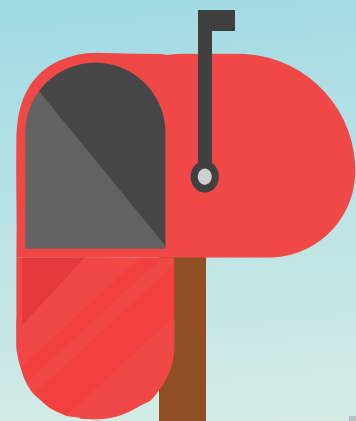
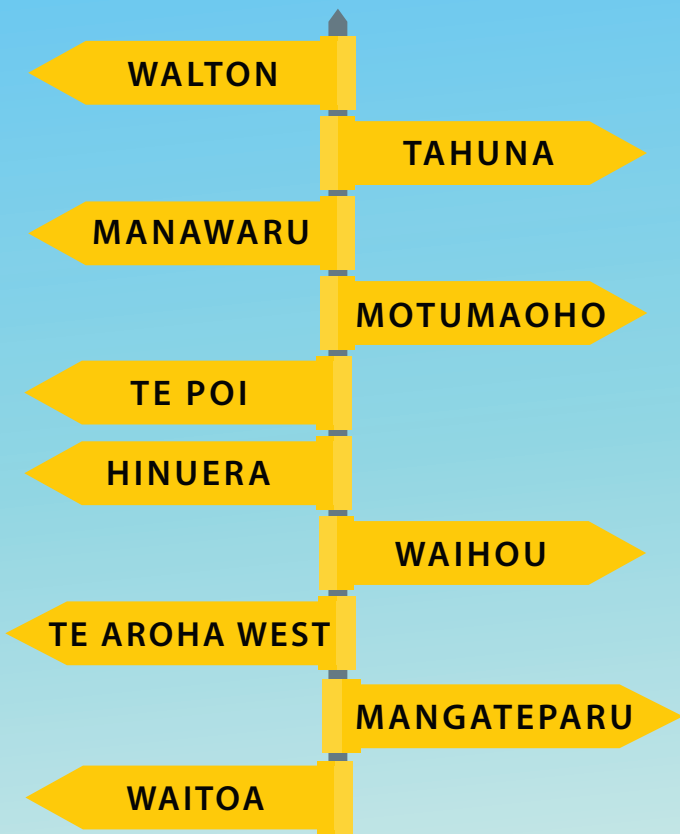


District Plan Review

Plan Change 53 Settlements

Summary of Submissions and Further Submissions

1 March 2021



Proposed Plan Change 53 – Settlements

Summary of Submissions and Further Submissions

Date Issued: 9 April 2021

Submitter	Submission #	Specific provisions of the plan change that the submission relates to	Position (Oppose/Support/Neutral)	Details of submission	Decision that the Submitter wants Council to make	To be heard
1. Ray Kett 2736 Tahuna-Ohinewai Road RD3, Hoe - O – Tainui, Morrinsville	1.1	Yard requirements	Support	<ul style="list-style-type: none"> • Council is taking the right approach. • Properties are for residential purposes and yard requirements should be the same as residential areas. • Thankful for the proposed changes. 	To keep the yard requirements as proposed.	Not stated
2. Transpower Gate 1, Gridco Road, Otara, Auckland 2023 P O Box 17 215, Greenlane, Auckland 1546 Att. Rebecca Eng environment.policy@transpower.co.nz		Transpower supports the review of planning rules considering that the proposed map and provisions for Waihou have regards to the National Grid transmission line and it is in alignment with the National Policy Statement on Electricity Transmission 2008. In particular, Transpower supports;				Yes
		Transpower wishes to highlight the requirement that the Settlement Zone provisions recognise and provide for the National Grid as required by the National Policy Statement for Electricity Transmission 2008. This is particularly relevant for the settlement of Waihou which is adjacent to the National Grid 110kV HAM-WHU-A line.				
		Note: Please refer to the submission for the Transpower Assets' map for Matamata – Piako.				
	2.1	<ul style="list-style-type: none"> • Planning Map - Waihou District Plan – Settlement Zone and Precincts 	Support	The proposed planning map shows the National Grid transmission line traversing the eastern edge of the township as required by Policy 12 of the National Policy Statement on Electricity Transmission 2008 and the Operative District Plan contains provisions to manage land use, development and subdivision near the National Grid within the Settlement Zones and Precincts.	Retain as Notified	
2.2	<ul style="list-style-type: none"> • SETZ R1(4) - District Plan Linkage Rules – Performance Standards 	Support	Rule SETZ R1(4) ensures that Rule 3.5 “Activities adjacent to the National Grid (all District Plan zones)” will apply to land use and development carried out in the National Grid Yard in the Waihou Settlement Zone. This gives effect to Policies 10 and 11 of the National Policy Statement on Electricity Transmission 2008.	Retain as Notified		
2.3	<ul style="list-style-type: none"> • SETZ R3(1) - Other Plan Provisions 	Support	Rule (SETZ R3(1)) will ensure that any subdivision carried out within the Waihou Settlement Zone that is located in the National Grid Subdivision Corridor will be subject to Rule 6.3.10 “Subdivision within a National Grid Subdivision Corridor.” This ensures that the National Policy Statement on Electricity Transmission 2008 is given effect to within the Waihou Settlement Zone.	Retain as Notified		
3. Richard and Sharon Grayling 4108 State Highway 29, Te Poi RD3, Matamata 3473. Att: Sarah Duffy (Maven (BOP) Limited) 027 241 6655 sarahd@maven.co.nz		The Submitter generally supports the proposal to introduce a zone tailored to the small settlements within the District. The separation of the Settlement Zone into three precincts provides distinct areas to enable development to occur within the established land use pattern and characteristics of a settlement. The objectives and policies accurately reflect the intentions to provide for a compatible mix of land use activities. This ultimately promotes these small settlements as a viable option for families to live and work within.				Yes
	3.1	Definition of River Protection Yard and SETZR1(2)	Support/Oppose in part		To include a definition of “River Protection Yard” within the Plan, or provide clarification within the	

					rule providing clear guidance on when the rule applies.	
	3.2	6.3.12 Lot Sizes	Oppose	<p>However, The Submitter seeks review of the performance standards for subdivision on lot sizes between 1,000m² - 2,499m² on un-sewered lots, amending the category of activity from Discretionary, to Controlled or Restricted Discretionary, taking into consideration rule 3.5.7.6, instead of rule 3.5.7.5 of the Regional Plan.</p> <p>The Submitter considers that the approval process for an "improved" sewage treatment system is already incorporated within the Regional Plan, whereby the Waikato Regional Council hold jurisdiction over this process. There is no jurisdictional basis for the District Council to assess compliance with the Regional Plan.</p>	<p>Enable lot sizes between 1,000m² - 2,499m² on un-sewered Lots to be assessed as a Controlled Activity provided that an "improved" wastewater treatment system permitted by the Waikato Regional Plan can be accommodated on site.</p> <p>Assessment of an appropriate wastewater treatment system on a site should not have the potential to require neighbours approval as a Discretionary Activity.</p> <p>As an alternative, a Restricted Discretionary Activity status could apply, subject to assessment criteria being restricted to wastewater management and inclusion of a non-notification Rule.</p>	
	3.3	Prec1(10)	Oppose	Two or more dwellings		
	3.4	Prec1(13)	Oppose	Two or More residential Units (Medium Density)		
	3.5	Rules PREC1(1) – PREC1(9), PREC1(11) and PREC1(12), PREC1(14) – PREC1(20) and SETZ R1(1), R1(3) and R1(4)	Support	Support provisions for Settlement Zone.	Retain as notified	
Waikato Regional Council	Further Submission to submission points 3.2, 3.3 and 3.4		Oppose	<p>Lot sizes need to be of a practical size to provide for on-site effluent disposal.</p> <p>The RMA does not restrict territorial authorities to provide more restrictive rules regarding minimum site areas.</p>	Retain as notified	
4. Powerco Limited PO Box 13 075, Tauranga 3141 Attention: Gary Scholfield (07) 928 5659 planning@powerco.co.nz		Powerco is NZ's largest electricity and second largest gas distributor. Poweco has provided in support and comments on key matters of concern seeking to ensure recognition, protection and continuous access to existing assets as well as enabling provisions for new infrastructure and the avoidance of inappropriate development in, around and close to its assets.				Yes
	4.1	Objective SETZ 06	Support	Objective is required to enable infrastructure located within the Settlement Zone	Retain as Notified	
	4.2	Policy SETZ P3	Support	It is appropriate to mitigate reverse sensitivity effects around Powerco assets.	Retain as Notified	
	4.3	Policy SETZ P7	Oppose	It is unclear what "private infrastructure" would include as there is no definition provided and therefore it is unclear what the policy is trying to capture.	Delete SETZ P7 in its entirety.	
	4.4	Settlement Zone Activity Status Rules – PREC1(7)	Oppose	Powerco continually maintains and upgrades its existing assets, and installs new assets when required. It is unclear how network utilities associated earthworks are to be assessed within this earthworks rule in the Settlement Zone.	<p>Amend PREC1(7) as follows:</p> <p>General Performance Standards Refer Rules SETZ R1(1) to SETZ R1(4).</p> <p>Activity Specific Performance Standards Earthworks shall comply with the following performance standards:</p> <p>(i) Max cut or fill height – - 0.5m within minimum building set back - 1.5m outside minimum building set back</p> <p>(ii) All site works to be reinstated within 6 months of works commencing.</p>	

					(iii) Max volume of earthworks 100m ³ within any 12 month period. (iv) Works must not affect or be located within a scheduled item (Schedule 1-3). (v) Works cannot involve the excavation or disposal of contaminated land/materials. (vi) Works shall be set back 5m from any overland flow path and 10m from any water body. Exclusion: Any earthworks which have been approved as part of a land use or subdivision consent, earthworks associated with network utilities , and any removal of topsoil for building foundations and/or driveways.	
	4.5	Part 6 Subdivision Activity Table 1(c) and 1(d)	Support	The existing rules for utility lot subdivision and subdivision within 20m of a sub-transmission line are appropriate	Retain as notified	
	4.6	Part 8 Works and Network Utilities Activity tables 8.1.1; 8.2.1; 8.3.1; 8.4.1; 8.5.1; 8.6.11; 8.8.1 and 8.9.1.	Support	It is appropriate that the new Settlement Zone and precincts are added to the Activity Tables	Retain as notified	
<p>5. Fonterra Ltd C/- Abbie Fowler Mitchell Daysh Ltd PO Box 1307 Hamilton 3240 +64 21 385 991 abbie.fowler@mitchelldaysh.co.nz</p>	Fonterra generally supports the plan change however, it is seeking a series of amendments on issues, objectives, policies and rules in order to avoid and minimise reverse sensitivity effects for major industries, to safeguard Fonterra's water supply and to limit the expansion of the settlements with attention to the Regional Plan. Fonterra is seeking to ensure that PC53 provides an appropriate framework that will meet the needs of the Waitoa community whilst also enabling the continued operation and development of the Waitoa Dairy Manufacturing Site. In particular, Fonterra is seeking to ensure that its activities and operations occurring under the terms of the existing Development Concept Plan are not unduly constrained by new provisions in PC53.					Yes
	5.1	Section 16 Settlement Zone - Settlement Zone Issues.	Support in part	The explanation provides a brief overview of the issues but requires additional reference to be made to the need to also minimise the potential for reverse sensitivity effects and to reflect the statements within the supporting Section 32 evaluation that the purpose of the Plan Change is not to provide for the expansion of settlements or provide additional capacity in respect of the residential land supply. These references are important to ensure that the significance of established major industrial activity is appropriately recognised and that there is no expectation that Fonterra will extend its existing water supply to support growth within Waitoa.	Amend 2nd Paragraph to read: <i>The Settlement Zone provides a bespoke zone and a set of rule mechanisms specifically designed to recognise existing land use activities, and to enable the new activities that are compatible with the character of these areas and avoids or minimises the potential for reverse sensitivity effects on established major industry. The Zone does not intend to provide for the expansion of settlements or increased residential land supply.</i> Amend 3rd Paragraph to read: <i>The settlement areas are largely unserved and therefore any new development will need to ensure that adequate provision for servicing can be accommodated on site. For those settlements with wastewater reticulation, any new development will need to be accommodated within the capacity of the existing network and treatment works as no upgrading of the Council reticulation or wastewater system is proposed. Private reticulated water supplies will not be available to support new development.</i>	
	5.2	Settlement Zone Objectives – Objective SETZ 01	Support in part	As the objective sets the scene for the subsequent objectives and related provisions, it is important that it captures other critical factors that will influence the adoption and extent of Precincts and the assessment of specific proposals through consent processes. The	Amend Objective SETZ01 to read: <i>To recognise and provide for a mix of land use activities within identified settlement areas that reflect and provide for the needs of the local</i>	

				objective therefore needs amendment to ensure that the Zone will not result in activities that could give rise to reverse sensitivity effects on established major industry. Proposed Objective SETZ 03 relates specifically to the location of new commercial and industrial activity within the Zone in respect of surrounding residential activity. The proposed amendment ensures that all development within the Zone will be compatible with the existing environment and provides clear context for Policy SETZ P3.	<i>communities and businesses without giving rise to reverse sensitivity effects on existing major industry.</i>
5.3	Objective SETZ 06	Support in part	Large parts of the Waitoa community are currently connected to Fonterra's private water supply. Fonterra has no obligation to maintain this supply and has no intention of authorising any additional connections. Amendment of the Objective would ensure that there is clarity that new proposals will either have to connect to public reticulated supplies or will otherwise need to be self-sufficient. With this amendment, the objective will provide the certainty and clarity that is sought through Objective SETZ 05.	Amend Objective SETZ 06 to read: <i>Land use, and subdivision and infrastructure are planned in an integrated manner that does not compromise the supply and capacity of public and private services are of a scale and location that can be served by publicly reticulated water and wastewater supplies or are otherwise self-sufficient.</i>	
5.4	Policy SETZ P1	Support	Policy is appropriate.	Retain as Notified	
5.5	Policy SETZ P3	Support	Using the precinct mechanisms is appropriate for addressing and managing reverse sensitivity effects	Retain as Notified	
5.6	SETZ P7	Support	Large parts of the Waitoa community are currently connected to Fonterra's private water supply. Fonterra has no obligation to maintain this supply and has no intention of authorising any additional connections. Amendment of the Policy would ensure consistency with the proposed amendments to Objective SETZ 06	Amend Policy SETZ P7 to read: <i>Subdivision and development that is reliant on private infrastructure and services shall demonstrate compliance or authorisation in terms of Regional Plan requirements and authorisation from any private asset or consent owner in respect of and any approved water take or discharge consents.</i>	
5.7	Activity Rules Prec1(1) to (20) Prec2(1) to (14) SETZ R1(1) SETZ R1(4)	Support in part	Notwithstanding support for the cross reference to existing Plan provisions, Fonterra notes that, in respect of Rules 5.9.1 and 5.9.2 of the Plan, these provisions create ambiguity regarding expectations around the Fonterra owned water supply currently serving parts of Waitoa. Rule 5.9.1 creates an expectation that development should connect to reticulated supplies. Rule 5.9.2 addresses non connection. However, this Rule specifically excludes the Fonterra Waitoa supply and doesn't explain how this should be addressed. In the context of a Plan Change that specifically enables development within the settlement, it is important that the Plan clarifies that all proposals will need to be entirely self-sufficient.	The Submitter has proposed to include a new provision: SETZ R1(5), to read: <i>In respect of 3 Waters servicing within the Waitoa Settlement Zone, all proposals for land use and subdivision shall demonstrate that they will be entirely self sufficient.</i>	
5.8	Omission SETZ R1(5)	Oppose	See above.		
5.9	SETZ R2(17)	Support	To ensure that the potential for reverse sensitivity effects are minimised in relation to the Waitoa Dairy Manufacturing Facility, Fonterra supports the identification of the following activities as non-complying activities within the Commercial Precinct of the Waitoa Settlement Zone: <ul style="list-style-type: none">• Residential Units• Minor Residential Units• Education Facilities	Retain as Notified.	

				<ul style="list-style-type: none"> Accommodation Facilities 	
5.10	SETZ R1(4)	Support in part	Fonterra supports the inclusion of a cross reference to other relevant plan provisions, noting that Rule 5.2 is subject to a proposed amendment as part of Fonterra's Private Plan Change to address noise issues associated with the Waitoa Dairy Manufacturing Site. The cross reference will ensure consistency across the related plan provisions.	Retain as Notified	
5.11	SETZ R2(1) General Assessment Criteria	Support in part	<p>Fonterra supports Clause (d) as a general criterion to ensure compatibility between activities but considers that additional specific reference should be made to the potential for activities to generate reverse sensitivity effects in relation to established major industry.</p> <p>Fonterra supports the intention of clause (f) but considers that splitting the clause would provide improved clarity by ensuring that, as a matter of principle, 3 Waters servicing will be required in all cases and that, where this is through public reticulated services, that capacity exists.</p>	<p>Amend Clause SETZ R2(1)(d) to read:</p> <p><i>Whether the activity will adversely affect or interfere with the legitimate land use and activities on surrounding sites, <u>including the potential for activities to generate reverse sensitivity effects on established major industry.</u></i></p> <p>Amend Clause SETZ R2(f) to read:</p> <p><i>f) The provision of three waters servicing.</i></p> <p>Include additional Clause SETZ R2 (g) to read:</p> <p><i>g) Whether adequate capacity exists to maintain acceptable levels of service within available public reticulated services.</i></p>	
5.12	SETZ R2(2) Controlled Assessment Criteria	Support	Fonterra supports the statement that the criteria set out within SETZ R2(1) shall apply to proposals for two or more residential units on a site	Retain as Notified.	
5.13	SETZ R2(3) Restricted Discretionary Assessment Criteria	Support	Fonterra supports the statement that the criteria set out within SETZ R2(1) shall apply to proposals for Community Facilities and Light Industry in the Commercial Precinct.	Retain as Notified.	
5.14	SETZ R3(1) Other Plan Provisions	Support	Fonterra supports the inclusion of a cross reference to other relevant plan provisions, noting that Rule 5.2 is subject to a proposed amendment as part of Fonterra's Private Plan Change to address noise issues associated with the Waitoa Dairy Manufacturing Site. The cross reference will ensure consistency across the related plan provisions.	Retain as Notified.	
5.15	6.3.12 Subdivision within Settlement Zone	Support	Fonterra supports the minimum Lot size of 1,000m ² in respect of Discretionary Activities and 2,500m ² in respect of Controlled Activities and the default Non-complying status for proposals which do not achieve compliance.	Retain as Notified.	
5.16	6.6.3 Settlement Zone (Discretionary Activity Subdivision)	Support in Part	The proposed criteria address wastewater disposal and treatment but do not mention water supply. Fonterra considers that, particularly in the context of Waitoa where the Company does not intend to provide water to any new development from the Fonterra owned water supply, it is important that proposals for subdivision demonstrate how they can be provided with their own	<p>Amend 6.6.3 to include the following additional assessment criteria:</p> <p><i>Measures to ensure that all new lots not supplied by Council reticulated water supplies are able to provide water to meet NZ Drinking Water</i></p>	

				supply to a meet NZ Drinking Water Standards and ensure an acceptable firefighting supply. The inclusion of additional assessment criteria will enable consent notices to be attached to new titles to ensure that purchasers are aware that a reticulated supply will not be available.	<i>standards and provide acceptable fire fighting capacity.</i>	
	5.17	Planning maps - Waitoa	Support	Fonterra supports the extent of the proposed Settlement Zone, including the definition of the Residential and Commercial Precincts.	Retain as Notified.	
PowerCo	Further Submission to Submission point 5.3		Oppose	Powerco opposed the proposed amendment by Fonterra to the objective SETZ 06. All infrastructure (not just water and wastewater) needs to be planned for and integrated into any development or subdivision of land.	Retain as notified	
6. Joint Submission of: New Zealand Association of Radio Transmitters Incorporated AND the Waikato VKF Group (Branch 81 of NZART) Att: Douglas Birt (NZART) P O Box 830, Whangaparaoa 0943 027 492 5189 or 09 424 0134 kdbirt@gisborne.net.nz Att: David G King (VHF Group) 7 Kenrick Street, Te Aroha 3320 027 630 8568 zl1dgk@nzart.org.nz		The Submitters are seeking Council to incorporate provisions for Amateur Radio Configurations (ARCs) into Plan Change 53. There are no provisions for Amateur Radio Operators to fulfil their avocation to scientific experimentation. The Submitters are seeking changes for amateur radio transmitters to be allowed as a permitted activity. The Submitter expresses frustration in regards to MPDC's rolling review of the District Plan, considering it is difficult for the Submitter to know which section of the District Plan is up for a review, reason why the Submitter missed the opportunity to submit on Plan Change 47.. The Submitters have stated that amateur radio activities are an experimental science, licensed under international and domestic law and not a hobby. Therefore unlike hobbies, experimental sciences provide benefits to the community (please see page 5 on the submission for a list of benefits for the community and individuals). The Submitters have also provided background and context in regards to radio waves, amenity values, aerial fundamentals, uses and aerial heights. As well as information on the recognition of amateur radio aerial diversity and the need for neighbourly approval.			Yes	
	6.1	Provisions for Amateur Radio Configurations	Support in Part (Plan Change amended to include appropriate provisions)	Include new provisions for Amateur Radio Configurations as per relief.	To incorporate a definition of Amateur Radio Configurations. Incorporate rules which permit Amateur Radio Configurations to be used on the private properties of licensed Amateur Radio Operators. Definition: <u>Amateur radio configuration means antenna, aerials and associated support structures which are owned and operated by licensed amateur radio operators.</u> Include rules for Amateur Radio Configurations, as it follows: <u>a. The top of any utility structure is less than 20metres above ground</u> <u>b. Any antenna other than a simple wire antenna shall meet the following criteria:</u>	

					<p><u>i. Any of the elements making up the antenna shall not exceed 14.9m in length</u> <u>ii. For horizontal HF Yagi or loop antennas the boom length shall not exceed 13m</u> <u>iii. No part of the antenna, utility structure, or guy wires shall overhang the boundary</u> <u>iv. Simple wire antennas shall not overhang property boundaries.</u></p> <p><u>c. Any dish antennas shall</u> <u>i. be less than 5m in diameter/width</u> <u>ii. Be pivoted less than 4m above the ground</u> <u>iii. Will meet the setback and recession plane standards</u></p> <p><u>d. Poles used for holding the ends of wire antennas may be placed on the boundary of the section, provided they are</u> <u>i. Less than ten metres high</u> <u>ii. Any part of the pole above 5m height shall have a diameter of 25mm or less.</u></p> <p><u>e. Height in Relation to Boundary will not apply to ARCs.</u></p>	
7. Clement Properties 2016 Limited. Att: Wendy 1 Barker Street 0274916011 famfive@xtra.co.nz	7.1	Zoning Mechanism for Waihou	Accept Plan Change subject to amendment.	The Submitter operates an industrial activity seven days a week (trucking business) at Barker Street in Waihou. The Submitter is concerned that reverse sensitivity issues, such as noise will arise if more development is allowed as a consequence from the new zoning mechanism in the vicinities of Barker Street.	That the zoning mechanism adjoining Barker Street remains as it is currently.	Yes
8. GH Westbury Pty Limited Att: Carey Pearce, Boffa Miskell Limited. P O Box 91250, Auckland 1142. 0274370165 carey.pearce@boffamiskell.co.nz		The Submitter, GH Westbury Pty Ltd ("Westbury"), supports the general intent of PC53 and the planning framework it seeks to establish for land use and development activities located within key settlements across the District.		Westbury considers the proposal would be consistent with the proposed objectives and policies for the Settlement Zone, which seek to recognise and provide for a mix of land use activities that reflect the needs of local communities and promote land use activities which support the long-term social and economic cohesion of settlements.		Yes
	8.1	Extend the proposed spatial extent of the Residential Precinct at Hinuera.	Accept the Plan Change with the following amendments	<p>The Submitter considers that the spatial extent of the proposed Settlement Zone - Residential Precinct at Hinuera does not adequately provide for complementary residential development in Hinuera. Therefore, the Submitter is proposing to further extend the proposed spatial area of the Residential Precinct at Hinuera to include an 8 hectare portion of Lot 3 DP 306765 ("Lot 3"), which is presently owned by Westbury. The Submitter does not consider the proposed rezoning of part of Lot 3 would undermine the public services or infrastructure at Hinuera.</p> <p>Lot 3 is approximately 33 ha in area, with frontage to Hinuera Road along the eastern boundary and State Highway 29 along the southern boundary. The land is identified as Rural Zone in the Matamata-Piako District Plan and the soil is of a high quality ("LRIS 2002 Soil</p>	<p>The Submitter seeks to seeks to amend the western margin of the proposed Residential Precinct (as notified) in order to extend the proposed spatial extent of the Residential Precinct at Hinuera to include an approximately 8 hectare portion of Lot 3 DP 306765.</p> <p>Please refer to the proposed amended plan provided with the submission (Attachment 1).</p>	

				Class 2"). These characteristics are consistent with the land underlying the proposed Residential Precincts at Hinuera, as notified by Council. Based on an area of approximately 8 ha, the rezoning sought by Westbury would provide for up to 32 lots as a controlled activity or up to 80 lots as a discretionary activity.	
Waikato Regional Council	Further Submission to submission point 8.1.		Oppose	The proposal to extend the settlement boundary is not consistent with the WRPS method 6.1.1 – Section 6A (c) and (e). The decision sought would also extend the proposed Residential Precinct of the Settlement Zone in Hinuera to an area of <i>high class soils</i> , which is also inconsistent with method 14.2 of the WRPS.	Retain as notified
9. Waitoa Haulage Ltd. Att: Mark 3 Barker Street 0274788611 office@waitoahaulageltd.co.nz	9.1	Zoning Mechanism for Waihou	Accept the Plan Change with the following amendments	The Submitter operates a haulage activity at Barker Street in Waihou for the past four decades. The Submitter is concerned that reverse sensitivity issues, such as noise will arise if more development is allowed as a consequence from the new zoning mechanism in the vicinities of Barker Street.	That the zoning mechanism adjoining Barker Street remains as it is currently.
10. Matamata-Piako District Council Staff Att: Joao Paulo Silva P O Box 266, Te Aroha 3342 jsilva@mpdc.govt.nz		Matamata-Piako District Council's Staff has identified potential amendments and opportunities to enhance the potential of Plan Change 53 in order to make it more enabling and to provide clarity and certainty.			Yes
	10.1	PREC1(3) (iii) Home Business General; Permitted Activity – General Performance Standards	Support in part	In order to be enabling, the proposed provisions should cater for online commerce. This activity will not cause significant adverse effects on the environment; the transactions will take place remotely with no customers visiting the site. Therefore, we suggest the wording to be amended.	<ul style="list-style-type: none"> Amend Clause PREC1(3) (iii) to read: iii) The sale of goods and/or services directly to customers from the site is limited to those produced on site;
	10.2	PREC1(3) Home Business General; Permitted Activity – General Performance Standards	Support and include new provision	In order to achieve clarity and minimize reverse sensitivity issues within the proposed Residential Precinct, we believe hours for delivery and collection of goods as well as hours of operation should be included as a performance standard for home business.	<ul style="list-style-type: none"> Include additional Clause (x) to PREC1(3) to read: <u>(x) The hours for delivery and collection of goods as well as onsite customer visits within the Residential Precinct shall be between: 7.30am to 5.30pm, Monday to Saturday.</u>
	10.3	PREC1(10) (iii) - Two or more Residential Units (Standard Density) And PREC1(13) (iii) - Two or more Residential Units (Medium Density)	Support in part	In order to provide for more friendly wording as well as to achieve more clarity, without changing the content or purpose of the rule, we believe the wording of the rule should be amended.	<ul style="list-style-type: none"> Amend Clause PREC1(10) (iii) and to read: (iii) Each residential unit must comply with the subdivision standards set out in Rule 6.2 and the application shall neminate show internal lot boundaries to demonstrate compliance with the relevant performance standards.
	10.4	SETZ R1(4) - District Plan Linkage Rules	Support in part	The Submitter believes that adding the specific rule exception will achieve more clarity.	<ul style="list-style-type: none"> Amend Section 9 to read:

		Performance Standards			Section 9: Transportation (except that rules 9.1.4; regarding the minimum number of carparks shall not apply)	
	10.5	6.3.12 Subdivision within the Settlement Zone	Support in part	For a more holistic overview of the consenting process, the Submitter believes it is essential for the assessment criteria also refer to Section 6.6 – Discretionary and Non-Complying Assessment Criteria.	<ul style="list-style-type: none"> Amend Assessment Criteria 6.3.12 (ii) to read: (ii) Assessment Criteria See section 6.4 and 6.6. 	
11. KiwiRail Holdings Limited (KiwiRail) Attention: Rebecca Beals Level 1 Wellington Railway Station PO Box 593 WELLINGTON 6140		KiwiRail Holdings Limited (KiwiRail) is the State Owned Enterprise responsible for the management and operation of the national railway network. There are four settlements (Walton, Waitoa, Waihou and Hinuera) which are spatially connected to the railway network and KiwiRail seeks clarification and amendments to the plan change provisions.				Yes
	11.1	Policy SETZ P3	Support	KiwiRail supports the policy to mitigate reverse sensitivity.	Retain as Notified.	
	11.2	SET R1(2) Building Envelope	Support	The reference to acoustic insulation under Rule 5.2.9 required for buildings is supported.	Retain as Notified.	
	11.3	SETZ R2(1) General Assessment Criteria	Support	Consideration of effects on existing legitimate land uses as proposed in subclause (d) is supported.	Retain as Notified.	
	11.4	Rule 3.2.1 Building Envelope	Support	Kiwi rail supports rule mechanisms for acoustic insulation for buildings located along the railway corridor.	Retain as Notified.	
	11.5	Rule 5.2.12	Support in part and seek amendment	<p>KiwiRail is concerned Rule 5.2.12 needs clarity:</p> <p>The intention of the rule appears to be to update the Rule 5.2.9 that applies across all zones – however it is referenced as 5.2.12. The standards in the Rule itself, and the trigger in SETZ R1(2) and 3.2.1, are to Rule 5.2.9, therefore there is uncertainty about when this rule will actually be triggered and which rule development will be required to comply with if there are two separate rules.</p> <p>In addition, Rule 5.2.9 applies to all zones, therefore the developers of Rural Dwelling Sites and the Settlement Zone potentially are required to comply with both 5.2.9 and 5.2.12, which is anticipated to not be the outcome Council are intending.</p>	<p>Amend to reflect clarification of reference / application</p> <p>Clarity is therefore sought as to whether this rule is a replacement for Rule 5.2.9, in which case the rule number should be updated; or to be an additional rule in the District Plan, in which case wider changes to the Rule itself (changing references from 5.2.9(i) to 5.2.12(i) along with changing references in the two trigger rules from 5.2.9 to 5.2.12) is required, along with changes to 5.2.9 to clarify that it doesn't also apply to Rural Dwelling Sites and the Settlement Zone as well.</p>	
12. House Movers Section of the New Zealand Heavy Haulage Association Inc C/ - Stuart Ryan P.O. Box 1296 Shortland Street Auckland 1140		The House Movers Section of the NZ Heavy Haulage Association Inc (House Movers Association) represents firms and individuals engaged in building removal and relocation throughout New Zealand. The Association wishes to ensure that regulatory controls through district plans properly reflect the purpose and intentions of the Resource Management Act 1991 (RMA) as expressed in the decision of the Environment Court in <i>New Zealand Heavy Haulage Association Inc v The Central Otago District Council</i> (Environment Court, C45/2004, Thompson EJ presiding). In this case the Environment Court held that there was no real difference in effect and amenity value terms between the <i>in situ</i> construction of a new dwelling and relocation of a second-hand dwelling, subject to appropriate permitted activity performance standards.				Yes
	12.1	Permitted Activity Rules for relocatable buildings	Support	The classification of relocatable buildings as permitted activities in all precincts is supported and is in accordance with part 2 of the RMA.	Retain as Notified.	
	12.2	Rule 5.2.12 (amendments amended by Plan Change 53)	Support in part	<p>The House Movers Association opposes the proposed provision 5.2.12 (in Part 5 of PC53), insofar as it relates to relocated buildings, for the following reasons:</p> <p>a. The rule envisages that relocated buildings will need to be upgraded in certain areas to provide for sound insulation, whereas existing <i>in situ</i> buildings in the same areas will not be subject to this requirement;</p>	<p>The Submitter requests the following outcomes:</p> <p>a. Retain the following proposed provisions in PC53 relating to relating to relocatable dwellings in the Settlement Zone:</p> <p>i. the permitted activity status of relocatable dwellings (PREC1(9), PREC2(1) and PREC3(1)), and</p>	

				<p>b. Relocated buildings being transported into the area are more likely to be made of similar materials to the existing buildings in the local area than new buildings;</p> <p>c. It is much more costly to provide sound insulation by way of a renovation or by upgrading a building, than it is to insulate a new building for sound, at the time it is being built; meaning</p> <p>d. Relocated buildings are no longer a cost-effective alternative but instead become prohibitively expensive for homeowners where sound insulation is required. This approach does not accord with the need to promote affordable housing throughout New Zealand and the provisions of the National Policy Statement on Urban Development 2020.</p>	<p>ii. the performance standards applying to both relocatable buildings and in situ buildings (SETZ R1(1)-SETZ R1(4) (except as relates to para 9 of this submission);</p> <p>b. Delete all references to relocated/relocatable buildings in proposed rule 5.2.12 (Part 5), and amend the rule to read:</p> <p>5.2.12 Noise Insulation for Rural Dwelling Sites and the Settlement Zone</p> <p>(i) Performance Standards</p> <p>(a) New buildings (not including relocated buildings) to be used for a noise sensitive activity located....</p>	
	12.3	Definitions	New provision	The Association notes that PC53 does not provide a definition for the term “relocatable building”. It is requested that a definition be included as to increase certainty for Plan-users.	<p>Include a definition for the term “relocatable dwelling”. The Association requests that the following definition is used:</p> <p>Relocatable dwelling includes any building that is removed from one site and relocated to another site, in whole or in parts. It excludes any new building which is designed for, or intended to be used on, a site but which is constructed or prefabricated off-site, in whole or in parts, and transported to the site.</p>	
Fonterra	Further Submission on submission point 12.2		Oppose	Fonterra does not support the relief sought. The proposed amendments have the potential to create reverse sensitivity issues. Relocatable homes should also be made to comply with acoustic insulation requirements.	Retain as notified	
13. Te Aroha Federated Farmers Att: Brian Steele 174 Wood Road, Waitoa 3380 Brianssteele24@gmail.com	13.1	Whole plan – general points	Support and accept the plan change with the following amendments	The Submitter supports subdivision at a threshold of 2.500m2 and enabling provisions for building structures, such as sheds; this will encourage cottage industries. The submitters added that all new development shall be self-sufficient in regards to sewage and water; there is no need to provide more Council infrastructure schemes for the settlements to grow. The Submitter also added to Council to be aware of reverse sensitivity issues from residents in regards to rural odours, dust etc. The Submitter finished adding to allow controlled growth.	The Submitter seeks Council to consider the comments.	Yes
14. Waka Kotahi NZ Transport Agency PO Box 973 Waikato Mail Centre Attn Claudia Jones consentsandapprovals@nzta.govt.nz		Waka Kotahi NZ Transport Agency is a Crown entity with the sole powers of control for all purposes of all state highways. Waka Kotahi objectives, functions, powers and responsibilities and derived from the Land Transport Act 2003 (LTMA), and the Government Powers Act 1989 (GRPA). The statutory objective of Waka Kotahi is to undertake its functions in a way that contributes to an effective, efficient and safe land transport system in the public interest.		Waka Kotahi supports the proposed Plan Change 53 to the Matamata-Piako District Plan. This is on the basis that there are no significant safety and efficiency concerns on the state highway network as a result of the proposed plan change.		Yes
	14.1	Pedestrian Linkages – Te Poi	Support	The proposed residential precinct within Te Poi will increase vehicle movements through the intersection of State Highway 29 and Te Poi Road, which is currently a high-risk intersection. The intersection is subject to	The matters to which Waka Kotahi have addressed within this submission are taken into account by Matamata-Piako District Council.	

				<p>safety constraints which will be exacerbated by increased trip generation.</p> <p>Te Poi Road does not have any pedestrian connections from the proposed residential precinct for children walking to Te Poi School.</p>	
	14.2	Pedestrian Linkages - Motumaoho	Support	<p>In relation to the settlement of Motumaoho, there is also no pedestrian connection from the proposed residential precinct off Norfolk Road to the school located on the opposite side of State Highway 26 within Motumaoho.</p>	
	14.3	Noise effects – traffic corridors	Support	<p>Noise effects from traffic can interrupt amenity and enjoyment, as well as an individual's ability to sleep which can have significant impacts on people's health and wellbeing. Appropriate mitigation is critical to ensuring the health and wellbeing of activities sensitive to noise. Waka Kotahi supports the proposed noise rules proposed by Matamata-Piako District Council, as they are considered appropriate in ensuring that people's health and wellbeing are not compromised by the operation of the transport network.</p>	