

# DECISION REPORT



**TO:** Chief Executive

File Ref 18270

**FROM:** Planning & Regulatory Manager

**DATE:** 03 September 2009

**SUBJECT: APPROVAL REPORT & SUMMARY OF DECISIONS ON SUBMISSIONS - STRATFORD DISTRICT PLAN 2009**

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## 1. **PURPOSE OF REPORT**

This report is to allow the approval of the Stratford District Plan 2009. In doing so the Stratford District Council also notifies the decisions made on the submissions to the Proposed Stratford District Plan, including those on Plan Changes 14 and 15.

## 2. **EXECUTIVE SUMMARY**

The report gives all of the decisions made on submissions and confirms the approval of the Stratford District Plan 2009.

## 3. **BACKGROUND**

Since August 2007 the Stratford District Council has been reviewing the Stratford District Plan. This review was done in three stages: Plan Change 14, Plan Change 15 and the Proposed Plan which incorporated those changes in addition to other proposed amendments.

Council has considered the submissions since January 2009 and can now notify its decisions on those submissions.

This report constitutes a Summary of Decisions. Submitters will be able to receive the Decision Reports Parts I to VI as required.

## 4. **CONSULTATIVE PROCESS**

### 4.1 **Public Consultation**

The decisions must now be publicly notified under Schedule 1, Clause 10(4) of the Resource Management Act 1991.

The decisions must also be sent to:

- Those persons who made the submissions, and
- Those persons whose properties are directly affected by the decisions

Those persons who made submissions may appeal any decision made to the Environment Court within 30 working days from the date on which public notice of the decisions is made.

#### 4.2 **Maori Consultation**

There is no requirement for further consultation with Iwi on the submissions received.

### 5. **RISK ANALYSIS**

Please refer to the Consequence and Impact Guidelines at the front of the reports in this agenda.

5.1 The risks associated with the decisions to be made in terms of financial, human resources, political and business risks are minor.

5.2 The major risk with the decisions is that any of the submitters may appeal the decision on their submission to the Environment Court. Council must be clear as to what the decision being made is and what the reasons for that decision are.

### 6. **DECISION MAKING PROCESS**

Category	Factors to Consider
Direction	<ul style="list-style-type: none"><li>• Is there a strong link to Council's strategic direction, LTCCP/District Plan.</li><li>• Is there a strong link to identified community outcomes.</li></ul>
Data	<ul style="list-style-type: none"><li>• Do we have complete data on the proposal(s).</li><li>• Do we have reasonably reliable data on the proposals.</li><li>• What assumptions have had to be built in.</li></ul>
Significance	<ul style="list-style-type: none"><li>• Significance policy.</li><li>• Whether this affects a strategic asset.</li></ul>
Choices	<ul style="list-style-type: none"><li>• What options or choices are available.</li><li>• Are the choices fully costed.</li><li>• What interdependencies exist.</li><li>• What are the disadvantages and advantages of each option?</li><li>• Any legal/policy issues.</li></ul>
Prioritisation & Trade-off	<ul style="list-style-type: none"><li>• Impact on funding and debt levels.</li><li>• Council's capacity to deliver.</li><li>• Contractor capacity to deliver.</li><li>• Consequence of deferral.</li><li>• Impact on community (four well beings).</li></ul>
Specify nature of decision required	

6.1 **Direction**

The consideration of submissions is, with the exception of any appeals to the environment Court, the final part of the process of reviewing the operative Stratford District Plan (the Plan).

The decisions will assist Council in meeting the following identified community outcome:

*“A region that appreciates its natural environment and its physical and human resources in planning, delivery and protection”* by ensuring that *“sustainable development is encouraged”*.

The decisions will also assist Council in meeting the following identified community priority:

*“Sustainable development”*.

6.2 **Choices**

The Stratford District Council has considered the submissions received and has made its decisions on these submissions.

6.3 **Data**

The Decision Reports Parts I to VI contain all of the background information to the decisions made and these will be available for submitters.

6.4 **Significance**

The decisions on submissions are significant in terms of the Policy on Significance in that they potentially affect the community at large through the District Plan. In turn, these decisions can affect the ability and cost to Council of being able to carry out its resource management responsibilities.

The review of the District Plan has been subject to consultation as required by the Act.

6.5 **Prioritisation & Trade-off**

The consideration of this report has no direct impact on Council’s ability to deliver its services or on its funding ability. The decisions, as noted, are part of the review process which must be released by Council within two years of notifying the proposals to meet the time restrictions of the Act.

6.6 **Specify Nature of Decision Required**

Council is required to make its decisions on the submissions received and to provide reasons for those decisions. The release of the decisions will be deferred until all of the submissions made have been considered.

## 6.7 **Sustainability**

*“Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.*

The administration of the Stratford District Plan is a primary means of ensuring the encouragement and regulation of sustainable development within the district.

## 7. **RECOMMENDATIONS**

Please note that if the recommendation is not consistent with documents stated in Clause 6 or any other Council Policy then need to elaborate.

7.1 **THAT** the following decisions and reasons for decisions be publicly notified on Wednesday 14 October 2009.

### **GENERAL - PLAN CHANGE 14**

1. The submission in support of the proposals from John & Valerie Mischefski be accepted.
2. The cross submission from Tegel Foods be accepted.

#### ***Recommended Reasons***

1. The submission is in support of the proposal.
2. The cross submission contains no detail but only serves to make a general statement on the cross submitter’s position.

### **NETWORK UTILITIES**

#### **Proposed Objective - A13.2.1**

3. The submissions from Powerco Ltd., Transpower (NZ) Ltd., Transit NZ/NZ Transport Agency, Tegel Foods Ltd., Contact Energy and TrustPower in support of the proposals be accepted.
4. The amendments sought by Transpower (NZ) Ltd be upheld, except that the words *“as far as practicable”* be inserted instead of replacing *“any”* with *“significant”*.
5. The amendment sought by Telecom (NZ) Ltd and as supported by TrustPower, Transpower (NZ) Ltd and Kordia Ltd be declined
6. The amendment sought by TrustPower be declined.
7. Proposed Objective A13.2.1, as further amended, be confirmed. The objective therefore states:

*“A13.2.1 The efficient and effective development and safe operation of network utilities in the District is provided for in a manner that avoids, remedies or mitigates as far as*

*practicable actual or potential adverse effects on the environment, community, and adjoining land uses.”*

***Recommended Reasons***

3. The submissions are in support of the proposal.
4. The Transpower amendment aligns the proposed policy with existing policy within the District Plan.
5. Although declined, the Telecom request is in effect met by agreeing to the more general Transpower amendment.
6. The TrustPower request is more appropriately dealt with through a full review of the energy subject are immediately following the present review, i.e, 2009/10.
7. The provision allows for greater recognition of the need for efficiency of network utilities.

**Proposed Policy - A13.3.4**

8. The submissions by Transit NZ/NZ Transport Agency, Tegel Foods and Powerco Ltd in support of the proposal be declined.
9. The submissions by Vodafone NZ Ltd and Contact Energy Ltd be upheld.
10. The cross submissions by TrustPower, Transpower and Vector Gas Ltd be declined, although accepted in principle by transferring the wording to an existing policy.
11. Proposed Policy A13.3.4 be withdrawn.
12. Policy A13.3.3 be amended by deleting the word “*adjoining*” and adding the words “*the development or operation of*”. The policy therefore states:

*“A13.3.3 To avoid, remedy or mitigate any actual or potential adverse effects of land use, development or subdivision on the development or operation of network utilities”*

***Recommended Reasons***

8. The proposed policy is found to be inappropriate as worded.
9. The proposed policy is required to be completely rewritten and is therefore withdrawn.
10. The cross submissions are accepted in that new wording is required, although it is considered that the new wording is more appropriate in an existing policy.
11. The proposed policy is inappropriate.
12. The amendments to the existing policy meet the concerns of the submitters and still allow the intent of the proposal to be satisfied.

**Proposed Method - A13.4.1**

13. The submissions by Telecom NZ Ltd., Powerco, TrustPower, Kordia Ltd and Vector Gas Ltd be accepted.
14. The submissions by Transpower and Transit NZ/NZ Transport Agency and the cross submissions by Tegel Foods be accepted.
15. The submission by Vodafone NZ Ltd be upheld.
16. The cross submissions by TrustPower, Transpower and Vector Gas Ltd be upheld.
17. Method A.13.4.1 be amended by deleting the words “*perceived degree of*” and deleting the word “*adjoining*” in the second bullet point and deleting the third bullet point in its entirety. The method therefore reads:

“A13.4.1 *To develop zones, rules, standards, conditions and terms, based on the actual or potential effect, to:*

  - *Control the impact of the development and operation of network utilities on the environment, community, and adjoining land uses, particularly (but not limited to) in relation to the design and location of network utilities.*
  - *Avoid, remedy [and] mitigate any adverse effects of land use, development or subdivision on network utilities.”*

***Recommended Reasons***

13. The reference to perceived effects is inappropriate.
14. The submissions and cross submissions are in support of the intention of the proposal.
15. The third bullet point does not relate to network utilities and is inappropriate.
16. The policy wording does require changing to reflect possible effects of subdivision on network utilities on the land.
17. The proposed method is appropriate when incorporating the changes sought by the submitters.

**RURAL SUBDIVISION CONTROLS**

**4ha Rule - B1.2.1.2**

**Minimum Lot Size deletion - B2.1.3**

18. The submissions from the Ministry of Education and Tegel Foods in support of the deletion of Standard B2.1.3 be declined.

19. The submission from Mike Gibson in opposition to proposed Rule B1.2.1.2 and the proposed deletion of Standard B2.1.3 be upheld.
20. The cross submission from Grant & Katrina Brunton in opposition to proposed Rule B1.2.1.2 and in opposition to the deletion of Standard B2.1.3 be upheld.
21. The cross submission from Villabrook Trust and Monmouth Farm Co Ltd in opposition to proposed Rule B1.2.1.2 and in opposition to the deletion of Standard B2.1.3 be upheld.
22. The submission from Transit NZ/NZ Transport Agency in support of proposed Rule B1.2.1.2 be declined.
23. The cross submission from Tegel Foods Ltd in support of proposed Rule B1.2.1.2 be declined.
24. Proposed Rule B1.2.1.2 be withdrawn.
25. The proposed deletion of Standard B2.1.3 be withdrawn.

***Recommended Reasons***

- 17-24. The proposal will potentially create an unsustainable land use environment due to the 4ha limitation.
25. The reduced pressure on rural subdivision will allow further analysis of possible alternative means of regulating rural subdivision as detailed in the Stratford District Plan Rolling Review Programme.

**RURAL AMENITY CONTROLS**

**Site Coverage Proposal - B2.1.2**

26. The submissions from Mike Gibson and Tegel Foods in support of the proposal relating to Standard B2.1.2 be accepted.
27. Proposed Standard B2.1.2 be confirmed. This standard states:

*“B2.1.2 Maximum Site Coverage (Residential Zone and Rural Zone only)*

  - (a) *Residential Zone:*
    - *Development of a site in the Residential Zone or Rural Zone is a permitted activity if total coverage does not exceed 45% of the total allotment area.*
  - (b) *Rural Zone:*
    - *Construction or alteration of a building in the Rural Zone is a permitted activity if total building coverage does not exceed 35% of the total allotment area.*
  - (c) *Business Zone:*
    - *There are no controls on site coverage in the Business Zone.*

*Purpose: To limit the density of residential development to provide for the contribution of open space to residential and rural amenity.”*

***Recommended Reasons***

26. The submissions are in support of the proposal
27. The proposal allows for consistent regulation of site coverage on smaller allotments in particular.

**Dwelling Limit Proposal - B2.1.5(c)**

28. The submissions from Transit NZ/NZ Transport Agency seeking an amendment to the proposal relating to Standard B2.1.5(c) be declined.
29. The amendment sought by Tegel Foods to withdraw the deletion of the allowance for dwellings ancillary to permitted activities within Standard B2.1.5(c) be declined.
30. The amendment sought by Tegel Foods to use the word “*area*” in lieu of “*environment*” in the purpose statement for the proposed Standard B2.1.5(c) be upheld.
31. The remaining amendments sought by Tegel Foods be declined.
32. The amendment sought by Federated Farmers to allow an unlimited number of dwellings on an allotment over 1ha in size be declined.
33. The amendment sought by Federated Farmers to delete the reference to the protection of amenity values in the purpose statement be upheld.
34. Proposed Standard B2.1.5(c) be confirmed except that the word “*area*” be used in lieu of “*environment*” and the words “*protect and maintain*” be replaced by the words “*maintain and enhance*” in the purpose statement for the proposed Standard B2.1.5(c). The standard will therefore state:

*“B2.1.5 Maximum Number of Dwellings (excluding Business Zone)*

(a) *Residential Zone:*

- *No limit, provided the requirements of any relevant rule or any other Standard, Condition, and/or Term of the District Plan are met.*

(b) *Rural Zone:*

- *One dwelling per allotment under 1 hectare.*
- *Two dwellings per allotment 1 hectare and over.*

*Purpose:*

*To prevent aggregate residential development in the rural area, so as to maintain and enhance rural amenity.”*

***Recommended Reasons***

28. The effects on state highways are more appropriately managed through separate standards relating to access onto state highways.
29. The removal of the ancillary dwellings allowance is required to remove its consequent permitted baseline effect.
30. The amendment sought to use the word “*area*” is an improvement on the current policy wording.
31. The word “*inappropriate*” is too broad to use in the required context and takes into account more than the Standard attempts to achieve and effects on productive capacity and rural character are not matters to which the policy is directed to control.
32. The restriction is required to address a permitted baseline issue in the Plan.
33. The protection of amenity values is not a matter required under Section 7 of the Act.
34. The proposed standard allows for consistency in determining the permitted status of dwellings in the rural zone.

**REVERSE SENSITIVITY**

**Rural Land Use Issues Statement - A14**

35. The submission from the NZ Pork Industry Board, and cross submissions from Federated Farmers and Tegel Foods to amend the Introduction and Issues Statements pertaining to Rural Land Use be upheld.
36. The submissions from Federated Farmers to amend the Introduction Statement pertaining to Rural Land Use be upheld in part.
37. The following paragraph be inserted in A14 Rural Land Use Introduction following the words “*people partaking in recreation and tourism*”:  
  

*“Primary production will at times generate effects such as noise, odour and dust and residents in the rural environment should reasonably expect rural amenity values to be modified by such effects. Increased productivity in the rural sector is recognised as being essential to the Stratford District, and it is essential that primary production can function effectively and efficiently without undue restriction by inappropriate development being located in close proximity. Equally it is essential that the more intensive farming activities, whether as a part of a larger primary production unit or as a discrete activity, be appropriately managed to reduce the potential for conflict.”*
38. The following paragraph be inserted in A14.1 Rural Land Use Issue following the first paragraph:

*“The range of land uses in the rural area can give rise to conflict particularly where there are differing expectations of rural amenity. To a large extent the open visual amenity is afforded by the use of the land for primary production. It is imperative that primary production can be enabled to occur without unnecessary hindrance or controls.”*

39. The penultimate paragraph under A14 Rural Land Use Introduction be amended to state:

*“The promotion of sustainable rural land use requires the formulation of a management approach that -*

- aims to ensure that....*
- allows for economic wellbeing*
- is accepted by the community”*

***Recommended Reasons***

- 35-39. The submitted amendments address the lack of reference to primary production and clarify the issues.

**Intensive Farming Definition - Part E**

40. The submissions and cross submissions of Tegel Foods, Federated Farmers and Caroline Gilbert to amend the definition of “Intensive Farming be upheld.

41. The definition as proposed by Federated Farmers with minor wording amendments is confirmed. The definition for inclusion in Part E of the Plan reads:

*“Intensive farming*

*means the raising and/or keeping of plants or animals for commercial purpose (whether outdoors, without complete vegetative ground cover, or indoors) which have or require throughout their lifecycle:*

- (i) No dependency whatsoever on the productive capacity of the soils naturally occurring on the site; or*
- (ii) Buildings for the uninterrupted housing and growth of livestock or fungi.”*

42. The Part E definition for “Intensive Pig Farming” is deleted and all other references to “*intensive pig farming*” are replaced by the words “*intensive farming of pigs*”.

***Recommended Reasons***

40. The submissions support the intent of the proposal and provide improvements to the wording.

41. The revised definition better targets those activities considered to be intensive farming.

42. The amendments clarify the status of intensive pig farming as being included with intensive farming.

### **Free Range Poultry Definition - Part E**

43. The submission from Tegel Foods proposing a definition for “Free Range Poultry Farming” be declined.
44. The cross submission from Federated Farmers in opposition be upheld.

#### ***Recommended Reasons***

- 43-44. The need for a free range poultry farming definition is made redundant as the activity is not included in the recommended intensive farming definition.

### **Rural Industry Definition - Part E**

45. The submission from Tegel Foods be upheld.
46. The definition of Rural Industry be amended to read:

*“Rural Industry*

*means an operation that processes the output of land based operations involving animals, agriculture, forestry or horticultural crops, and includes (but is not limited to) rural transporting and agricultural contracting depots, the preliminary packaging and processing of agricultural produce, wineries, stock and saleyards, sawmills, feedmills and feed processing plants.”*

#### ***Recommended Reasons***

- 45-46. The additional wording does not compromise the Plan.

### **Amenity Objectives - A5.2.1, A5.2.2**

47. The submission from Tegel Foods and the cross submission from TrustPower to add a new A5.2.2 Amenity Objective be upheld.
48. The submissions and cross submissions from Federated Farmers and TrustPower to amend Objective A5.2.1 and AER A5.6.1 be upheld in part.
49. Objective A5.2.2 be added to state:

*“A range of land uses be provided for while allowing for the management of conflict concerning amenity values between those land uses.”*

50. Objective A5.2.1 be amended to state:

*“The maintenance and enhancement, as far as is practicable, of amenity values in the District.”*

and AER A5.6.1 be amended by deleting the word “protected,”.

#### ***Recommended Reasons***

- 47, 49. The new objective recognises the need for the Plan to manage the potential for conflict between land uses.
- 48, 50. The amended objective reflects the wording of the Act.

#### **Rural Land Use Objective - A14.2.4**

51. The submission from Tegel Foods to amend Objective A14.2.4 be declined.
52. The cross submissions from Federated Farmers and TrustPower to add a new Rural Land Use Objective in support of the intent of the Tegel Foods submission be declined.
53. The submission from NZ Pork Industry Board and the cross submissions from Federated Farmers and Tegel Foods to add a new Rural Land Use Objective be upheld.
54. The submissions from Federated Farmers and TrustPower to amend Objective A14.2.4 and AER A14.6.3 be upheld.
55. That a new Rural Land Use Objective be added which states:  

*“A14.2.7 To enable primary production to function efficiently and effectively in the rural zone, while any actual or potential adverse effects are avoided, remedied or mitigated.”*
56. Objective A14.2.4 be amended to state:  

*“The maintenance and enhancement as far as is practicable of rural amenity values.”*

and AER A14.6.3 be amended replacing the words *“protected and maintained”* with *“maintained and enhanced”*.

#### ***Recommended Reasons***

- 51-52. The proposed objective will potentially conflict with other Plan policies and Section 7 of the Act.
53. The proposed objective is appropriate in addressing the need to allow primary production to function without undue hindrance.
- 54-56. The amendments sought provide improved wording to the objective that reflects the Act.

#### **Rural Land Use Objectives - A14.2**

57. The submissions, from TrustPower and Contact Energy, and cross submissions, from Tegel Foods, EECA and TrustPower, in support of and requesting amendments to the Rural Land Use Objectives A14.2.2, A14.2.3, A14.2.5 and A14.2.6 and Rural Land Use Policy A14.3.1 be upheld.
58. That Rural Land Use Objective A14.2.5 be deleted.
59. That Rural Land Use Objective A14.2.6 be amended to state:  

*“To recognise the appropriateness of some activities, which are not within the group of primary production industries, to locate in rural areas, and to provide for them in a way that avoids, remedies or mitigates any actual or potential effects of these activities.”*

***Recommended Reasons***

57, 59. The amendment further clarifies the objective.

58. The intent of the objective is met by Objective A14.2.1.

**Amenity Policies - A5.3.1, A5.3.9, A5.3.10**

60. The submission from Tegel Foods to add two new amenity policies be declined.

61. The TrustPower submission and the cross submissions from Fish & Game NZ (Taranaki) and Federated Farmers to amend Amenity Policy A5.3.1 be upheld in part.

62. The submission from Transpower and the cross submissions from Federated Farmers, TrustPower to amend Amenity Policies A5.3.1 and A5.3.5 be declined.

63. The TrustPower submission and the EECA cross submission to amend the text of A5.1 Amenity Values Issues be upheld.

64. Amend Amenity Policy A5.3.1 to state:

*“To avoid, remedy or mitigate as far as practicable any actual or potential adverse effects of land use, development or subdivision on amenity values.”*

65. A5.1 paragraph 9 be amended by replacing the word “*Protection*” with “*The maintenance and enhancement*”.

***Recommended Reason***

60. A policy to implement the new amenity objective is already provided as are the stated methods.

61, 64. The amendment sought adds clarity to the policy statement and aligns the statement with the Act.

62. The amendment would not assist in interpretation of the Plan due to the uncertainty of the wording proposed.

63, 65. The amendments proposed align the statement with the Act.

**Rural Land Use Policy - A14.3.2**

66. The submissions from Taranaki Regional Council and Federated Farmers and the cross submission from Tegel Foods in support of the proposed A14.3.2 Rural Land Use Policy be accepted.

67. The submission from NZ Historic Places Trust to include a reference to built heritage be declined.

68. The submission from Transit NZ/NZ Transport Agency and the cross submission from Tegel Foods to include a reference to the state highway network be declined.

69. The submission from Tegel Foods to amend the policy wording be upheld in part.
70. Policy A14.3.2 be amended to read:  
  
*“To manage rural subdivision and development in a way that is flexible and provides for farming, rural industry and a variety of rural land use options while avoiding, remedying or mitigating the actual or potential effects on primary production activities and rural amenity values.”*

***Recommended Reasons***

66. The submission and cross submission are in support of the proposal.
67. Policy statements explicitly dealing with the effects of subdivision on heritage are within the Heritage Policies.
68. Effects on the State Highway are more appropriately recognised under the Transportation issue.
69. Although the specific wording sought by the submitter is not appropriate, the proposed policy does require rewording to clarify the intent of the policy.
70. The proposed policy allows for recognition of reverse sensitivity in the District Plan and the management of rural subdivision.

**Rural Land Use Policy - A14.3.6**

71. The submissions and cross submission from TrustPower, Contact Energy and Tegel Foods be declined.

***Recommended Reason***

71. Policy A14.3.6 is clear in its application and the appropriate process for managing any new proposal is the land use consent process.

**Rural Land Use Policy - A14.3.7**

72. The submissions from Mary Pattinson, Reginald Pattinson and Federated Farmers in support of A14.3.7 Rural Land Use Policy be declined.
73. The submissions and cross submission from Tegel Foods be upheld in part and the amendments sought be declined.
74. The submission from NZ Pork Industry Board be upheld in part and the amendment sought be declined.
75. The submission from Mike Gibson and cross submission from Grant & Katrina Brunton to delete A14.3.7 Rural Land Use Policy be upheld.
76. That Policy A14.3.7 be withdrawn.

***Recommended Reasons***

72. The submissions are in support of the proposal.

73-74. The requests to delete the policy are upheld but the requested policy wording would place the policy in contradiction to the remaining Rural Land Use policies.

75-76. The proposed policy is redundant due to Policy A14.3.1 and would not add any clarity to the Rural Land Use policies.

**Rural Land Use Policy - A14.3.8**

77. The submission by Tegel Foods to add A14.3.8 Rural Land Policy be declined.

78. The cross submission by Federated Farmers in opposition to A14.3.8 Rural Land Policy be upheld.

***Recommended Reasons***

77-78. The proposed wording is lacking in clarity and it does not meet the purpose as stated by the submitter.

**Rural Land Use Policy - A14.3.9**

79. The submission by Tegel Foods to add A14.3.9 Rural Land Policy be declined.

80. The cross submissions by Federated Farmers and TrustPower in opposition to A14.3.9 Rural Land Policy be upheld.

***Recommended Reasons***

79. The proposed wording is lacking in clarity and is more appropriate as a proposed method.

80. The proposed policy would duplicate Policy A14.3.2 with additional wording which does not add clarity.

**Rural Land Use Method - A14.4.1**

81. The submissions by the Taranaki Regional Council, Mary Pattinson, Reginald Pattinson and Contact Energy in support of Method A14.4.1 be accepted.

82. The amendment sought by Transit NZ/NZ Transport Agency to reference state highways be declined.

83. The amendments sought by Tegel Foods in support be upheld in part.

84. The submissions from Mike Gibson, in opposition to Method A14.4.1, and the cross submissions, in support of the submitter, from Tegel Foods and Grant & Katrina Brunton be declined.

85. The NZ Pork Industry Board submission to amend Method A14.4.1 be upheld in part.

86. The submissions by Federated Farmers to amend Method A14.4.1 be upheld in part.

87. The proposed Rural Land Use Method A14.4.1, including the above recommendations, be confirmed. A14.4.1 states:

*“A14.4.1 To develop zones, rules and standards, and conditions and terms on resource consents, to –*

- (a) define the rural area; and*
- (b) manage the location of rural industry, intensive farming and non-rural activities; and*
- (c) avoid, remedy or mitigate any actual or potential adverse of rural activities on -*
  - the environment; and*
  - natural and physical resources; and*
  - people and communities; and*
  - amenity values; and*
  - protected areas; and*
  - heritage resource; and*
  - outstanding natural features and landscapes; and*
  - the productive capability of the land; and*
- (d) manage the size and scale of subdivision in rural areas.*
- (e) manage the location of buildings, especially dwellings in relation to adjoining properties.*
- (f) manage the location of buildings, especially dwellings, in relation to intensive farming activities.”*

***Recommended Reasons***

- 81. The submissions are in support of the proposal.
- 82. Effects on State Highways are recognised within the Transportation policies.
- 83. The amendments sought correct errors and omissions in the proposal except that the ability to require standards for rural industry should be retained.
- 84. The proposal, with amendments as proposed by other submitters, is appropriate.
- 85. The amendments sought correct errors and omissions in the proposal except that the ability to require standards for intensive farming should be retained.
- 86. The amendments sought correct errors and omissions in the proposal.
- 87. The proposal, with amendments as proposed by submitters, is appropriate to allow the management of reverse sensitivity matters.

### **General Limited Discretionary Activities - Rule B1.1.4**

88. That the submission from Transpower, to add a new limited discretionary activity and to amend the rule headings, and the cross submission from Federated Farmers in opposition be upheld in part.
89. That Rules B1.2.1.3.1(b), B1.3.3.1(a), B1.3.2.3.1(a) (if retained after consideration of submissions) and B1.4.3.1(a) Matters over which Control is Reserved each be amended by inserting the words “*network utilities*” into the sixth bullet point. The sixth bullet point in each Rule then states:
  - “*effects on amenity, adjoining neighbours, network utilities, heritage resources and notable trees.*”
90. That Rules B1.1.4.1, B1.2.1.3.1, B1.3.3.1, B1.3.2.3.1 and B1.4.3.1 be re-titled “*Matters to which Discretion is Limited*”.

### ***Recommended Reasons***

88. The intent of the submission in regard to building work can be met by amending the respective zone rules rather than by adding an additional subdivision rule, noting that access is protected under the Electricity Act 1992.
89. The amendments still allow for subdivision as a controlled activity where no building work is involved and all standards are met.
90. The descriptions of the rules as proposed is incorrect.

### **Rural Zone Permitted Activities - Rule B1.2.1.1**

91. The submission from the NZ Pork Industry Board to add permitted activity be upheld in part.
92. The cross submissions from Federated Farmers and Tegel Foods in opposition to the permitted activity status be upheld in part.
93. The submission from Tegel Foods to provide controlled activity and limited discretionary activity rules for intensive farming be upheld in part.
94. The cross submission from Federated Farmers to not allow for controlled activity status for intensive farming be declined.
95. B1.2.1.2 Controlled Activities be amended by adding:
  - “*Intensive farming*”
96. B1.2.1.2.1 Matters over which Control is Reserved be amended by adding:
  - “(c) *For Intensive Farming:*
    - “*conditions relating to compliance with the relevant Standards, Conditions and Terms in Part B2; and*
    - *the requirement of financial contributions; and*
    - *the payment of administrative charges*”
97. B1.2.1.3 Limited Discretionary Activities be amended by adding:

- *“Intensive farming which is unable to comply with the requirements for a controlled activity in terms of Rule B1.2.1.2 only as those terms concern the requirements of Standard B2.1.11 Intensive Farming.”*
98. B1.2.1.3.1 Matters to which Discretion is Limited be amended by adding:  
“(e) For Intensive Farming:
- *actual or potential effects on amenity; and*
  - *actual or potential effects on adjoining neighbours; and*
  - *actual or potential effects on the safe and efficient use of the transportation infrastructure, particularly the formation and location of access points and the need for on-site parking; and*
  - *management of the activity to avoid, remedy or mitigate actual and potential effects on the environment; and*
  - *the requirement for financial contributions; and*
  - *the payment of administrative charges.”*
99. B6.1.2 General Information Requirements for Controlled and Limited Discretionary Activities be amended by adding:
- *“For consents for intensive farming that are limited discretionary activities:*
    - *A Management Plan for the activity including:*
      - *Environmental objectives and targets*
      - *Animal or bird management*
      - *Landscape planting and management*
      - *Wastewater management*
      - *Solid waste management*
      - *Noise management*
      - *Hazardous substances*
      - *Community liaison*
      - *Complaints management”*

***Recommended Reasons***

91. It is appropriate that intensive farming be treated permissively but allowing for controls to be put in place.
92. Appropriate controls are required for intensive farming activities.
- 93-99. The new rules allow for a progressive range in the degree of control exercised in respect of intensive farming proposals.

**Reverse Sensitivity Standard - B2.1.6(a) Minimum Yard Requirements**

100. The two submissions in support from Taranaki Regional Council and TrustPower and the cross submissions from Tegel Foods be accepted.
101. The submission from Transit NZ/NZ Transport Agency to include revised setbacks from state highways be declined.
102. The submission from Swift Energy to include a production station setback be declined.

103. The submission and cross submission from Transpower to amend the electricity line setback be upheld.
104. The submission from Powerco Ltd to amend the electricity line setback is upheld in part.
105. The submission from Vector Gas to add a setback for gas lines be declined.
106. The submission from Mike Gibson in opposition be declined.
107. The submission from Kathryn Hooper in opposition be upheld in part.
108. The submission from Federated Farmers in opposition be upheld in part.
109. That B2.1.6(a) be amended to read:

*“B2.1.6 Minimum Yard Requirements*

*(a) All Zones:*

- *Any new building shall be set back 32m from the centre line of existing lines for conveying electricity at a voltage at or exceeding 110kV.*
- *Any new dwelling shall be located at least 300m from any gas flare associated with gas exploration or production.*
- *Any new dwelling shall be located at least 150 metres from any effluent distribution area, effluent holding pond or oxidation pond (excluding on site domestic wastewater treatment systems).*
- *Any new dwelling shall be located at least 100 metres from any dairy shed or woolshed on any land which is held under separate ownership.*
- *Any new dwelling shall be located at least 250 metres from any land or building used for housing or keeping of any animals, birds or plants for the purpose of intensive farming on any land which is held under separate ownership.*

*The distances given in relation to gas flares, dairy sheds, woolsheds or intensive farming may be reduced to any distance which still allows for compliance with all other requirements under B2.1.6 with the consent of the relevant property owner.*

*.....”*

***Recommended Reasons***

100. The submissions and cross submissions are in support of the proposals

101. The requested setbacks are inappropriate for the lower traffic volumes within Stratford District and the residential areas traversed by the state highway network.
102. The information concerning approvals and consents is available on Land Information Memoranda.
103. The revised wording allows compliance with the management policies for the national electricity grid.
104. The setbacks should apply only to new buildings.
105. Underground pipelines are adequately protected by way of suitable easements.
106. The reverse sensitivity standard is a necessary part of the suite of provisions required to maintain and enhance rural amenity values.
107. The wording changes clarify the application of the standard.
108. The need for flexibility of controls is recognised through amendments to the standard and to the rules to which the proposed standards relate cf., deleting the standard.
109. The reverse sensitivity standard as amended gives greater flexibility in managing reverse sensitivity matters.

**Reverse Sensitivity Standard - B2.1.11 Intensive Farming**

110. The submission from the Ministry of Education to include setbacks from schools and the cross submission from Tegel Foods in support be upheld.
111. The submissions from Mary Pattinson, Reginald Pattinson, Taranaki Regional Council, Tegel Foods, Wairingiringi Walker and George Worthington in support of Standard B2.1.11 be accepted.
112. The submissions from Mike Gibson and Federated Farmers and the cross submission from Grant & Katrina Brunton in opposition to Standard B2.1.11 be declined.
113. That B2.1.11 be amended to state:

*“B2.1.11 Intensive Farming*

*In addition to any relevant Rule or any other applicable Standard, Condition, or Term of this District Plan, all new intensive farming activities must comply with the following:*

- *All woolsheds and dairy sheds shall be located at least 100m from the nearest existing dwelling or existing community service.*
- *Any land or building used for the housing or keeping of any animals, birds or plants for the purpose of any intensive farming activity shall be located at least 250m from the nearest existing dwelling or existing community service.*

*Exemptions:*

- *This standard does not apply to the distance from the farming activity to any dwelling or community service on any land which is held under the same ownership as the farming activity.*
- *The specified distances given may be reduced to any distance, which still allows for compliance with all other requirements under B2.1.6, with the consent of the owner and occupier of any dwelling or community service within the specified distance.*

*NOTE: For the purposes of this standard “existing” includes any dwelling or community service for which all building consents and any necessary planning consents have been granted.*

***Recommended Reasons***

110. It is appropriate that schools, and churches and community halls, be included in the standard to follow the existing provisions relating to intensive pig farming.
- 111-112. The standard is necessary to allow for the management of reverse sensitivity under the Plan.
113. The amended wording better reflects the intention of the standard and clarifies concerns raised by submitters.

**Reverse Sensitivity Standard - B2.1.10(b) Odour**

114. The submission from the Ministry of Education to include a setback from schools and the cross submission from Tegel Foods in support are upheld.
115. The submission from Federated Farmers to an exemption for the agricultural waste setback for is declined.
116. That Standard B2.1.10(b) Odour be amended to state:

*“(b) Rural Zone; Rural/Residential Area (Residential Zone):*

- *Agricultural waste treatment or disposal facilities (including oxidation ponds) must be located at least 150m from any existing dwelling or existing community service.*
- *Intensive farming of pigs shall comply with the following buffer zone distances (see following table):*

*The distances given in relation to the intensive farming of pigs may be reduced to any distance, which still allows for compliance with all requirements under B2.1.6, with the consent of any owner of any building or facility included in the following table and within the relevant buffer zone distance.*

*NOTE: For the purposes of this standard “existing” includes any dwelling or community service for which all building consents and any necessary planning consents have been granted.*

**Recommended Reason**

114. It is appropriate that schools, and churches and community halls, be included in the standard to follow the existing provisions relating to intensive pig farming.
115. The standard as worded gives effect to the Regional Air Quality Plan.
116. There is a commonality of odour effects on all of those institutions included in community services rather than just on educational facilities and the exemption is consequential to Recommendation 113.

**Reverse Sensitivity Standard - B2.2 Forestry**

117. The submission from Swift Energy to include funding recognition in standard B2.2 be upheld in part.
118. The submissions from Transit NZ/NZ Transport Agency and Federated Farmers to amend Standard B2.2 be declined.
119. That the third and fourth bullet points of standard B2.2 Forestry be amended to state:
  - *“No forestry shall be planted or allowed to grow within 35m of the nearest dwelling.*
  - *The negotiation with Council of a road user agreement to address and manage the actual or potential effects of forestry on the transportation infrastructure.”*

**Recommended Reasons**

117. The road user agreements should only seek to manage the actual or potential effects of the activity rather than contribute towards the expected maintenance of the roading infrastructure.
118. The amendments sought are already contained within the Plan.
119. The standard, as amended by submission, reflects Council’s intention for the standard.

**Reverse Sensitivity Standard - B2.6 Network Utilities**

120. That the submission from Transpower to amend Standard B2.6 be upheld.
121. That the second bullet point of B2.6 Network Utilities be amended to state:
  - *“New lines and support structures for conveying a voltage at or exceeding 110kV shall be located at least 32m from any building.”*

**Recommended Reasons**

120. The revised wording allows compliance with the management policies for the national electricity grid without compromising the District Plan.

121. The amended wording is consequential to the recommendation made on Standard B2.1.6(a).

**Other Reverse Sensitivity Issues - B2.1.6 [Rural] Yard Setbacks**

122. The submission from Transit NZ/NZ Transport Agency be declined.
123. The submission from Vector Gas to seek an exemption to Standard B2.1.6(c) be upheld in part.
124. The submissions from Federated Farmers, in opposition to the increased yard distances in Standard B2.1.6(c), and from Transpower and the cross submissions from TrustPower and Vector Gas, seeking exemptions to Standard B2.1.6, be upheld in part.
125. That the first two bullet points of Standard B2.1.6(c) Minimum Yard Requirements - Rural Zone be amended to state:
- *“All buildings and structures must be located at least 10m from any boundary which is directly adjacent to a road; and,*
  - *All buildings and structures must be located at least 5m from any other boundary.”*
126. That the following exemptions be added to Standard B2.1.6(g) Minimum Yard Requirements - Exemptions or reductions to all yard requirements in all Zones or Areas:
- *“Electricity transmission lines*
  - *Gas transmission pipelines operations (except buildings)”*

***Recommended Reasons***

122. The concerns raised are addressed elsewhere in the Plan.
123. Exempting storage buildings from the yard requirements will give rise to an undesirable permitted baseline effect.
124. The submissions provide practicable amendments to the proposals.
125. The amended yard requirements reflect Council’s intention for the standard.
126. The additional exemptions reflect what is accepted best practice.

**RURAL/RESIDENTIAL AREA**

**Deletion of Rural/Residential Area**

127. The submission from Federated Farmers and the cross submissions from Tegel Foods in support of the proposal to delete the rural/residential area be declined.
128. The submission from Alan Caskey to remove the 1.0ha allotment size restriction be upheld in part.

129. The submissions from P & M Loveridge, Brian Lilley, Taranaki Regional Council, Sharon Michelle Trust and Mike Gibson to retain all or part of the rural/residential area be upheld.
130. The submission from CW and KM Cowie to change the zoning of 137 Brecon road be upheld.
131. The proposal to delete the rural/residential area be withdrawn.
132. Rule B1.3.2.1 Rural/Residential Area (Residential Zone) Permitted Activities be amended by deleting the word “pig” from Bullet Point 5. Bullet Point 5 then states:  
*“Farming (excluding “intensive farming” as defined in Part E, Definition of Terms)”*
133. Amend Standard B2.1.3 (b) Minimum Lot Size Rural/Residential Area (Residential Zone), as reinstated by Decision 25, by replacing the words “1 hectare (ie, 10,000m<sup>2</sup>)” with “4000m<sup>2</sup>”. Standard B2.1.3 (b) Bullet Point 1 then states:  
*“The minimum lot size for lots with a dwelling is 4000m<sup>2</sup>; otherwise there is no minimum lot size for lots without a dwelling.”*
134. Amend Standard B2.1.3(c) Minimum Yard Requirements Rural Zone; Rural/Residential Area (Residential Zone) by replacing “10,000” with “4000”.
135. The zoning of 137 and 139 Brecon Road (Lots 1 and 2 DP 9571) be changed from Residential Zone (Rural/Residential Area) to Residential Zone.

***Recommended Reasons***

127. The need to retain the rural/residential area is in part consequential to the decision to withdraw the rural subdivision regime.
128. The 1.0ha minimum allotment size is overly restrictive given the general reduction in residential section sizes.
- 129-130. The rural/residential area fulfils the need for a buffer between zones and provides for open space amenity.
- 131,135. The requested change in zoning is *de minimus* in terms of effect.
132. The wording change is consequential to the decision to confirm the intensive farming provisions.
133. The exemption change is consequential to the recommendation to reduce the minimum rural/residential allotment size.
134. The reduced allotment size still allows for a high level of open space amenity as compared with the remainder of the residential zone.

## RESIDENTIAL ZONE

### **Extension of Residential Zone**

136. The submissions and cross submissions from Mike Gibson, Johanna Lyon, Bernard Lyon, Helen Russell, Ian Thornton, I & H Zieltjes, Craig Hassell, Brian Lloyd, S Hardy & T Churchill, J & M Bellomo, Leslie Chamberlain, G & M Dey and Rosemary Russell in opposition to the proposed extension of the residential zone be upheld in part.
137. The submissions from the NZ Transport Agency and Tegel Foods in support of the proposed extension of the residential zone be upheld in part.
138. The proposed extension of the residential zone to the south of Pembroke Road be withdrawn.

### ***Recommended Reasons***

- 136-138. The proposal to extend the residential zone is only approved in part due to the potential erosion of open space amenity in the area to the south of Pembroke Road.

### **New Residential Zone**

139. The submission from Brent Dodunski (Mercade Properties Ltd) be declined.

### ***Recommended Reason***

139. The subdivided area is not suitable for inclusion in the Residential Zone unless the rural/residential area along Pembroke Road is further developed.

## BUSINESS ZONE

### **Extension of Business Zone**

140. The submissions from S & A Buckley and Steve Johns to withdraw the business zone proposal be upheld.
141. The submissions from B & S Pugh, Len Pickett (Calhaven Trust) and S Hardy & T Churchill to withdraw the business zone proposal be declined.
142. The proposed business zone addition in the Warwick Road, Cordelia Street, Celia Street and Swansea Road block be confirmed only for the allotments included within the following boundaries:
  - Celia Street from Cordelia Street to, and including, Lot 7 DP 2013
  - Cordelia Street from Celia Street to Warwick Road
  - Warwick Road from Celia Street to, and including, Lot 2 DP 17302
  - A line from the eastern boundary of Lot 2 DP 17302 to the eastern boundary of Lot 7 DP 2013 to include all of those allotments with access from Cordelia Street.

### ***Recommended Reasons***

140. The mixed use area is more suitably used in the long term for business zone activities than either residential or rural/residential activities but it is appropriate that the zone change in part of the area be deferred for further review.
- 141, 142. The eastern side of the block of land is already characterised by existing business activities and is appropriately zoned as proposed.

#### **Additions to Business Zone**

143. The submission from Foodstuffs to change the zoning at the corner of Regan and Juliet Streets to Business Zone be declined.
144. The submission from S & D Trott to change the zoning of the land to the north of Flint road to Business Zone be upheld in part.
145. The submission from Firth Industries to change the zoning of the Firth site be upheld.
146. The cross submissions from Bayly & Charleton, W & I Thompson, Judith Lobb, D & S Jordan, George Stallard et al, Heather Stallard, Bert Van Veen, Monica Moritz and Alan Caskey be upheld in part.
147. The following allotments be included in the Business Zone:
- Pt Lot 1 DP 5823 (Humes Pipes)
  - Lot 1 DP 6111 (Firth Industries)
  - Lot 2 DP 6111 (Firth Industries)
  - Lot 1 DP 14312 (Taranaki Steelformers)
  - Lot 1 DP 19286 (Taranaki Steelformers)
  - Lot 2 DP 328562 (Taranaki Steelformers)
  - Lot 2 DP 19286 ( Union Galvanisers)
  - Lot 1 DP 328562 (Heavy Machinery Services)

#### ***Recommended Reasons***

143. The sites are more appropriately managed through discrete resource consent processes due to concerns about the potential for substantially increased heavy vehicle movements along the residential section of Juliet Street.
- 144-147. It is appropriate that only those sites which are currently used for industrial activities and within the Rural/Residential Area be zoned Business Zone.

#### **INDICATIVE ROADS**

148. The submission from Powerco to exempt network utilities from the yard requirement and to only apply the standard to new buildings be declined.
149. The submissions from A & S Buckley, C & P Manning, G & N Webby, B & S Pugh, S Johns, L Pickett (Calfhaven Trust), and S Hardy & T Churchill in respect of indicative roads proposed across or adjacent to the submitters' properties be upheld.

150. The submissions from P & M Loveridge, M & K Wells, C Hassell, R & D Ralph, R Russell, B & J Lyon, I Thornton & H Russell in respect of indicative roads proposed across or near the submitters' properties be declined.
151. The submission from J & M Bellomo in respect of indicative roads proposed across or near the submitter's property be declined in part.
152. The submission from G & M Dey in opposition to indicative roads be declined.
153. The sixth bullet point of Standard B2.1.6(a) Minimum Yard Requirements be amended to state:

*“All buildings shall be set back 15m from the centreline of any indicative road, with the exceptions of.....”*

***Recommended Reasons***

148. All permanent buildings, irrespective of the use of the buildings, have the same potential effect which the standard is addressing.
- 149-152. A reduced number of indicative roads is appropriate to allow future transportation needs to be taken in to account should the relevant areas be further developed.
153. The reduced setback is appropriate given the recommended front yard distance of 4.5m.

**RIPARIAN MARGINS**

**Change from river basis to catchment basis - A1.4.1, C2.1.18.2**

- 153A. The submissions and cross submission received by Fish & Game NZ (Taranaki) and the Taranaki Regional Council be upheld.
154. The submissions from Mike Gibson and TrustPower Ltd and the cross submission by Federated Farmers be declined.
155. The submission from Federated Farmers be upheld in part.
156. That Method A1.4.1 Bullet Point 4 be deleted and replaced with:

*A1.4.1 To use rules, and standards, conditions and terms that require as conditions of consent for land use, subdivision or development –*

- *the stock proof fencing and retiring of land alongside water courses, where appropriate, when land adjoining water courses identified on the NZMS 260 Topographical Series in the following “ring plain” catchments is subdivided : Waingongoro, Mangatoki, Kaupokonui, Patea, Kapuni, Manganui and Kahouri.*
- *the creation of esplanade strips or reserves where appropriate when land adjoining water courses identified*

*on the NZMS 260 Topographical Series in the following “ring plain” catchments is subdivided : Waingongoro, Mangatoki, Kaupokonui, Patea, Kapuni, Manganui and Kahouri.”*

157. That Standard C2.1.18.2 (a) be confirmed.

***Recommended Reasons***

153A. The submissions are in support of the proposal.

154. The submission statement is contradicted by both what occurs in practice and the findings of the Taranaki Regional Council.

155, 156. The addition of appropriateness to the method is supported by existing Council policy.

157. The financial contribution standard gives effect to the approved method.

**Removal of waivers specific to subdivision - C2.1.18.2**

158. The two submissions from Fish & Game NZ (Taranaki) and the Taranaki Regional Council be upheld.

***Recommended Reason***

158. The submissions are in support of the proposal.

**Issue Statement - A1.1**

159. The submission from the Royal Forest & Bird Protection Society of NZ Inc be declined and the cross submission from Federated Farmers be upheld.

***Recommended Reason***

159. The matters sought to be included by the submitter are already included to a level which can be substantiated through the Taranaki Regional Council.

**Objective - A1.2.1**

160. The submission and cross submission from the Royal Forest & Bird Protection Society of NZ Inc and Fish & Game NZ (Taranaki) be declined and the submissions and cross submission from Federated Farmers, Transpower NZ Ltd., TrustPower and EECA be upheld.

161. That Objective A1.2.1 be amended to state:

*A1.2.1 Preservation of the natural character of riparian margins and the protection of them from any adverse effects of inappropriate land use, subdivision or development.*

***Recommended Reason***

160, 161 The proposed wording, together with the amendment reflects the wording of Section 6(a) of the Act.

**Policy - A1.3.1**

162. The submission from the Royal Forest & Bird Protection Society of NZ Inc be declined.

163. The submissions and cross submission from Federated Farmers, Transpower NZ Ltd., TrustPower and EECA be upheld.
164. That “*Nationally and regionally significant infrastructure*” be added as a bullet point in Policy A1.3.1.

***Recommended Reasons***

162. Extending riparian requirements to the eastern hill country is of limited value given the low level of development and high monitoring costs.
- 163, 164. The submission assists in giving effect to the National Policy Statement on Electricity Transmission 2008.

**Policy - A1.3.3**

165. The submission from the Royal Forest & Bird Protection Society of NZ Inc be declined and the cross submission from Federated Farmers be upheld.
166. The submission from the Department of Conservation and the cross submission from Fish & Game NZ (Taranaki) be upheld and the cross submission from Federated Farmers be declined.
167. The submissions and cross submission from Transpower NZ Ltd., Federated Farmers and EECA be upheld.
168. That Policy A1.3.3 be amended to state:  
*“A1.3.3 To preserve the existing natural values and conservation values of both wetlands and the margins of wetlands and protect them from any actual or potential adverse effects of inappropriate land use or development.”*

***Recommended Reasons***

165. The requested submission goes beyond the wording of the Act.
166. The requirement to preserve and protect the margins of wetlands is required under Section 6(a) of the Act.
- 167, 168 The proposed wording, together with the amendment reflects the wording of Section 6(a) of the Act.

**Policy - A1.3.4**

169. The submission from the Royal Forest & Bird Protection Society of NZ Inc be declined and the cross submission from Federated Farmers be upheld.

***Recommended Reason***

169. Policy A1.3.4 is purposefully non-regulatory and the requirement for sustainable riparian management is included in Policy A1.3.1.

**Explanation for Objectives, Policies and Methods - A1.5**

170. The submission from Department of Conservation be upheld and the cross submission from Federated Farmers be declined.

171. That the words “*and their margins*” be inserted following the words “*require the covenanting of wetlands*” in the penultimate paragraph of A1.5

172. That the words “*and the creation of .....intends advocating*” be deleted from the fourth bullet point under Streams and Rivers in A1.5.

***Recommended Reason***

170, 171. The reference clarifies that the margins of wetlands are included in the District Plan discussion on its objectives, policies and methods.

172. The reference is no longer current.

**Standards - Esplanade Strips, Covenanted Wetlands and Access Strips - B2.9**

173. The submission from Taranaki Regional Council and the cross submission from Federated Farmers be both declined.

***Recommended Reason***

173. No amendment to the standard B2.9 is required as stock fencing is already included in the standard and the cost of the fencing is one of the matters which must be taken into consideration.

**INDIGENOUS FOREST CLEARANCE**

**Chapter Heading - A2**

174. The submission from the Department of Conservation be declined and the cross submission from Federated Farmers be upheld.

175. That the Chapter Heading of A2 be amended to state “*Indigenous Forest*” and that any consequential amendments be similarly made.

***Recommended Reason***

174, 175. The wording would then be in line with the other Chapter Headings and not restricted to specific matters within the issue.

**Definition of Terms - Part E**

176. The submission from the Department of Conservation and the cross submissions from Federated Farmers and Transpower be upheld.

177. That Part E Definition of Terms be amended to include the following definition:

**“*Indigenous forest disturbance*”**

*means felling, destruction or damage to indigenous forest, including indigenous trees, shrubs and other plants, by any means including cutting, burning, crushing or spraying except that indigenous forest disturbance does not include:*

- (a) actions necessary for the avoidance of imminent danger to human life*
- (b) tree trimming or the selective removal of vegetation necessary for the current operation and maintenance of existing infrastructure, including roads, stream or river access, fire*

*water points, utilities and the upgrading of utilities, structures and fence lines*

- (c) *the collection of material for scientific purposes or propagation*
- (d) *the collection of material by tangata whenua for maintaining non-commercial traditional practices of ronga (medical purposes), raranga (weaving) and mahhi whakairo (carving)*
- (e) *the disturbance of vegetation which is not included in the definition of the term “indigenous forest”.*

178. Any consequential amendments be made to replace the term “clearance” with “indigenous forest disturbance”.

***Recommended Reason***

176-178. The use of a defined term adds clarity to the District Plan and is distinct from the existing definition for “clearfelling”.

**Issue Statement - A2.1**

179. The submissions from the Department of Conservation be upheld.

180. The words “*or degradation*” be inserted after the word “*loss*” in the summary statement for Issue A2.

181. The words “*in terms of the Resource Management Act 1991*” be added to the final bullet point of A2.1.

***Recommended Reason***

179-181 The amendments clarify the application of the District plan to the indigenous forest issue.

**Objective - A2.2.1**

182. The submission from the Royal Forest & Bird Protection Society of NZ Inc be declined and the submissions and cross submissions from Federated Farmers and Transpower be upheld.

183. Objective A2.2.1 be amended to state:  
“A2.2.1 *The retention and protection of areas of significant indigenous forest within Stratford District.*”

***Recommended Reason***

182, 183 The wording of the amended objective reflects the wording of the Act.

**Policy - A2.3.1**

**Policy - A2.3.2**

184. The submissions from the Department of Conservation and Transpower and the cross submission from Federated Farmers be upheld in part and the submission from NZ Historic Places Trust be accepted.

185. The submissions from Royal Forest & Bird Protection Society of NZ Inc be declined and the cross submission from Federated Farmers be upheld.

186. The word “*biodiversity*,” after the words “*enhancing the*” in the second bullet point of Policy A2.3.1.

187. The words “*To recognise the value of*” in Policy A2.3.1 be replaced with “*To recognise the significance of*”.
188. Policy A2.3.2 be amended to state:  
*A2.3.2 To protect and retain significant areas of indigenous forest, and to protect and retain areas of indigenous forest on the "ring plain".*”

***Recommended Reasons***

185. The amendment sought is already met through the definition of indigenous forest and, in regard to manuka, the standards of the District Plan
186. Biodiversity should be explicitly stated in the policy.
- 184,187,188 The amendments clarify how Council decides that indigenous forest areas are significant.

**Policy - A2.3.3**

189. The submissions from Transpower and the cross submissions from Federated Farmers and EECA be declined
190. The Royal Forest & Bird Protection Society of NZ Inc submission be declined and the cross submission from Federated Farmers be upheld.

***Recommended Reasons***

189. The policy relates to unconsented activities which would require consent because they breach a rule in the District Plan.
190. The amendment sought is already met through the definition of indigenous forest and, in regard to manuka, the standards of the District Plan

**Methods - A2.4**

191. The submissions from Taranaki Regional Council and the cross submissions from Federated Farmers and Fish & Game NZ (Taranaki) be upheld.
192. Method A2.4.3 be added to state, with consequential numbering changes:  
“A2.4.3 *Either a schedule of Significant Natural Areas will be developed in order to identify those locations within the district which contain areas of significant indigenous biodiversity or a more suitable and effective means of protecting significant indigenous biodiversity will be implemented.*”

***Recommended Reason***

- 191-192 The method will enable Council to either formally assess those areas which are significant in terms of biodiversity, or follow through with an alternative effective approach, and increase the level of certainty of application of the District Plan.

**Method - A2.4.1**

193. The Department of Conservation submission be upheld.

194. Method A2.4.1 be amended to state:

*“A2.4.1 Rules and standards, and conditions and terms on resource consents will be used to ensure the retention and protection of areas of indigenous forest in the District in general, and to ensure that any proposed use or management of indigenous forest is only permitted on a sustainable basis, in terms of the Resource Management Act 1991.”*

***Recommended Reason***

193-194 The amendment clarifies the application of the Resource Management Act to the management of indigenous forest.

**Method - A2.4.3**

195. The submission from Federated Farmers be accepted.

***Recommended Reason***

195. The submission is in support of the proposal.

**Rule - B1.2.1.1**

196. The submission from the Department of Conservation be declined and the cross submission from Federated Farmers be upheld.

197. The following bullet point be added to B1.2.1.1.

- *“the removal or trimming of vegetation as required for:*
  - (a) actions necessary for the avoidance of imminent danger to human life*
  - (b) the current operation and maintenance of existing infrastructure, including roads, stream or river access, fire water points, utilities and the upgrading of utilities, structures and fence lines to a maximum distance of 3 metres from the infrastructure, road, access, fire water point, utility, structure or fence or, in the case of any electricity line, such distance as is prescribed by the Electricity (Hazards from Trees) Regulations 2003 to a maximum distance of 4 metres.*
  - (c) the collection of material for scientific purposes or propagation*
  - (d) the collection of material by tangata whenua for maintaining non-commercial traditional practices of ronga (medical purposes), raranga (weaving) and mahhi whakairo (carving)*
  - (e) the disturbance of vegetation which is not included in the definition of the term “indigenous forest”.*”

198. The bullet point commencing with the words *“The removal or trimming of vegetation, including indigenous vegetation....”* be deleted.

***Recommended Reasons***

196. It is more appropriate that the change sought be incorporated into a specific review of the indigenous forest management regime including the identification of Significant Natural Areas.

197-198. The replacement rule is consequential on the accepted definition of “indigenous forest disturbance”.

**Matters over which control is reserved - B1.2.1.2.1(b)**

**Matters over which discretion is reserved - B1.2.1.3.1(b)**

199. The submission from the Department of Conservation and the cross submissions from Federated Farmers and Fish & Game NZ (Taranaki) be declined.

***Recommended Reason***

199. The requested controls and discretions are already in the District Plan.

**Rule Discretionary Activities (Rural Zone) - B1.2.1.4**

200. The submission from the Department of Conservation be upheld; the submission from the Royal Forest & Bird Protection Society of NZ be declined; the cross submissions from Federated Farmers and Transpower (NZ Ltd be upheld.

201. The third bullet point of Rule B1.2.1.4 be amended to state:

*“Indigenous forest disturbance or the harvesting of indigenous forest not provided for as a permitted activity in Rule B1.2.1.1 but excluding non-complying activities listed in Rule B1.2.1.5.”*

***Recommended Reason***

200-201 The disturbance of vegetation is a more appropriate and more readily identified trigger than harvesting and land erosion is covered by the respective Regional Policy Statements.

**Rule Discretionary Activities (Rural Zone) - B1.2.1.4**

202. The submissions from the Department of Conservation and the Royal Forest & Bird Protection Society of NZ and the submission and cross submissions from Federated Farmers be upheld in part.

203. The last bullet point of Rule B1.2.1.1 Permitted Activities be amended to state:

*“ The clearance of manuka less than 3m in height or the clearance of areas of vegetation predominantly comprising manuka greater than 3m in height but EXCLUDING such clearance provided for either as a discretionary activity by Rule B1.2.1.4 or as a non-complying activity by Rule B1.2.1.5.”*

204. The last bullet point of Rule B1.2.1.4 Discretionary Activities be amended to state:

*“The clearance of areas of vegetation predominantly comprising manuka greater than 3m in height, in any of the following circumstances.....”*

205. The last bullet point of Rule B1.2.1.5 be amended to state:

*“Indigenous forest disturbance, where that disturbance is only of manuka greater than 3m in height which is accompanied by other indigenous tree species, unless permitted by Rule B1.2.1.1.”*

**Recommended Reasons**

202. Neither submission contained a practicable alternative to the rate restriction as proposed.

203-205 All three rules relating to manuka require amendment to avoid conflicting statements and provide clarity.

**Rule Non-complying Activities (Rural Zone) - B1.2.1.5**

206. The submission from the Department of Conservation be accepted, noting consequential changes required to the third and fourth bullet points replacing the word “*clearance*”.

207. That the third bullet point of Rule B1.2.1.5 be amended to state:  
“*Indigenous forest disturbance or indigenous vegetation disturbance, within 20m of a water body.*”

208. The definition of “Indigenous Forest disturbance, as submitted be amended to state;

**“*Indigenous forest disturbance*”**

*means felling, destruction or damage to indigenous forest, including indigenous trees, shrubs and other plants, by any means including cutting, burning, crushing or spraying except that indigenous forest disturbance does not include:*

(a) *actions necessary for the avoidance of imminent danger to human life*

(b) *tree trimming or the selective removal of vegetation necessary for the current operation and maintenance of existing infrastructure, including roads, stream or river access, fire water points, utilities and the upgrading of utilities, structures and fence lines*

(c) *the collection of material for scientific purposes or propagation*

(d) *the collection of material by tangata whenua for maintaining non-commercial traditional practices of ronga (medical purposes), raranga (weaving) and mahhi whakairo (carving)*

(e) *the disturbance of vegetation which is not included in the definition of the term “indigenous forest”*

and **“*indigenous vegetation disturbance*”** *has a similar meaning except that the vegetation may be only in the form of indigenous grasses, shrubs or other plants.”*

**Recommended Reasons**

206. The submission is in support of the proposal.

207-208 The amendment clarifies the application of the rule to indigenous riparian disturbance where the plants are primarily other than trees.

**ACTIVITIES ON THE SURFACE OF WATER**

**Activities on the Surface of Water - A3**

209. The submission in support from the NZ Jetboat Association (Taranaki) be accepted.

***Recommended Reason***

209. The submission is in general support of the proposals.

**Objective - A3.2.1**

210. The submission from the TrustPower Ltd be accepted.

***Recommended Reason***

210. The submission is in general support of the proposals.

**Policies - A3.3**

211. The submission from the TrustPower Ltd and the cross submissions from Transpower NZ Ltd and EECA be declined and deferred to further review.

***Recommended Reason***

211. It is appropriate that the provision of policies relating to renewable energy be reviewed as part of the District Plan Rolling Review Programme.

**Explanation for Objectives, Policies & Methods - A3.5**

212. The submission from the Department of Conservation be upheld.

213. The second paragraph of A3.5 Explanation for Objectives, Policies & Methods be deleted.

***Recommended Reason***

212-213 The reference is outdated and no longer applicable.

**OUTSTANDING NATURAL FEATURES & LANDSCAPES**

**Issue - A7.1**

214. The submission from the Department of Conservation be accepted.

***Recommended Reason***

214. The submission is in general support of the proposals.

**Objective - A7.2.1**

215. The submission from the Department of Conservation be accepted.

216. The submissions from TrustPower Ltd., Transpower (NZ) Ltd and Federated Farmers and the cross submissions from EECA, Federated Farmers and Fish & Game NZ (Taranaki) be upheld.

217. That Objective A7.2.1 be amended to state:  
*“Protection of the outstanding natural features and landscapes in the District from the adverse effects of inappropriate land use, subdivision and development.”*

***Recommended Reason***

215. The submission is in general support of the proposals.

216-217 The amended wording aligns with the wording of Section 6(b) of the Act.

**Policies - A7.3.1**

- 218. The submission in support from Transpower (NZ) Ltd be accepted.
- 219. The submission from the Department of Conservation be declined and the cross submission from Federated Farmers be upheld.
- 220. The submissions from TrustPower Ltd., and Transpower (NZ) Ltd., and the cross submissions from Federated Farmers, TrustPower Ltd., and EECA be declined.

***Recommended Reasons***

- 218. The submission is in support of the proposal.
- 219. The inclusion of areas yet to be included within the Whanganui National Park is not appropriate as this matter is still subject to a consultative process.
- 220. The policy is explicitly clear in what effects it is directed at.

**Explanation for Objectives, Policies & Methods - A7.5**

- 221. The submission from Federated Farmers be accepted.

***Recommended Reason***

- 221. The submission is in support of the proposal.

PROTECTED AREAS

**Protected Areas - A12**

- 222. The submission from the Department of Conservation be accepted.

***Recommended Reason***

- 222. The submission is in general support of the proposals.

**Objective - A12.2.2**

**Policy - A12.3.3**

- 223. The submissions from Transpower NZ Ltd and the cross submissions from Federated Farmers and EECA be upheld.
- 224. That Objective A12.2.2 be amended to state:  
*“To assist in avoiding, remedying or mitigating any adverse effects of inappropriate land use, development, or subdivision, on protected areas administered by the Department of Conservation in the District.”*
- 225. That Policy A12.3.3 be amended to state:  
*“To avoid, remedy or mitigate the actual or potential adverse effects of the inappropriate use, subdivision, and/or development of protected areas owned by Stratford District Council as reserves, in terms of the provisions of the Reserves Act 1977.”*

***Recommended Reasons***

- 223-225 The amendments reflect the wording of the Resource Management Act.

**Method - A12.4.5**

**Discretionary Activities Rule (Rural Zone) - B1.2.1.4**

**Rule (Protected Area Zone) - B1.5.2**

226. The submissions from the Department of Conservation and the cross submissions from Federated Farmers and TransPower be upheld in part.

227. That Method A12.4.5 be amended to state:

*“Develop Rules, Standards, Conditions, and Terms, for application in certain parts of the District, to avoid, remedy or mitigate any adverse effects on protected areas administered by the Department of Conservation in the District, particularly (but not limited to) Egmont and Whanganui National Parks, from land use, development or subdivision occurring on land in close proximity to those protected areas.”*

228. That the eighth bullet point of Rule B1.2.1.4 be amended to state:

*“Any land use, development, or subdivision taking place on land either contiguous with the boundaries of, or directly opposite any road reserve, stream or river which is contiguous with the boundaries of, any “protected area” (as defined in Part E, Definition of Terms) administered by the Department of Conservation, particularly (but not limited to) Egmont and Whanganui National Parks, but EXCLUDING any activity provided for as a permitted activity in either Rule B1.1.1, Rule B1.2.1.1, Rule B1.3.1 or Rule B1.3.2.1.”*

229. That B1.5.2 be amended to state:

*“Any land use, development, or subdivision occurring on land either contiguous with the boundaries of, or directly opposite any road reserve, stream or river which is contiguous with the boundaries of land defined in, held under, and administered in terms of -*

- the Reserves Act 1977; or*
- the National Parks Act 1980; or*
- the Conservation Act 1987; or*
- the Wildlife Act 1953; or*
- any other Act listed in the First Schedule of the Conservation Act 1987 -*

*by the Department of Conservation, shall be regarded as a discretionary activity (see Rule B1.2.1.4 Rules for the Rural Zone), but EXCLUDING any activity provided for as a permitted activity in either Rule B1.1.1, Rule B1.2.1.1, Rule B1.3.1 or Rule B1.3.2.1.”.....”*

***Recommended Reasons***

226-229 The amended wording clarifies the application of the proposed method and rule while acknowledging that the land areas are not always legally contiguous.

**Method - A12.4.8**

230. The submission from the Department of Conservation be upheld.

231. That Method A12.4.8 be amended to state:

*Encourage landowners and developers to liaise with the Department of Conservation in respect of land use, development or subdivision within*

*100m of protected areas administered by the Department of Conservation.”*

***Recommended Reason***

230-231 The amendment corrects a technical error.

**Rule Limited Discretionary Activities (Rural Zone) - B1.2.1.3**

**Matters over which Discretion is Reserved - B1.2.1.3.1(c)**

232. The submission from the Department of Conservation be accepted and the submission and cross submission from Federated Farmers and the cross submission from the Royal Forest & Bird Protection Society of NZ be declined.

***Recommended Reason***

232. The purpose of the rule and standard is clear from the discretions which apply to the rule and the rule is appropriate to allow management of goat farming in proximity to the National Parks in contrast to the limitation on deer which is in response to specific regulation.

**Rule Prohibited Activities (Rural Zone) - B1.2.1.6**

233. The submission from the Department of Conservation be accepted.

***Recommended Reason***

233. The submission is in general support of the proposals.

**NETWORK UTILITIES**

**General District Plan Approach**

234. The submissions and cross submissions from TrustPower Ltd., Telecom NZ Ltd., Kordia Ltd., and EECA be upheld in part.

235. The intention of the Stratford District Council to review the energy and network utility issues as the first issue in the Stratford District Plan Rolling Review be confirmed.

*NOTE: This review will be in conjunction with that on Indigenous Forest.*

***Recommended Reason***

234-235 The deficiencies in the District Plan are noted but are more appropriately considered as a separate review to allow completeness of analysis of the issues.

**Definition - Network Utility - Part E**

236. The submission from TrustPower Ltd be declined.

***Recommended Reason***

236. The submission would take the definition outside of the Act.

**Definition - Upgrading - Part E**

237. The submission from Transpower be upheld in part.

238. That the Part E definition of “Upgrading” be amended to state:  
“”*Upgrading*”

*in relation to upgrading existing electricity lines and support structures as provided for in Rule B1.1.1(a) of the General Rules, means an increase in the carrying capacity of, or security of, the line (for example, such as adding additional circuits, reconductoring with heavier conductors, longer insulators, the addition of earthwires or any other electrical work of a similar nature in terms of effect) utilising the existing support structures where the structures are located in the same place.”*

**Recommended Reason**

237-238 The amended definition allows for work of a similar level of effect to be carried out as a permitted activity.

**Issues - A13.1**

239. The submissions and cross submission in support received from Contact Energy and TrustPower Ltd be accepted.

240. The submission from Transpower (NZ) Ltd and the cross submissions from TrustPower Ltd., EECA, Vector Ltd and Telecom NZ Ltd be upheld in part.

241. That Issue Statement Summary under A13.1 be amended to state:

- *Management of the actual or potential adverse effects of network utility operations on the environment.*
- *Management of the actual or potential adverse effects of other activities on network utilities.*
- *Recognition of the benefits of regionally and nationally significant infrastructure and the need for efficient network utility operations.”*

242. That A13.1 Overview of Issues be amended as follows:

- The following 2<sup>nd</sup> paragraph be added:  
*“In particular, the National Policy Statement on Electricity Transmission 2008 (NPSET) recognises the national significance of the electricity transmission network, commonly known as the National Grid, and requires Council to consider the national significance of a reliable and secure electricity supply and to recognise the benefits of electricity transmission. It also confirms the responsibilities of the network owner in relation to environmental management.”*
- The following words be added to the 3<sup>rd</sup> paragraph following *“adverse effects of these “network utilities”*:  
*“Notwithstanding this, technical and operational requirements associated with such networks can limit the extent to which it is feasible to avoid or mitigate all associated environmental effects. The extent to which this is necessary shall be determined having regard to the significance of the utility, the overall effect of the route proposed and the technical and operational constraints that apply. This issue is addressed in Policy 3 of the NPSET.”*
- The following 4<sup>th</sup> paragraph be inserted:

*“The route of an aboveground network utility, such as overhead lines and their support structures, has the potential to have effects on sensitive areas and activities. In such cases the routing and other features of the transmission system should seek to minimise adverse effects on urban amenity and avoid adverse effects on significant natural areas, outstanding natural features or landscapes, existing sensitive activities and areas of high recreational or amenity value. This issue is addressed by Policies 7 and 8 of the NPSET.”*

- The following paragraph be inserted following the paragraph commencing “Adverse effects associated with network utilities....”:  
*“A “utility corridor” refers to an identified area of land and air space surrounding transmission lines in which certain activities are restricted because of the risk potentially posed to the utility, the activity or to public safety. Recognition of existing utility corridors within the Stratford District will help to ensure that incompatible land uses and potential adverse effects are avoided, remedied or mitigated, thereby ensuring that the corridors can continue to meet the ongoing needs of the community. This will ensure that the any adverse effects of the utilities are avoided, remedied or mitigated and that reverse sensitivity effects are managed as much as is reasonable possible. This issue is addressed in Policies 10 and 11 of the NPSET.”*
- The paragraph commencing “For example when the route of an above-ground.....” be deleted.

#### ***Recommended Reasons***

239. The submissions are in support of the proposal.

240-242 The suggested wording was incomplete in its recognition of the NPSET in regard to sensitive activities and areas; additional wording sought is redundant; the inclusion of the definitions clarifies the scope of the issue.

#### **Objective - A13.2.1**

243. The submission from Contact Energy Ltd is accepted.

244. The submission from Telecom NZ Ltd and the cross submission from Transpower (NZ) Ltd are upheld

245. The submission and cross submissions from TrustPower Ltd are upheld in part.

246. That Objective A13.2.1 be further amended to state:

*“The efficient and effective establishment, development, upgrade, maintenance and safe operation of network utilities in the District is provided for in a manner that avoids, remedies or mitigates as far as practicable any actual or potential adverse effects on the environment, community, and adjoining land uses, while recognising the particular technical and operational constraints and requirements of network utilities.”*

**Recommended Reason**

243. The submission is in support of the proposal.

244-246 The amended objective reflects the NPSET and the Act.

**Objective - A13.2.2**

247. The submissions and cross submission from Contact Energy Ltd and TrustPower Ltd be accepted.

**Recommended Reason**

247. The submissions are in support of the proposal.

**Policy - A13.3.1**

248. The submissions from Vodafone NZ Ltd and Powerco Ltd and the cross submissions from TrustPower Ltd., Transpower (NZ) Ltd., Kordia Ltd., Vector Gas Ltd., and Telecom NZ Ltd be upheld.

249. That Policy A13.3.1 be amended to state:

*“To recognise the importance network utilities have for the health, safety and well-being of the community and the efficient functioning of the District.”*

**Recommended Reason**

248-249 The amended wording is consistent with the reasons given for the policy.

**Policy - A13.3.2**

250. The submission from TrustPower Ltd be upheld in part and the cross submission from Telecom Ltd be upheld.

251. The submission from TransPower NZ Ltd and the cross submissions from TrustPower Ltd and EECA be declined.

252. That Policy A13.3.2 be amended to state:

*“To avoid, remedy or mitigate as far as is practicable any actual or potential adverse effects on the environment, community, and adjoining land uses from the development and operation of network utilities in the District.”*

**Recommended Reason**

248-250 The policy wording as amended reflects the NPSET.

**Policy - A13.3.3**

253. The submission from Contact Energy be accepted.

254. The submission from Transpower (NZ) Ltd and the cross submissions from TrustPower Ltd, EECA and Vector Gas Ltd be upheld in part.

255. That Policy A13.3.3 be amended to state:

*“To avoid, remedy or mitigate any actual or potential adverse effects of land use, development, or subdivision on the operation, maintenance, upgrading and development of network utilities.”*

**Recommended Reasons**

253. The submission is in support of the proposal.

254-255 The amended wording includes the remaining elements referred to in the NPSET.

**Policies - A13.3**

256. The submissions and cross submission from Telecom NZ Ltd and Kordia Ltd be upheld except that an existing policy is amended as appropriate.

257. That Policy A13.3.2 be further amended to state:

*“To avoid, remedy or mitigate as far as is practicable any actual or potential adverse effects on the environment, community, and adjoining land uses from the development and operation of network utilities in the District, while recognising the particular technical and operational constraints and requirements of network utilities.”*

258. That Policy A13.3.4 be added:

*“The co-location of network utility services on one site and/or the use of existing buildings and structures as mounting infrastructure for the services is encouraged to mitigate cumulative visual effects, while recognising the particular technical and operational constraints and requirements of network utilities.”*

**Recommended Reasons**

256-257 The amended policy wording is consistent with the NPSET.

256, 258 The new policy is required to provide for the existing Method A13.4.2.

**Method - A13.4.2**

259. The submission from Vodafone NZ Ltd and the cross submissions from Kordia Ltd, Vector Gas Ltd and Telecom NZ Ltd be upheld and the cross submission from Transpower NZ Ltd be declined.

260. That Method A13.4.2 be amended to state:

*“To encourage the voluntary -*

- co-siting or sharing of sites; and/or*
- location underground; and/or*
- establishment of network utilities in appropriate locations that are visually as unobtrusive as practicable.”*

**Recommended Reason**

259-260 The amended wording affords improved clarity of the method.

**Methods - A13.4**

261. The submission from Transpower (NZ) Ltd and the cross submission from EECA be upheld in part.

262. That Method A13.4.2 be inserted as follows and the remaining methods be renumbered as appropriate:

*“To include as information concerning the location of high voltage electricity transmission lines and gas pipeline corridors by identification on:*

- *District Plan maps*
- *Project Information Memoranda (PIMs) under the Building Act 2004*
- *Land Information Memoranda (LIMs) under the Local Government Official Information & Meetings Act 1987*

*and to use this information in relation to the evaluation of planning resource consents under the Resource Management Act 1991 and building consents under the Building Act 2004.”*

***Recommended Reason***

261-262 The suggested method is appropriate albeit with wording consistent with the District Plan.

**Anticipated Environmental Result - A13.6.2**

263. The submission from TrustPower Ltd and the cross submissions from Transpower (NZ) Ltd and Telecom NZ Ltd be declined.

***Recommended Reason***

263. The suggested addition adds undesirable complexity to the AER.

**General Rule - Permitted Activities - B1.1.1(a)**

**General Rule - Controlled Activities - B1.1.3**

**Matters over which Control is Reserved - B1.1.3.1**

**General Rule - Limited Discretionary Activities - B1.1.4**

**Matters over which Discretion is Reserved - B1.1.4.1**

**General Rule - Discretionary Activities - B1.1.5**

264. The submissions in support from TrustPower Ltd and Transpower (NZ) Ltd be accepted.

265. The submissions from Vodafone NZ Ltd., Telecom NZ Ltd., Kordia Ltd and Transpower (NZ) Ltd and the cross submissions from Federated Farmers, Kordia Ltd and Telecom NZ Ltd be upheld in part.

266. That Rule B1.1.1(a) Permitted Activities Bullet Points 2, 6, 9, 10 and 11 be amended to state:

*“(a) The following network utilities:*

*.....*

- *The operation (including maintenance, repair and “upgrading”, as defined in Part E, Definition of Terms) of existing electricity lines including support structures. Upgrading of lines shall be limited to the following circumstances:*

- *where existing lines are at a voltage up to and including 220kV and there is no increase in the voltage of a line unless the line was constructed to operate at a higher voltage but has been operating at a lower voltage, and there is no physical change to the line;*

*.....*

- *New lines, or additions to lines, and supporting structures on road reserve for conveying electricity at a voltage up to and including 110kV.*

.....

- *Telecommunications facilities above ground (including lines as defined by Section 2(1A) of the Telecommunications Act 1987) and situated on road reserve that:-*
  - *are overhead lines and their support structures; or*
  - *are microwave dishes or antennas of a diameter not exceeding 5m, and their support structures; or*
  - *are masts, poles, antennas and aerials and associated equipment and their support structures; or*
  - *cabinets and equipment shelters.**provided that any antenna or cabinet complies in all respects with the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008.*
- *Underground telecommunications facilities such as underground lines.*
- *Telecommunication facilities which are not situated on road reserve that are able to comply with the height, bulk and location requirements of the particular zone in which the activity is located.”*

267. That Rule B1.1.3 Controlled Activities Bullet Point 4 be deleted.

268. That Rule B1.1.3.1(d) Matters over which Control is Reserved be deleted.

269. That Rule B1.1.4 Limited Discretionary Activities Bullet Point 5 be amended to state:

- *“telecommunications facilities located on road reserve as described in Rule B.1.1.1(a) which are unable to comply with the standards, conditions and terms in Part B.2 relevant to the zone in which the activity is to be undertaken.”*

270. That Rule B1.1.4.1(f) Matters over which Discretion is Limited be amended to state:

*“(f) For telecommunication facilities and above ground lines, and their supporting structures, identified in Rule B1.1.4:*

- *Conditions relating to compliance with the relevant standards, conditions and terms in B.2; and*
- *Visual impacts and amenity values with regard to:*
  - *Route selection; and*
  - *Cumulative effects; and*
  - *Bulk, height and location of structures; and*
  - *Significant views; and*
  - *Location of structures relative to site boundaries, existing buildings;**and*
  - *Payment of administrative charges.”*

#### ***Recommended Reasons***

264. The submissions are in support of the proposal.

265-266 The amended wording clarifies the application of the permitted activity rules and the confirmation of compliance with the relevant

National Environmental Standard as being appropriate for a permitted activity status where applicable.

265, 267-269 The controlled activity status for the structures referred to is not appropriate

265, 270 The amended wording includes the previously omitted activity and acknowledges that financial contributions are not appropriate.

**General Rule - Permitted Activities - B1.1.1(c)**

271. The submission from Transpower (NZ) Ltd be declined.

***Recommended Reason***

271. The fact that the HFSP is not applicable to certain situations which may involve hazardous substances does not mean that those situations should then be permitted with no consideration of effects and electrical cabinets in other than sensitive environments will not trigger the HFSP.

**General Rule - Permitted Activities - B1.1.1(d)**

272. The submission from Transpower (NZ) Ltd be declined.

***Recommended Reason***

272. The requiring of consent for work as detailed in the submission ensures that the form and amenity of the protected trees is maintained, noting that in almost all cases the costs of consenting and maintenance lies with the Consent Authority.

**General Rule - Permitted Activities - B1.1.1(e)**

273. The submission from Transpower (NZ) Ltd and the cross submission from Vector Gas Ltd be upheld.

274. That the Part E definition of “Official Sign” be amended to state:

**““Official Sign”**

means all regulatory traffic and official signs approved by a road controlling authority, an administration body for a protected area or as are mandatory under any legislation.

Note: (Not part of the Definition of “Official Sign”) Official signs are part of road operations, traffic guidance and the safe use of other sites. In addition, official signs are intended for the guidance and direction of persons using a road, motorway or other area. They are made of standard design, colour, shape etc. and convey instructions of warning or advice as to road conditions, destinations, traffic control and other information relative to the use of the road, including tourist, motorist services “Welcome To” and Information Kiosks. They are also used to convey health, safety and directional messages in workplace yard areas, work places, reserves etc.”

***Recommended Reason***

273-274 Official signs should include all signs mandated by other legislation.

**General Rules - Notification - B1.1.2(a)**

275. The submissions from Vodafone NZ Ltd and Transpower (NZ) Ltd and the cross submissions from TrustPower Ltd and Kordia Ltd be declined and the cross submissions from Federated Farmers be upheld.

***Recommended Reason***

275. The submissions are based on incorrect interpretation of the Act and the relevant regulation.

**Rural Zone Rules - Permitted Activities - B1.2.1.1**

276. The submission from TrustPower Ltd be accepted.

***Recommended Reason***

276. The submission is in support of the proposals.

**Protected Area Zone Rules - B1.5.1, B1.5.2**

277. The submission from Transpower (NZ) Ltd be declined.

***Recommended Reason***

277. The rules are consistent with Policies 6, 7 and 8 of the NPSET.

**Maximum Height Exemptions - B2.1.4(f)**

278. The submission from Transpower (NZ) Ltd be upheld in part.

279. The submissions from Telecom NZ Ltd., Kordia Ltd and Vodafone NZ Ltd and the cross submissions from Telecom NZ Ltd and Kordia Ltd and Federated Farmers be upheld in part.

280. That B2.1.4(f) be amended to state:

***“(f) Network Utility Exemptions:***

- *The activities described in Rule B1.1.1(a) as the operation (including maintenance, repair and “upgrading” as defined in Part E, Definition of Terms) of existing electricity lines including support structures are exempt the above maximum height requirements where:*
  - *these activities relate to existing electricity lines and existing support structures only; and*
  - *the height of any existing support structure for electricity lines at a voltage up to and including 110kV is not being increased either by more than 2.0m or up to the maximum permitted height for the zone in which the structure is located, whichever is the lesser; and*
  - *the height of any existing support structure for electricity lines at a voltage over 110kV and up to and including 220kV is not being increased by either more than 5.0m or to a maximum height of 40m, whichever is the lesser.*
- *Aerials and lightning rods no greater than 20 mm in diameter which do not exceed the height of the building or support structure (such as masts or poles) to which they are attached by greater than 4.5 metres.*
- *Antennas, and support structures (such as masts or poles) which do not exceed the following maximum antenna heights and maximum diameters (or maximum width if antenna is a panel type):*

- *Rural Zone: Height - 20m  
Diameter - 1.5m  
Width - 5.0m*
- *Business Zone: Height - 20m  
Diameter - 1.0m  
Width - 2.0m*
- *Residential Zone: Height - 12m  
Diameter/Width - 0.5m”*

281. That B2.1.4(g) be added to state:

**“(g) Other Exemptions:**

- *All temporary structures in the rural zone (i.e., occur for one period of less than four consecutive months at any site)”*

**Recommended Reasons**

278-281 The increased range of exemptions allows for more efficient operation and development of network utilities and the co-location of services while ensuring the avoidance or mitigation of potential effects.

**Lot/Site Design and Land Development - B2.1.13**

282. The submission in support from Transpower (NZ) Ltd be accepted.

283. The submission and cross submissions from Vector Gas Ltd and the cross submission from Transpower (NZ) Ltd be upheld.

284. The submission from Transpower (NZ) Ltd be declined.

285. The final bullet point of B2.1.13 be amended to state:

- *Lots or sites must provide for telecommunications facilities from existing services (except network utility operations). Where the land is crossed by existing telecommunication lines provision shall be made for the undergrounding of such lines. (Note: the developer shall negotiate and create all necessary easements.)*

286. That the Network Utilities Guideline under B2.1.13 be amended to state:

**“Network utilities**

*When planning and designing a land use, development or subdivision, landowners and developers should take into account the actual or potential effects their land use, development or subdivision may have on the presence of network utilities above or below ground. Planning and designing should include consultation with the network utility operators or managers to ascertain possible effects on the operation, maintenance or development of the network utilities. Landowners and developers should take care to avoid, remedy or mitigate any such actual or potential effects - see also Policy A13.3.3 of this District Plan.”*

**Recommended Reasons**

282. The submission is in support of the proposal.

283, 286 Consultation with affected network utility operators is appropriate.

284-285 The remaining requirements and restrictions in B2.1.13 are appropriate for all development.

**Network Utility Standards - B2.6**

287. The submission from Transpower (NZ) Ltd be declined.

***Recommended Reason***

287. The consent requirement aligns with the National Policy Statement on Electricity Transmission Policy 8.

**Scheduled Areas - B4**

288. The submission from Contact Energy Ltd be accepted.

***Recommended Reason***

288. The submission is in support of the proposals.

**Description of Scheduled Areas - B4.2**

289. The submission from Contact Energy Ltd be accepted.

***Recommended Reason***

289. The submission is in support of the proposals.

**Scheduled Area Rules - B4.3**

290. The submissions from Contact Energy Ltd and Transpower (NZ) Ltd be accepted.

***Recommended Reason***

290. The submissions are in support of the proposals.

**Scheduled Area Standards, Conditions and Terms - B4.4**

291. The submission from Contact Energy Ltd be accepted.

***Recommended Reason***

291. The submission is in general support of the proposals.

**Minimum Yard Requirements Exemptions - B4.4.1.2**

292. The submission from Transpower (NZ) Ltd be upheld in part.

293. That the exemptions under B4.4.1.2 be amended to state:

- “• *Exemptions:*
- *structures for the abstraction, treatment, or discharge of water.*
  - *fences with a maximum height of 2.0m.*
  - *Electricity transmission lines and their support structures (but excluding any new support structures*
  - *Gas transmission pipelines operations (except buildings)”*

***Recommended Reasons***

292- 293 The additional exemptions are appropriate for lineal structures.

**Permitted Activity Rules - B1.1.1**

**Noise and Vibration - B2.1.8**

**Noise and Vibration - B4.4.1.3**

294. The submissions from Contact Energy Ltd and the Ministry of Health be upheld.

295. That the following standards replace the referenced 1991 noise measurement, noise assessment and construction noise standards and the 1976 blasting noise standard in B2.1.8 and B4.4.1.3:
- NZS 6801:2008 Acoustics - Measurement of Environmental Sound
  - NZS 6802:2008 Acoustics - Environmental Noise
  - NZS 6803:1999 Acoustics - Construction Noise
  - AS 2187.2-1993 Explosives - Storage, Transport and use, Part 2 Use of Explosives
296. That all references to “L10” in B2.1.8 and Appendix 2 Figure 2 be replaced with “Leq”.
297. That Rule B1.1.1(h) be amended to state:
- (h) *Temporary military training activities and public pyrotechnic displays, subject to the following:*
- *the written consent of the landowner is obtained; and*
  - *the activity does not require the construction of permanent structures; and*
  - *the activity does not require excavation (permanent or mechanical) unless provided for in this Plan; and*
  - *flying activity is in compliance with civil aviation regulations or in agreement with the local controlling authority; and*
  - *the activity is limited to a period not exceeding 31 days; and*
  - *Any temporary military training activity or public pyrotechnic display in the district shall be conducted so as to ensure the noise limits below are not exceeded at any point within the notional boundary of any dwelling, residential institution, or educational facility within the District, or at any point within any site where this site adjoins a residential site:*

*Limits for Temporary Military Training Facilities*

<b>Time</b> <i>(Any Day)</i>	<b>Levels (dB(A))</b>	
	<i>Leq</i>	<i>Lmax</i>
<i>0630-0730</i>	<i>60</i>	<i>70</i>
<i>0730-1800</i>	<i>75</i>	<i>90</i>
<i>1800-2000</i>	<i>70</i>	<i>85</i>
<i>2000-0630</i>	<i>55</i>	

*Provided the limits for impulsive noise arising from any use of explosives, explosive simulators, munitions, ammunition, or pyrotechnics at any time shall not exceed 122 dB(C) peak.*

**Note:** *The term “dB(C) (peak)” means the peak C- frequency weighted sound level. “Peak” is a non-rms value and differs from Lmax cited elsewhere in this plan.*

*Sound shall be measured in accordance with NZS 6801:2008 Acoustics - Measurement of Environmental Sound.*

**Exemption**

*The above noise limits shall not apply on not more than four occasions in any period of up to 12 months where any exhibition or demonstration of military activities or pyrotechnics is open to the public and held between the hours of 10:00am and 5:00pm.*

298. That Standard B2.1.8(c) be deleted and replaced with the following:

“(c) **Construction Noise:**

- *Construction noise from activities on the site shall be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction Noise and subject to the proviso following the table, shall not exceed the noise limits for the relevant time-frame stated in the Table below.*

**Noise limits for construction noise**

Time of week	Time period	Duration of work*					
		Typical duration dBA		Short-term duration dBA		Long-term duration dBA	
		Leq	Lmax	Leq	Lmax	Leq	Lmax
<b>Weekdays</b>	0630-0730	60	75	65	75	55	75
	0730-1800	75	90	80	95	70	85
	1800-2000	70	85	75	90-	65	80
	2000-0630	45	75	45	75	45	75
<b>Saturdays</b>	0630-0730	45	75	45	75	45	75
	0730-1800	75	90	80	95	70	85
	1800-2000	45	75	45	75	45	75
	2000-0630	45	75	45	75	45	75
<b>Sundays and public holidays</b>	0630-0730	45	75	45	75	45	75
	0730-1800	55	85	55	85	55	85
	1800-2000	45	75	45	75	45	75
	2000-0630	45	75	45	75	45	75

\* “Duration of work”- In this table;

- “short-term” means construction work at any one location for up to 14 calendar days;
- “typical duration” means construction work at any one location for more than 14 calendar days but less than 20 weeks; and
- “long-term” means construction work at any one location with a duration exceeding 20 weeks.

*Provided that the provisions of the Standard related to the duration of construction events and the more or less stringent noise limits in the above Table which are applicable in such circumstances shall apply.”*

299. That Standard B2.1.8(d) be deleted and replaced with the following:

“(d) **Blasting Noise:**

- “Airblast overpressure from use of explosives shall not exceed a peak sound pressure level of 120 dB (Peak) at any point within the notional boundary of any dwelling, homestay residential unit or healthcare or educational facility, hospital or resthome.
- *Except as elsewhere provided in this plan, all use of explosives on any site shall be in accordance with Australian Standard AS 2187.2–1993 Explosives – Storage, Transport and Use, Part 2 Use of Explosives.*

- *Airblast shall be measured in accordance with the provisions of NZS 6801:2008 and assessed in accordance with the provisions of AS 2187.2-1993 Explosives – Storage, Transport and Use, Part 2 Use of Explosives.”*

300. That Standard B2.1.8(e) be deleted and replaced with the following:

“(e) ***Vibration:***

*Except as provided in NZS 6803:1999, activities causing vibration shall not exceed the acceptable vibration levels for human comfort provided in Sections 2.3 and 2.4, and shall be measured and assessed in accordance with the provisions of “Assessing Vibration: A Technical Guideline”, Department of Environment and Conservation, New South Wales, Feb 2006, ISBN 1 74137 812 5*

*<http://www.environment.nsw.gov.au/resources/noise/vibrationguide0643.pdf>”*

301. That Standard B4.4.1.3 Bullet points 4, 5 and 6 be deleted and replaced with:

- *“Construction, blasting and vibration activities on the Scheduled area for Electricity Generation purposes shall comply with the requirements of B2.1.8 (c), (d) and (e).”*

#### ***Recommended Reasons***

294-301 The updated references to the noise standards reflect nationally applied standards and have minimal effect on the noise levels permitted under the Plan.

#### **Landscape Design - B4.4.1.4**

302. The submission from Transpower (NZ) Ltd be upheld in part.

303. The following bullet point be added to Standard B4.4.1.4:

- *“All newly planted trees or vegetation, which exceed a maximum height of 2.0m at full maturity) shall be set back by a horizontal distance of a minimum of 12m from the centre line of National Grid transmission lines.”*

#### ***Recommended Reason***

302-303 The requested setback is appropriate but it is not appropriate for Council to become an enforcement agency for regulations made under the Electricity Act 1992.

#### **Scheduled Areas - Appendix 2**

304. The submissions from Contact Energy Ltd be upheld.

305. That Figure 2 of Appendix 2 be amended by:

- adding the DCDB Land Parcel layer to the image, and
- marking monitoring locations at those points along State Highway 43 where the northern side of the road reserve intersects with the noise contours and a further monitoring point at the location shown as “A” on Figure 3 of Appendix 2.

306. That Figure 3 of Appendix 2 be deleted.

307. That Standard B4.4.1.4 Bullet Point 12 be amended to state:

- *“Suggested measurement locations are shown on Figure 2 Appendix 2 of this Plan.”*

***Recommended Reason***

304-307 The amended maps and monitoring locations are an improvement on the current maps.

**General Assessment Criteria - B5.1**

308. The submission from Transpower (NZ) Ltd and the cross submissions from Vector Gas Ltd and TrustPower Ltd be upheld.

309. The third bullet point of B5.1 be amended to state:

- *consideration of the actual or potential adverse effects on -*
  - *the amenity of the relevant street, neighbourhood, area or zone, and on the amenity of neighbouring areas or zones; and*
  - *on the service infrastructure; and*
  - *network utilities; and*
  - *people and communities; and*
  - *the environment and natural and physical resources, including (but not limited to) the margins of rivers and streams, wetland areas, and indigenous forest and habitats of indigenous flora and fauna;*
  - *heritage resources, including (but not limited to) historic buildings or places, waahi tapu, pa, urupa, and other taonga; and*
  - *outstanding natural features and landscapes; and*
  - *notable trees; and*
  - *protected areas; and”*

***Recommended Reason***

308-309 The amendment clarifies the inclusion of network utilities in the matters to be considered.

**Subdivision Assessment Criteria - B5.3**

310. The submission from Transpower (NZ) Ltd and EECA be upheld and the cross submission from Federated Farmers be declined.

311. Bullet Point 6 be inserted to state:

- *“Measures to avoid, remedy or mitigate any actual or potential effects of proposed buildings on existing network utilities, including reverse sensitivity effects; and”*

***Recommended Reason***

310-311 The amendment clarifies the inclusion of network utilities in the matters to be considered.

**Network Utilities Assessment Criteria - B5.4**

312. The submission from TrustPower Ltd be upheld.

313. The submission from Transpower (NZ) Ltd and the cross submission from Vector Gas Ltd be upheld in part.

314. That B5.4 Bullet Point 6 be inserted to state:

*“The benefits of renewable energy, energy generation and associated critical infrastructure, including the social, economic and environmental benefits.”*

315. That B5.4 Bullet Point 3 be amended to state:

*“the extent to which the proposal contains provisions for, or has evaluated possibilities for -*

- undergrounding; and/or*
- screening with appropriate vegetation, or screening by other landscape design work; and/or*
- relocating to less visually obtrusive sites; and/or*
- co-siting with existing facilities; and*
- in relation to overhead National Grid transmission lines, the minimisation, as far as practicable, of both the degree of change from existing lines and the extent of effects on the landscape; and”*

***Recommended Reasons***

312, 314 The amendment clarifies the consideration of renewable energy and the positive effects of energy generation are to be considered.

313. The reference to the NZ Electrical Code of Practice is not appropriate due to the technical nature of the document.

315. The amendment clarifies the need to balance the effects of existing National Grid overhead transmission lines with the practicality of altering the route.

**Indigenous Forest Clearance Assessment Criteria - B5.5**

316. The submission from Transpower (NZ) Ltd be declined.

***Recommended Reason***

316. The requested amendment fails to take the existing permitted activity rule and policies of the Plan into account.

**Notable Trees Assessment Criteria - B5.9**

317. The submission from Transpower (NZ) Ltd be upheld.

318. That the following bullet point be added to B5.9

- *“The reason for the works proposed.”*

***Recommended Reason***

317-318 The requested amendment clarifies the need to balance the purpose of the work against the amenity effects.

**General Information Requirements for Controlled & Limited Discretionary Activities - B6.1**

319. The submission from Transpower (NZ) Ltd be upheld.

320. The words *“or a limited discretionary activity”* be inserted directly after the words *“controlled activity”*.

***Recommended Reason***

319-320 The amendment corrects a text error.

**General Information Requirements for Controlled & Limited Discretionary Activities - B6.1.4**

**General Information Requirements for Discretionary & Non-Complying Activities - B6.2.4**

321. The submission from Transpower (NZ) Ltd be upheld.
322. The words “*locations of any network utilities*” be inserted into B6.1.4 and B6.2.4.

***Recommended Reason***

- 321-322 The amendment clarifies that network utility information is required in relation to applications for consent.

**Cross Boundary Processes - B7**

323. The submission from Transpower (NZ) Ltd be declined.
324. That the legislation reference of “*Section 75(1)(h)*” be replaced with “*Section 75(2)(f)*”.

***Recommended Reasons***

323. The section deals particularly with the relationships between consenting authorities when approaching proposals adjacent to or across boundaries.
324. The amendment corrects a text error.

**Financial Contributions - General**

325. The submission from TrustPower NZ Ltd be upheld.
326. That the words “*and the completion of works and services that may be imposed*” be deleted from the paragraph directly under C2.1 Purpose, Circumstances and Maximum Amount.

***Recommended Reason***

- 325-326 The requirement to take works and services would be in conflict with Section 108 of the Resource Management Act 1991.

**Financial Contributions - Network Utilities**

327. The submission from TrustPower NZ Ltd and the cross submission from Telecom NZ Ltd be declined.

***Recommended Reason***

327. The District Plan rules already exempt network utilities from financial contributions unless the activity is of sufficiently high financial value or is assessed as a discretionary activity.

**Amount of Contribution - Financial Contributions for Permitted Activities - C1.2.1**

**Provision of Land for Open space, public recreation, community or other purposes, and Provision for Community Facilities -C2.1.17**

328. The submission from TrustPower NZ Ltd be upheld.
329. That the following paragraph be added to C1.1 Purpose and Circumstances:

*“C1.1.3 In setting financial contributions, the following matters shall, where discretion is indicated, be considered:*

- Any positive effects of the activity on the Stratford District, including but not being limited to the provision of community utilities and services; and*
- the extent to which any adverse effects are avoided, remedied or mitigated”*

330. That C1.2.1 Amount of Contribution be amended to state:

*“C1.2.1 The owner of any land in the district which is developed for administrative, commercial or industrial purposes (excluding farming), or any two or more such purposes, shall pay to the Council, at the time of receiving building consent (pursuant to Section 45 of the Building Act 2004), a maximum financial contribution, in cash, of 0.5% of the assessed value of the above types of developments in excess of \$500,000. The value of any of the above types of developments will be independently assessed at the expense of the developer.”*

331. That the following bullet point be added to C2.1.17(a):

- “In setting financial contributions, the following matters shall, where discretion is indicated, be considered:*
  - Any positive effects of the activity on the Stratford District, including but not being limited to the provision of community utilities and services; and*
  - the extent to which any adverse effects are avoided, remedied or mitigated”*

332. That C2.1.17(b) be amended to state:

*“(b) Amount of Contribution:*

- A contribution in cash or land or both equivalent to 7.5% of the value of each new allotment of less than 2,000 m<sup>2</sup>. (The contribution to be assessed on the additional allotments created in excess of those that existed prior to the subdivision); or*
- a contribution of cash or land or both equal to 7.5% of the value of land for every additional dwelling or dwelling unit; or*
- a maximum contribution of cash, or land equivalent to 0.5% of the value of commercial and industrial developments in excess of \$500,000;*  
*including the cost of any necessary valuations, to be independently assessed at the expense of the landowner or developer.”*

***Recommended Reason***

328-332 The amended financial contribution provisions provide for compliance with the Resource Management Act 1991 and flexibility in their application.

**Financial Contributions - Water Supply - C2.1.10**

**Financial Contributions - Sewage Disposal Systems - C2.1.11**

**Financial Contributions - Stormwater Control & Disposal System - C2.1.12**

333. The submission from TrustPower Ltd be declined

***Recommended Reason***

333. The application of the financial contributions to necessary extensions to reticulation systems is appropriate and the apportioning of costs is adequately covered by case law.

HERITAGE

**Introduction - A5.4**

334. The submission from the NZ Historic Places Trust be upheld.
335. The following paragraph be inserted as a new fourth paragraph in Section 5.4:  
*“By the 1890s settlement had spread to the eastern hill country and the township of Wangamomona (the “h” being added in 1902) was founded. Fuelled by an expansion of farming and the construction of both the roads and the railway, the area flourished until the effects of flood and fire in 1924 and 1943 respectively initiated a gradual decline. The heritage of the area is highly significant to the District and is acknowledged with the naming of State Highway 43 as the “Forgotten World Highway. The current population of the eastern area beyond Douglas is now approximately only 400.”*

***Recommended Reason***

- 334-335 The additional paragraph provides recognition of heritage values in the District and, in particular, the eastern settlements.

**Issue - A11.1**

336. The submission from the NZ Historic Places Trust be declined.

***Recommended Reason***

336. The issue includes values beyond “historic values” and the term “historic heritage” is too restrictive without direct reference to the Resource Management Act definition.

<b>A2.3.1</b>	<b>Policy</b>
<b>A4</b>	<b>Treaty of Waitangi and Matters of Significance to Iwi</b>
<b>A10.3.1</b>	<b>Policy</b>
<b>A11.2</b>	<b>Objective</b>
<b>A11.3</b>	<b>Policies</b>
<b>A11.4</b>	<b>Methods</b>
<b>A11.4.5</b>	<b>Method</b>
<b>A11.5</b>	<b>Explanation for Objectives, Methods and Policies</b>
<b>A11.6</b>	<b>Anticipated Environmental Outcomes</b>
<b>A14.3.1</b>	<b>Policy</b>
<b>A14.3.3</b>	<b>Policy</b>
<b>A14.3.5</b>	<b>Policy</b>
<b>A16.3.6</b>	<b>Policy</b>
<b>B1.1.6</b>	<b>Non-Complying Activities Rule</b>
<b>B2.7</b>	<b>Standards - Heritage Resources</b>
<b>B5.8</b>	<b>Assessment Criteria - Heritage Resources</b>
<b>B6.4</b>	<b>Information Requirements - Heritage Resources</b>
<b>C2.1.19</b>	<b>Financial Contributions - Heritage Resources</b>

337. The submissions from the NZ Historic Places Trust and the submission from Federated Farmers be accepted.

***Recommended Reason***

- 337 The submissions are in support of the proposals.

**A11.2.1 Objective**

**A11.3.2 Policy**

**A11.3 Policy**

338. The submission from Transpower (NZ) Ltd and the cross-submissions from Federated Farmers, the NZ Historic Places Trust and EECA be upheld in part.

339. That Objective A11.2.1 be amended to state:

*“A11.2.1 The protection, preservation, enhancement and conservation of heritage resource and the values of these resources from actual or potential adverse effects of inappropriate land use, development, and/or subdivision.”*

340. That Policy A11.3.2 be amended to state:

*“A11.3.2 To avoid, remedy or mitigate any effects of inappropriate land use, development, or subdivision which could detract from the integrity or value of heritage resources, or destroy such resources.”*

***Recommended Reason***

- 338-340 The amended wording does not compromise the District Plan except that the criteria contained in Policy A1.3.1 is irrelevant when considering heritage resources.

**B1.1.1(e) General Rule - Permitted Activities**

**B1.1.4 Limited Discretionary Activities**

**B1.1.4.1(c) Matters over which discretion is reserved**

341. The submission from the NZ Historic Places Trust be upheld in part.

342. That Rule B1.1.1(e) be amended to state:

*(e) The following types of signs:*

- *All signs that comply with the Standards, Conditions, and Terms in Part B.2, except for -*
  - *signs using light, including illuminated signs, neon lights, flashing or revolving lights (see Rule B1.1.4); and*
  - *signs to be sited on land adjacent to either State Highway 3 or State Highway 43 where a speed restriction of greater than 70 km/hr applies (see Rule B1.1.4); and*
  - *signs, not being Official Signs, on buildings and structures listed in Appendix 5 of this Plan.*
- *All official signs irrespective of whether they comply with standards, conditions and terms in Part B.2 (see Part E for the definition of an “Official Sign”).”*

343. That Rule B1.1.4.1(c) be amended to state:

*(c) For the sign types specified in Rule B1.1.4:*

- *compliance with the applicable Standards, Conditions, and Terms in Part B.2; and*

- *the location, size, colour, letter height, and construction of the sign;*
- *the requirement of financial contributions; and*
- *the payment of administrative charges.*
- *the completion of works and services which may be, but are not limited to, those works and services detailed in Section C2 of this plan.*
- *effects on amenity, heritage resources, outstanding natural features and landscapes, and the safe use of the transport infrastructure.*

*(In the case of signs alongside State Highway 43 and State Highway 3 where the speed restriction is greater than 70km/hr, consideration will be given to dealing with the application on a non-notified basis if the written consent of Transit NZ is obtained)”*

***Recommended Reason***

341-343 The controls on signage will ensure that any effects from signs on heritage values will be taken into consideration.

**General Rule - Permitted Activities - B1.1.1(i)**

**Definition - Part E**

344. The submission from the NZ Historic Places Trust be upheld.

345. The following definition be added to Part E:

*“”Repairs or maintenance”*

*means, in the context of heritage resources, the restoration to good or sound condition of any existing building or structure, or any part of any building or structure, for the purpose of its protective care”*

346. The definition for “Minor works be deleted from Part E.

347. Rule B1.1.1(i) be amended to state:

*“(i) The carrying out of any “repairs or maintenance” (as defined in Part E, Definition of Terms) on any heritage resource identified for protection in Appendix 5 of this Plan.”*

348. That the following standard be inserted as Standard B2.7(a):

***“(a) Repairs or maintenance of any heritage resource:***

- *The work involves stabilisation, preservation and conservation as defined in the ICOMOS NZ Charter for the Conservation of Places of Cultural Heritage Value, 1993 (the ICOMOS Charter).*
- *The work does not involve alterations, additions (including restoration and reconstruction as defined in the ICOMOS Charter), relocation, partial demolition and demolition.*
- *The work involves the restoration to good or sound condition of any existing building or any part of an existing building.*

- *The work involves the patching, restoration or minor replacement of materials, elements, components, equipment and fixtures for the purposes of maintaining such materials, elements, components, equipment and fixtures in good or sound condition.*
- *Any redecoration work involves the renewal, restoration or new application of surface finishes, decorative elements, minor fittings and fixtures and floor coverings which does not destroy, compromise, damage or impair the appreciation of the heritage values of the element being redecorated.*
- *The work carried out on the building shall generally match the original in terms of quality, materials and detailing.*
- *Repair of material or of a site should generally be with original or similar materials. However, repair of technically higher standard than the original workmanship or materials may be justified where the life expectancy of the site or material is increased, the new material is compatible with the old and any heritage value is not diminished.*
- *The work is for the purposes of keeping the building in good condition.*
- *The work does not result in any increase in the area of land occupied by the building.*
- *The work does not change the character, scale and intensity of any effects of the building on the environment (except to reduce any adverse effects or increase any positive effects) but does not include upgrading.*
- *No painting is to be applied to any previously unpainted surface or render to previously unplastered wall surfaces. New paint should not adopt brush or extreme colours and the adoption of ‘corporate colours’ should be discouraged.*
- *Repair work should be carried out or supervised by a tradesperson with experience in working with heritage buildings.”*

***Recommended Reason***

344-348 The amended standard and definition add flexibility and certainty to the heritage provisions of the District Plan.

**General Rule - Discretionary Activities - B1.1.5**

349. The submission from the NZ Historic Places Trust be upheld.

350. The following definition be added to Part E:

“*Alteration*”

*means, in the context of heritage resources, any changes to the characteristics of a building involving, but not being limited to, the removal, replacement or construction of walls, windows, ceilings,*

*floors or roofs, either externally or internally but does not include repairs or maintenance.”*

351. That Rule B1.1.5 Bullet Point 3 be amended to state:
- *“The alteration or subdivision of any structure listed amongst the heritage resources identified for protection in Appendix 5 of this Plan (but EXCLUDING “repairs or maintenance” as defined in Part E, Definition of Terms. See also Rule B1.1.1(i)).”*

***Recommended Reason***

349-351 The amended wording aligns with best practice.

**General Rule - Non-Complying Activities - B1.1.6**

352. The submission from the NZ Historic Places Trust be declined.

***Recommended Reason***

352. The rule is intended to protect those structures which have been specifically assessed as requiring protection.

**Standard - Signs - B2.1.9**

353. The submission from the NZ Historic Places Trust be declined.

***Recommended Reason***

353. The risk identified by the submitter does not exist within the district.

**Appendix 5: Known Heritage Resources of Significance Identified for Protection**

354. The submissions from the NZ Historic Places Trust be upheld.

355. That Appendix 5 be reformatted such that:
- The heritage resources are ordered in terms of their Historic Places Trust classification.
  - The information from the NZ Archaeological Association Sites Upgrade Project is incorporated into the list.
  - The complete list is shown on the Plan Maps.

***Recommended Reason***

354-355 The appendix lists, as amended, will provide increased clarity and identification of sites.

**Appendix 5: Known Heritage Resources of Significance Identified for Protection**

356. The submission from the NZ Historic Places Trust be declined and the cross-submission from Federated Farmers be upheld.

***Recommended Reasons***

- 356 (a) The Ministry of Agriculture and Fisheries building has not been located in the Stratford District since 1993.
- (b) A separate consultative process is required to include the Whangamomona village as an historic area.
- (c) The Mangaotuku Truss Bridge still exists and no reason was provided for deregistration.

TRANSPORTATION

**A9.2.1 Objective**

**A9.2.2 Objective**

**A9.3.2 Policy**

**A9.3.4 Policy**

**A9.3.5 Policy**

**A9.4.2 Method**

**B2.1.13 Standard**

**B2.1.14 Standard**

**B2.1.15 Standard**

357. The submissions from Ontrack, the NZ Transport Agency and Contact Energy Ltd in support of various transportation proposals be accepted.

***Recommended Reason***

357. The submissions are in support of the proposals.

**Method - A9.4.2**

358. The submission from Ontrack be upheld in part.

359. The fourth bullet point of Method A9.4.2(a) be amended to state:

- “• *the impact of adjoining land uses on the transportation network including but not being limited to road, rail and air transportation; and*”

***Recommended Reason***

358-359 The amended wording clarifies the application of the method.

**Method - A9.4.6**

360. The submission from Ontrack be declined

***Recommended Reason***

360. The potential for the effects of other land uses on the rail network is already included in other methods and is inappropriate for inclusion in the method submitted on.

**Appendix 6 Vehicle Access, Parking and Manoeuvring, and Aerodrome Specifications**

361. The submissions from the Stratford District Council, the NZ Transport Agency, and Vector Gas Ltd be upheld.

362. Appendix 6.2, including Figures 1-12, be amended as attached as Appendix 1 to this report.

***Recommended Reason***

361-362 The amendments update and clarify the application of the standards contained within Appendix 6.

## RURAL LAND USE

### **A14.2.2 Objective**

### **A14.3.1 Policy**

### **A14.3.3 Policy**

### **A14.3.5 Policy**

### **A14.4.8 Method**

### **A14.5 Explanation for Objectives, Policies and Methods**

#### **B1.2.1.1 Rule - Permitted Activities**

363. The submissions from Contact Energy Ltd., Federated Farmers and the NZ Historic Places Trust and the cross-submission from TrustPower NZ Ltd in support of various rural land use proposals be accepted.

#### ***Recommended Reason***

363. The submissions are in support of the proposals.

#### **Introduction - 5.2 Economic Activity**

364. The submission from Federated Farmers be upheld.

365. That Tables 1 and 2 of the Introduction to the Plan be updated with information from the intervening agriculture and general census reports.

#### ***Recommended Reason***

- 364-365 The information should be current.

#### **Anticipated Environmental Outcome - A14.6.3**

366. The submission from Federated Farmers and the cross-submission from TrustPower NZ Ltd be upheld.

367. Anticipated Environmental Outcome A14.6.3 be amended to state:  
“A14.6.3 Rural amenity values are maintained and enhanced.”

#### ***Recommended Reason***

- 366-367 The amended wording reflects that given in the Act.

#### **Rule - Permitted Activities - B1.2.1.1**

368. The submission from Federated Farmers be declined.

#### ***Recommended Reason***

368. There has been no evidence presented that normal farming activities are giving rise to breaches of the noise standards or that normal farming activities are being unduly restricted by those standards.

## EMERGENCY SERVICES

### **Part E Definitions**

#### **B1.2.1.3 Rule - Rural Zone Limited Discretionary Activities**

##### **B1.2.1.3.1 Matters to Which Discretion is Reserved**

#### **B1.3.3 Rule - Residential Zone Limited Discretionary Activities**

##### **B1.3.3.1 Matters to Which Discretion is Reserved**

#### **B1.4.1 Rule - Business Zone Permitted Activities**

369. The submissions from the NZ Fire Service Commission be upheld in part.

370. The following definition for “Emergency Service” be added to Part E:  
“**Emergency Service**”  
means an authority responsible for the safety and welfare of the people and property in the community and includes Fire, Police, and Ambulance Services.
371. The following bullet point be inserted into Rural Zone Rule B1.2.1.3 Limited Discretionary Activities:
- “*Emergency Service facilities.*”
372. The following be inserted into Rural Zone Rule B1.2.1.3.1 Matters to Which Discretion is Reserved:
- (e) ***For Emergency Service Facilities:***
- *actual or potential effects on amenity; and*
  - *actual or potential effects on adjoining neighbours; and*
  - *actual or potential effects on the safe and efficient use of the transportation infrastructure, particularly the formation and location of access points and the need for on-site parking; and*
  - *the payment of administrative charges; and*
  - *the requirement of financial contributions.*
  - *the completion of works and services which may be, but are not limited to, those works and services detailed in Section C2 of this plan.*
373. The following bullet point be inserted into Residential Zone Rule B1.3.4 Discretionary Activities:
- “*Emergency Service facilities.*”
374. The following bullet point be inserted into Business Zone Rule B1.4.1 Permitted Activities:
- “*Emergency Service facilities.*”

***Recommended Reason***

369-374 The new definition and amended rules make appropriate provision for emergency services in the Plan.

**Standard - Maximum Height - B2.1.4**

375. The submission from the NZ Fire Service Commission be upheld in part.
376. That Maximum Height Standard B2.1.4(g), as amended by decisions, be amended to state:
- “(g) ***Other Exemptions:***
- *All temporary structures in the Rural Zone (ie. occur for one period of less than four consecutive months at any site)*
  - *The height of Emergency Service drying towers in the Rural Zone may be up to a maximum of 15m.”*

***Recommended Reason***

375-376 The extension to the height is not appropriate in the residential zone as a “permitted level” due to possible amenity effects.

### **Standard - Noise and Vibration - B2.1.8**

377. The submission from the NZ Fire Service Commission be upheld in part.

378. That Noise and Vibration Standard B2.1.8(a) Exemptions be amended to state:

- *“Exemptions (Rural Zone only):*

*For activities in the Rural Zone that require a resource consent as either a controlled activity or an Emergency Service facility, the first bullet point above in Standard/Condition/Term B2.1.8(a) will be relaxed where the following noise rules will not be exceeded at the 20m notional boundary -*

<i>7:00am to 10:00pm daily</i>	<i>55dBA (Leq)</i>
<i>10:00pm to 7:00am daily</i>	<i>45dBA (Leq)</i>

*During all night time hours (10:00pm to 7:00am) a single event night time noise limit shall apply. Lmax shall not exceed the lower of Lmax 75dBA or the background sound level plus 30, at the 20m notional boundary.”*

#### ***Recommended Reason***

377-378 The relaxed noise limits are not appropriate in the residential zone as a “permitted level” due to possible amenity effects and the existing facility has an existing use right.

### **Standard - Lot/Site Design and Land Development - B2.1.13**

379. The submission from the NZ Fire Service Commission be upheld in part.

380. That the following 7<sup>th</sup> bullet point be inserted into Standard B2.1.13:

- *“lots or sites in the residential and business zones must be connected to a reticulated water supply system which shall comply with SNZ PAS 4509:2003 NZ Fire Fighting Code of Practice.”*

#### ***Recommended Reason***

379-380 The amendment confirms current practice and is appropriate to ensure adequate provision for fire fighting in urban areas.

### **Appendix 6 Vehicle Access, Parking and Manoeuvring, and Aerodrome Specifications**

381. The submission from the NZ Fire Service Commission be upheld.

382. Appendix 6 Table 1: Minimum Parking Requirements be amended by including a parking requirement of 1 per 100m<sup>2</sup> for Emergency Service Facilities.

#### ***Recommended Reason***

381-382 The amended table clarifies the inclusion of emergency service facilities in the on-site parking requirements.

## MINERAL EXTRACTION

### **Mineral Extraction - A10**

383. The submission from Federated Farmers be upheld.
384. The words from the paragraph starting “*The petroleum industry is a significant...*” to the paragraph ending “*...mining of aggregates, or quarrying.*” and the words from “*Impacts can include ....*” to “*...quarrying has ceased.*” be inserted after the second paragraph of A14.1 Issue (Rural Land Use).
385. That Objective A14.2.2 (Rural Land Use) be amended to state:  
“*A14.2.2 A range of activities are provided for in rural areas, in ways that avoid, remedy or mitigate any actual or potential adverse effects of these activities on the environment [and/or community].*”
386. That Policy A10.3.1 be removed from the Mineral Extraction chapter and inserted as Policy A14.3.4 in the Rural Land Use chapter.
387. The following bullet points be added to Method A9.4.2(a) (Transportation):  
“*A9.4.2 To use rules and standards for land use, and conditions and terms of resource consents -*  
  
*(a) to control such things as (but not limited to) -*  
  
*.....*  
  - routes for transportation*
  - the payment of performance bonds, financial contributions and requirements for road rehabilitation*”
388. That Chapter A10 Mineral Extraction be deleted.

### ***Recommended Reason***

383-388 The inclusion of the issue discussion in the Rural Land Use chapter aligns with the District Plan use of rural standards, conditions and terms in respect of mineral extraction activities.

### **Issue Statement - A10.1**

389. The submission from the Department of Conservation be upheld.

### ***Recommended Reason***

389. The submission is given effect to by the recommendation to delete the entire Chapter.

### **Objective - A10.2.1**

#### **Policy - A10.3.1**

390. The submissions from the Department of Conservation and the NZ Historic Places Trust be accepted.

### ***Recommended Reason***

390. The submissions are in support of the proposals, both of which have been transferred to the Rural Land Use Chapter.

**Standard - B2.5(b)**

391. The submission from Swift Energy Ltd be upheld in part.
392. That the final sentence of the second bullet point of B2.5(b) be amended to state:  
*“Where there is any potential disruption or involvement of public infrastructure, such as but not being limited to roading, then the commencement of operations is to be publicly notified seven days prior to commencement.”*  
and applied as a third bullet point.

***Recommended Reason***

391-392 Public notification is warranted where there is the potential for wider disruption or inconvenience from the activity.

**Standard - B2.5(c)**

393. The submission from Swift Energy Ltd be upheld.
394. That the first bullet point of B2.5(c) be transferred to B6.1.2 Information Requirements for Controlled and Limited Discretionary Activities and amended to state:  
“• *For consents for petroleum exploration, production testing and interim production:*  
*With regard to the control of noise as required by Standard/Condition/Term B2.1.8, the party undertaking mineral extraction shall be required, at its own cost, to provide for the monitoring and noise modelling of noise emissions to be associated with -*  
- *well drilling; and*  
- *drill stem testing, initial well testing and clean-up;*  
- *flaring; and*  
- *interim production; and*  
- *petroleum production”*

***Recommended Reason***

393-394 The amendment reflects established consenting practice.

**Standard - B2.5(d)**

395. The submission from Swift Energy Ltd be declined

***Recommended Reason***

395. The lower limit in the District Plan has not presented any compliance problem to date.

IMPERMEABLE SURFACES

**Policy -A8.3.2**

**Method - A8.4.4**

**Standard - B2.1.3**

396. The submissions from the Taranaki Regional Council, Powerco Ltd., and Ontrack and the cross-submissions from Tegel Foods be declined.

397. The submissions from Swift Energy Ltd and Federated Farmers and the cross submission from Tegel Foods be upheld.
398. That Standard B2.1.3 be amended to state:  
*“B2.1.3 Maximum Impermeable Surface*  
*(a) Residential Zone only:*  
*Development of an allotment in the Residential Zone is a permitted activity if the total impermeable surfaces do not exceed 60% of the allotment area.*  
*(b) Business Zone; Rural Zone; Protected Area Zone:*  
*There are no controls in impermeable surfaces in the Business Zone or Rural Zone or Protected Area Zone.*  
*Purpose:*  
*To avoid the exacerbation of stormwater flooding problems, protect water and soil quality, and protect the natural character and visual amenity of residential and rural areas.”*

***Recommended Reasons***

396. The controls are appropriate for any land use in the Residential Zone due to the lack of reticulated stormwater drainage and reliance on on-site drainage.
- 397-398 The controls should only apply to the Residential Zone and it is not appropriate for Business Zone properties to be subject to site coverage controls.

**NATURAL HAZARDS**

**Policy - A8.3.1**

399. The submission from Transpower (NZ) Ltd and the cross-submission from EECA are accepted.

***Recommended Reason***

399. The submissions are in support of the proposals.

**Method - A8.4.4**

**Appendix G: Planning Maps**

400. The submissions from Powerco Ltd and the Taranaki Regional Council be declined and the cross-submission from Transpower (NZ) Ltd be upheld.
401. That the 5<sup>th</sup> paragraph under A8.5, commencing with the words *“The identification of areas at risk....”* be replaced with the following;  
*“The low level of subdivision and development in the hill country river valleys means that the appropriate control in regard to hazards, such as potential flooding or land instability, in these areas is on a case by case basis with reliance primarily on the Building Act 2004. The building controls require the identification and mitigation of hazards to allow appropriate development to occur.”*

***Recommended Reasons***

400. The prohibition of development and the mapping of hazard areas is not appropriate given the low subdivision and development pressure in areas subject to natural hazards outside of the Stratford urban area, where hazards are accounted for in building and subdivision control and Asset Management plans.
401. The additional words balance the explanation given for a more planned approach in the Stratford urban area.

AMENITY VALUES

**Method - A5.4.5**

402. The submission from Transpower (NZ) Ltd and the cross submissions from Federated Farmers and EECA be declined.

***Recommended Reason***

402. The issue is covered by other legislation in regard to individual trees generally and proximity to power lines is included in the assessment of trees proposed for protection.

**Standard - B2.1.9**

**Standard - B2.1.12**

403. The submission from Contact Energy Ltd be accepted.

***Recommended Reason***

403. The submissions are in support of the proposals.

**Appendix 4**

404. The submission from the Stratford District Council be upheld.

***Recommended Reason***

404. The protection of the trees was requested by the landowners and the trees have been independently assessed as warranting protection.

HAZARDOUS SUBSTANCES

**Issue - A6**

**Standard - B2.3.2**

405. The submission from Contact Energy Ltd be accepted.

***Recommended Reason***

405. The submissions are in support of the proposals.

DESIGNATIONS

406. The notification of designation changes from TransPower Ltd., Powerco Ltd., Ministry of Education, Stratford District Council and Telecom NZ Ltd be accepted.
407. That the following changes be made to Appendix 1: Designations:
- D97 (Transpower (NZ) Ltd Stratford Substation) legal description be amended to “*Lot 1 DP 18343 Blk II Ngaere SD*”.

- D91 (Powerco Ltd Cloton Road Substation) legal description be amended to “*Lot 1 DP 19036 Blk 1 Ngaere SD*” and purpose be amended to “*Cloton Road Substation*”.
- D88 (Powerco Ltd Whangamomona Substation) spelling error of Whangamomona be corrected
- D23 (Ministry of Education Tahora School) be deleted.
- D25 (Ministry of Education Matau School) be deleted.
- D53 (Stratford District Council Skinner Road Hall) be deleted.
- D93-D96 (Telecom NZ Ltd) requiring authority to include Telecom Mobile Ltd., and purpose statements be amended to state “*Telecommunication and radiocommunication and ancillary purposes*”

***Recommended Reason***

406-407 The alterations are required by the Act to be given effect to within the Plan.

**APPENDIX G: PLANNING MAPS**

408. The submission from Transpower (NZ) Ltd be upheld.

409. The National Grid and national high pressure gas pipelines be shown on the relevant Planning Maps.

***Recommended Reason***

408-409 The addition of the electricity and gas lines to the planning maps gives effect to the NPSET and clarifies the locations of nationally significant infrastructure.

**STATUTORY ACKNOWLEDGEMENTS**

410. The Statutory Areas section from each of the Deeds of Settlement which have been completed within the Stratford District shall be attached to the District Plan as Appendix 2.1-2.2 and the remaining Appendices renumbered accordingly.

***Recommended Reason***

410. The recording of the Statutory Areas within the District Plan is required by statute.

7.2 **THAT** the Stratford District Plan 2009 be approved and sealed.

7.3 **THAT** the review of the Indigenous Forest rules be brought forward in the approved rolling Review Programme for the Stratford District Plan to commence directly following notification of the Stratford District Plan 2009.

***Recommended Reasons***

7.1 The reasons for each decision are recorded against each specific decision.

7.2 The approval and sealing of the Stratford District Plan is required under The Resource Management Act 1991 Schedule 1 Clause 17.

- 7.3 The review is required urgently to address potential inconsistencies relating to the management of indigenous forests under the District Plan and to give effect to Method A2.4.3

M R Avery  
**PLANNING & REGULATORY MANAGER**

Approved by  
M R Freeman  
**CHIEF EXECUTIVE**

**DATE**