 4743

By email to: wendy.thompson@mdc.govt.nz

SUBMISSION ON PUBLICLY NOTIFIED PROPOSED PLAN CHANGE OR VARIATION
(FORM 5)
Manawatu District Plan: Plan Changes 52, 55 and 60

NAME OF SUBMITTER: KiwiRail Holdings Limited (KiwiRail)

ADDRESS FOR SERVICE:
Level 1
Wellington Railway Station
Bunny Street
PO Box 593
WELLINGTON 6140

Attention: Rebecca Beals
Ph: 04 498 3389
Email: Rebecca.Beals@kiwirail.co.nz

KiwiRail Submission on Proposed District Plan Changes 52 (Industrial), 55 (District Wide) and 60 (Designations)

KiwiRail Holdings Limited (KiwiRail) is the State Owned Enterprise responsible for the management and operation of the national railway network. This includes managing railway infrastructure and land, as well as rail freight and passenger services within New Zealand. KiwiRail Holdings Limited is also the Requiring Authority for the designated corridors of the North Island Main Trunk and a small section of the Palmerston North to Gisborne Line within the Manawatu District. KiwiRail has an interest in protecting its ability to continue to operate, maintain and enhance these nationally significant networks into the future, as well as seeking to ensure the safety and amenity of those parties occupying land adjacent to the rail corridor.

KiwiRail’s submission on the Proposed District Plan Changes is set out in the attached table. Insertions we wish to make are marked in **bold** and *underlined*, while recommended deletions are shown as *struck-out* text. All requested changes include any consequential changes to the Plan to accommodate the requested change in the stated, or alternate, location.
KiwiRail does not wish to speak to our submission at this time, however in the event that Council have any queries on the submission points provided, we are available to discuss this.

Regards

Rebecca Beals
Senior RMA Advisor
KiwiRail
<table>
<thead>
<tr>
<th>Submission Number</th>
<th>Proposed Amendment</th>
<th>Support/Oppose/Seek Amendment</th>
<th>Feedback/Comments/Reasons</th>
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<tr>
<td><strong>Plan Change 52: Industrial</strong></td>
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<tr>
<td><strong>16: Industrial Zone</strong></td>
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</table>
| 1.                | 16.4.2.a           | Seek Amendment                | KiwiRail support that setbacks from the boundaries for buildings are required, however note that no side or rear boundary setbacks are proposed within the Industrial Zone, and no setback from the rail corridor is proposed for structures. KiwiRail seek that a setback from the rail corridor boundary be required, to ensure that not only is amenity on site maintained, but also so that all necessary maintenance to buildings can occur without the requirement to access the rail corridor. Unlike roads, the rail corridor is not available for public access. The consequences of uncontrolled access to the rail network can be fatal. To ensure the safety of those parties occupying sites adjacent to the corridor and to ensure the safe operation of the rail network itself, the setback is sought. The setback is sought to only apply to buildings, with the land remaining available for access, landscaping or any other uses consistent with the zone standards. Further the setback is not sought to apply retrospectively, therefore will not impact on existing developments on industrial sites or existing use rights in the event of redevelopment of these sites. | Amend as follows:  

*a. Building Set Back Yards and Height*  
v. *All buildings, excluding signs must be set back at least 5 metres from any boundary with a rail corridor.* |
<p>| <strong>Plan Change 55: District Wide Rules</strong> |                   |                               |                          |                                                 |
| <strong>3A: Network Utilities</strong> |                   |                               |                          |                                                 |
| 2.                | Issues: 3A.2.6     | Support                       | Council is supported in seeking to ensure that constraints on existing network utilities are recognised when considering new developments. KiwiRail note no reference to reverse sensitivity is provided for in the issues statements, however this | Retain as notified. |</p>
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<tr>
<td>3.</td>
<td>3A.3 - Policies 1.1 and 1.4</td>
<td>Support</td>
<td>KiwiRail support that the Plan specifically provides for the ability to establish, operate, maintain and upgrade network utilities. KiwiRail also support the consideration of locational, technical and operational requirements in relation to network utilities.</td>
<td>Retain as notified.</td>
</tr>
<tr>
<td>4.</td>
<td>3A.3 – Policies 2.2 and 2.3</td>
<td>Support</td>
<td>KiwiRail support the requirements to manage potential effects from adjacent developments and activities on the ability to safely operate the network utility, including in relation to reverse sensitivity, vegetation, subdivision and development.</td>
<td>Retain as notified.</td>
</tr>
<tr>
<td>5.</td>
<td>3A.4.1 – Permitted Activities (a)</td>
<td>Support</td>
<td>Support is provided by KiwiRail for the operation, maintenance, minor upgrading and repair of existing network utilities being identified as a permitted activity.</td>
<td>Retain as notified.</td>
</tr>
<tr>
<td>6.</td>
<td>3A.4.1 – Permitted Activities (b)</td>
<td>Support</td>
<td>KiwiRail support that the construction, operation, maintenance, realignment and upgrading of roads and railway lines within the road reserve or railway corridor is provided for.</td>
<td>Retain as notified.</td>
</tr>
<tr>
<td>7.</td>
<td>3A.4.1 – Permitted Activities (j), and (k)</td>
<td>Support</td>
<td>That railway crossing warning devices and barrier arms are also specifically provided for as permitted activities is supported by KiwiRail.</td>
<td>Retain as notified.</td>
</tr>
<tr>
<td>8.</td>
<td>3A.4.2 – Permitted Activity Standard (o)</td>
<td>Support</td>
<td>KiwiRail support the Council in including the requirement for level crossings to be kept clear of buildings and obstructions as required by Appendix 3B.5.</td>
<td>Retain as notified.</td>
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<tr>
<td>9.</td>
<td>3B.2 – Issue 1</td>
<td>Support</td>
<td>KiwiRail support Council in recognising that there are potential effects on the safety and efficient of the roading network that can arise, however KiwiRail believe that the safety and efficiency effects that can arise also relate to the rail network. Passengers, train drivers and trains themselves, including the movement of freight, are all susceptible to safety and efficiency effects as a result of inappropriate land use and development.</td>
<td>Retain as notified.</td>
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<tr>
<td>10.</td>
<td>3B.3 – Objective 1</td>
<td>Support</td>
<td>As with the comments above, the safe and efficient operation of the rail network can be compromised as a result of inappropriate development. KiwiRail therefore support that the Objective specifically relates to transport networks, which include both road and rail.</td>
<td>Retain as notified.</td>
</tr>
<tr>
<td>11.</td>
<td>3B.3 – Policy 1.1(a)</td>
<td>Support</td>
<td>KiwiRail support the requirement for managing adverse effects on the rail network from encroachment into the sightlines at level crossings.</td>
<td>Retain as notified.</td>
</tr>
<tr>
<td>12.</td>
<td>3B.3 – Policy 1.3</td>
<td>Support</td>
<td>KiwiRail support the Council in including the requirement for level crossings to be kept clear of buildings and obstructions as required by Appendix 3B.5.</td>
<td>Retain as notified.</td>
</tr>
<tr>
<td>13.</td>
<td>3B.4.2 – Access Standards for Permitted Activities (d)</td>
<td>Support</td>
<td>KiwiRail support the requirement for new vehicle crossings to be setback 30m from level crossings.</td>
<td>Retain as notified.</td>
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<tr>
<td>14.</td>
<td>3B.4.2 – Access Standards for Permitted Activities (e)</td>
<td>Support</td>
<td>KiwiRail support that existing vehicle crossings within 30m of a level crossing be maintained to ensure safety is not compromised, and that this is linked to the Appendix in the Transport Chapter.</td>
<td>Retain as notified.</td>
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<tr>
<td>15.</td>
<td>3B.4.6 – Assessment Matter</td>
<td>Support</td>
<td>Where there is non-compliance with the Appendix 3B.5 standards or the setback of a vehicle crossing from a level crossing, resource consent is required as a restricted discretionary activity. The proposed assessment criteria at the first bullet point, includes consideration to the safe and efficient operation of the transport network. This will enable a consideration of the effects of the proposal on the safety and efficiency of the rail network. KiwiRail support this provision.</td>
<td>Retain as notified.</td>
</tr>
<tr>
<td>16.</td>
<td>Appendix 3B.5</td>
<td>Support</td>
<td>KiwiRail support the inclusion of the provisions in relation to the protection of sightlines and level crossings.</td>
<td>Retain as notified.</td>
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<tr>
<td><strong>3C: Noise</strong></td>
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<td>17.</td>
<td>3C.4.1.c(iii)</td>
<td>Support</td>
<td>KiwiRail support that trains have been exempted from compliance with the noise standards, this reflecting the RMA provisions.</td>
<td>Retain as notified.</td>
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<tr>
<td><strong>Definitions</strong></td>
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<tr>
<td>18.</td>
<td>Definition: Earthworks</td>
<td>Support</td>
<td>KiwiRail support that earthworks associated with the upgrading and maintenance of network utilities are exempted from the definition of earthworks and thereby the rules proposed specifically on earthworks. KiwiRail note that the definition of Network Utilities includes rail, thereby earthworks associated with upgrade and maintenance works on the rail network, are also exempt.</td>
<td>Retain as notified.</td>
</tr>
<tr>
<td>19.</td>
<td>Definition: Infrastructure of Regional and National Importance</td>
<td>Support</td>
<td>KiwiRail support the recognition in the definition for infrastructure of regional and national importance and the consistency with the One Plan proposed through the definition.</td>
<td>Retain as notified.</td>
</tr>
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<tr>
<td>20.</td>
<td>Definition: Network Utility</td>
<td>Support</td>
<td>KiwiRail support that rail is included at point (j) of the proposed definition of a Network Utility.</td>
<td>Retain as notified.</td>
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<tr>
<td><strong>Plan Change 60: Designations</strong></td>
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<td><strong>9: Designations</strong></td>
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<tr>
<td>21.</td>
<td>Designation 6A and 6B</td>
<td>Support</td>
<td>KiwiRail support the changes proposed to the KiwiRail designations to reflect the updated requiring authority details.</td>
<td>Retain as notified.</td>
</tr>
</tbody>
</table>
8 August 2016

Manawatu District Council
Private Bag 10 001
FEILDING 4743

Delivered via Email to:
districtplanreview@mdc.govt.nz

Dear Sir or Madam

MANAWATU DISTRICT COUNCIL PROPOSED PLAN CHANGES 52, 55 AND 60 – INDUSTRIAL ZONE, DISTRICT-WIDE RULES AND DESIGNATIONS

Please find attached Horizons Regional Council’s submission on Proposed Plan Changes 52, 55 and 60 to the Manawatu District Council’s District Plan.

Horizons wishes to be heard in support of this submission.

While Horizons is generally in support of the Proposed Plan Change there are some specific areas of concern which are outlined in the attached submission.

We welcome the opportunity to work with the Manawatu District Council to narrow or resolve these issues prior to the hearing, either informally or at officer level or through a prehearing process.

Yours faithfully

Lisa Thomas
COORDINATOR DISTRICT ADVICE

Ends. Submission on Proposed Plan Changes 52, 55 and 60
Annex A – One Plan Rule 14-18
Annex B – Horizons feedback letter on Draft Plan Changes 55, 55 & 60
Submission on the Proposed Manawatu District Plan Changes 52, 55 and 60
Industrial Zone, District-Wide Rules and Designations

To: Manawatu District Council
Private Bag 10 001
FEILDING 4743

From: Manawatu-Whanganui Regional Council (Horizons)
Private Bag 11025
Manawatu Mail Centre
PALMERSTON NORTH 4442

1. Thank you for the opportunity to submit on Proposed Manawatu District Plan Changes 52, 55 and 60 (Industrial Zone, District-wide Rules and Designations). Our submission points are detailed below, along with the decisions sought from the Manawatu District Council (MDC).

2. Horizons could not gain an advantage in trade competition through this submission.

3. Horizons wishes to be heard in support of this submission. If others make a similar submission we would be willing to consider presenting a joint case with them to any hearing.

4. Horizons provided feedback on the draft version of Plan Changes 52, 55 and 60 on 16 March 2016. A number of our recommended changes have been adopted by MDC in the notified version of these Plan Changes. The following submission confirms our overall support for this Plan Change and those recommended changes to the draft version that have been accepted by MDC. However, a number of matters remain that require further discussion to ensure alignment with the objectives, policies and rules of the One Plan. We welcome any opportunity to attend informal or formal pre-hearing meetings with MDC and other parties to discuss these remaining matters.

Plan Change 52 – Industrial Zone

5. We understand that Proposed Plan Change 52 includes both a review of the Industrial Zone rules, and a rezoning of 15.6 hectares of land along Turners Road from Rural to Industrial. Our key interests for development in this area include avoidance or mitigation of flood risk in a 0.5% Annual Exceedance Probability (AEP) (1 in 200 year) event, and management of the quantity and quality of stormwater discharges.

6. Horizons staff have had various preliminary discussions with MDC staff regarding various aspects of this proposed plan change. Our involvement to date has included discussions around how additionally generated stormwater is to be detained within the extension area so that it does not result in increased stormwater flows to the Taonui Basin. We also made a submission on a Notice of Requirement (NOR) to designate a new link road that will join Turners Road and Kawakawa Road, which will facilitate development of this area. This proposed link road is illustrated on the structure plan map in Appendix 15.2 – “Kawakawa Industrial Park Growth Area.”
Resource Management Issues

7. Horizons generally supports the resource management issues identified for the Industrial Zone. In particular, we support issue 4 which recognises the need to manage potential effects of industrial development on the environment, including increases in stormwater run-off. This proposed issue links well to standard i. (stormwater neutrality) of Rule 16.4.2 (Industrial Zone – Standards for permitted activities) and Rule 2.3.3 in the Subdivision Chapter (Stormwater Neutrality (Industrial Zone only)).

8. Stormwater neutrality is not specifically mentioned within the policy framework. Objective 2 is broad enough to enable consideration of stormwater effects as it refers to adverse effects on the environment beyond the Zone. However, we recommend that Policy 2.4 be amended to specifically include stormwater run-off. This recommended change to Policy 2.4 will ensure that there is support for the stormwater neutrality rules within the policy framework. Suggested wording is as follows:

2.4 To require industrial activities to locate within the Industrial Zone, to ensure that effects of these activities, particularly related to infrastructure, stormwater run-off, traffic, noise and amenity values are as far as practicable confined to the zone.

9. Based on discussions with MDC officers, we understand that at least one of the stormwater detention areas designed to accommodate additionally generated stormwater from the Kawakawa Industrial Park Growth Area may be located outside of the Industrial Zone. While Policy 2.4 includes the qualifier “as far as practicable,” MDC may wish to consider a guidance note beneath Policy 2.4 that specifically provides for stormwater detention areas outside of the Industrial Zone. This will provide a greater level of certainty that such detention areas are provided for in the policy framework for the Industrial Zone. Possible wording is as follows:

“Where stormwater detention areas cannot be accommodated within the Industrial Zone, an equivalent quantity of stormwater runoff mitigation is to be provided in a suitable location outside the zone.”

Decisions Sought

- That proposed Resource Management Issue 4 be retained as drafted in PPC52.
- That Policy 2.4 be amended as follows (additions underlined):

2.4 To require industrial activities to locate within the Industrial Zone, to ensure that effects of these activities, particularly related to infrastructure, stormwater run-off, traffic, noise and amenity values are as far as practicable confined to the zone.

Guidance Notes:

“Where stormwater detention areas cannot be accommodated within the Industrial Zone, an equivalent quantity of stormwater runoff mitigation is to be provided in a suitable location outside the zone.”

Stormwater Quantity
10. Horizons generally supports the following provisions within the Draft Plan Change and requests that they be retained without modification:

- Standard i. (Stormwater Neutrality) of Rule 16.4.2 (Industrial Zone – Standards for Permitted Activities).

- Standard 2.3.3 (Stormwater Neutrality) of Rule C2 2.3 (Standards – Business, Industrial, Recreation, Manfeild Park and Special Development Zones) in the subdivision chapter of the District Plan.

11. Horizons supports the approach being taken by MDC to require industrial developments to achieve “stormwater neutrality.” Without mitigation, the cumulative effects of additional stormwater flows to the Taonui Basin will be significant. Horizons does not regulate urban stormwater neutrality per se, as suggested in the guidance note on Page 11 of the proposed Chapter 16 provisions. One Plan Rule 14-18 permits the discharge of stormwater to surface water and land, subject to compliance with conditions. A copy of this rule is attached as Annex A for your information. In relation to increases in stormwater runoff caused by more impermeable surfaces, Rule 14-18 requires that discharges are managed so as to not cause or exacerbate flooding on any other property, and discharges into surface water bodies must not cause any permanent reduction in the water body’s ability to convey flood flows.

12. MDC holds a global consent to discharge stormwater from within the Feilding urban area to open drains, the Oroua River and its tributaries, and the Makino Stream and its tributaries (Consent number 104360). This consent includes conditions around managing the effects of these discharges on the receiving environment, including flooding. As Horizons does not regulate property connections to MDC’s reticulated stormwater network, we request that reference to “stormwater neutrality” be deleted from the guidance note beneath Rule 16.4.2.

13. Horizons has a particular interest in stormwater from the Feilding Industrial Zone, as discharges to the Oroua River eventually end up in the Taonui Basin. The existing discharge consent held by Horizons for discharges to the Taonui Basin includes conditions that place limits on the total volume of water that may be discharged to the Basin. If stormwater from the Industrial Zone is not 100% detained onsite, the additional runoff from industrial development may result in a non-compliance with the conditions of Horizons’ discharge permit and will lead to deeper ponding depths on those properties in the Taonui Basin. The requirement to achieve stormwater neutrality is therefore necessary to mitigate this risk to downstream properties.

14. A number of discussions have been held between Horizons and MDC staff over recent years in relation to stormwater management for Feilding and how to achieve “stormwater neutrality.” Horizons Manager Investigations and Design has advised that the design storm parameters that need to be considered for discharges to the Oroua River is the 12-hour, 1% AEP plus climate change to 2090 (an additional 16.8%) as per NZS4404. The reason why the 12 hour storm should be used is that it is the length of time that the Kopane Spillway is forecast to operate.

15. Based on a discussion with MDC’s Principal Planning Advisor on 20th May 2016, we understand that all development within the Industrial Zone will be connected to Council’s reticulated network. MDC will be responsible for ensuring that this reticulated stormwater network achieves stormwater neutrality through use of community detention
ponds and other stormwater detention measures. In June 2016, Horizons Manager Investigations and Design provided feedback on design calculations for the volume of stormwater that needs to be detained in the Kawakawa Industrial Park Growth Area in community detention dams. Horizons will continue to provide technical advice and assistance to MDC to ensure that the final stormwater design for the Kawakawa Industrial Park Growth Area will achieve stormwater neutrality, as required by Rule 16.4.2 permitted activity standard 1. and Standard 2.3.3 of Subdivision Rule C2 2.3.

Decisions Sought

- That Standard 1. (Stormwater Neutrality) of Rule 16.4.2 (Industrial Zone – Standards for Permitted Activities) be retained as drafted in PPC52.

- That Standard 2.3.3 (Stormwater Neutrality) of Rule C2 2.3 – Standards – Business, Industrial, Recreation, Manfield Park and Special Development Zones in the subdivision chapter be retained as drafted in PPC52.

- That the advice note beneath rule 16.4.2 be amended as follows\(^1\):

  Guidance Notes:
  Stormwater Neutrality, Odour is and the 0.5% AEP (1:200) year modelled floodable land are regulated by the Manawatu-Wanganui Regional Council. Land included within the 0.5% AEP (1 in 200 year) modelled floodable land in Appendix 16.2 (Kawakawa Industrial Park Growth Area) is also subject to the Flood Channel 2 Zone Rules.

Avoidance and Mitigation of Flood Risk

16. Policy 9-2 generally discourages new habitable buildings from being built in locations that are likely to be inundated during a 0.5% annual exceedance probability (AEP) or 1 in 200 year flood event. Where flood hazard cannot be avoided, this policy directs the Regional Council and territorial authorities to consider the appropriateness of flood hazard mitigation measures. There are two considerations with respect to flood mitigation – having a ground or finished floor level that includes reasonable freeboard above the 0.5% AEP flood level, and ensuring there is safe access and egress from occupied structures in that sized flood event.

17. Horizons supports the inclusion of our modelled flood information for a 0.5% AEP flood event on the draft structure plan for the Kawakawa Industrial Park Growth Area. This “0.5% AEP (1 in 200 year) modelled floodable land” includes all land that has been modelled as likely to be inundated by more than 50 mm of water during a 0.5% AEP (1 in 200 year) flood event, within the boundaries of the structure plan area. We request that this flood information be retained as shown on the draft structure plan.

18. Rule 16.4.1 makes the construction of new buildings and additions and alterations to existing industrial buildings permitted within the Industrial Zone. There are no performance standards or rules proposed in PPC52 that require new buildings and structures within the modelled floodable area to avoid or mitigate flood hazard.

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\(^1\) Highlighting refers to amendments sought in paragraph 23, included here for completeness.
19. The notified version of Planning Map 35 (page 14 of the Section 32 Report) was missing the flood channel zoning. A revised version of this planning map that includes the existing Flood Channel 2 Zone was supplied to us by MDC’s Principal Planning Advisor on 24 May. However, the existing flood channel zone is based on Horizons older “indicative” flood information, which has been superseded by our more recent modelling of a 0.5% AEP (1 in 200 year) flood event.

20. It is not clear how MDC will require new industrial development outside of the current Flood Channel 2 Zone, but within the modelled 0.5% AEP floodable area, to avoid or mitigate flood hazard. We therefore recommend that Planning Map 35 be amended so that the Flood Channel 2 Zone corresponds to Horizons’ more accurate 0.5% AEP modelled flood information. The Flood Channel 2 Zone on Map 35 would then be consistent with the floodable land identified on the draft structure plan for the Kawakawa Industrial Park Growth Area.

21. New development in the floodable area would therefore be subject to the Flood Channel rules as well as the Industrial Zone rules. As new buildings within the Flood Channel Zones require resource consent, there would be an opportunity for MDC to include a finished floor level as a condition of consent. However, until such time as the natural hazard rules of the District Plan are updated, there will continue to be an inconsistency between the 1% AEP (1 in 100 year) standard specified in sub-clause ii) of Rule 1.3.1 (Reservation of Control – Controlled Activity Land Use Applications) and the avoidance or mitigation of the 0.5% AEP (1 in 200 year) flood event in One Plan Policy 9-2.

22. We understand that the natural hazard provisions of the Manawatu District Plan are being reviewed through Plan Change 53. Horizons provided feedback on the draft version of PC53 on 12 April 2016, including the rules requiring new occupied buildings and extensions to existing occupied buildings in the Flood Hazard Overlay 1 and 2 areas to avoid or mitigate flood hazard in a 0.5% AEP (1 in 200 year) event. We have attached a copy of this feedback as Annex B for your information. Our primary concern with the proposed approach of PC53 to managing flood hazard was that the rules apply only to the mapped overlays, and will not apply to land that is not currently modelled but is shown through site-specific assessment to be at risk of inundation in a 0.5% AEP (1 in 200 year) flood event.

23. Horizons is comfortable working with MDC through the PC53 process to ensure that the natural hazards provisions of the District Plan give effect to the natural hazard objectives and policies of the One Plan. In the interim, we recommend that the guidance note under Rule 16.4.2 be amended to refer plan users to the natural hazard section of the District Plan for any development within the 0.5% AEP (1 in 200) year modelled floodable area on Appendix 16.2 – Kawakawa Industrial Park Growth Area. We also request the deletion of reference to the “0.5% AEP (1:200) year modelled floodable land” from the guidance note beneath rule 16.4.2 as Horizons does not have a regulatory role in relation to floodable land. Our role is to provide flood information and advice to territorial authorities to assist them in their decision making. Suggested wording is as follows:
Guidance Notes:

**Stormwater Neutrality**:

Odour is and the 0.6% AEP (1:200) year modelled floodable land are regulated by the Manawatu-Wanganui Regional Council. Land included within the 0.6% AEP (1 in 200 year) modelled floodable land in Appendix 16.2 (Kawakawa Industrial Park Growth Area) is also subject to the Flood Channel 2 Zone Rules.

**Decisions Sought**

- That the mapped "0.5% AEP (1 in 200 year) modelled floodable land" on the Kawakawa Industrial Park Growth Area structure plan (Appendix 16.2) be retained without amendment.

- That the Flood Channel 2 Zone on Planning Map 35 be amended to correspond with the 0.5% AEP (1 in 200 year) modelled flood information provided by Horizons.

- That MDC provide assurance that MDC officers will continue to work with Horizons through PC53 to achieve amendments to the District Plan that will give effect to One Plan Policy 9.2. In particular, we seek that the District Plan provisions require flood hazard mitigation through finished floor levels that include reasonable freeboard above the 200 year flood level for new buildings and extensions to existing buildings in the floodable area, and ensuring safe access and egress within the Kawakawa Industrial Park Growth Area.

- That the guidance note under Rule 16.4.2 be amended as follows:

  Guidance Notes:
  
  **Stormwater Neutrality**:

  Odour is and the 0.6% AEP (1:200) year modelled floodable land are regulated by the Manawatu-Wanganui Regional Council. Land included within the 0.6% AEP (1 in 200 year) modelled floodable land in Appendix 16.2 (Kawakawa Industrial Park Growth Area) is also subject to the Flood Channel 2 Zone Rules.

**Plan Change 55 – District Wide Rules**

24. Horizons supports the intent of the plan change. We specifically support the following provisions:

- Objective 1 and Objective 2 and all supporting policies, in Section 3A.3
- The road hierarchy as illustrated in Appendix 3B.1 and the objectives and policies that relate to this
- Resource Management Issues 2 and 5 in Section 3D.2
- Objective 1 and Policies 1.2 and 1.3 in Section 3D.3
- Objectives 2 and 3 and their associated policies in Section 3D.3. However, we note that the word "of" is missing between the words "functioning" and "known" in Policy 2.5.
- Standard "c" of Rule 3G.4.1

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2 This amendment was sought in paragraph 12 and has been included here for completeness.
3 This amendment was sought in paragraph 12 and has been included here for completeness.
25. Objective 1 and Objective 2 and their supporting policies in section 3A.3 together give effect to One Plan Policies 3-2, 3-3, and 3-4. We note that proposed Objective 2 has been amended since the draft version to include reference to infrastructure of regional and national importance. Horizons therefore supports these provisions.

26. One Plan Policy 3-1 states that the Regional Council and Territorial Authorities must recognise specified infrastructure, facilities and assets as physical resources of regional or national importance, and have regard to the benefits derived from those resources in relation to their establishment, operation, maintenance or upgrade. While Section 3A Network Utilities mentions infrastructure of regional and national importance, and includes generally enabling provisions which give effect to the second aspect of Policy 3-1 (recognition of specified facilities and assets), the Proposed Plan provisions do not appear to consistently recognise all the applicable infrastructure, facilities and assets within the section. Horizons therefore seeks some amendments to the District Plan to ensure consistent and clear provision for all the physical resources of regional or national importance.

27. Specifically, we request that the fourth paragraph in Section 3A.1 (introduction) be amended to more clearly reflect Policy 3-1 of the One Plan as follows:

    The Manawatu-Wanganui Regional Council’s One Plan also recognises provides for the regional and national importance of a range of infrastructure in the region. The Regional Policy Statement section of the One Plan (RPS) requires that councils recognise, and have regard to the benefits that derive from, regionally and nationally important infrastructure and utilities, and that the establishment, operation, maintenance and upgrading of such infrastructure be provided for in the District Plan. The RPS also requires that the Council ensure that adverse effects from other activities on network utility infrastructure are avoided as reasonably practicable.

28. We note that the definition of ‘network utilities’ in PC55 includes all of the infrastructure listed in Policy 3-1(a) of the One Plan, but not the facilities and assets listed in Policy 3-1(b). This means that solid waste facilities, existing flood protection schemes and NZ Defence Force facilities are not included in the District Plan as ‘network utilities.’ This is consistent with the One Plan definition of ‘infrastructure of regional and national importance’, and is generally supported by Horizons. However, we note that there is a disconnect between the policy framework and Rule 3A.4.1. That is, it is not clear whether some permitted activities provided for by Rule 3A.4.1 are included in the District Plan definition of network utilities, and they may therefore not be supported by the objectives and policies in Section 3A.

29. For the reasons set out in paragraph 28 above, Horizons recommends the deletion of clause (h) of Rule 3A.4.1 and the insertion of new permitted activity rules that provides for these facilities and assets within the relevant zone chapters. This will ensure that the rules in Section 3A are specific to network utilities as defined in the Resource Management Act 1991, while still ensuring that the District Plan recognises and provides for those physical resources of regional or national importance listed in One Plan Policy 3-1(b). Alternatively, the definition of ‘network utility’ could be amended to clarify that it includes not only infrastructure but also the facilities and assets listed in Policy 3-1(b).
30. One Plan Objective 3-1 requires that regard be given to the benefits of infrastructure and other physical resources of regional or national importance by recognising and providing for their establishment, operation, maintenance and upgrading. This is supported in particular by One Plan Policy 3-2. “Upgrade” is defined in the One Plan as follows:

 upgrade means bringing a structure^, system, facility or installation up to date or to improve its functional characteristics, provided the upgrading itself does not give rise to any significant adverse effects^, and the character, intensity and scale of any adverse effects^ of the upgraded structure^, system, facility or installation remain the same or similar.

31. We note that proposed Policy 1.1 provides only for “minor upgrading” of network utilities. The proposed District Plan definition of “minor upgrading” includes “increasing the carrying capacity or efficiency of an existing utility while the effects of that utility remain the same or similar in character, intensity and scale…” As the proposed District Plan definition of ‘minor upgrade’ is similar to the One Plan definition of ‘upgrade,’ Policy 1.1 is generally consistent with One Plan Objective 3-1 and is therefore supported by Horizons.

32. Section 3A.3 does not recognise the need to avoid placing new critical infrastructure in areas that are at risk of flooding or another type of natural hazard (One Plan Policy 9-3). However, we recognise that proposed Policy 6.3.1.7 in the draft Plan Change 53 documents recognises the need to avoid placing new critical infrastructure in areas known to be susceptible to natural hazards. Providing this policy is retained through the Plan Change 53 process, we are satisfied that the District Plan will give effect to One Plan Policy 9-3.

33. Horizons is satisfied that the Manawatu District roading hierarchy is consistent with the Joint Transport Study. We therefore support the new objectives and policies that seek to maintain the safety and efficiency of this roading hierarchy and request that they be retained without modification.

34. A number of permitted activities listed under Rule 3A.4.1 and Rule 3D.4.1 such as the upgrading or realignment of roads or railway lines and earthworks may trigger resource consent requirements from Horizons. We therefore support guidance note 2 under Rule 3A.4.1, and guidance note 1 under Rule 3D.4.1 which advise plan users that earthworks are also regulated by the Manawatu-Wanganui Regional Council (Horizons), and that a resource consent may be required under the Rules of the One Plan or any subsequent Regional Plan. In addition to earthworks requirements, there may be other consents required from Horizons for certain activities, including water takes, diversions and discharges. We therefore recommend that guidance note 2 under Rule 3A.4.1 and guidance note 1 beneath Rule 3D.4.1 be amended include reference to water takes and diversions as additional activities that are also regulated by the Manawatu-Wanganui Regional Council. Suggested wording for these guidance notes is as follows:

 Water takes, diversions, discharges and Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent may be required under the rules of the Regional Plan.

35. Horizons supports the standards for earthworks in Rule 3D.4.2. In particular, we support clause i, which states that “Earthworks must not block any stormwater or
overland flow paths." One Plan Policy 9-1 gives territorial authorities responsibility for developing rules to control land use, to avoid or mitigate natural hazards. Earthworks that block stormwater or overland flow paths could divert water onto other properties and towards occupied structures. We therefore support the consideration of effects of earthworks on flow paths in relation to earthworks activities.

36. Horizons supports guidance note 2 under Table 3D.1 (Earthwork Volumes). One Plan Rule 13-1 requires that erosion and sediment control measures be installed prior to, and maintained during, any small scale land disturbance involving a land area of up to 2,500m² per 12 month period. One Plan Rule 13-2 requires any large-scale land disturbance (exceeding 2,500m² per 12 month period) to be carried out in accordance with an erosion and sediment control plan. The definition of "erosion and sediment control plan" specifies that this plan must be prepared in accordance with the "Erosion and Sediment Control Guidelines for the Wellington Region" dated September 2002. This guidance note will assist plan users by referring them to the One Plan requirements, including the guidelines that need to be referred to when preparing their erosion and sediment control plan. We request that this guidance note be retained as drafted in PPC55, except for a minor amendment to refer to "any subsequent Regional Plan," to ensure that it remains valid should the One Plan be re-named in the future.

37. We note that the permitted activity standards for earthworks (Rule 3D.4.2) include different setback distances from waterways than those included in the One Plan. However, as the effects that are managed by the Manawatu District Council, such as amenity, differ from the considerations of Horizons, these differences are reasonable. The guidance note 2, beneath Table 3D.1 will ensure that plan users consider the One Plan requirements for earthworks as well as those of the Manawatu District Plan.

38. Horizons supports the discretionary activity status given to applications to place a relocated building in a Flood Channel Zone. Additional buildings placed within an area that is likely to be inundated in a 0.5% AEP flood hazard may result in a diversion of flood water. As noted in paragraph 35, while the One Plan contains rules relating to diversion of water, One Plan Policy 9-1 gives territorial authorities responsibility for developing rules to control land use to avoid or mitigate natural hazards. In addition, Policy 9-2 states that territorial authorities must not allow new structures or activities, or increases in scale of structures and activities, within floodways or areas that would be inundated in a 0.5% AEP (1 in 200 year) flood event, with some exceptions.

39. The discretionary activity status for relocated buildings gives MDC the ability to impose conditions to ensure that relocated buildings avoid or mitigate flood hazard in accordance with One Plan Policy 9-2. Consideration can also be given as to whether the structure, including any earthworks undertaken to achieve safe access and a safe building platform, will adversely effect any other existing structure or displace floodwaters onto adjoining properties (One Plan Policy 9-2(iv) and (vi).

40. For the reasons outlined in paragraphs 38 and 39, Horizons supports controlled activity standard c. of Rule 3G.4.1 and Rule 3G.4.4 and requests that they be retained as drafted in PPC55.

**Decisions Sought**

- That those provisions specifically supported by Horizons that are listed in paragraph 24 above be retained as drafted in PPC55, except that Policy 2.5 in Section 3D.3 be amended as follows (addition underlined):
2.5 To ensure that earthworks do not affect the functioning of known overland flow paths.

• That paragraph 4 in section 3A.1 (Introduction) be amended as follows:

The Manawatu-Wanganui Regional Council’s One Plan also recognises provides for the regional and national importance of a range of infrastructure in the region. The Regional Policy Statement section of the One Plan (RPS) requires that councils recognise and have regard to the benefits that derive from, regionally and nationally important infrastructure and utilities, and that the establishment, operation, maintenance and upgrading of such infrastructure be provided for in the District Plan. The RPS also requires that the Council ensure that adverse effects from other activities on network utility infrastructure are avoided as reasonably practicable.

• That clause (h) of Rule 3A.4.1 be deleted and that new permitted activity rules be inserted to provide for these facilities and assets within the relevant zone chapters

OR

That the definition of ‘network utilities’ be amended to that it includes not only infrastructure but also the facilities and assets listed in One Plan Policy 3-1(b)

• That the second guidance note under Rule 3A.4.1 be amended as follows:

Water takes, diversions, discharges and Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent may be required under the rules of the Regional Plan.

• That guidance note 1. under Rule 3D.4.1 be amended as follows:

Water takes, diversions, discharges and Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent may be required under the rules of the Regional Plan.

• That permitted activity standard ‘i.’ of Rule 3D.4.2 be retained as drafted in PPC55.

• That guidance note 2. Under Table 3D.1 be retained as drafted in PPC55, subject to a minor amendment as follows:

Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent may be required under the rules of the One Plan, or any subsequent Regional Plan. The One Plan requires Erosion and Sediment Control measures to comply with the Greater Wellington Regional Council’s Erosion and Sediment Control Guidelines dated September 2002.

• That controlled activity standard c. of Rule 3G.4.1 be retained as drafted in PPC55.
That Rule 3G.4.4 be retained as drafted in PPC55.

Plan Change 60 – Designations

41. Horizons has lodged Notice of Requirement Applications for new designations for our existing flood control and drainage assets, as follows:

- Lower Manawatu Scheme and Tangimoana – lodged 11/03/13
- Te Kauwhi and Manawatu Drainage Schemes – lodged 19/04/13
- Makino Reids Line Drop Structure – 24/06/14

42. On the 24th of June 2014, Horizons gave written approval to the Manawatu District Council to waive the 40 day timeframe for public notification under s170 of the Resource Management Act to allow them to be notified as part of the District Plan Review. Draft Plan Change 60 does not include those designations sought by Horizons. However, having spoken to the Manawatu District Council’s Principal Planning Adviser on 7 March 2016, we understand that those Designations sought by Horizons are being notified as a separate plan change in November 2016. Horizons is comfortable with this approach.

43. There are no matters in draft Plan Change 60 that Horizons wishes to comment on.

Thank you again for the opportunity to provide feedback on these proposed Plan Changes. Please do not hesitate to contact me (email: lisa.thomas@horizons.govt.nz) if you would like to discuss or clarify any aspect of this feedback.

Yours sincerely

Lisa Thomas
COORDINATOR DISTRICT ADVICE

Encl: Annex A – One Plan Rule 14-18
Annex B – Copy of Horizons feedback letter to Draft Plan Changes 55, 55 & 60
# 14.6 Rules - Stormwater

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<tr>
<th>Rule</th>
<th>Activity</th>
<th>Classification</th>
<th>Conditions/Standards/Terms</th>
<th>Control/Discretion Non-Notification</th>
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| 14-18 | **Discharges** of stormwater to surface water* and land* | Permitted | (a) The discharge* must not include stormwater from any:  
  (i) industrial or trade premises* where hazardous substances* stored or used may be entrained by the stormwater  
  (ii) contaminated land* where the contaminants* of concern may be entrained by the stormwater  
  (iii) operating quarry or mineral* extraction site* unless there is an interceptor system* in place.  
(b) The discharge* must not cause or exacerbate the flooding of any other property*.  
(c) The activity must not cause erosion of any land* or the bed* of any water body* beyond the point of discharge* unless this is not practicably avoidable, in which case any erosion that occurs as a result of the discharge* must be remedied as soon as practicable.  
(d) There must be no discharge* to any rare habitat*, threatened habitat*, at-risk habitat*, or reach of river* or its bed* with a Schedule B Value of Natural State.  
(e) For discharges* of stormwater onto or into land*:  
  (i) the discharge* must be below a rate that would cause flooding outside the design discharge* soakage area, except in rain events equivalent to or greater than the 10% annual exceedance probability design storm. Any exceedance must go into designated overland flow paths  
  (ii) there must not be any overland flow resulting in a discharge* to a natural surface water body*. | |
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<th>Activity</th>
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<th>Conditions/Standards/Terms</th>
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<td>except in rain events equivalent to or greater than the 10% annual exceedance probability design storm</td>
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<td>(iii) the discharge must not contain concentrations of hazardous substances that are toxic to aquatic ecosystems, or accumulate in soil.</td>
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<td>(f) For discharges of stormwater into surface water bodies the discharge must not cause any permanent reduction of the ability of the receiving water body or its bed to convey flood flows.</td>
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<td>(g) For discharges of stormwater into surface water bodies the discharge must not cause, after reasonable mixing, any of the following effects in the receiving water body:</td>
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<td>(i) the production of conspicuous oil or grease films, scum or foams, or floatable or suspended materials</td>
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<td>(ii) any conspicuous change in the colour or visual clarity of the receiving water</td>
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<td>(iii) any emission of objectionable odour</td>
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<td>(iv) the rendering of fresh water unsuitable for consumption by farm animals</td>
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<td>(v) toxicity to aquatic ecosystems</td>
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<td>(h) The activity must not be to any historic heritage identified in any district plan or regional plan.</td>
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| 14-19 | **Discharges** of stormwater to surface water or land not complying with Rule 14-18 | **Restricted Discretionary** | (a) There must be no discharge to any rare habitat, threatened habitat, at-risk habitat, or reach of a river or its bed with a Schedule B Value of Natural State. | Discretion is reserved over: (a) measures to control flooding and erosion (b) contaminant concentrations and loading rates (c) measures to avoid, remedy or mitigate adverse effects on groundwater quality |

*Note: The table contains details on regulations and conditions related to discharges into land and water, including restrictions and discretionary controls.*
Dear Wendy

FEEDBACK ON DRAFT PLAN CHANGES 52, 55 AND 60

Thank you for the opportunity to provide feedback on Draft Plan Change 52 (Industrial Zone), 55 (District Wide Rules) and 60 (Designations) to the Manawatu District Plan.

PLAN CHANGE 52 – INDUSTRIAL ZONE

1. We understand that Plan Change 52 includes both a review of the Industrial Zone rules, and a rezoning of 15.6 hectares of land along Turners Road from Rural to Industrial. Our key interests for development in this area include avoidance or mitigation of flood risk in a 0.5% Annual Exceedance Probability (AEP) (1 in 200 year) event and management of the quantity and quality of stormwater discharges.

2. Horizons staff have had various preliminary discussions with Manawatu District Council (MDC) staff regarding various aspects of this draft plan change. Our involvement to date has included discussions around how additionally generated stormwater is to be detained within the extension area so that it does not result in increased stormwater flows to the Taonui Basin. We also made a submission on a Notice of Requirement (NOR) to designate a new link road that will join Turners Road and Kawakawa Road, which will facilitate development of this area. This proposed link road is illustrated on the structure plan map in Appendix 16.2 – “Kawakawa Industrial Park Growth Area.”

Resource Management Issues

3. Horizons generally supports the resource management issues identified for the Industrial Zone. However, the proposed resource management issues do not recognise the potential adverse environmental effects of industrial development, only reverse sensitivity effects from non-industrial activities within and adjacent to the Industrial Zone. For example, the proposed rules recognise the need to achieve stormwater neutrality so as to not flood downstream properties. Such potential effects are not reflected in the proposed policy framework. We therefore recommend that a new resource management issue be added. We also recommend
that changes be made to Objective 1 and the supporting policies to include this issue.

Amendment Sought

- That a new resource management issue be added to reflect the need to manage industrial activities so as to not cause adverse environmental effects.

Possible wording is as follows:

"The need to manage the potential effects of industrial development on the environment, including increases in stormwater run-off as a result of increased impermeable surfaces."

Stormwater Quantity

4. Horizons supports the following provisions within the Draft Plan Change, and requests that they be retained without modification:

- Inclusion of "stormwater neutrality" as a matter of discretion to consider under Rule 16.3.3 (Restricted Discretionary Activities – Industrial Zone).

- Standard 2.3.3 (Stormwater Neutrality) of Rule C2 – Zone Standards – Subdivision.

5. Horizons supports the approach being taken by MDC to require industrial developments to achieve "stormwater neutrality." Without mitigation, the cumulative effects of additional stormwater flows to the Taonui Basin will be significant. A number of discussions have been held between Horizons and MDC staff over recent years in relation to stormwater management for Feilding and how to achieve "stormwater neutrality." MDC prepared a comprehensive stormwater management plan for Feilding in March 2015. This management plan was required by a condition of MDC’s stormwater discharge consent from Horizons (consent number 104360). We understand that MDC is looking to achieve stormwater neutrality through a combination of Council-managed detention areas as well as private onsite detention measures.

6. Horizons Manager Investigations and Design, Peter Blackwood, gave technical feedback on a stormwater memo prepared by MDC’s Senior Project Engineer, Chris Pepper, in March 2015. The agreements reached between MDC and Horizons should be referred to when assessing whether new industrial developments (including new buildings) and subdivision applications achieve "stormwater neutrality."

7. We note that a definition of "stormwater neutrality" was added to the District Plan through Plan Change 45 (PC45). This definition does not include any design parameters by which to assess stormwater discharges. Horizons Manager Investigations and Design, Peter Blackwood, gave MDC technical advice and design parameters for managing stormwater discharges from residential development within Growth Precincts 1 - 3 to the Makino Stream and Oroua River to minimise effects on the Taonui Basin.
8. We requested the inclusion of these design parameters for subdivisions within Growth Precincts 1 – 3 in the District Plan through our submission and through Peter Blackwood’s Hearings evidence for PC45. While this request was rejected, MDC did agree to having these parameters incorporated into the Subdivision Design Guide to assist plan users. We provided proposed wording for the Subdivision Design Guide to Deborah Kissick on 12 June 2014. A copy of this email correspondence is attached to this letter for your information. These parameters do not appear to have been incorporated into the Subdivision Design Guide that is included with the Operative version of the District Plan on the MDC website.

9. While not specifically part of this Plan Change, we recommend that the Subdivision Design Guide be updated to include the proposed wording that we provided to MDC on 12 June 2014. However, as these design parameters are specific to residential subdivision, further amendments are required to the Subdivision Design Guide, or to the definition of “stormwater neutrality” that are specific to managing discharges from industrial development. While 50% detention of stormwater is acceptable to Horizons for residential infill subdivisions, Horizons is advocating for 100% detention from industrial developments.

10. Draft Plan Change 52 includes rules requiring stormwater neutrality to be achieved at the site level and the precinct level through the standards set out for permitted activities, including new industrial buildings, and the standards set out in the subdivision rules. The note below standard “j” of Rule 16.3.2 refers plan users to Appendix 10 of the Subdivision Design Guide for examples of best practice methods for managing stormwater run-off. However, there is no requirement that development be in accordance with the Subdivision Design Guide.

11. We are of the opinion that PC52 does not include sufficient guidance for plan users on how “stormwater neutrality” is to be achieved in respect of industrial developments. Horizons will continue to work with MDC’s Senior Project Engineer to provide technical advice on how stormwater neutrality is to be achieved for industrial developments at the site and precinct level prior to the notification of Proposed Plan Change 52. We would be happy to also provide recommendations to MDC’s Planning Officers on how we consider the provisions should be amended to include this stormwater management guidance.

Amendments Sought
- That the provisions listed in paragraph 4 above be retained as proposed in the Draft Plan Change.
- That MDC continue to liaise Horizons staff to confirm how stormwater neutrality is to be achieved for industrial developments within Precinct 5.
- That prior to notification of PC52, the provisions be amended to provide plan users with additional guidance on how stormwater neutrality is to be achieved.
Stormwater Quality

12. Condition (a) of Rule 14-18 of Horizons One Plan requires all industrial or trade premises, where hazardous substances stored or used may be entrained by the stormwater, to have an interceptor, as follows:

(a) The discharge must not include stormwater from any:
   (i) industrial or trade premises where hazardous substances stored or used may be entrained by the stormwater
   (ii) contaminated land where the contaminants of concern may be entrained by the stormwater
   (iii) operating quarry or mineral extraction site

   unless there is an interceptor system in place.

13. Draft Plan Change 52 does not include any standards around the treatment of stormwater from industrial or trade premises, except in relation to service stations (Rule 1.3.4 A) xx) f)). Based on the information contained in the Feilding Stormwater Management Plan (referred to in paragraph 5 above), we understand that there are stormwater treatment requirements for all industrial and trade premises contained within the Manawatu District Council Bylaw 2008 (currently under review), that are imposed through the building consent process. We recommend that a further advice note be added to standard "j." of Rule 16.3.2 referring plan users to the One Plan and to the current version of the Manawatu District Council Bylaw in relation to stormwater treatment requirements.

Amendment Sought

- That an advice note be added to standard "j" of Rule 16.3.2, referring plan users to the stormwater rules of the One Plan and to the current version of the MDC Council Bylaw. Possible wording is as follows:

   *Note: Refer to the current Manawatu District Council’s Bylaw and Rule 14-18 of the Manawatu-Whanganui Regional Council’s One Plan to establish requirements for stormwater treatment.*

Avoidance and Mitigation of Flood Risk

14. Policy 9-2 generally discourages new habitable buildings from being built in locations that are likely to be inundated during a 1 in 200 year flood. Where flood hazard cannot be avoided, this policy requires the Regional Council and Territorial Authorities to consider the appropriateness of flood hazard mitigation measures. There are two considerations with respect to flood mitigation – elevated floor levels and safe access from the building. Policy 9-2 requires Regional Council and Territorial Authorities to ensure that occupied structures have a finished floor or ground level which includes reasonable freeboard above the 0.5% AEP (1 in 200 year) flood level. For new commercial buildings, "reasonable freeboard" is deemed to be 300mm, in accordance with NZS4404:2010.

15. Horizons supports the inclusion of our modelled flood information for a 0.5% AEP flood event on the draft structure plan for the Kawakawa Industrial Park Growth Area. However, we think the legend needs to be renamed to clarify that the blue shaded area covers all land that has been
modelled as likely to be flooded by more than 50mm of water during a 0.5% AEP (1 in 200 year) flood event. The legend incorrectly suggests that these areas will be inundated by more than 0.5m of flood water, rather than being the whole "wet extent." Also, the reference to a "200 year flood level" is misleading as the actual flood level will vary with differences in topography. We recommend renaming the key to say "0.5% AEP (1 in 200 year) modelled floodable land" or similar.

16. Rule 16.3.1 makes the construction of new buildings and additions and alterations to existing industrial buildings permitted within the Industrial Zone. I understand that the Manawatu District Council is proposing to include a flood hazard overlay that reflects those areas that Horizons has modelled as likely to be inundated during a 0.5% AEP (1 in 200 year) flood event. However, Rule 16.3.1 does not include any standards requiring buildings within the modelled floodable area to avoid or mitigate the flood hazard. The only reference to the avoidance or mitigation of flood hazards is in the list of matters that Council has reserved its control over for controlled activity subdivisions (Rule 1.3.2). It is therefore not clear how the draft plan change is giving effect to One Plan Policy 9-2, particularly for new buildings and extensions to existing buildings that are constructed in the absence of subdivision.

17. I note that Rule 16.3.1 (Permitted Activities – Industrial Zone) specifically excludes sites within the "Lateral Spread Overlay." A similar exclusion could be made for activities within the 0.5% AEP modelled floodable area of the Industrial Zone (including the extension area).

Amendments Sought
- That the wording on the legend for the draft structure plan for the Kawakawa Industrial Park Growth Area be changed from “200 year flood level” to “0.5% AEP (1 in 200 year) modelled floodable land” or similar.
- We seek clarification on how the plan change gives effect to Policy 9-2 of the One Plan with respect to new buildings and extensions to existing buildings within the modelled 0.5% AEP flood extent, particularly when development occurs independent of subdivision.

PLAN CHANGE 55 – DISTRICT WIDE RULES

1. Horizons supports the intent of the plan change. We specifically support the following provisions:
   - Objective 1 and Objective 2 and all supporting policies, in Section 3A.3
   - The roading hierarchy as set illustrated in Appendix 3B.1 and the objectives and policies that relate to this
   - Resource Management Issues 2 and 5 in Section 3D.2
   - Objective 1 and Policies 1.2 and 1.3 in Section 3D.3
   - Objectives 2 and 3 and their associated policies in Section 3D.3
   - Standard "b" of Rule 3G.4.1
   - The discretionary status of applications for relocated buildings in the flood channel zone under Rule 3G.4.4.
2. Objective 1 and Objective 2 and their supporting policies together generally give effect to One Plan Policies 3-2 and 3-3, and Policy 3-4 in part. Horizons would therefore support these provisions.

3. However, the objectives and policies for network utilities (3A.3) do not give full effect to One Plan Policy 3-1 because they do not recognise the network utilities as physical resources of regional or national importance. One Plan Policy 3-1(a) lists specific infrastructure which are network utilities as defined in section 166 of the Resource Management Act 1991. We would like to see the draft provisions amended to achieve appropriate recognition of those network utilities listed in Policy 3-1(a) that the chapter applies to.

4. Section 3A.3 also does not recognise the need to avoid placing new critical infrastructure in areas that are at risk of flooding or another type of natural hazard (One Plan Policy 9-3). We seek clarification as to whether such considerations are covered elsewhere in the Plan, or will be included within the natural hazards plan change that is being notified separately to PC55.

5. Horizons is satisfied that the Manawatu District roading hierarchy is consistent with the Joint Transport Study. We therefore support the new objectives and policies that seek to maintain the safety and efficiency of this roading hierarchy and request that they be retained without modification.

6. A number of permitted activities listed under Rule 3A.4.1 and Rule 3D.4.1 such as the upgrading or realignment of roads or railway lines and earthworks may trigger resource consent requirements from Horizons. It is therefore recommended that notes be included under Rule 3A.4 and 3D.4 advising plan users to consult with the Manawatu-Whanganui Regional Council to confirm any resource consent requirements.

7. We note that the permitted activity standards for earthworks (Rule 3D.4.2) include different setback distances from waterways than those included in the One Plan. However, as the effects that are managed by the Manawatu District Council, such as amenity, differ from the considerations of Horizons, these differences are reasonable. However, plan users need to be aware that they will need to check the requirements of both the District Plan and Horizons One Plan for certain activities.

8. Horizons supports clause xvii of Rule 1.3.2 (Reservation of Control – Controlled Activity Subdivision Applications) which makes avoidance or mitigation of flood hazards a matter of control. However, a Controlled Activity status does not give MDC the ability to decline a subdivision application where the flood hazard cannot be appropriately mitigated. For example, where the water depths and velocities exceed safe wading limits, or where the proposed building location is within a flow path which would divert floodwaters onto adjoining properties in a flood event. We therefore consider that subdivisions within the 0.5% AEP modelled floodable area should be a restricted discretionary activity as a minimum.
Horizons supports the requirement in clause A) xiii) that Controlled Activity Subdivisions (Rule 1.3.2) be in accordance with any relevant Structure Plan and adhere to the principles set out in the Subdivision Design Guide. As noted in paragraphs 8 and 9 of our feedback on PC52, MDC previously agreed to the inclusion of additional guidance on how to achieve stormwater neutrality within a subdivision. If the Subdivision Design Guide is amended to include Horizons proposed wording (refer to attached email dated 12 June 2014), then future subdivisions will be required to adhere to these stormwater neutrality principles.

Amendments Sought
- That those provisions specifically supported by Horizons that are listed in paragraph 1 above be retained in the draft plan change without modification.
- That the network utility provisions be amended to give effect to One Plan Policy 3-1 by recognising applicable network utilities as physical resources of regional or national importance.
- That MDC clarify how the Plan will give effect to One Plan Policy 9-3 which requires that the placement of new critical infrastructure avoid areas that are at risk of flood or another type of natural hazard.
- That an advice note be included under Rule 3A.4 and 3D4 advising plan users to consult with the Manawatu-Whanganui Regional Council to confirm any resource consent requirements.
- That the activity status of subdivisions within the 0.5% AEP (1 in 200 year) modelled floodable area be changed to a restricted discretionary activity as a minimum.

PLAN CHANGE 60 – DESIGNATIONS

1. Horizons has lodged Notice of Requirement Applications for new designations for our existing flood control and drainage assets, as follows:
   - Lower Manawatu Scheme and Tangimoana – lodged 11/03/13
   - Te Kawau and Manawatu Drainage Schemes – lodged 19/04/13
   - Makino Reids Line Drop Structure – 24/06/14

2. On 24 June 2014, Horizons gave written approval to the Manawatu District Council to waive the 40 day timeframe for public notification under s170 of the Resource Management Act to allow them to be notified as part of the District Plan Review. Draft Plan Change 60 does not include those designations sought by Horizons. However, having spoken to the Manawatu District Council’s Principal Planning Adviser on 7 March 2016, we understand that those Designations sought by Horizons are being notified as a separate plan change in November 2016. Horizons is comfortable with this approach.

3. There are no matters in draft Plan Change 60 that Horizons wishes to comment on.
Thank you again for the opportunity to provide feedback on these draft Plan Changes. Please do not hesitate to contact me (email: lisa.thomas@horizons.govt.nz) if you would like to discuss or clarify any aspect of this feedback.

We look forward to continued involvement in these plan changes as they progress towards public notification.

Yours sincerely

Lisa Thomas
COORDINATOR DISTRICT ADVICE

Encl: Copy of email correspondence regarding stormwater guidance for the Subdivision Design Guide
Pursuant to Clause 6 of the first Schedule of the Resource Management Act 1991

Submission on Manawatu District Council's Plan Change 52 – Industrial Zone, Plan Change 55 – District Wide Rules and Plan Change 60 – Designations

To: Manawatu District Council
Private Bag 10001
Feilding 4743

From: NZ Transport Agency
PO Box 1947
Palmerston North 4440

1 The NZ Transport Agency (Transport Agency) generally supports Plan Change 52 – Industrial Zone, Plan Change 55 – District Wide Rules and Plan Change 60 – Designations.

2 The specific provisions of Proposed Plan Change 52, 55 and 60 that the Transport Agency's submission relates to are as follows:
The proposed plan change provisions which are identified in 3.2.

3 The Transport Agency's submission is that:

3.1 Role of the Transport Agency

3.3.1 The Transport Agency's objective, functions, powers and responsibilities are derived from the Land Transport Management Act 2003 ("LTMA"), and the Government Roading Powers Act 1989 ("GRPA"). The Transport Agency's functions include "to contribute to an effective, efficient, and safe land transport system in the public interest"; and the "management of the state highway system, including planning, funding, design, supervision, construction, and maintenance and operations, in accordance with this Act and the Government Roading Powers Act 1989".

1. Section 95(1)(a) LTMA.
2. Section 95(1)(c) LTMA.
3.3.2 The Transport Agency is a Crown entity, with the sole powers of control and management for all purposes of all state highways. The Transport Agency is also an investor in Manawatu District’s transport network, investing in roading maintenance and operations, and renewals, improvements, walking and cycling and public transport services. As an investor, we therefore have a significant interest in seeing that land use planning for the District is integrated with the transport system. We also have an interest in present and future land use decision-making to ensure that the public receive value for money transport outcomes from our investment.

3.3.3 The Transport Agency is a requiring authority and a network utility operator in terms of the Resource Management Act 1991. The network we operate within Manawatu District includes the following transport corridors, classified under the One Network Road Classification as: National; State Highway 1, Regional; State Highway 3, Arterial; State Highway 56; and State Highway 54 between Palmerston North and Feilding with the balance of State Highway 54 North of Feilding being a Primary Collector. In managing these networks the Transport Agency must promote the safe, efficient and effective functioning of the land transport system and ensure the system is not adversely affected in a significant manner.

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

1 Section 93(2) LTMA.
2 Section 61 GRPA.
3 Section 167 RMA.
4 Section 70(1) LTMA.
3.3.5 To achieve an integrated approach to planning requires coordination of statutory resource management and transport infrastructure investment planning across three principal statutes: the Resource Management Act (1991), Local Government Act (2002), and Land Transport Management Act (2003). It is essential that a policy framework aligns land use and transport planning within Manawatu District.

3.2 Specific comments applying to Proposed Plan Change 52, 55 and 60.

The Transport Agency supports the overall intent and direction of Proposed PC52, 55 and 60. The Transport Agency’s specific comments on PC52, 55 and 60 are as follows:

<table>
<thead>
<tr>
<th>Proposed District Plan provision &amp; reference</th>
<th>The Transport Agency's position &amp; decision sought</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 3 - District Wide Rules</td>
<td></td>
</tr>
<tr>
<td>3A.2 Resource Management Issues (1) and (3)</td>
<td>The Transport Agency supports Issues 1 and 3, which provide for the safe, effective and efficient operation of network utilities including infrastructure of regional and national importance, and protect these facilities utilities from inappropriate subdivision and development. It is requested that these are retained as notified.</td>
</tr>
<tr>
<td>3A.3 Objective 2 Policies along with associated Policies</td>
<td>The Transport Agency supports Objective 2 and the associated Policies which have the intent to protect the operation of network utilities, including infrastructure of regional and national importance, from the potential adverse effects of subdivision and other development that has the ability to effect the safe operation of the roading network. Furthermore the Transport Agency is supportive of avoiding reverse sensitivity issues which may arise between the network utility such as the State Highway network and neighbouring activities such as residential dwellings. It is requested that these are retained as notified.</td>
</tr>
<tr>
<td>3A.4 Permitted Activities (b)</td>
<td>The Transport Agency is supports the permitted activity status for the construction, operation, maintenance, realignment and upgrading of roads with the road reserve. It is requested that this is retained as notified.</td>
</tr>
<tr>
<td>3B.1 Introduction</td>
<td>The Transport Agency requests that “NZTA” is changed to the “NZ Transport Agency” to provide clarity to plan users. It is requested that the above amendments are incorporated.</td>
</tr>
<tr>
<td>3B.3 Objectives 1, 2 and 3 along with associated Policies</td>
<td>The Transport Agency supports Objective 1, 2 and 3 with associated Policies which ensure an integrated planning approach by maintaining and enhancing the safe, efficient and integrated operation of the transport network within the district through protecting the roading network from adverse effects from land use. It is requested that this is retained as notified.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>3E.4.2 Standards for Permitted Activities (a)</td>
<td>The Transport Agency supports the guidance note which ensures that written approval is obtained from the appropriate road controlling authority. It is requested that this is retained as notified.</td>
</tr>
<tr>
<td>3E.4.2 Standards for Permitted Activities (b)</td>
<td>The Transport Agency supports the provision which has the intent of ensuring that any signs visible from the roading network will not cause any safety issues for road users. It is requested that this is retained as notified.</td>
</tr>
<tr>
<td>Appendix 3B.1 Roading Hierarchy</td>
<td>The Transport Agency supports Appendix 3B.1 which outlines the Roading Hierarchy for the district. It is requested that this is retained as notified.</td>
</tr>
<tr>
<td>3C. Noise</td>
<td>The Transport Agency requests that noise reverse sensitivity provisions are included within the Noise Section of the District Wide rules chapter. This provision would apply where the State Highway speed environment is 70km or greater. Please find below the recommended model provision:</td>
</tr>
</tbody>
</table>

1. **New buildings or alterations to existing buildings containing noise sensitive activities must be at least 40 metres from the edge of the state highway carriageway and there is an existing solid and continuous building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to the new or altered habitable spaces to any part of the road surface of the state highway. This excludes unaltered existing spaces.**

2. **New buildings or alterations to existing buildings containing noise sensitive activities, in or partly in the state highway buffer area must be designed, constructed and maintained to achieve road–traffic vibration levels complying with class C of NS 8176E:2005.**

3. **New buildings or alterations to existing buildings containing noise sensitive activities, in or partly in the state highway buffer area or effects area must be designed, constructed and maintained to achieve the indoor design noise levels from road–traffic set out in (reference table below).**
4. If windows must be closed to achieve the design noise levels in [C], the building must be designed, constructed and maintained with a ventilation and cooling system. For habitable spaces a ventilation cooling system must achieve the following:

a. Ventilation must be provided to meet clause C4 of the New Zealand Building Code. At the same time, the sound of the system must not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.

b. The occupant must be able to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour. At the same time, the sound of the system must not exceed 35 dB LAeq(30s) when measured 1 m away from any grille or diffuser.

c. The system must provide cooling that is controllable by the occupant and can maintain the temperature at no greater than 25°C. At the same time, the sound of the system must not exceed 35 dB LAeq(30s) when measured 1 m away from any grille or diffuser.

5. A design report prepared by a suitably qualified and experienced acoustics specialist must be submitted to the [council officer] demonstrating noise and vibration compliance prior to the construction or alteration of any building containing a noise sensitive activity in or partly in the state highway buffer area or effects area. The design must take into account the future permitted use of the state highway; for existing roads this is achieved by the addition of 3 dB to existing measured or predicted noise levels.

<table>
<thead>
<tr>
<th>BUILDING TYPE</th>
<th>OCCUPANCY/ACTIVITY</th>
<th>MAXIMUM PERMISSIBLE DESIGN NOISE LEVEL LAeq(30s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>University, student accommodation and associated activities</td>
<td>40 dB</td>
</tr>
<tr>
<td>Education</td>
<td>Residential schools, student residences, libraries, lecture rooms and offices</td>
<td>40 dB</td>
</tr>
<tr>
<td>Health</td>
<td>Hospitals, medical clinics, nursing homes</td>
<td>45 dB</td>
</tr>
<tr>
<td>Cultural</td>
<td>Museums, cinemas, art galleries, public libraries</td>
<td>40 dB</td>
</tr>
</tbody>
</table>

The Transport Agency also recommends that the above provision is applied to Kairanga Bunyanthope Road and Ashhurst Road, as these roads are identified in the joint
Transportation Study as key freight corridors. This will also allow for these corridors to be future proofed.

The Transport Agency has a statutory duty to be environmentally and socially responsible and needs to avoid, reduce or remedy any adverse effects resulting from state highways. Where incompatible land uses are located near each other, conflict between the activities often results, typically through complaints from the more sensitive activity. There is a risk that new sensitive activities (such as dwellings) that choose to locate near established state highways may object to the effects of the state highway. Therefore, traffic noise in particular is a major environmental concern.

The State highway network is particularly susceptible to reverse sensitivity effects. Roads are generally an accepted part of our environment, although many people do not appreciate the actual effects of permanently living with road-traffic noise when they choose to build new houses near existing roads and road designations. Even when a site has been visited during the day, prospective residents might not have envisaged the continuing road-traffic noise into the evening when they could be relaxing outside in the summer, or at night when trying to sleep with windows open. People also comment they had not anticipated the steadily increasing traffic that occurs on most state highways over time, and often the changing traffic composition such as an increase in the proportion of trucks at night.

The Transport Agency regularly receives complaints about road-traffic noise from residents who have moved into new houses and subdivisions built adjacent to pre-existing or designated State highways. These include requests for asphalt road surfacing, noise barriers, speed restrictions, prohibition of heavy vehicles or engine braking, and building of alternative/realigned roads. Such pressure is likely to affect the affordability of the transport network for the wider public and the responsiveness of the road controlling authority.

The Transport Agency has an established policy to proactively avoid and manage reverse sensitivity effects. The policy involves working with local authorities, land owners and developers. The requested amendments to acoustic treatment and setback rules seek to manage situations that would give rise to reverse sensitivity effects. The Agency takes a consistent approach, but seeks to work with councils to integrate provisions into each particular plan.
From a purely acoustics standpoint, the most effective reverse sensitivity control is to exclude all new sensitive activities from a buffer area around State highways. However, that stance might not result in sustainable management of resources or good urban design outcomes. The Transport Agency reverse sensitivity policy does not seek prohibition of residential development over a wide area but promotes a balanced approach to allow managed development near state highways. This is an appropriate method to address reverse sensitivity, whereby the goal should be to minimise adverse effects, but not necessarily eliminate all potential complaints, disturbance or annoyance.

The Transport Agency policy has two main elements: setbacks and acoustic treatment of buildings, which are addressed in a Buffer Area and Effects Area respectively. These two areas are defined by distances from the edge of the carriageway. Acoustic treatment of buildings in the Effects Area addresses sleep disturbance and indoor amenity; whereas setbacks in the Buffer Area are essential to also address outdoor amenity, and other potential effects such as vibration and air quality.

Both the Buffer Area and the Effects Area depend on the noise level from the road, with the dominant factors being the traffic flow, vehicle speed, percentage of heavy vehicles and road surface. For roads in this district with a posted speed limit greater or equal to 70 km/h the Transport Agency policy specifies an 80 metre Effects Area. This distance has been determined to generally result in an acceptable level of indoor amenity by maintaining the ‘satisfactory’ internal sounds levels as recommended by the joint Australian Standard and New Zealand Standard AS/NZS 21077. In this Standard, the recommended internal sound levels vary for type of occupancy and activity. For residential buildings near major roads, the recommended sound levels are 30 dB LAeq for sleeping areas and 35 dB LAeq for living areas. For consistency with NZS 68068, the Transport Agency submission has slightly relaxed these criteria for habitable spaces to be 40 dB LAeq(24h). The Effects Area is usually contained partly within the road reserve as it is measured from the edge of the nearest traffic lane, rather than the edge of the carriageway. These Effects Areas to adequately control reverse sensitivity effects as per the Transport Agency policy.

There can still be road-traffic noise effects at greater
distances, but the policy is targeted to address only the most critical situations. In fact, the research \(^9\) behind the policy indicated effects to beyond 300 metres from state highways.

New Zealand Standard NZS 6806, which is used for new and altered roads, requires assessment at houses within 200 metres in rural areas and 100 metres in urban areas. By limiting the area for controls to 80 metres in this instance, the Transport Agency reverse sensitivity policy takes a balanced and pragmatic approach by allowing residential development with a reasonable level of residential amenity.

I note that Nigel Lloyd the Council’s Noise Expert has also recommended in the report dated 29 April 2016, that a reverse sensitivity provision be included. This recommends set-backs from the state highway and noise insulation requirements be incorporated into the plan.

*It is requested that the above provision is incorporated.*

**Section 16 - Industrial Zone**

**Rule 16.4.2 (b) (iii) (b)**  
- Major and Minor Arterial Roads

The Transport Agency supports Rule 16.4.2 (b) (iii) (b) from a safety perspective as it will screen activities visible from the State Highway network which may drive cause driver distraction. The tangible requirement of the provision is also important so that vegetation will break away if a motorist makes a mistake and leave the state highway.

The Transport Agency requests amendments to the provision to provide a list of species that may be used that will not cause damage to the road network and result in increased maintenance costs.

*It is requested that the above amendment is incorporated.*

**16.1 Introduction and Appendix 16.2**  
Kawakawa Industrial Park Growth Area

The Transport Agency supports the proposed rezoning of land to Industrial which extends the Kawakawa Industrial Park Growth Area. There is agreement between the Council and the Transport Agency that the current transport infrastructure, in particular Turners Road and South Street intersection would be placed under pressure from the proposed rezoning. The Transport Agency’s view is that contributions are required from the development to support the transport investment required to build the infrastructure to ensure the traffic effects of the industrial area are remedied or mitigated. The Transport Agency welcomes a pre-hearing meeting with the Council to work together on how this can be accommodated.

\(^9\) Reverse sensitivity measures to address road traffic noise from state highways, Malcolm Hunt Associates, July 2005.

under the District Plan

<table>
<thead>
<tr>
<th>Section 9 - Designations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Designation D5</td>
</tr>
<tr>
<td>Designation D5 covering State Highway 57 appears to be an omission as State Highway 57 does not run through the Manawatu District.</td>
</tr>
<tr>
<td>The Transport Agency requests that this designation is removed.</td>
</tr>
</tbody>
</table>

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

Should Proposed Plan Change 52, 55 and 60 be approved, the Transport Agency requests that it is subject to the above amendments (or amendments to the same effect).

The Transport Agency looks forward to working further with the Manawatu District Council through the process.

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

Dated at Palmerston North the 11th day of July 2016.

Cole O'Keefe
Senior Planning Advisor
Pursuant to a delegation from the Chief Executive of the NZ Transport Agency

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

Telephone Number: (06) 953 6671

E-mail: shaun.harvey@nzta.govt.nz
NOTICE OF SUBMISSION BY POWERCO LIMITED ON PROPOSED PLAN CHANGE
60 OF THE MANAWATU DISTRICT PLAN

To: Manawatu District Council
    Private Bag 10-001
    Feilding
    4743

    Via email: districtplanreview@mdc.govt.nz

Submitter: Powerco Limited
    Private Bag 2061
    New Plymouth 4342

Address for Service: BURTON PLANNING CONSULTANTS LIMITED
    Level 1, 2-8 Northcroft Street
    PO Box 33-817, Takapuna,
    AUCKLAND 0740

    Attention: Karen Blair

    Phone: (09) 917-4305
    Fax: (09) 917-4311
    Email: kblair@burtonconsultants.co.nz
    File ref: 13/117
A. INTRODUCTION

1. Powerco Limited (Powerco) is New Zealand’s largest electricity and second largest gas distributor in terms of network length and has been involved in distribution in New Zealand spanning more than a century. The Manawatu rural sub-transmission network (ex-Manawatu Oroua EPB) consists of open 33kV rings feeding four substations around the periphery of Palmerston North, and 33kV radial feeders to Sanson and Kimbolton via Feilding. The Feilding substation supplies Feilding’s entire load. The 33kV circuits are predominantly overhead construction on concrete poles.

2. As such, Powerco seeks to ensure that its electricity designations in the District are rolled-over into the Proposed District Plan so that Powerco can continue the ongoing development, operation, maintenance and upgrading of these substations.

B. THE SPECIFIC PROVISIONS OF PLAN CHANGE 60 – DESIGNATIONS THAT POWERCO’S SUBMISSION RELATES TO ARE SUMMARISED AS FOLLOWS:

3. The submission relates specifically to the following:
   
   • Powerco designations in Chapter 9

C. POWERCO WISHES TO BE HEARD IN SUPPORT OF THIS SUBMISSION

D. IF OTHERS MAKE A SIMILAR SUBMISSION, POWERCO WOULD BE PREPARED TO CONSIDER PRESENTING A JOINT CASE AT ANY HEARING.

E. POWERCO COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.

F. POWERCO IS 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.
Signature of person authorised to sign on behalf of Powerco Limited

Karen Blair
Director / Principal Planner

*Dated this 9th day of August 2016*
RELIEF SOUGHT – CHAPTER 9: DESIGNATIONS

(Additions are underlined with deletions in strikethrough)

1.1 Retain Powerco's Designations, without further modification, as follows:

<table>
<thead>
<tr>
<th>Lot</th>
<th>Powerco Ltd</th>
<th>Substation</th>
<th>Use</th>
<th>Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>0110</td>
<td>Powerco Ltd</td>
<td>Feilding Substation</td>
<td>Electricity Substation</td>
<td>Lot 2 DP 105442</td>
</tr>
<tr>
<td>0111</td>
<td>Powerco Ltd</td>
<td>Kaimenga Substation</td>
<td>Electricity Substation</td>
<td>Lot 1 DP 84422</td>
</tr>
<tr>
<td>0112</td>
<td>Powerco Ltd</td>
<td>Kimbleton Substation</td>
<td>Electricity Substation</td>
<td>Lot 1 DP 12864</td>
</tr>
<tr>
<td>0113</td>
<td>Powerco Ltd</td>
<td>Samson Substation</td>
<td>Electricity Substation</td>
<td>Lot 1 DP 24558</td>
</tr>
<tr>
<td>0114</td>
<td>Not allocated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0115</td>
<td>Not allocated</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0116</td>
<td>Not allocated</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
8 August 2016

Manawatu District Council
Private Bag 10 001
Feilding 4743

By e-mail: districtplanreview@mdc.govt.nz

Dear Sir/Madam,

Submission on Plan Change 60 to the Operative Manawatu District Plan
This is a submission on Plan Change 60 to the Operative Manawatu District Plan pursuant to Clause 6 of Schedule 1, Resource Management Act 1991.

Name of Submitter: Chorus New Zealand Limited (Chorus)
Address for Service: Level 10
State Insurance Tower
1 Willis Street
PO Box 632
WELLINGTON 6140

Attention: Mary Barton
Ph: 027 702 8650
Email: Mary.Barton@chorus.co.nz

Chorus New Zealand Limited (Chorus) welcomes the opportunity to make a submission on Plan Change 60 to the Operative Manawatu District Plan (herein referred to as PC60). There are a number of matters that in the view of Chorus require amendment prior to PC60 being made operative. There are also a number of proposed provisions that Chorus supports.

Submission on PC60 Provisions

PC60 details changes to the designations within the Operative Manawatu District Plan. Section 9.3 of PC60 includes a table entitled ‘Appendix 7A – Schedule of Designations’. Chorus support this table, and note that their designations have been correctly recorded. However, in the column entitled ‘Designation Site’, each of Chorus’s designation includes the site and then in brackets an internal Chorus reference number. This internal reference number adds no value to the Schedule of Designations and should be removed. This is detailed on the table attached to this letter.

Background to Chorus

Chorus ‘demerged’ from Spark New Zealand Trading Limited (formerly Telecom) as a separate company at midnight on 30 November 2011. As part of its business activities, Chorus maintains and builds a network made up of local telephone exchanges, radio communications infrastructure, cabinets and copper and fibre cables. Chorus’ telecommunication and radiocommunication facilities and networks are essential services due to the critical role they play in society, both in terms of allowing people and communities to provide for their "wellbeing", and also for assisting to ensure their "health and safety". Chorus’ fixed line
network connects homes and businesses through an extensive network made up of fibre optic and copper cable. The Ultra Fast Broadband (UFB) and Rural Broadband Initiative (RBI) projects currently underway requires additional fibre cable (both underground and overhead on existing support structures). This network is also supported by a number of radio communication sites ranging from small repeater sites to large microwave stations.

Chorus works with many different retail service providers to give access to the network and develop innovative new products and services. Customers include Actrix, Airnet, CallPlus, Compass, Digital Island, Gen-I, Orcon, Spark, TelstraClear, Trustpower, Vodafone and WorldxChange to name a few. Chorus helps these providers connect their customers to the world.

In addition to supporting customers to deliver fixed line services; Chorus’ fibre network also underpins an extensive mobile phone network, which provides a wide range of mobile services to residents and visitors nationally. In order to satisfy customer demands, Chorus is constantly altering and developing both the fixed line and mobile network support infrastructure to ensure services meet the needs of customers and the local community.

Reliance on telecommunications has never been so high and this will continue to grow as an ever expanding range of applications are developed that require access to an ultra fast broadband network. There is also a critical need for the provision of resilient telecommunications networks during emergencies as has been highlighted in the case of the Canterbury earthquakes. Functioning communications networks that support emergency services during such events are crucial, and can be the difference between life and death in some circumstances.

**Trade Competition**

Chorus could not gain an advantage in trade competition through this submission.

**Attendance and Wish to be heard at Hearings**

Chorus wishes to be heard in support of the submission

Prior to the hearing, and ideally soon after the close of submissions, Chorus would like an opportunity to meet with the Manawatu District Council Policy Planners to discuss the content of this submission.

If there are any issues of clarification required please contact Mary Barton at the address for service in the first instance.

Yours sincerely

[Signature]

**Gretchen Joe**
Head of Property Operations
Chorus New Zealand Limited

8 August 2016
Chorus and Spark
Manawatu District Council – Submission on Draft Plan Change 60

The table below replicates Appendix 7A – Schedule of Designations in Plan Change 60. Text requested to be deleted is shown as strikethrough. There is no proposed additions or alterations to any other text.

Appendix 7A – Schedule of Designations

<table>
<thead>
<tr>
<th>No</th>
<th>Requiring Authority</th>
<th>Designation Site</th>
<th>Designated Purpose</th>
<th>Underlying Zoning</th>
<th>Legal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>D83</td>
<td>Chorus New Zealand Limited</td>
<td>Longburn Repeater Station (2013)</td>
<td>Telecommunication, Radiocommunication &amp; Ancillary purposes</td>
<td>Rural 1</td>
<td>Sec 1 SO 24142</td>
</tr>
<tr>
<td>D84</td>
<td>Not Allocated</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D85</td>
<td>Chorus New Zealand Limited</td>
<td>Tangimoana Exchange (2002)</td>
<td>Telecommunication, Radiocommunication &amp; Ancillary purposes</td>
<td>Village</td>
<td>Lot A Sec 558 Town of Carnarvon</td>
</tr>
<tr>
<td>D86</td>
<td>Chorus New Zealand Limited</td>
<td>Himatangi Beach Radio Site (2011)</td>
<td>Telecommunication, Radiocommunication &amp; Ancillary purposes</td>
<td>Village</td>
<td>Lot 1 DP 72005</td>
</tr>
<tr>
<td>D87</td>
<td>Chorus New Zealand Limited</td>
<td>Sanson Exchange (2013)</td>
<td>Telecommunication, Radiocommunication &amp; Ancillary purposes</td>
<td>Village</td>
<td>Lot 1 DP 74813</td>
</tr>
<tr>
<td>D88</td>
<td>Chorus New Zealand Limited</td>
<td>Rongotea Exchange (2012)</td>
<td>Telecommunication, Radiocommunication &amp; Ancillary purposes</td>
<td>Village</td>
<td>Lot 1 DP 81870</td>
</tr>
<tr>
<td>D89</td>
<td>Chorus New Zealand Limited</td>
<td>Halcombe Exchange (2014)</td>
<td>Telecommunication, Radiocommunication &amp; Ancillary purposes</td>
<td>Village</td>
<td>Lot 1 DP 81868</td>
</tr>
<tr>
<td>D90</td>
<td>Chorus New Zealand Limited</td>
<td>Kimbolton Exchange (2014)</td>
<td>Telecommunication, Radiocommunication &amp; Ancillary purposes</td>
<td>Village</td>
<td>Lot 1 DP 81869</td>
</tr>
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