

Kelly Moulder

From: Lynette Wharfe [lynette@agribusinessgroup.com]
Posted At: Wednesday, 27 November 2013 16:53
Conversation: PC 44 Submission
Posted To: Submissions (Corporate Planning)

Subject: PC 44 Submission

Categories: Green Category

Please find attached a submission on behalf of Horticulture NZ on PC 44.

Many thanks

Lynette Wharfe
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SUBMISSION ON PROPOSED PLAN CHANGE 44 TO THE MATAMATA PIAKO DISTRICT PLAN

TO: Matamata Piako District Council

SUBMISSION ON: Proposed Plan Change 44

NAME: Horticulture New Zealand

ADDRESS: PO Box 10 232
WELLINGTON

1. **Horticulture New Zealand's submission, and the decisions sought, are detailed in the attached schedules:**

Schedule One: Plan Change 44 Works and Network Utilities

2. **Horticulture New Zealand wishes to be heard in support of this submission.**

3. **Background to Horticulture New Zealand and its RMA involvement:**

3.1 Horticulture New Zealand was established on 1 December 2005, combining the New Zealand Vegetable and Potato Growers' and New Zealand Fruitgrowers' and New Zealand Berryfruit Growers Federations.

3.2 On behalf of its 7,000 active grower members Horticulture New Zealand takes a detailed involvement in resource management planning processes as part of its National Environmental Policies. Horticulture New Zealand works to raise growers' awareness of the RMA to ensure effective grower involvement under the Act, whether in the planning process or through resource consent applications. The principles that Horticulture New Zealand considers in assessing the implementation of the Resource Management Act 1991 (RMA) include:

- The effects based purpose of the Resource Management Act,
- Non-regulatory methods should be employed by councils;
- Regulation should impact fairly on the whole community, make sense in practice, and be developed in full consultation with those affected by it;
- Early consultation of land users in plan preparation;
- Ensuring that RMA plans work in the growers interests both in an environmental and sustainable economic production sense.

Thank you for the opportunity to submit on the Proposed Plan Change 44.



Chris Keenan

**Manager – Natural Resources and Environment
Horticulture New Zealand**

Dated: 27 November 2013

Address for service:

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WELLINGTON

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SCHEDULE ONE: Plan Change 44 Works and Network Utilities

1.1 Definitions

1.1.2 Buffer corridor

Plan Change 44 seeks to add a definition for 'buffer corridor' that establishes a red zone and a green zone. The corridors are from the centreline of the transmission line and do not distinguish between the line and the tower or pole. NZECP 34:2001 distinguishes between the area under the line from the tower and poles and PC 44 should also provide the differentiation.

Decision sought:

Delete the definition of Buffer corridor and the definitions for "Red Zone and Green Zone and amend provisions for permitted activities to a setback around towers consistent with NZECP34:2001.

1.2. Horticultural structures

Horticulture NZ seeks to ensure that growers can establish crop protection structures and crop support structures consistent with NZECP34:2001.

Decision sought:

Add provision in 3.5.1 i) Permitted activities as follows

Any artificial crop protection structure or crop support structure is setback at least 12m from the outer visible edge of a transmission tower support structure unless Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001 to a lesser setback.

Amend 3.6.1) as follows: New buildings or addition to existing buildings (excluding artificial crop protection structures and crop support structures) within 20 m....

Kelly Moulder

From: Martin Wallace [martin.wallace@clear.net.nz]
Sent: Wednesday, 27 November 2013 16:58
To: Patrick Clearwater
Subject: Submission to MPDC Plan changes 43 and 44
Attachments: Submission to MPDC on Plan Changes 43 and 44.pdf

Dear Patrick,

Please find attached a submission to the plan changes 43 and 44 from Environmental Futures Inc.

Martin Wallace

Submission to MPDC on Plan Changes 43 and 44

By Environmental Futures Inc., RD2, Morrinsville 3372

27 Nov 2013

1. **2.3.7 Regionally significant infrastructure networks**

Lack of clarity of the description of the balance required between the recognition of the public benefits of infrastructure and the adverse effects it may have on individuals.

It is not a given that reverse sensitivity effects need to be managed and the paragraph referring to them should be modified to indicate that these need only be managed in the case of existing infrastructure that is constrained to the extent that the adverse effects of infrastructure on the receiving environment can not be reasonably avoided or mitigated.

2. **2.3.8 Renewable electricity generation - Energy efficiency**

In the list of bullet points the word “less” in sub-bullets one and four should be replaced by “fewer”

Better grammar helps make the plan easier to read and understand without ambiguity and distraction.

3. **Sustainable management strategy - 6. Integrating land-use and infrastructure.**

The reference in the objective to non-compromise of infrastructure is too sweeping and unbalanced. It is also circular in stating that infrastructure should be planned so as to not compromise infrastructure.

This should refer only to land use as infrastructure in this case is a land use, and the non-compromise should relate only to regionally significant infrastructure, not all. The requirement to not compromise should be changed to not unreasonably compromise. Corresponding changes should be made to the Policy and Explanation and to proposed 3.8.1.

The third bullet point of the objective is unnecessary and should be deleted.

4. **Sustainable management strategy - 7. Regionally significant infrastructure – O3**

The requirement in O3 that reverse sensitivity effects on regionally significant infrastructure must be avoided, remedied or mitigated is too broad.

The Objective should be qualified by adding the words “where necessary” after the word “including”. Amend Explanation accordingly.

5. Sustainable management strategy – Anticipated Environmental Results.

The above submissions should be reflected in deletion or corresponding amendment of AERs 7, 11, and 14.

6. 3.1.2 Natural environment and heritage

It is not clear why this section is modified in changes related to Transportation and works and Network Utilities. They are not all inappropriate changes but should not be made until the plan change relating to Natural Environment and Heritage is undertaken.

7. 3.2.2 Natural hazards – Flooding -Policies, Explanations and AER 6

P5 and its explanation is a risky approach given climate change and costs of such works. Deletion of SP1 is not supported as, if thought out well, this may well be a more cost effective tool.

Delete the proposed changes.

8. 3.2.2 Natural hazards – Land Movement - Policies

Oppose the deletions as these are useful policies and have worked well in the past.

Retain the status quo.

9. 3.5.2 Amenity Nuisance Effects – O6

Oppose inclusion of “planned infrastructure networks” . This is too broad for an adequate understanding by users of the plan and means that proposed infrastructure is unfairly favoured over other development or protection and circumvents adequate debate.

Restrict change to existing only.

10. 3.7.1 Significant resource management issues

4th new paragraph: Reverse sensitivity protection of infrastructure should not be introduced as a certainty when it should be the primary effect, the odour or noise for example, that should be avoided or mitigated rather than simply restrict the uses of land by those nearby.

This paragraph should be reworded to provide for “consideration” of such RS protection for existing infrastructure only, and only in cases where the primary source of the primary effect cannot be avoided.

11. 3.7.2 Works and network utilities – Provision and benefits

The modifications here are radical and the change to for example P5 is incomplete in showing the changes struck out. The new wording of P5 reverses the intent of the original policy, which was to be precautionary where doubt exists over the potential impact of the utility development. This could be doubts about effects of power cable radiation or that of cell phone sites.

The original should be retained and the new wordings deleted.

12. 5.2.9 Internal noise limits – railway lines and state highways

The new rules proposed should only apply where the locations are proposed to be less than the existing yards so that peoples’ development rights are not compromised.

If suitable noise limits for sensitive activities would be breached at or further from the highway or railway line, then the limits should not apply, and if a new or upgrade of the highway or railway line is proposed then it should be the responsibility of the road or railway line owner to ensure compliance with the noise limits, not the receiver of the noise.

Delete 5.2.9 or modify accordingly and make consequential amendments.

We wish to be heard in support of our submission

Martin Wallace

Coordinator

Kelly Moulder

From: Mary Barton [Mary.Barton@chorus.co.nz]
Posted At: Wednesday, 27 November 2013 16:59
Conversation: Telecom submission - Plan Change 44
Posted To: Submissions (Corporate Planning)

Subject: Telecom submission - Plan Change 44

Categories: Green Category

Please find attached a copy of the submission made on behalf of **Telecom New Zealand** to proposed Plan Change 44. This is an electronic, and therefore non-signed copy of the submission. A signed copy is available on request, as is a Word copy.

If you have any questions with respect to this submission please give me a call on the number(s) below.

Regards

Mary Barton
Senior Environmental Planner

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Form 5

**Submission on Plan Change 44 to the Matamata-Piako District Plan
Under Clause 6 of the First Schedule to the Resource Management Act 1991**

To: Matamata-Piako District Council
PO Box 266
Te Aroha 3342

Submission on: Plan Change 44 – Works and Network Utilities to the Matamata-Piako District Plan

Name: Telecom New Zealand Limited

Address: PO Box 920028
AUCKLAND
(Please note different address for service below)

1. Trade Competition

Telecom New Zealand Limited could not gain any advantage in trade competition through this submission.

Telecom New Zealand Limited is directly affected by the subject matter to which this submission relates. The subject matter relates to environmental affects and not trade competition or the effects of trade competition.

2. Telecom New Zealand Limited (Telecom) makes the following general submission:

At midnight on 30 November 2011, Telecom de-merged into two separate publicly listed companies, with Telecom becoming a retail service provider and Chorus a network services operator. As part of its business, Telecom has retained a number of network assets that may be affected by district plans including:

- A 3G mobile network, with a 4G mobile network currently in development which will provide a higher speed network with increased data capacity;
- Aspects of the Public Switched Telecom Network (PSTN) for fixed line calling including a number of major exchanges;
- International Satellite Station and cable terminal assets; and
- Telecom payphones.

The purpose of the Resource Management Act 1991, as embodied in section 5, is promotion of the sustainable management of natural and physical resources. Telecommunications infrastructure is a significant physical resource, and the safe, reliable and efficient functioning of the network is vital for the regional economy and is in the public interest.

Telecom is a major telecommunication network provider within Matamata-Piako District. The network is utilised for a wide range of purposes that are essential to modern society. This includes personal and commercial communications, wireless data transfer, linking financial institutions to convey critical financial transaction data, fire and burglary monitoring and control

facilities, and other emergency services communications. The provision of resilient telecommunication networks during emergencies is critical, as has been highlighted in the case of the Canterbury earthquakes. The Telecom network is subject to constant maintenance, modification and upgrading as the number of customers and services increase, and changes in technology occur.

Within any District Plan there is a need to provide a balance between the policy and rules framework that provides for the efficient maintenance and rollout of network utility infrastructure, with appropriately managing the effects on the environment from this infrastructure. There has been in recent years a shift in how these two issues are balanced with the provision for infrastructure historically playing a passive background role. The recent shift places significantly greater importance on the need to allow for critical infrastructure and network utilities. The *Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008* (NESTF) which deals with the provision for telecommunications in roads is an example of a measure put in place by Government to better provide for deployment of critical infrastructure. The NESTF is a permissive instrument, and overrides all District Plans that are more restrictive.

The purpose of this submission is to ensure that the Works and Network Utilities provisions of the Matamata-Piako District Plan proposed through Plan Change 44 adequately recognise and provide for telecommunication and radio-communication utility infrastructure, and do not unnecessarily impede the efficient and effective operation, maintenance and upgrading of the network.

3. Telecom makes the following submissions on Plan Change 44, and seeks:

The particular parts of the Plan Change 44 to which Telecom's submissions relate, and the relief sought are outlined in the attached table. Telecom's submissions seek:

EITHER

- (i) The relief as set out in the specific submissions within the attached table;

OR

- (ii) Such other relief to like effect to remedy the concerns outlined in the submissions;

AND in relation to both (i) and (ii) above

- (iii) Any consequential amendments necessary as a result of the amendments to grant the relief sought above.

4. Telecom New Zealand Limited does wish to be heard in support of its submission.

5. If others make a similar submission Telecom would be prepared to consider presenting a joint case with them at any hearing.

Submission authorised by: Paul Hallowes, Telecom New Zealand Ltd

Dated at Auckland this 27 day of November 2013

Address for Service:

Telecom New Zealand Limited
C/- Chorus New Zealand Limited
PO Box 632
Wellington

Contact Details:

Attention: Mary Barton
Telephone: 04 382 5465
E-mail: mary.barton@chorus.co.nz

Telecom New Zealand Limited

Submission on the Matamata-Piako District Plan, Plan Change 44: Works and Network Utilities

Specific provision this submission point relates to	Telecom opposes / supports the specific provision	Telecom's submission is that	Telecom seeks the following decision from the Council
Part B: Rules, Section 3 Development controls			
3.8 Activities (other than flood control works – see Section 8.8) adjacent to the main channel and tributaries and the WRC's flood control and erosion protection assets ...	Oppose in part	The rule does not provide any consideration of network utilities in flood hazard areas – therefore resource consent as a restricted discretionary activity is required in all instances for network utility infrastructure. Given that it can often be necessary and appropriate for utilities to be located in such areas (and in most instances they do not involve habitable structures), their installation should be provided for in instances where the Regional Council has been consulted with and has provided their consent.	That permitted status be provided for network utilities in Waikato Regional Council's (WRC) flood control and erosion protection assets in the Waihou Valley and Piako River Flood Protection Schemes, where WRC has given their authorization to the installation of the infrastructure.
Part B: Rules, Section 8 Works and network utilities			
8.1 Telecommunication, 8.1.1 Activity table, 11. Telecommunication buildings and structures and associated equipment outside of the reserve of a formed road.	Oppose in part	This rule would capture all minor equipment such as equipment cabinets in the Residential, Rural Residential, Kaitiaki (Conservation), Identified Significant Features and Public Reserves zones, as well as in Unformed Roads. This is not considered appropriate given the minor effects associated with such equipment, and in particular the need to service residential areas with telecommunications infrastructure. As such, an automatic discretionary activity status is overly onerous for such equipment. Resource consent should only be required for such equipment in all instances where the appropriate underlying zone standards are not complied with (as is required by the linkage provide via Performance Standard 8.1.2(iii)).	Amend Rule 8.1.1.11 to update the activity status from discretionary to permitted in all zones (with the exception of Formed Roads, which is N/A).

Telecom New Zealand Limited

Submission on the Matamata-Piako District Plan, Plan Change 44: Works and Network Utilities

Specific provision this submission point relates to	Telecom opposes / supports the specific provision	Telecom's submission is that	Telecom seeks the following decision from the Council
8.1 Telecommunication, 8.1.1 Activity table, 13.1. A maximum of two antennas attached to any building or structure ... [permitted in all zones, discretionary in roads]	Oppose in part	<p>The maximum of two antennas is unduly restrictive in terms of the number of antennas attached to a building or structure, where in most circumstances more than two antennas are required to meet coverage objectives. The rule as drafted would therefore result in resource consent being required in most instances where antennas are proposed to be installed, even though the associated effects are generally less than minor.</p> <p>Antennas for mobile networks are typically installed to cover an area comprising a full 360° range (where directional antennas are used). Two antennas are unable to fully service this range, as at the very least three antennas are necessary to meet a 360° coverage requirement. As such, a maximum of three antennas is sought instead of two.</p> <p>The 1.2m² area and 1.2m diameter restrictions in the rule are otherwise acceptable.</p>	Amend Rule 8.1.1.13.1 to change the maximum antenna number restriction from two to three.
8.1 Telecommunication, 8.1.1 Activity table, 13.2 More than two antennas attached to any building of structure ... [permitted in Business, Industrial]	Oppose in part	The rule is considered acceptable provided the antenna number restriction is updated as outlined in the submission point for rule 8.1.1.13.1.	Amend Rule 8.1.1.13.2 to change the maximum antenna number restriction from two to three.

Telecom New Zealand Limited

Submission on the Matamata-Piako District Plan, Plan Change 44: Works and Network Utilities

Specific provision this submission point relates to	Telecom opposes / supports the specific provision	Telecom's submission is that	Telecom seeks the following decision from the Council
and Rural zones, discretionary elsewhere]			
8.1 Telecommunication, 8.1.1 Activity table, [proposed new provision]	Support	Exclusions for telecommunications infrastructure from earthworks and vegetation trimming requirements are not specifically provided for in the Plan. These exclusions are sought on the basis that essential telecommunications-related activities that would otherwise be permitted activities should not be 'caught' by ancillary rules elsewhere in the Plan. An example of this is the installation of underground lines, which is a permitted activity, but without provision of a specific exclusion for earthworks, could otherwise require resource consent.	Insertion of a rule providing exclusions for telecommunications infrastructure from earthworks and vegetation trimming requirements elsewhere in the Plan. It is suggested that this rule be inserted within Activity Table 8.1.1.
8.1 Telecommunication, 8.1.2 Performance standards, (iii) Additional performance standards applicable to activities permitted under Table 8.1.1.11 and 8.1.1.12: ...	Oppose in part	1. Equipment cabinets are required throughout residential areas to support the telecommunications network. It is not considered appropriate that yard setback requirements within the Residential and Rural Residential zones apply to equipment cabinets in such areas, as these are minor structures that are often best located close to a property boundary to ensure that it is out of the way of other substantive activities on the subject site. Equipment cabinets are sometimes required to be located on private property in residential areas where an appropriate location in road reserve cannot be acquired. As such, locating a cabinet within a front yard or a side yard (possibly behind a fence or landscape planting) can be a low impact and tidy	1. Amend Performance Standard 8.1.2 to provide an exclusion for equipment cabinets from having to comply with the yard setback standards within the Residential and Rural Residential Zones under 8.1.2(iii)(a)(ii). 2. Amend Performance Standard 8.1.2 to remove the reference to the 3.5m antenna height dispensation under 8.1.2(iii)(a)(iii) and reinsert this requirement within Rules 8.1.1.13.1 and 8.1.1.13.2.

Telecom New Zealand Limited

Submission on the Matamata-Piako District Plan, Plan Change 44: Works and Network Utilities

Specific provision this submission point relates to	Telecom opposes / supports the specific provision	Telecom's submission is that	Telecom seeks the following decision from the Council
		<p>solution in such instances.</p> <p>2. Rules 8.1.1.11 and 8.1.1.12 do not include activities relating specifically to antennas. Standard 8.1.2(iii)(a)(iii) requires that <i>antennas attached to buildings and structures shall not exceed the height of the building or structure to which it is attached, plus 3.5m (irrespective of the maximum height for the zone)</i>, which is supported as this provides sufficient height necessary for the installation of antennas. However, for the purposes of clarity, it is considered that 3.5m height dispensation for antennas should be removed from within the performance standard and be applied directly to the antenna-specific rules.</p>	

Kelly Moulder

From: Georgina McPherson [GMcPherson@burtonconsultants.co.nz]
Posted At: Wednesday, 27 November 2013 17:00
Conversation: Powerco submission to PC44
Posted To: Submissions (Corporate Planning)

Subject: Powerco submission to PC44

Categories: Green Category

Dear Sir / Madam

Please find attached a submission lodged on behalf of our client Powerco Limited to proposed Plan Change 44 – Works and Network Utilities.

Please don't hesitate to contact me should you have any questions relating to the matters set out in the submission.

Kind regards

Georgina



Georgina McPherson | Senior Planner

**PO Box 33-817 | Level 1, 2-8 Northcroft Street | Takapuna |
Auckland 0740
DDI: 09 917 4301 | tel: 09 917 4300 | fax: 09 917 4311
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**SUBMISSION BY POWERCO LIMITED ON PROPOSED PLAN
CHANGE 44 (WORKS AND NETWORK UTILITIES) TO THE
MATAMATA PIAKO DISTRICT PLAN**

27th November 2013

TO: Matamata-Piako District Council
PO Box 266
Te Aroha 3342

BY EMAIL: submissions@mpdc.govt.nz

FROM: Powerco Limited ("Powerco")
Private Bag 2061
NEW PLYMOUTH 4342

ADDRESS FOR SERVICE: BURTON PLANNING CONSULTANTS LIMITED
Level 1, 2-8 Northcroft Street
PO Box 33-817, Takapuna
AUCKLAND 0740

Attention: Georgina McPherson

Phone: (09) 917 4301

Fax: (09) 917 4311

gmcpherson@burtonconsultants.co.nz

1. INTRODUCTION

- 1.1 Powerco is New Zealand's second largest gas and electricity Distribution Company and has experience with energy distribution in New Zealand spanning more than a century. The Powerco network spreads across the upper and lower central North Island servicing over 400,000 consumers. This represents 46% of the gas connections and 16% of the electricity connections in New Zealand
- 1.2 Powerco's electricity networks are in Tauranga, Thames, Coromandel, Eastern and Southern Waikato (including a small area within the Waipa District), Taranaki, Wanganui, Rangitikei, Manawatu and the Wairarapa. It has gas pipeline networks in Taranaki, Hutt Valley, Porirua, Wellington, Horowhenua, Manawatu and the Hawkes Bay. Powerco's customers are served through over 27,000 kilometres of electricity lines (including overhead lines and underground cables) and 5,800 kilometres of gas pipelines.
- 1.3 The Matamata sub transmission network is based within the Valley region (refer Attachment A for Map). The Valley region covers the eastern area of the Waikato as far south as Kinleith, plus Waihi and the Coromandel Peninsula. Several small towns have some industrial load, and the rural area is predominantly dairy farming load. The region has six grid exit points owned and operated by Transpower supplying Powerco's network at 66, 33 and 11kV.
- 1.4 Powerco is also proposing to install a new grid exit point at Putaruru to increase security of supply and address capacity issues in the area. Powerco is also undertaking assessments to address capacity issues at existing Powerco zone substations. This is likely to result in an additional five zone substations requiring construction in the Valley region over the next 10 year planning period.

The Resource Management Act 1991

- 1.5 Under the Resource Management Act 1991 (RMA), Powerco's electricity infrastructure is a significant physical resource that must be sustainably managed, and any adverse effects on that infrastructure must be avoided, remedied or mitigated.

Waikato Regional Energy Strategy.

1.6 On 19th August 2009 Environment Waikato launched the Waikato Regional Energy Strategy. The overall purpose of the strategy is to:

- encourage and enable energy conservation and efficiency;
- promote the Waikato region's role in maintaining security of energy supply;
- facilitate the development and use of renewable energy sources and innovative energy technologies; and
- acknowledge and promote the crucial role of energy in the regional and national economy.

1.7 The Strategy makes a number of relevant recommendations including:

- *The Regional Energy Strategy advocates for policies and actions that promote the generation of electricity from renewable sources and innovative energy technologies within the region, that recognise the importance of security of supply.*
- *The Regional Energy Strategy advocates for policies and actions that recognise transmission of electricity as an important part of maintaining security of supply.*
- *That the Waikato is an important conduit for meeting the transmission of electricity around New Zealand to meet national demand.*
- *Grid and network investment and maintenance is an important component in the development of renewable sources of electricity generation (due to its role in facilitating connection to the National Grid).*

What action is required

- *Acknowledge the importance of the Waikato region's role in transmission and distribution both for local and national business and community energy needs.*
- *Recognise the importance of all transmission and distribution, in national, regional and local policy documents.*
- *Improve information and education available to local authorities and policy makers to support understanding of the importance of transmission and distribution and to recognise its critical role for wellbeing and economic growth.*
- *Advocate for policy to support and enable planned maintenance and upgrading of existing transmission lines.*
- *Support the development of new lines to meet local and national needs.*

Operative Waikato Regional Policy Statement

- 1.8 The Operative Waikato Regional Policy Statement includes the following relevant provisions:

Issue 13.12.1 *Inefficient energy production and use uses natural resources at a greater rate than is needed and results in unnecessary adverse effects on natural and physical resources.*

Objective 3.12.2 *Efficient use of energy within the Waikato Region*

Policy One. *To promote efficiency and conservation in the production, transmission and consumption of energy.*

Implementation Methods:

1. *Advocate, through community information and education, for the promotion of energy efficiency, conservation and the adoption of appropriate energy forms and technologies.*
2. *Encourage the use of alternative and renewable energy sources through community education.*
3. *Encourage inter-agency co-operation in undertaking research into the Region's available energy sources and appropriate energy technologies, through regional and annual plans and reviewing of research proposals (e.g. public good science funding input).*
4. *Advocate energy efficiency in the design, location and operation of buildings and other structures through community information, regional plans and resource consents.*
5. *Encourage Central Government to prepare a National Energy Strategy.*
6. *Encourage the efficient use of energy in the transport sector through the Regional Land Transport Strategy.*

Issue 3.13.2: *Infrastructure (including network utilities) enable people and communities to meet their social, economic and cultural needs and is therefore important to the Region. Inappropriate subdivision, use and development of land can result in conflicts and incompatibilities between activities which may significantly compromise the operation of regionally significant infrastructure.*

Objective: *The continued operation of regionally significant infrastructure (including network utilities) maintained or enhanced.*

Policy One: Maintenance of Infrastructure

Avoidance of significant adverse effects (including cumulative effects) on the safe and efficient operation of regionally significant infrastructure. Where significant adverse effects on regionally significant infrastructure cannot be avoided they shall be remedied or mitigated.

Proposed Waikato RPS

- 1.9 The Regional Council is currently reviewing its RPS. Decisions on the proposed RPS were notified in November 2012 and a number of provisions were appealed. The Proposed Waikato RPS contains a number of relevant provisions as follows. Those provisions marked with an asterisk (*) below are subject to appeal:

***3.11** *Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which provides for positive environmental, social, cultural and economic outcomes, including by:*

- (i) promoting positive indigenous biodiversity outcomes;*
- (ii) integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;*
- (iii) recognising and protecting the value and long-term benefits of regionally significant infrastructure;*
- (iv) protecting access to identified significant mineral resources;*
- (v) minimising land use conflicts, including minimising potential for reverse sensitivity;*
- (vi) anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;*
- (vii) providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities including small and community scale generation; and*
- (viii) recognising the value and benefits of a viable and vibrant central business district in Hamilton city, with a supporting complementary network of sub-regional and town centres.*

***Policy 6.6 Significant infrastructure and energy resources**

- a) Management of the built environment ensures that the effectiveness and efficiency of existing and planned regionally significant infrastructure is protected.*
- b) Regard is given to the benefits that can be gained from the development and use of regionally significant infrastructure and energy resources, recognising and providing for the particular benefits of renewable electricity generation*

Implementation methods

***6.6.1 Plan provisions**

Regional and district plans shall include provisions that give effect to Policy 6.6, and in particular, that management of the built environment:

- a) *does not result in adverse effects on significant transport corridors as defined in Maps 6.1 and 6.1A (section 6B) through avoiding ribbon development and avoiding as far as practicable additional access points and exacerbation of community severance*
- ba) *provides for renewable energy by having particular regard to:*
 - i) *the increasing requirement for electricity generation from renewable sources such as geothermal, fresh water, wind, solar, biomass and marine, and the need to maintain generation from existing renewable electricity generation activities;*
 - ii) *the need for electricity generation to locate where energy sources exist, and transmission infrastructure to connect these generation sites to the national grid or local distribution network;*
 - iii) *the logistical or technical practicalities associated with developing, upgrading, operating or maintaining renewable electricity generation, or electricity transmission activities;*
 - iv) *any residual environmental effects of renewable electricity generation activities which cannot be avoided, remedied or mitigated can be offset or compensated to benefit the affected community or the region; and*
 - v) *the benefits of renewable electricity generation activities including maintaining or increasing security of electricity supply.*
- ca) *provides for infrastructure in a manner that:*
 - i) *recognises that infrastructure development can adversely affect people and communities; and*
 - ii) *does not result in land uses that adversely affect the effective and efficient operation of existing and planned regionally significant infrastructure.*

***6.6.2 Transmission corridor management approach**

Waikato Regional Council will work with territorial authorities and energy companies to develop a transmission corridor management approach which:

- a) *recognises the benefits of the national electricity grid;*
- b) *identifies key transmission corridors and provides for their protection from inappropriate subdivision, use and development, including through identification of corridors in district plans as appropriate;*
- c) *identifies and addresses potential effects on people and communities and natural and physical resources from new transmission infrastructure;*
- d) *seeks opportunities for alignment with other infrastructure corridors;*
- e) *recognises that energy companies may be affected parties with respect to land use change, including subdivision and development; and*
- f) *seeks to manage the effects of third parties on the safe and efficient operation of the transmission network.*

***6.6.5 Measures to avoid adverse effects**

Local authorities should ensure that appropriate measures are implemented to avoid adverse effects of development of the built environment on the safe, efficient and effective operation of regionally significant infrastructure. With

respect to electricity transmission corridors, development should be in general accordance with Transpower's Transmission Corridor Management Guidelines.

***6.6.6 Resilience of regionally significant infrastructure**

Local authorities should work with other infrastructure providers to encourage ways to maintain and improve the resilience of regionally significant infrastructure, such as through back-up systems and protection from the risk of natural hazards.

- 1.10 Both the Operative and Proposed RPS's detail how activities involving regionally significant infrastructure and renewable energy will be addressed. They recognise that some infrastructure is regionally and nationally important and that there can be logistical or technical constraints on where infrastructure must be located to serve communities and operate efficiently and also that adverse effects upon infrastructure from growth and development need to be addressed appropriately. Furthermore the provisions identify that the benefits of electricity infrastructure need to be recognised and appropriately weighed along with other matters in the decision making process. Powerco's electricity network is as regionally significant infrastructure in the Proposed RPS. It is therefore appropriate, given the local and regional significance of Powerco's network, that its management is comprehensively addressed in the Matamata Piako District Plan.

2. GENERAL COMMENTS ON PROPOSED PLAN CHANGE 44

- 2.1 Reliable and constant energy supply is critical to sustaining our regional economy, population and way of life and demand for energy is constantly increasing. Powerco faces an increasing number of constraints, in terms of providing a secure and reliable supply of electricity to meet the increasing demand and population growth.
- 2.2 Powerco has provided feedback to the Council at various stages of its network utilities review and acknowledges the extent to which its comments have been reflected in Proposed Plan Change 44 (PC44). Powerco is generally in support of PC44. However, a number of minor changes are sought in order to clarify the intent of certain provisions.
- 2.3 Overall, Powerco seeks to ensure that PC44 appropriately recognises and provides for Powerco's assets throughout the district and seeks to protect those assets from the adverse effects of inappropriate subdivision, use and development. It also seeks to

ensure that growth is appropriately co-ordinated with the availability and provision of network utilities in order to maintain security of energy supply to the Matamata Piako community and to enable service providers, including itself, to better plan and provide a more rational and timely sequencing of infrastructure needs.

3. PART A – 2. SUSTAINABLE MANAGEMENT STRATEGY

- 3.1 Section 2 of Part A of the Operative District Plan sets out the sustainable management strategy for the district. Objectives and policies relating to the sustainable management strategy are contained in section 2.4.
- 3.2 Part 6 of section 2.4 sets out objectives and policies relating to the integration of land-use and infrastructure. Powerco supports Objective O1 and policies P1, P2 and P4 to P6 under this heading.
- 3.3 Part 7 of section 2.4 sets out objectives and policies relating to regionally significant infrastructure. Powerco supports Objectives O1 and O3. It supports the intent of O2, but considers that it could be simplified by removing wording that essentially repeats O1, namely the reference to the national, regional and local benefits of regionally significant infrastructure.
- 3.4 Powerco supports Policies P1, P2, P4, P5 and P6 under the heading 2.4.7 *Regionally significant infrastructure*.
- 3.5 Powerco supports the intent of Policy P3. However, it does not consider it is appropriate to include the example of co-siting of infrastructure in the context of this policy. This could be referred to in the explanation to the policy. However, co-siting is, in any case, adequately addressed in P1 of section 3.7.2 Works and network utilities, 1. Community infrastructure.

Relief Sought – Part A 2. Sustainable Management Strategy

(additions underlined; deletions in strikethrough)

- 1. Retain objective O1 and policies P1, P2 and P4 to P6 in section 2.4.6. Integrating land-use and infrastructure without modification, as follows.**

O1

Land-use and infrastructure are planned in an integrated manner that:

- *Does not compromise the function, operation, maintenance, upgrading or development of infrastructure, including regionally significant infrastructure;*
- *Recognises the need for the provision of infrastructure and subdivision, land-use and development to be co-ordinated; and*
- *Ensures the sustainable management of natural and physical resources while enabling people and communities to provide for their economic, social, and cultural wellbeing.*

P1

Rezoning, new development, and expansion/ intensification of existing development shall take place where:

- *The operation, maintenance, upgrading, or development of infrastructure, including regionally significant infrastructure, is not compromised;*
- *There is sufficient capacity in the infrastructure networks to cope with the additional demand, or where the existing networks can be upgraded cost effectively to meet that demand; and*
- *The networks have been designed to carry the type of service including the type and volume of traffic required to support the development.*

P2

Land use and infrastructure must be coordinated so that:

- *Development can be appropriately serviced by infrastructure in a cost-effective manner;*
- *Land use change does not result in adverse effects on the functioning of infrastructure networks; and*
- *Development does not adversely affect the efficiency and effectiveness of infrastructure networks*

P4

Subdivision and development which result in the uneconomic expansion of existing infrastructure shall be avoided.

P5

The increased demand on infrastructure is managed by requiring subdivision and development to be co-ordinated with the provision of infrastructure and integrated with the transport network and the District's road hierarchy.

P6

The role of sustainable design technologies such as rainwater harvesting, rain gardens and grey water recycling in reducing pressures on, and the cost of providing, maintaining, and upgrading infrastructure networks, is recognised.

2. Retain objective O1 in section 2.4.7. Regionally significant infrastructure without modification, as follows:

O1

The national, regional, and local benefits of regionally significant infrastructure are recognised and protected.

3. Amend objective O2 in section 2.4.7. Regionally significant infrastructure to simplify interpretation of the objective and avoid repetition of objective O1, as follows:

O2

Operation, maintenance, upgrading, and development of regionally significant infrastructure is enabled, efficiency is promoted, and the asset is protected ~~to promote the economic, social, and cultural wellbeing of national, regional and local communities,~~ while avoiding, remedying or mitigating adverse effects on the environment to the greatest extent practicable.

4. Retain policies P1, P2, P4, P5 and P6 in section 2.4.7. Regionally significant infrastructure, without modification.

P1

Enable the safe and efficient operation, maintenance, upgrading, and development of regionally significant infrastructure by recognising:

- *Operational requirements and technical constraints;*
- *Location, route, and design constraints;*
- *The complexity of infrastructure services and that infrastructure is generally managed as a connected network; and*
- *The benefits of regionally significant infrastructure to the wider community.*

P2

Require the development and upgrading of regionally significant infrastructure to avoid, remedy or mitigate adverse effects to the extent practicable on the:

- *Health, safety, and wellbeing of people;*
- *Visual and amenity values;*
- *Natural and physical environment;*
- *Intrinsic values of scheduled sites; and*
- *Existing sensitive activities.*

P4

Ensure that the provision of works and network utilities that cross jurisdictional boundaries can be managed in an integrated manner.

P5

Prevent inappropriate subdivision, use and development that may compromise the efficient, affordable, secure, and reliable operation and capacity of regionally significant infrastructure.

P6

As far as practicable, the location of regionally significant infrastructure is identified on the Planning Maps.

5. Amend policy P3 in section 2.4.7. Regionally significant infrastructure to remove the reference to co-siting of infrastructure, as follows:

Substantial upgrades of regionally significant infrastructure should, where practicable, be used as an opportunity to reduce existing significant adverse effects ~~such as by promoting co-siting of infrastructure.~~

4. PART A – 3.7 WORKS AND NETWORK UTILITIES

- 4.1 Section 3.7 of Part A of the operative District Plan sets out issues, objectives and policies relating to works and network utilities in the Matamata Piako District.
- 4.2 Part 1 of Section 3.7.2 deals with Community Infrastructure. Powerco supports objective O1, which seek to enable and protect network utilities, while managing adverse effects and objective O2, which seeks to ensure that development and utilities are provided in an integrated and coordinated manner.
- 4.3 Powerco supports policies P1, P3, P4 and P5. The intent of policy P2 is supported. However, Powerco seeks the deletion of the words 'of adjacent lands'. It is not clear what 'adjacent lands' means or how it might apply in the context of electricity lines, where development directly below the lines may need to be managed to avoid or mitigate adverse effects.

- 4.4 The intent of policy P6 to ensure timely provision of the network utilities required to serve new development is supported. However, Powerco seeks a number of changes to the wording of the policy. Bullet points 3, 4 and 6 relate to the protection of network utilities from inappropriate development, use or subdivision and should be deleted. These matters are dealt with in objective O1 and its supporting policies P1 to P4. Policy P6 should also be amended to require the development of identified growth areas and areas with existing infrastructure capacity in the first instance. This will encourage the efficient use of existing available infrastructure capacity prior to developing new areas of infrastructure.

Relief Sought – Part A – 3.7 Works and Network Utilities

(additions underlined; deletions in strikethrough)

- 6. Retain objectives O1 and O2 in section 3.7.2. Community Infrastructure, without modification.**

O1

The safe, efficient, and reliable provision of works and network utilities essential for the wellbeing of the community is enabled and protected, while the associated adverse effects are appropriately managed.

O2

Development is planned, and works and network utilities are provided, in an integrated and coordinated manner

- 7. Amend policy P2 in section 3.7.1. Community infrastructure to remove the reference to ‘adjacent lands’ to avoid the need to define the extent of such ‘adjacent lands’, as follows:**

To protect works and network utilities from incompatible development, use or subdivision ~~of adjacent lands~~.

- 8. Amend Policy P6 to remove those clauses which relate to the protection of network utilities from inappropriate development, use or subdivision, as these matters are dealt with in objective O1 and its supporting policies P1 to P4 and include a requirement to prioritise the development of planned growth areas, as follows:**

The nature, timing, and sequencing of landuse, development and subdivision must:

- *Prioritise the development of identified growth areas and areas with existing infrastructure capacity in order to achieve the efficient use of existing network utilities;*
- *Be co-ordinated with the funding, implementation, and operation of the associated requirements for works and network utilities;*
- *Optimise the efficient and affordable provision of works and network utilities;*
- ~~*Maintain and enhance the operational efficiency, effectiveness, viability and safety of works and network utilities;*~~
- ~~*Protect investment in existing works and network utilities;*~~
- *Ensure new development does not occur until appropriate infrastructure services are in place or alternative infrastructure has been provided by the development; and:*
- ~~*Retain the ability to maintain and upgrade works and network utilities.*~~

5. PART B – 3.6 DEVELOPMENT ADJACENT TO SUB-TRANSMISSION LINES (ALL DISTRICT PLAN ZONES)

- 5.1 Rule 3.6(i) specifies that new buildings or additions to existing buildings within 20m of the centreline of a sub-transmission line will be a permitted activity provided compliance with New Zealand Code of Practice for Electrical Safe Distances 34:2001 (NZECP 34:2001) is achieved. Under Rule 3.6(ii), new buildings or additions to existing buildings within 20m of the centreline of a sub-transmission line, which cannot demonstrate compliance with NZECP34:2001 will require non-complying activity consent.
- 5.2 Powerco can support this approach as it draws attention to the need for compliance with the safe setback distances required in NZECP 34:2001. NZECP 34:2001 sets out the minimum safe separation distances to control the interface between overhead electric lines and the wider public environment, to ensure public safety, and to preserve the reliability of the electrical supply system for all consumers. NZECP 34:2001 contains minimum safe distances from towers, poles and conductors for a number of activities that are specifically regulated through district plans for other reasons, in particular buildings/structures and earthworks. It also provides safe distances for the operation of mobile plant and machinery under and near conductors.

- 5.3 Compliance with NZECP34:2001 is mandatory. However, this is not widely recognised.
- 5.4 Powerco supports the inclusion of the two advice notes relating to compliance with NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations and seeks that these be retained.

Relief Sought – Part B – 3.6 Development Adjacent to Sub-Transmission Lines (All District Plan Zones)

- 9. Retain Rules 3.6(i) and (ii), which seek to ensure that new buildings or additions to existing buildings within 20m of the centreline of a sub-transmission line will achieve compliance with NZECP34:2001, as follows:**

3.6 Development adjacent to sub-transmission lines (all District Plan zones)

(i) Permitted activities

New buildings or additions to existing buildings within 20m of the centreline of a subtransmission line (identified on the Planning Maps) that have demonstrated compliance with NZECP 34:2001 are a permitted activity.

(ii) Non-complying activities

New buildings or additions to existing buildings within 20m of the centreline of a subtransmission line (identified on the Planning Maps) that have not demonstrated compliance with NZECP 34:2001 are a non-complying activity.

- 10. Retain the two advice notes associated with Rule 3.6 without modification, as follows:**

Advice Note: Works in close proximity to all electric lines can be dangerous. Compliance with NZCEP 34:2001 is mandatory for buildings, earthworks and mobile plant within close proximity to all electric lines.

Advice Note: Compliance with the Electricity (Hazards from Trees) Regulations 2003 is also mandatory for tree trimming and planting. To discuss works, including tree planting, near electrical lines, especially within 20m of those lines, the line operator should be contacted.

6. PART B – 5.9 INFRASTRUCTURE AND SERVICING

- 6.1 Section 5.9 sets out district wide performance standards and performance outcomes for the provision of infrastructure and servicing to new subdivision or development.
- 6.2 Performance standard '5.9.1(v) *Other Reticulation*' requires that electricity reticulation be provided at the time of subdivision in accordance with the requirements of the relevant network utility operator and in compliance with the MPDC development manual. This clause is supported.
- 6.3 The two advice notes associated with Rule 3.6, relating to compliance with NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations, are also included in relation to the performance standards in section 5.9.1. These advice notes are supported.
- 6.4 Section 5.9.2 sets out the performance outcomes for infrastructure and servicing. Clauses (vi)(a), (b) and (d) require, respectively, that electricity services are provided underground in urban locations; in accordance with the relevant Acts and to the boundary of any new lot. These provisions are supported.
- 6.5 Rule 5.9.3(v) specifies that non-compliance with the performance standards and outcomes in 5.9.1 and 5.9.2 will be considered a restricted discretionary activity. The intent of the rule is supported. However, further clarification is required in relation to clause (ii)(a) '*Electricity*' of the rule. The clause currently reads '*whether there are exceptional circumstances for not requiring electricity connections*'. The wording should provide for the Council to consider what the nature of any exceptional circumstances may be, not just the fact that they exist, in determining whether to grant consent to a proposal that does not provide reticulated electricity connections. Appropriate changes are set out in the relief sought below. nature

Relief Sought – Part B – 5.9 Infrastructure and Servicing

11. **Retain performance standard 5.9.1(v), which requires the provision of electricity reticulation at the time of subdivision without modification, as follows:**

5.9.1 Performance standards

(v) Other reticulation

Telecommunication and electricity reticulation shall be provided at the time of

subdivision and in accordance with the requirements of the relevant network utility operator in compliance with the Development Manual to achieve the performance outcomes set out in Section 5.9.2. Refer also to Section 8: Works and Network Utilities.

12. Retain the two advice notes to the performance standards in 5.9.1 without modification, as follows:

5.9.1 Performance standards

Advice Note: Works in close proximity to all electric lines can be dangerous. Compliance with NZCEP 34:2001 is mandatory for buildings, earthworks and mobile plant within close proximity to all electric lines.

Advice Note: Compliance with the Electricity (Hazards from Trees) Regulations 2003 is also mandatory for tree trimming and planting. To discuss works, including tree planting, near electrical lines, especially within 20m of those lines, the line operator should be contacted.

13. Retain performance outcome 5.9.2(vi) without modification, as follows:

5.9.2 Performance outcomes

vi) Other Reticulation

- (a) In urban locations, such reticulation should be placed underground within the road berms.*
- (b) Electricity should be installed in accordance with the relevant Acts.*
- (d) Landline telephone and electricity connections shall be provided to the boundary of any new lot.*

14. Amend clause 5.9.3(v)(ii)(a) to without modification, as follows:

5.9.3 Non-compliance with performance standards and outcomes

(v) Other Reticulation

Provision of telecommunication and/or electricity that fails to meet the performance standards and/or achieve the performance outcomes in Sections 5.9.1 and 5.9.2 above shall be considered a restricted-discretionary activity. The Council has restricted its discretion to the following matters:

(i) Telecommunication

- (a) Whether the cost of providing reticulated services is prohibitive;*

(b) Whether there are any other unique site circumstances that justify reticulated services not being provided;

(c) Whether alternative options for telecommunication exist, such as wireless services.

(ii) Electricity

(a) ~~Whether there are~~ The nature and extent of any exceptional circumstances for not requiring reticulated electricity connections;

(b) Whether the site is supplied by small or community-scale renewable electricity.

Where consent is granted not to require reticulated telecommunication and/or electricity connections, consent notices may be registered on the relevant certificates of title to ensure potential purchasers are made aware of the lack of reticulated services.

7. PART B – 6. SUBDIVISION

7.1 Section 6 in Part B of the District Plan sets out district wide provisions for subdivision. Rule 11 in activity table 6.1.1 specifies that restricted discretionary activity consent will be required for subdivision within 20m either side of the centerline of a sub-transmission line in all zones in the district. Performance standard 6.1.3 (ix)(a)(ii) requires that each new lot must be able to provide a designated building envelope (including both height and footprint) that is able to achieve compliance with NZECP34:2001. Powerco supports this approach.

7.2 Clause 6.1.3 (ix)(c) specifies that where a complying building envelope cannot be provided, non-complying activity consent will be required.

7.3 Powerco can support this approach. The subdivision stage of development is the most appropriate time to have regard to potential adverse effects on sub-transmission lines as the layout and design of subdivision establishes the framework for which subsequent building and land use will be undertaken.

7.4 Clause 6.1.3(ix)(b) sets out the matters to which the council will restrict its discretion when considering applications for subdivision within 20m of a sub-transmission line.

7.5 Rule 10 in activity table 6.1.1 provides for the subdivision of lots for works and network utilities as a controlled activity. This is supported. Performance standards, matters of

control and notification provisions for this type of subdivision are set out in clause 6.1.3(vii). Performance standard 6.1.3(vii)(a) specifies that the subdivision must be required for the purpose of a work or network utility and clause 6.1.3(vii)(c) specifies that such subdivisions will not be subject to public or limited notification. Powerco supports these provisions along with the matters of control set out in 6.1.3(vii)(b).

Relief Sought – Part B – 6 Subdivision

- 15. Retain Rule 11 in activity table 6.1.1, which specifies that restricted discretionary activity consent will be required for subdivision within 20m either side of the centerline of a sub-transmission line in all zones in the district, as follows:**

Type of Subdivision	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
11. Subdivision with one or more new vacant developable lots: <ul style="list-style-type: none"> • Within a transmission line buffer corridor; • Within 20m either side of the centreline of a sub-transmission line. 	RD	RD	RD	RD	RD	RD

- 16. Retain Performance Standard 6.1.3 (ix)(a)(ii), which requires the provision of a designated building envelope capable of achieving compliance with NZECP34:2001, when subdividing land within 20m of a sub-transmission line.**

(ix) Subdivision within a transmission line buffer corridor or within a 20m wide corridor either side of the centreline of a sub-transmission line.

(a) Performance standards

For subdivisions utilising Rule 6.1.1.11 the following performance standards shall apply:

...

(ii) Subdivision within 20m either side of the centreline of a subtransmission line must nominate within each new vacant developable lot a designated building envelope (footprint and height) that complies with NZECP 34:2001.

- 17. Retain clause 6.1.3 (ix)(c), which specifies that subdivisions that cannot comply with performance standard 6.1.3 (ix)(a) will default to non-complying activity status, as follows:**

- (ix) *Subdivision within a transmission line buffer corridor or within a 20m wide corridor either side of the centreline of a sub-transmission line.*
- (c) *Non-compliance*
Any subdivision proposed which does not comply with (a) above shall be considered a non-complying activity. The matters listed in (b) above shall be used as a guide for considering non-complying activities.

18. Retain clause 6.1.3 (ix)(b), which sets out the matters to which the council will restrict its discretion when considering applications for subdivision within 20m of a sub-transmission line, as follows:

- (ix) *Subdivision within a transmission line buffer corridor or within a 20m wide corridor either side of the centreline of a sub-transmission line.*
- (b) *Matters to which discretion is restricted*
For applications utilising Rule 6.1.1.11, the Council has restricted its discretion to the following matters and if consent is granted, may impose conditions relating to these matters:
 - (i) *The extent to which the subdivision design avoids, remedies or mitigates conflicts with existing transmission and sub-transmission lines, for example through the location and design of roads, reserves and landscaping under the route of the line;*
 - (ii) *The ability for maintenance and inspection of transmission and sub-transmission lines including ensuring access;*
 - (iii) *The extent to which the design and development will minimise risk, injury or property damage from such lines;*
 - (iv) *The extent to which potential adverse effects from the line, including risks, reverse-sensitivity, and visual effects, are mitigated, for example through the location of building platforms;*
 - (v) *The ability to provide a complying building platform;*
 - (vi) *Compliance with NZECP 34:2001;*
 - (vii) *Outcomes of consultation with the affected line owner/operator.*

19. Retain Rule 10 in activity table 6.1.1, which provides for subdivision for works and network utilities as a controlled activity, as follows:

Type of Subdivision	Rural	Rural-Res	Residential	Industrial	Business	Kaitiaki (Conservation)
10. Works and Network Utilities.	C	C	C	C	C	C

20. Retain clauses 6.1.3(vii)(a), (b) and (c), which set out the performance standards, matters for control and notification requirements associated with the subdivision of land for works and network utility purposes.

- (vii) *Works and network utilities (controlled activity)*

In any zone the minimum size and frontage standards for subdivision shall not apply

where a subdivision is required for the purposes of a network utility or public work.

(a) General performance standards

For subdivisions utilising the works and network utilities rule (Rule 6.1.1.10) the following performance standard shall apply:

The subdivision must be required for the purpose of a work or network utility as defined in Section 15.

(b) Matters of control

The Council retains control over the following matters and may impose conditions relating to these matters:

- (i) The need for the proposed lot to have legal and/or physical access;*
- (ii) The adequacy of the vehicle crossing serving the proposed lot and the need to create additional access;*
- (iii) The adequacy of infrastructure serving the proposed lot and the need to provide additional infrastructure;*
- (iv) The extent to which any subsequent use that is likely to be made of the proposed lot is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source;*
- (v) The effects of the subdivision on the legal and/or physical access to the balance lot and the need to provide additional access and/or create right of way easements to protect the access;*
- (vi) The effects of the subdivision on infrastructure serving the balance lot and the need to provide additional infrastructure and/or create easements to protect the infrastructure;*

(c) Notification

A subdivision for a work or network utility utilising this rule shall not be subject to public or limited notification.

8. PART B – 8.2 ELECTRICITY TRANSMISSION AND DISTRIBUTION ACTIVITIES

- 8.1 Activity Table 8.2.1 of PC44 sets out the activity status for electricity transmission and distribution facilities. Powerco is in general support of the provisions. However, some minor changes are sought.
- 8.2 Rule 8 applies to transformers, substations and switching stations conveying electricity at a voltage up to and including 11kV. Rule 9 applies to the same activities conveying electricity at a voltage up to and including 66kV. There is no exception in Rule 9 for transformers, substations and switching stations operating at up to 11kV and, as such, these activities are effectively subject to both Rule 8 and Rule 9. This is potentially confusing as the provisions of Rule 9 are generally more restrictive than those of Rule 8 and does not appear to be the intention. Rule 9 should be amended to clarify that it does not apply to transformers, substations and switching stations that are otherwise provided for under Rule 8.
- 8.3 Transformers, substations and switching stations conveying electricity at a voltage up to and including 66kV are generally small in scale and Powerco considers that these activities should be permitted in the Rural zone as well as in the Business and Industrial zones. Powerco also considers that the same activity status should apply in roads as in the adjoining zone. This will provide a consistent approach between the zone provisions and the adjoining road reserve.
- 8.4 Powerco supports the remainder of the rules in Activity Table 8.2.1 as they relate to the electricity distribution network.
- 8.5 Performance standard 8.2.2(i) specifies that minor upgrading must be undertaken in accordance with the definition of minor upgrading in section 15 of the District Plan. Powerco can support this provision, but does not consider it to be strictly necessary as 'minor upgrading' is identified as a permitted activity in Rule 4 of Activity Table 8.2.1 and is defined in the plan.
- 8.6 Performance standard 8.2.2(ii) specifies that buildings and structures must comply with the district wide and zone specific development controls, with the exception of electrical line support structures and single transformers and associated switching gear not exceeding a gross floor area of 4m² and a height of 2m. Powerco supports this approach. The development controls of the underlying zones will generally be applicable to buildings and structures on a single site and it will not be appropriate to

apply many of these provisions to a lineal network such as Powerco's electricity sub-transmission and distribution network.

- 8.7 A minor change is sought to also exempt pole-mounted transformers and switching gear from the requirement to comply with the zone development controls. Such equipment may be affected by height controls. However, pole-mounted switching gear is generally smaller in scale than ground-mounted gear and has little visual impact beyond the appearance of the overhead network as a whole.
- 8.8 Performance standard 8.2.2(iii) sets out noise standards for substations and is supported. Clause 5.2.8 clarifies that in the event of a conflict between the noise standards specific to substations (in Section 8) and the district wide noise standards set out in 5.2.1-5.2.7, the standards in Section 8 shall prevail. This approach is supported.
- 8.9 PC44 includes the following advice note in Activity Table 8.6.1 and at the end of section 8.10:

Advice Note: The Council authorises works in the road reserve, outside of the District Plan. Works in the road reserve should be undertaken in accordance with the Council's Infrastructure Code of Practice, any applicable Corridor Access Permit and the National Code of Practice for Utility Operators' Access to Transport Corridors. Please contact the Council's Roading Officer directly to discuss any works in the road reserve.

- 8.10 Powerco supports the intent of the advice note to alert plan users to the need for works in the road reserve to be undertaken in accordance with the Council's Infrastructure Code of Practice, any applicable Corridor Access Permit and the National Code of Practice for Utility Operators' Access to Transport Corridors (*the National Code of Practice*). The first sentence could, however, be interpreted to infer that works in the road reserve will be controlled by these mechanisms only and not by the district plan. This conflicts with the inclusion of an activity status for works and network utilities in the road reserve in the activity tables in section 8 of the plan and is potentially confusing. The first sentence of the advice note should be amended to clarify that the Council's Infrastructure Code of Practice, Corridor Access Permits and the National Code of Practice will apply to any works in the road reserve in addition to any district plan standards.

Relief Sought – Part B – 8.2 Electricity Transmission And Distribution Activities

(additions underlined; deletions in strikethrough)

21. Retain Rules 1-5, 7, 8 and 10 - 12 in Activity Table 8.2.1, as they provide for the electricity distribution network, without modification.

22. Amend Rule 9:

- a) to clarify that it doesn't apply to transformers, substations and switching stations, which are otherwise provided for by Rule 8;
- b) so that it provides for new and existing transformers, substations and switching stations in the Rural zone as a permitted activity; and
- c) to apply the same activity status in the road reserve as in the adjoining zone.

Refer to the specific wording sought in the track-changed version of Activity Table 8.2.1 below.

23. Reconsider the need for performance standard 8.2.2(i) relating to minor upgrading, as this is already effectively achieved by Rule 8.2.1.4.

24. Amend performance standard 8.2.2(ii) to exempt pole mounted transformers and switching gear from the requirement to comply with the district wide and zone specific development controls, as follows:

(ii) Development controls

Buildings and structures (excluding electrical line support structures, ~~and~~ single transformers and associated switching gear not exceeding a gross floor area of 4m² and a height of 2m and pole mounted transformers and switching gear) must comply with the following:

- (d) The development controls for the relevant zone within which the facility is located. The Rural zone development controls shall apply to sites in the Kaitiaki (Conservation) zone.*
- (e) The district-wide development controls in Sections 3.5–3.9.*

25. Retain the noise standards for substations set out in performance standard 8.2.2(iii).
26. Retain clause 5.2.8(i), which clarifies that where there is a conflict between the district wide noise standards in 5.2.1-5.2.7 and the specific network utility noise standards in Section 8, the provisions of section 8 will prevail.
27. Amend the advice note to activity table 8.6.1 and Rule 8.10 to clarify that activities in the road reserve will be controlled by way of the Council's Infrastructure Code of Practice, any applicable Corridor Access Permit and the National Code of Practice for Utility Operators' Access to Transport Corridors in addition to any relevant district plan provisions.

Advice Note: In addition to any District Plan requirements, ~~The~~ Council authorises works in the road reserve, outside of the District Plan. Works in the road reserve should be undertaken in accordance with the Council's Infrastructure Code of Practice, any applicable Corridor Access Permit and the National Code of Practice for Utility Operators' Access to Transport Corridors. Please contact the Council's Roading Officer directly to discuss any works in the road reserve.

Summary of changes sought in relief points 21 and 22 above, in relation to Activity Table 8.2.1:

Key									
P	Permitted activity	C	Controlled activity						
D	Discretionary activity	RD	Restricted Discretionary activity						
N/C	Non Complying activity								
All activities not listed in the Activity Table are deemed to be discretionary.									
Activity	Zones								
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads	
1. Underground electrical cables and ancillary electrical equipment	P	P	P	P	P	P	P	P	
2. Connections from buildings, structures, or sites to electrical lines	P	P	P	P	P	P	P	P	
3. Temporary overhead electrical lines to	P	P	P	P	P	P	P	P	

Key								
P	Permitted activity				C	Controlled activity		
D	Discretionary activity				RD	Restricted Discretionary activity		
N/C	Non Complying activity							
All activities not listed in the Activity Table are deemed to be discretionary.								
Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
construction sites or short term recreational venues subject to Council being formally notified of the route, and date by which it will be removed.								
4. Minor upgrading of electrical lines up to and including 110kV, not being part of the national grid.	P	P	P	P	P	P	P	P
5. Overhead electrical lines up to and including 110kV and associated support structures.	D	D	RD	RD	P	D	Same activity status as in the adjacent zone.	Same activity status as in the adjacent zone.
7. Pole mounted transformers and switching gear	D	P	P	P	P	P	P	P
8. Single transformers and associated switching gear and ancillary electrical equipment conveying electricity at a voltage of up to and including 11kV not exceeding a gross floor area of 4 m² and a height of 2 meters.	D	P	P	P	P	P	P	P
9. New and extensions to existing transformers, substations, and switching stations conveying electricity at a voltage up to and including 66kV and ancillary buildings (not otherwise provided for in Activity Table 8.2.1)	D	D	P	P	D P	D	D Same activity status as in the adjacent zone.	D Same activity status as in the adjacent zone.
11. Electrical depots for maintenance, upgrading, alteration, construction, or security of lines or	RD	RD	P	P	RD	RD	RD	RD

Key								
P	Permitted activity	C Controlled activity						
D	Discretionary activity	RD Restricted Discretionary activity						
N/C	Non Complying activity							
All activities not listed in the Activity Table are deemed to be discretionary.								
Activity	Zones							
	Kaitiaki (Conservation), Identified Significant Features	Residential & Rural Residential.	Business	Industrial	Rural	Public Reserves	Reserve of formed roads	Reserve of unformed roads
pylons provided they are situated within a substation property.								
12. Electricity transmission and distribution activities that emit electromagnetic field emissions not complying with ICNIRP guidelines as recognised by the NZ Ministry of Health.	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C
Advice notes: (i) Formed roads in all locations are able to accommodate certain utilities as specified above. (ii) Council has received designations which are listed in Schedule 4 (iii) Where the use of any public reserve is proposed the applicant shall be responsible for gaining approval from the administery agency.								

9. PART B – 11 NATURAL HAZARDS

9.1 Activity table 11.2 sets out the status of activities in the Natural Hazard Areas identified on the planning maps. Rule 1 specifies that any use, development or subdivision of land within Natural Hazard Areas will be a discretionary activity with the exception of above and below ground electrical lines listed in 8.2.1 to 8.2.1.7. It will not always be possible to avoid areas at risk of natural hazards due to the lineal nature of the electricity distribution network and Powerco supports this approach. A minor correction is needed to refer to Rule 8.2.1.1 rather than 8.2.1, which is the entire Activity Table for electricity transmission and distribution activities.

Relief Sought – Part B – 11 Natural Hazards

(additions underlined; deletions in strikethrough)

28. Amend Rule 11.2.1 to reference Rule 8.2.1.1 rather than 8.2.1, as follows:

1. Any use, development or subdivision of land within areas identified as Natural Hazard Areas on the planning maps with the exception of above and below ground electrical lines listed in 8.2.1.1 to 8.2.1.7.

10. PART B – 12 SURFACE OF WATER

10.1 Activity table 12.2 sets out the status of activities on the surface of water. Rule 4 specifies that the erection or placement of new structures, addition, alteration or replacement of existing authorised structures on or over the surface of water will be a discretionary activity with the exception of overhead electricity infrastructure. Powerco does not support the approach taken by the Council in seeking to control activities that occur over the surface of water. This is considered to be outside the scope of the council's functions under section 31 of the RMA, which provide for territorial authorities to control activities in relation to the surface of water. Should the council choose to retain Rule 12.2.4, Powerco seeks to ensure that the exemption for overhead electricity infrastructure is retained.

Relief Sought – Part B – 12 Surface of Water

29. Delete Rule 12.2.4 so as to ensure the council is not seeking to control activities that are outside of its statutory function, or, if Rule 12.2.4 is not deleted, retain the exemption for overhead electricity infrastructure from compliance with Rule 12.2.4.

11. SECTION 15 - DEFINITIONS

11.1 No change is proposed to the existing definition of 'building' in the operative District Plan. This definition is supported, as follows:

"Building" shall have the same meaning as that defined in Section 3 of the Building Act 1991 and means any building or structure or part of a building or structure requiring a Building Consent as defined by that Act. For the avoidance of doubt, in addition to its ordinary and usual meaning, the term "building" shall include the following:

- (i) Any retaining wall or breastwork exceeding 1.5m in height;*
- (ii) Any fence or wall exceeding 2.0m in height;*
- (iii) Any pool or tank more than 1.0m in height above ground level or immediately below, (including a detention tank, swimming pool, spa pool, swirl pool, plunge pool and hot tub);*
- (iv) Any vehicle, caravan or structure whether movable or immovable used as a place of permanent residence or business or for assembly or storage purposes;*
- (v) Any mast, pole or radio or television aerial which exceeds 7m in height above the point of attachment or its base support;*
- (vi) Any permanent tent or marquee or air supported canopy;*
- (vii) Any part of a deck, or terrace, platform or bridge which is more than 1m above ground level; but does not include any fence or wall.*

The Third Schedule of the Building Act 1991 defines Exempt Buildings and Building Work. For the avoidance of doubt, excluded from the definition of "Building" shall be any detached building or structure 10m² or less in area which does not exceed one storey, and does not contain sleeping accommodation or sanitary facilities for the storage of potable water located closer than its own height to any legal boundary or any residential accommodation. For requirements regarding buildings not requiring building consent see Section 4.6.

11.2 The proposed new definition of 'community infrastructure services' is supported, as follows:

"Community infrastructure services" mean the essential infrastructure that supports the functioning of the local community. These services can comprise public, Council, quasipublic and/or privately owned infrastructure and include:

- (i) Local roads;*
- (ii) Water treatment, storage and reticulation;*
- (iii) Sewerage reticulation and treatment;*
- (iv) Stormwater reticulation, management, and disposal;*
- (v) Collection and disposal of solid waste;*
- (vi) Electricity and telecommunication distribution lines and connections.*

11.3 A definition of 'infrastructure' is included in PC44, to clarify that for the purposes of the plan, infrastructure will have the same meaning as 'network utility'. This approach is supported.

11.4 PC 44 proposes a new definition of 'minor upgrading' as follows. The new definition is supported.

"Minor upgrading", for the purposes of Section 8.2 – Electricity Transmission and Distribution Activities, means the modification of electricity and telecommunication lines, utilising the existing support structures or structures of a similar scale and character, and includes:

- (i) The addition of circuits and conductors;*
- (ii) The reconductoring of the line with higher capacity conductors;*
- (iii) The resagging of conductors;*
- (iv) The bonding of conductors;*
- (v) The addition of longer or more efficient insulators;*
- (vi) The addition of earthwires which may contain telecommunication lines, earthpeaks and lightning rods;*
- (vii) The addition of electrical fittings;*
- (viii) The replacement of support structures within the existing alignment of the electricity line;*
- (ix) The replacement of existing cross arms with cross arms of an alternative design;*
- (x) An increase in support structure height required to comply with NZECP 34:2001.*

"Minor upgrading" shall not include an increase in the voltage of the line over 33kV unless the line has been constructed to operate at the higher voltage but has been operating at a reduced voltage.

11.5 PC44 proposes a new definition of 'network utility' as follows. The new definition is supported:

"Network utility" means any activity or structure relating to:

- (i) Distribution or transmission by pipeline of natural or manufactured gas, petroleum, or geothermal energy;*
- (ii) Telecommunication or radiocommunication;*
- (iii) Transformation, transmission, or distribution of electricity;*
- (iv) The holding, transmission and distribution of water for supply;*
- (v) Flood protection systems;*
- (vi) Stormwater drainage or sewerage reticulation systems;*
- (vii) Construction, operation, and maintenance of structures for transport on land by cycleways, rail, roads, walkways, or any other means;*
- (viii) Beacons and natural hazard emergency warning devices;*
- (ix) Meteorological services;*
- (x) Construction, operation and maintenance of power-generation schemes;*

(xi) *A project or work described as a “network utility operation” by regulations made under the Resource Management Act 1991;*

And includes the operation and maintenance of the network utility service.

11.6 PC44 also proposes to delete the existing definition of ‘network utilities’ contained in the operative District Plan. However, the track changes version of the plan shows this definition both as being struck-out and as being retained. This appears to be a drafting error, which should be rectified.

11.7 PC44 includes a definition of Regionally Significant Infrastructure, which is essentially the same as that in the decisions version of the Waikato RPS, excluding the references to the Hamilton airport, bus and train terminals. Powerco is aware that parts of that definition are subject to appeal and queries what ability the Council will have to reflect any changes to the definition as a result of those appeals. One option might be a cross-reference to the definition of Regionally Significant Infrastructure in the Waikato RPS. While the Hamilton based infrastructure won’t be relevant in the MPDC context of this district that could be acknowledged if such an approach was to be taken.

11.8 PC44 includes a definition for sub-transmission line, as follows, and this is supported:

“Sub-transmission line” means any power line carrying a voltage of 33,000V and above, which does not form part of the National Grid.

Relief Sought – Section 15. Definitions

(additions underlined; deletions in strikethrough)

30. Retain the existing definition of ‘building’ without modification.

31. Retain the proposed definition of ‘community infrastructure services’ without modification.

32. Retain the proposed definition of ‘infrastructure’ without modification.

33. Retain the proposed definition of ‘minor upgrading’ without modification.

34. Retain the proposed new definition of ‘network utility’ and delete the definition of

‘network utilities’ contained in the operative District Plan.

- 35. Amend the definition of Regionally Significant Infrastructure to provide a cross-reference to the Waikato RPS in order to enable the district plan to reflect any changes to the definition as a result of the Waikato RPS appeals process. This could be achieved as follows or with words to the same effect:**

“Regionally significant infrastructure” shall have the same meaning as set out in the Waikato Regional Policy Statement, with the exception of any specifically identified infrastructure located outside the boundaries of the Matamata Piako District. means:

- ~~(i) Pipelines for the distribution or transmission of natural or manufactured gas or petroleum;~~*
- ~~(ii) Infrastructure required to permit telecommunication as defined in the Telecommunications Act 2001;~~*
- ~~(iii) Radio apparatus as defined in section 2(1) of the Radio Communications Act 1989;~~*
- ~~(iv) The national electricity grid, as defined by the Electricity Industry Act 2010;~~*
- ~~(v) Facilities for the generation of electricity that is fed into the national grid or a network (as defined in the Electricity Industry Act 2010);~~*
- ~~(vi) Significant transport corridors as defined in Map 6.1 of the Waikato Regional Policy Statement, Decisions Version, November 2012;~~*
- ~~(vii) Lifeline utilities, as defined in the Civil Defence and Emergency Management Act 2002, and their associated essential infrastructure and services;~~*
- ~~(viii) Flood and drainage infrastructure managed by Waikato Regional Council.~~*

- 36. Retain the proposed new definition of ‘sub-transmission line’ without modification.**

12. PART C: MAPS AND PLANS

- 12.1 PC44 includes a revised set of district plan maps, which identify the location of Powerco’s sub-transmission network. This is supported. The line data has been provided by Powerco and the maps contain a link to a disclaimer in Part C of the district plan, which clarifies that the maps are provided as an indicative guide only and the exact location of sub-transmission lines should be confirmed in consultation with Powerco prior to undertaking works in close proximity to those lines. Powerco supports this approach.

Relief Sought – Part C: Maps and Plans

(additions underlined; deletions in strikethrough)

- 37. Retain the illustration of Powerco's sub-transmission network on the district plan maps and the associated disclaimer in Part C: Maps and Plans, which specifies that the location of assets as shown on the plans may not be exact and should be confirmed in consultation with Powerco prior to undertaking any works in close proximity to sub-transmission lines.**
- 38. Adopt any other such relief, including additions, deletions or consequential amendments necessary as a result of the matters raised in these submissions, as necessary to give effect to this submission.**

- 13. POWERCO WISHES TO BE HEARD IN SUPPORT OF THIS SUBMISSION.**
- 14. IF OTHERS MAKE A SIMILAR SUBMISSION, POWERCO WOULD NOT BE PREPARED TO CONSIDER PRESENTING A JOINT CASE AT ANY HEARING.**
- 15. POWERCO COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.**
- 16. POWERCO IS DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT—**
 - (A) ADVERSELY AFFECTS THE ENVIRONMENT; AND**
 - (B) DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION.**

Dated at TAKAPUNA this 27th day of November 2013

Signature of person authorised to sign on behalf of Powerco Limited:



Georgina McPherson
Senior Planner

Address for service: (as per cover sheet)

BURTON PLANNING CONSULTANTS LIMITED
PO Box 33-817
Takapuna, 0740
Auckland

Attention: Georgina McPherson

Phone: (09) 917-4301
Fax: (09) 917-4311
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Our file ref: 09j063

Kelly Moulder

From: Mary Barton [Mary.Barton@chorus.co.nz]
Posted At: Wednesday, 27 November 2013 14:30
Conversation: Chorus Submission - Plan Change 44
Posted To: Submissions (Corporate Planning)

Subject: Chorus Submission - Plan Change 44

Categories: Green Category

Please find attached the submission of **Chorus New Zealand** to proposed Plan Change 44 to the Matamata-Piako District Plan. A Word copy can be emailed through on request.

If you have any questions with respect to this submission please do not hesitate to contact me.

Regards

Mary Barton
Senior Environmental Planner

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Form 5

**Submission on Plan Change 44 to the Matamata-Piako District Plan
Under Clause 6 of the First Schedule to the Resource Management Act 1991**

To: Matamata-Piako District Council
PO Box 266
Te Aroha 3342

Submission on: Plan Change 44 – Works and Network Utilities to the Matamata-Piako District Plan

Name: Chorus New Zealand Limited

Address: PO Box 632
WELLINGTON

1. Trade Competition

Chorus New Zealand Limited could not gain any advantage in trade competition through this submission.

Chorus New Zealand Limited is directly affected by the subject matter to which this submission relates. The subject matter relates to environmental affects and not trade competition or the effects of trade competition.

2. Chorus New Zealand Limited (Chorus) makes the following general submission:

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

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

In addition to supporting our customers to deliver fixed line services, Chorus' fibre network also underpins an extensive mobile phone network, which provides a wide range of mobile services to residents and visitors nationally. In order to satisfy customer demands, Chorus is constantly

altering and developing both the fixed line and mobile network support infrastructure to ensure services meet the needs of our customers and the local community.

Reliance on telecommunications has never been so high and this will continue to grow as an ever expanding range of applications are developed that require access to an ultra fast broadband network. Chorus is partnering with the Crown Fibre Holdings to undertake one of the largest infrastructure upgrades the country has ever seen.

Within any District Plan there is a need to provide a balance between the policy and rules framework that provide for the efficient maintenance and rollout of network utility infrastructure, with appropriately managing the effects on the environment from this infrastructure. There has been in recent years a shift in how these two issues are balanced with the provision for infrastructure historically playing a passive background role. The recent shift places significantly greater importance on the need to allow for critical infrastructure and network utilities. *The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008* (NESTF) is an example of a measure put in place by Government to better provide for deployment of critical infrastructure.

It is considered that the objectives and policies proposed through Plan Change 44 strike a good balance between recognising the benefits associated with network utility infrastructure, while appropriately provisioning for the management of the environmental effects where necessary.

Improved internet speed is important from a Government perspective because broadband improvements can increase economic activity and productivity. Prime Minister John Key, in a Press Release dated 5 March 2012, announced the next 693 schools to be connected by Chorus for the ultra-fast broadband initiative. The Prime Minister confirmed in the announcement that, *"Building a more competitive and productive economy is one of the Government's four key priorities for its second term and the rollout of UFB is an important part of this"*.

The Ministry of Economic Development (MED), who advise the Minister for Communications and Information Technology and manage the Telecommunications Act 2001, has a clear policy direction to develop a sound regulatory environment for the information and communications technology (ICT) sector. The MED states on their website that:

"The Internet has become part of the way New Zealanders live, learn and do business. We're [Public] hungry for faster Internet speed and the ability to exchange large amounts of information. There is also a desire to find faster and better ways to search, process and use information. New technologies put increasing demands on the capacity on the broadband network infrastructure."

Further to these policy objectives around the provision of efficient infrastructure, there is a critical need for the provision of resilient telecommunications networks during emergencies as has been highlighted in the case of the Canterbury earthquakes. Functioning communications networks that support emergency services during such events are crucial, and can be the difference between life and death in some circumstances.

Building provisions into District Plans that allow for equipment upgrades to be undertaken in a relatively straightforward manner is pertinent in the telecommunications industry given that technological advancements tend to occur rapidly in the industry. This is evidenced by the recent emergence of mobile devices which rely on the mobile network for connection to the internet. Currently Chorus provides network infrastructure support for the 3G network which is supplied to the public by our customers. However, the 4G network is currently under

development which will provide a higher speed network with increased data capacity. The equipment being deployed as part of the 4G network rollout involves additional antennas on existing sites as well as additional new sites. Other technological advances during the life of the District Plan, along with more instances of telecommunications providers seeking to co-locate on each other's assets, are also likely to occur requiring existing assets to be upgraded. Therefore any new District Plan provisions should be created with such technological advancements and/or provision for co-location of equipment being kept in mind.

The purpose of this submission is to ensure that the Works and Network Utilities provisions of the Matamata-Piako District Plan proposed through Plan Change 44 adequately recognise and provide for telecommunication and radio-communication utility infrastructure, and do not unnecessarily impede the efficient and effective operation, maintenance and upgrading of the network. The rules as drafted are considered to be generally satisfactory. However, in some instances the rules are considered to be unnecessarily restrictive, unclear or unworkable.

3. Chorus makes the following submissions on Plan Change 44, and seeks:

The particular parts of Plan Change 44 to which Chorus' submissions relate, and the relief sought are outlined in the attached table. Chorus' submissions seek:

EITHER

(i) The relief as set out in the specific submissions within the attached table;

OR

(ii) Such other relief to like effect to remedy the concerns outlined in the submissions;

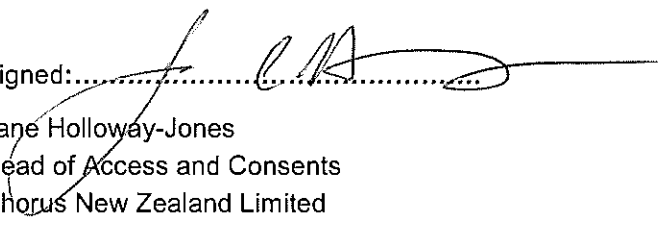
AND in relation to both (i) and (ii) above

(iii) Any consequential amendments necessary as a result of the amendments to grant the relief sought above.

4. Chorus New Zealand Limited does wish to be heard in support of its submission.

5. If others make a similar submission Chorus would be prepared to consider presenting a joint case with them at any hearing.

Signed:.....


Jane Holloway-Jones
Head of Access and Consents
Chorus New Zealand Limited

Dated at Wellington this 26 day of November 2013

Address for Service:

Chorus New Zealand Limited
PO Box 632
Wellington

Contact Details:

Attention: Mary Barton
Telephone: 04 382 5465
E-mail: mary.barton@chorus.co.nz

Chorus New Zealand Limited

Submission on the Matamata-Piako District Plan, Plan Change 44: Works and Network Utilities

Specific provision this submission point relates to		Chorus opposes / supports the specific provision	Chorus's submission is that	Chorus seeks the following decision from the Council
Part B: Rules, Section 3 Development controls				
3.8 Activities (other than flood control works – see Section 8.8) adjacent to the main channel and tributaries and the WRC's flood control and erosion protection assets ...	Oppose in part	The rule does not provide any consideration of network utilities in flood hazard areas – therefore resource consent as a restricted discretionary activity is required in all instances for network utility infrastructure. Given that it can often be necessary and appropriate for utilities to be located in such areas (and in most instances they do not involve habitable structures), their installation should be provided for in instances where the Regional Council has been consulted with and has provided their consent.		That permitted status be provided for network utilities in Waikato Regional Council's (WRC) flood control and erosion protection assets in the Waihou Valley and Piako River Flood Protection Schemes, where WRC has given their authorization to the installation of the infrastructure.
Part B: Rules, Section 8 Works and network utilities				
8.1 Telecommunication, 8.1.1 Activity table, 4. Extension, and upgrading of overhead telecommunication lines ...	Oppose in part	Allowing for extensions, additions and upgrading of overhead telecommunications lines and associated utility structures on the grounds that there will be no increase to the number of utility structures nor an increase in the height of the supporting utility structures limits the degree to which telecommunication providers will be able to effectively maintain the overhead telecommunication network. Height increases of up to 1m should be provided for as a permitted activity as this will allow for support structures to be increased in height so that lines crossing roads are able to be raised where necessary to meet the necessary road clearance distances.		Amend Rule 8.1.1.4 to provide for the replacement of support structures for overhead lines of up to 1m higher as a permitted activity across all zones.
8.1 Telecommuni-	Oppose in	1. As identified in the submission point above, height		1. Amend Rule 8.1.1.7 to reflect the proposed additional

Chorus New Zealand Limited

Submission on the Matamata-Piako District Plan, Plan Change 44: Works and Network Utilities

Specific provision this submission point relates to		Chorus opposes / supports the specific provision	Chorus's submission is that	Chorus seeks the following decision from the Council
8.1.1 Activity table, Extension, addition, and upgrading of overhead telecommunication lines ...	part	increases of up to 1m are sought as a permitted activity; therefore the rule will need to be updated to reflect this. A discretionary activity status for lines that do not meet the requirements of the rule applies in all zones, except for the Rural Zone where it is permitted, and road reserve adjacent these zones. 2. Discretionary activity status is considered to be overly onerous for the extension, addition and upgrading of structures associated with overhead lines as the effects are limited primarily to visual effects. On this basis, restricted discretionary status is considered to be the appropriate status to apply to such works (where they are not otherwise permitted), with Council's discretion being limited to the visual effects and effects on amenity.	1m permitted height allowance (as outlined in the submission point for Rule 8.1.1.4), and change the activity status to restricted discretionary in the zones that it is currently discretionary. 2. Insert the matters to which Council's discretion is limited in an assessment of for an application under Rule 8.1.1.7 as follows: <ul style="list-style-type: none"> Visual effects 	
8.1 Telecommunication, 8.1.1 Activity table, 11. Telecommunication buildings and structures associated equipment outside of the reserve of a formed road.	Oppose in part	This rule would capture all minor equipment such as equipment cabinets in the Residential, Rural Residential, Kaitiaki (Conservation), Identified Significant Features and Public Reserves zones, as well as in Unformed Roads. This is not considered appropriate given the minor effects associated with such equipment, and in particular the need to service residential areas with telecommunications infrastructure. As such, an automatic discretionary activity status is overly onerous for such equipment. Resource consent should only be required for such equipment in all instances where the appropriate underlying zone standards	Amend Rule 8.1.1.11 to update the activity status from discretionary to permitted in all zones (with the exception of Formed Roads, which is N/A).	

Chorus New Zealand Limited

Submission on the Matamata-Piako District Plan, Plan Change 44: Works and Network Utilities

Specific provision this submission point relates to	Chorus opposes / supports the specific provision	Chorus's submission is that	Chorus seeks the following decision from the Council
<p>8.1 Telecommunication, 8.1.1 Activity table, 13.1. A maximum of two antennas attached to any building or structure ... [permitted in all zones, discretionary in roads]</p>	<p>Oppose in part</p>	<p>are not complied with (as is required by the linkage provide via Performance Standard 8.1.2(iii)).</p> <p>The maximum of two antennas is unduly restrictive in terms of the number of antennas attached to a building or structure, where in most circumstances more than two antennas are required to meet coverage objectives. The rule as drafted would therefore result in resource consent being required in most instances where antennas are proposed to be installed, even though the associated effects are generally less than minor.</p> <p>Antennas for mobile networks are typically installed to cover an area comprising a full 360° range (where directional antennas are used). Two antennas are unable to fully service this range, as at the very least three antennas are necessary to meet a 360° coverage requirement. As such, a maximum of three antennas is sought instead of two.</p> <p>The 1.2m² area and 1.2m diameter restrictions in the rule are otherwise acceptable.</p>	<p>Amend Rule 8.1.1.13.1 to change the maximum antenna number restriction from two to three.</p>
<p>8.1 Telecommunication, 8.1.1 Activity table, 13.2 More than two antennas attached to any building of structure</p>	<p>Oppose in part</p>	<p>The rule is considered acceptable provided the antenna number restriction is updated as outlined in the submission point for rule 8.1.1.13.1.</p>	<p>Amend Rule 8.1.1.13.2 to change the maximum antenna number restriction from two to three.</p>

Chorus New Zealand Limited

Submission on the Matamata-Piako District Plan, Plan Change 44: Works and Network Utilities

Specific provision this submission point relates to		Chorus opposes / supports the specific provision	Chorus's submission is that	Chorus seeks the following decision from the Council
[permitted in Business, Industrial and Rural zones, discretionary elsewhere]				
8.1 Telecommunications, 8.1.1 Activity table, [proposed new provision]	Support		Exclusions for telecommunications infrastructure from earthworks and vegetation trimming requirements are not specifically provided for in the Plan. These exclusions are sought on the basis that essential telecommunications-related activities that would otherwise be permitted activities should not be 'caught' by ancillary rules elsewhere in the Plan. An example of this is the installation of underground lines, which is a permitted activity, but without provision of a specific exclusion for earthworks, could otherwise require resource consent.	Insertion of a rule providing exclusions for telecommunications infrastructure from earthworks and vegetation trimming requirements elsewhere in the Plan. It is suggested that this rule be inserted within Activity Table 8.1.1.
8.1 Telecommunications, 8.1.2 Performance standards, (iii) Additional performance standards applicable to activities permitted under Table 8.1.1.11 and 8.1.1.12: ...	Oppose in part		1. Equipment cabinets are required throughout residential areas to support the telecommunications network. It is not considered appropriate that yard setback requirements within the Residential and Rural Residential zones apply to equipment cabinets in such areas, as these are minor structures that are often best located close to a property boundary to ensure that it is out of the way of other substantive activities on the subject site. Equipment cabinets are sometimes required to be located on private property in residential areas where an appropriate location in road reserve cannot be acquired. As such, locating a cabinet within a	<ol style="list-style-type: none"> 1. Amend Performance Standard 8.1.2 to provide an exclusion for equipment cabinets from having to comply with the yard setback standards within the Residential and Rural Residential Zones under 8.1.2(iii)(a)(ii). 2. Amend Performance Standard 8.1.2 to remove the reference to the 3.5m antenna height dispensation under 8.1.2(iii)(a)(iii) and reinsert this requirement within Rules 8.1.1.13.1 and 8.1.1.13.2.

Chorus New Zealand Limited

Submission on the Matamata-Piako District Plan, Plan Change 44: Works and Network Utilities

Specific provision this submission point relates to		Chorus opposes / supports the specific provision	Chorus's submission is that	Chorus seeks the following decision from the Council
			<p>front yard or a side yard (possibly behind a fence or landscape planting) can be a low impact and tidy solution in such instances.</p> <p>2. Rules 8.1.1.11 and 8.1.1.12 do not include activities relating specifically to antennas. Standard 8.1.2(iii)(a)(iii) requires that <i>antennas attached to buildings and structures shall not exceed the height of the building or structure to which it is attached, plus 3.5m (irrespective of the maximum height for the zone), which is supported as this provides sufficient height necessary for the installation of antennas. However, for the purposes of clarity, it is considered that 3.5m height dispensation for antennas should be removed from within the performance standard and be applied directly to the antenna-specific rules.</i></p>	
Part B: Rules, Section 15 Definitions				
[Proposed definition for 'telecommunication line']	Support	<p>The telecommunications rules section refers to activities associated with 'telecommunication lines', however there is no definition of such within Section 15. It is therefore appropriate that this be defined, and that the Plan adopts the definition from the Telecommunications Act 2001.</p>		
		<p>Insertion of the following definition:</p> <p>"Telecommunication line" has the same meaning as that for 'line' within the Telecommunications Act 2001.</p>		

Helen & Kerry Cranston
2558 Hamilton Road
MORRINSVILLE
ph 078890125 wk
078897492 hrm
27 November 2013



MATAMATA PIAKO DISTRICT COUNCIL
MORRINSVILLE

DISTRICT PLAN OBJECTION

PLAN change 43 Transportation Plan 43 and Plan Change 44 Works and Network Utilities.

We wish to make a submission opposing the above changes.

We oppose the above changes on the following grounds

- 1) The speed zone rating should be reduced to 50 km/h to cater for the early school facility
- 2) It will place unnecessary costs of renovating the properties to comply to the new Standards
- 3) The properties will lose value and appeal because of the standards
- 4) Facilities are sub-standard and we on this road are being victimised
- 5) School buses also operate on this road and they deserve safety standards
- 6) When deciding on the road seal has the quietest noise level option been considered
- 7) The growth of businesses on the road means that a review of the speed zone should have been undertaken especially when the early school facility opened approximately eight years ago
- 8) Lack of consultation time re the changes
- 9) Total lack of information supplied to the affected residents

We would appreciate the council responding to this objection and arrange a meeting of ALL affected ratepayers

A handwritten signature in black ink, appearing to read "K P Cranston".

K P CRANSTON

A handwritten signature in black ink, appearing to read "H P Cranston".

H P CRANSTON

Kelly Moulder

From: Ventus NZ [glenn@ventusenergy.co.nz]
Posted At: Thursday, 28 November 2013 08:59
Conversation: Submission on Plan Change 44
Posted To: Submissions (Corporate Planning)

Subject: Submission on Plan Change 44

Categories: Green Category

Dear Patrick, Please find attached the Ventus Energy submission on the proposed plan change 44.

Regards,

Glenn Starr

Ventus Energy
+6421416305



Ventus Energy (NZ) Ltd
10/215 Rosedale Rd,
M338 Private Bag 300987
Auckland, Auckland

Matamata Piako District Council
PO Box 266
Te Aroha 3342

Attn: Patrick Clearwater

Dear Mr Clearwater,

Please accept the Ventus Energy (NZ) Ltd submission on the proposed plan change – 44.

Part A - Issues, Objectives and Policies

2.3.6 - Integrating land use and infrastructure

2.3.7 - Regionally significant infrastructure Networks

2.3.8 - Renewable Electricity Generation

Ventus supports the proposed amendments in 2.3.6 to 2.3.8

3.1.2 -1. Landscape Character - Solutions

We suggest changing to this wording in blue:

Protect the elements from inappropriate use or development.

Not inappropriately detract from the amenity values of the landscape.

Which is consistent with the intent of S6 (b) of the RMA

Part B: Rules

1.4.12 - Kaitiaki Zone

We suggest to update the Planning Drawing No. 3 which shows the extent of the Kaitiaki Zone. Ideally this should be completed by some on-site inspection to show the extent of intact native vegetation worthy of inclusion in the Kaitiaki Zone. However, as a first pass, Ventus provides an aerial photograph of the northern end of the Kaimai Ranges which shows the location of the DoC legal boundary (which defines the Kaitiaki Zone currently) against the extent of pasture and degrading scrub land. Note that the bush lines on the ridgeline tend to recede over time due to extreme wind effects and action by feral and stock animals.

8.3.1 - Activity Table

Ventus Energy supports the proposed activity status of Large Scale Wind Farms.

8.3.2 (i) (c) - Wind Research and Exploration.

We suggest that height to boundary rules should not apply as these are developed in part to limit shadow and shade effects. There is negligible shadow and shade effect from monitoring masts. Such a rule will make it difficult to monitor wind on ridgeline projects with adjacent properties (which are the most common projects in New Zealand).

We suggest the following new section:

8.3.2 (v) - Large Scale Wind Farms

A turbine or turbines in a proposed large scale wind farms may overhang a Kaitiaki Zone, but the foundations not physically be located inside the Kaitiaki Zone and remain as a Restricted Discretionary Activity. Discretionary Activity shall only apply if the foundations are located within the Kaitiaki Zone.

Schedule 3 - 213: We submit that the land zoned Kaitiaki does not truly represent the forest extent (is based upon DoC boundary). Request revised mapping to accurately reflect intact forestry. Note also exclude the Transpower grid corridor where appropriate.

Yours sincerely

Glenn Starr,
Director
Ventus Energy (NZ) Ltd.

Attached: Aerial photograph of the northern Kaimai Range

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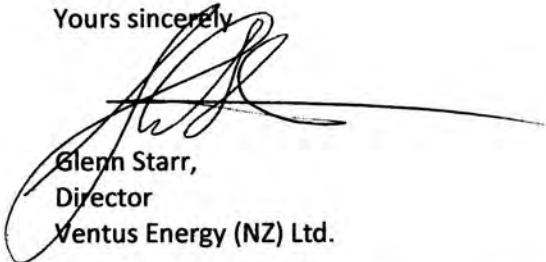
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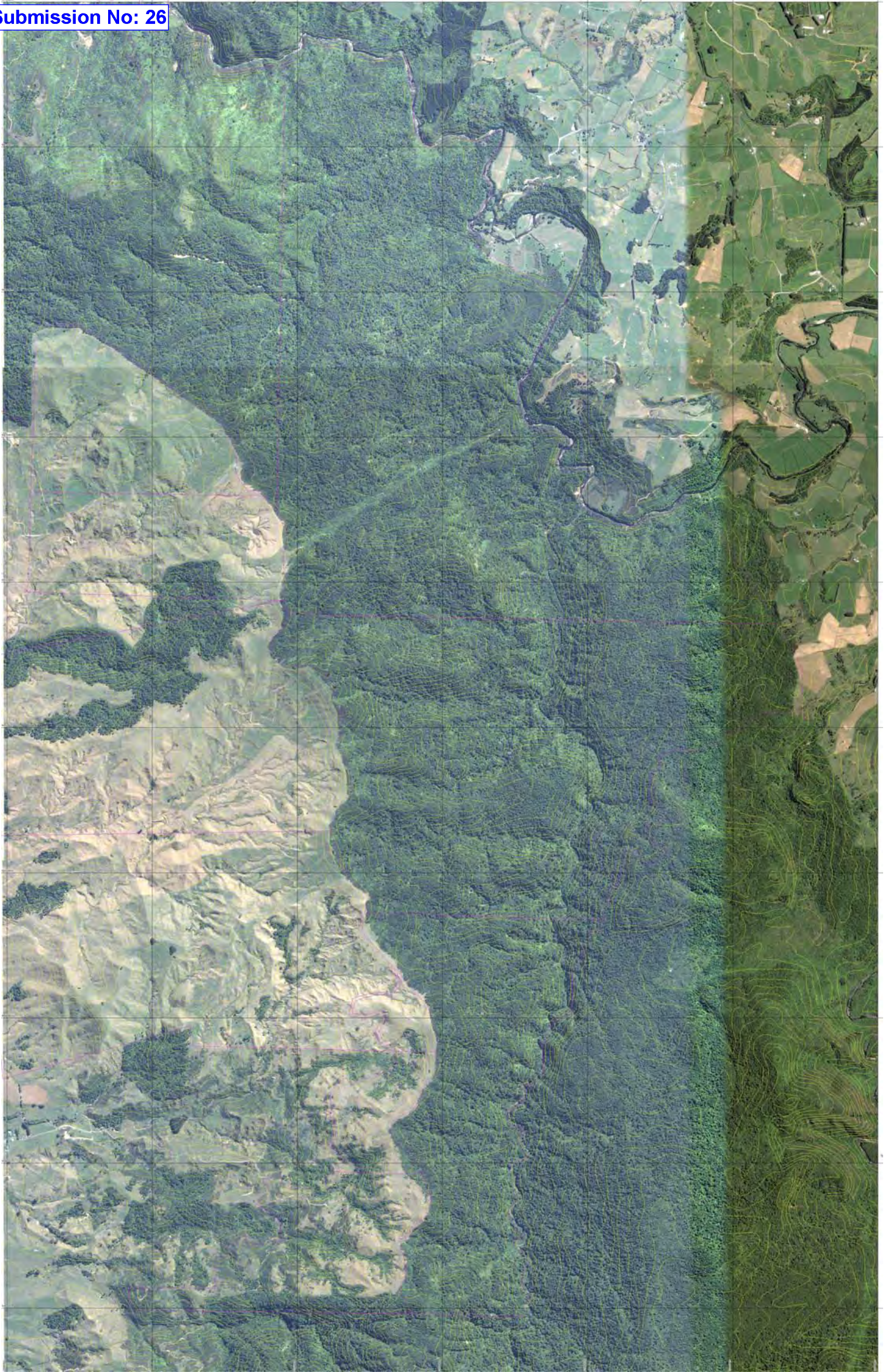
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Yours sincerely



Glenn Starr,
Director
Ventus Energy (NZ) Ltd.

Attached: Aerial photograph of the northern Kaimai Range



Kelly Moulder

From: Pam Froger [Pam@barrharris.co.nz]
Sent: Friday, 29 November 2013 14:59
To: Kelly Moulder
Subject: Submission Plan Change 43 and Plan Change 44
Attachments: MPDCSUB PC43&44.pdf

Categories: Green Category

Hi Kelly,

Please find attached a submission from Gavin and Andy.

Regards

Pam Froger

Barr & Harris Surveyors Limited

124 Broadway

PO Box 112

Matamata

E-mail: pam@barrharris.co.nz

Ph: 07 888 8777

Fax: 07 888 8484

26 November 2013

The District Planner
Matamata Piako District Council
P.O. Box 266
TE AROHA

Re: Submission to Matamata Piako District Council Plan Change 43 and Plan Change 44

1. Specific Objections to MPDC Development Manual

3.2

WHAP 20, WHAP 40 and WHAP 65 material should be defined with grading curves in this section. WHAP is not a nationally recognised terminology. WHAP, I believe, is an acronym for Winstone Hamilton all passing. M4 and GSP materials are defined in Transit New Zealand specifications, now called New Zealand Transport Agency.

Table 3.1 pages 3 – 3 and 3 – 4

Design Speed

The design speed for Private Access R.O.W's should either be left blank, or be 10 to 20 km/hr for an urban R.O.W, and possibly 20 km/hr for a rural or rural residential right of way, depending on the length.

Standards for Table 3.1

Part 3 Road works page 3 – 5

a) Private access or right of way subgrade level is at 150mm – 200mm below the finished level generally. The natural CBR of soils in MPDC is generally between 2 and 5 and a CBR of 10 is excessive. Currently private access or right of ways are formed to the specified thickness on natural ground (with a CBR of 3 or 4). This issue was specifically addressed during the recent MPDC Development manual notification process.

e) The 90 percentile car should be allowed to manoeuvre within the lot to allow exit from the right of way in a forward direction.

3.5.6

The off street parking criteria should be related to the road pavement design.

3.7.2 e) page 3 – 18

Integrated transport assessment.

Local road intersections with local roads should not require an integrated transport assessment. Object to extent of requirements for ITA assessments.

3.8.6 a) page 3 – 23

Application of a two coat chip seal applied together is preferable over two separate coats. Maintenance of the single coat chip seal is not always practicable.

The use of the term *“to the satisfaction of the Asset Manager”* should be replaced with a defined standard.

3.9.4

The CBR value of 10 will mean that all kerbing will require undercutting to obtain a CBR of 10. The ideal depth of GAP 20 or WHAP 20 would be 50mm thick, not the minimum of 75mm as stated in the text. Change the minimum value to 40mm of GAP 20 or WHAP 20.

3.19.1

Remove the terminology *“to the satisfaction of the Asset Manager”*. This should be replaced with a defined standard.

3.21

Object to A Stage 4 (post construction) Safety Audit shall be undertaken.

Drawing DG 302

Note that the boundary drain should be optional.

Drawing DG 308

Remove the 125mm WHAP 20 or similar granular material. Replace with refer below for depths of WHAP 20 or similar granular material.

Remove the minimum CBR strength of 10. This is not achievable in MPDC without significant sub grade improvement to obtain a CBR of 10. A 300mm sand sub grade improvement layer would often be required. There are probably no footpaths or vehicular crossings in MPDC that have been formed to this standard. Generally the CBR below the footpath and vehicle crossing sub grade formation is between 3 and 5.

4.14.1

Minimum cover over cess pit leads is often less than 600mm and the class of pipe is increased if the concrete pipe Association design calculator allows for less cover this should be considered acceptable. Generally all pipes would have 600mm cover. Rural road side crossings with a piped culvert rarely have 600mm cover.

(f) “In the new developments the stormwater disposal design shall adopt stormwater control measures that retain the secondary overland flow run-off for the particular development to pre-development conditions.

5.11.1 Manholes General

Paragraph 2. Object to the maximum number of manhole risers to be used. The use of 2.4m long risers with a base requires the use of a 20 Tonne excavator. It is often more viable to use shorter risers with additional joints to allow flexibility in the final height of the cover slab.

5.17

Object to CCTV requirement, or MPDC should pay for the CCTV footage.

Drawing DG 701

Is in conflict with drawing of the services and footpath location DG 302. These two drawings should relate to each other with the position of the water main constant at 1.5m from the kerb.

4.8 Design Requirements

(j) "Stormwater secondary flow paths, including peak flow depths, velocities and flow rates, shall be shown on design plans for pre and post development of the site for a once in 100 year return period."

MPDC should be actively developing a system of secondary overland flow paths to cater for the run off from development that exceeds the piped reticulation capacity and aids in minimising flooding or ponding in the road reserve. The secondary flow path should be for flows greater than the intended design storm for the subdivision allowing ponding or flooding in the road reserve.

j) Object to providing the pre-development overland flow rates where the site is subject to or possibly subject to flows from the existing urban area. This information should be provided by MPDC and is part of the MPDC existing infrastructure.

m) Object to ARC TP40. This should read ARC TP10.

2. Objections to Proposed District Plan Change

2.3.1 Residential Growth – urban settlements

Population estimates/projections. Values out of date. Update with new released statistics.

2.4 Sustainable Management Strategy

Support the assessment of land use and subdivision in terms of coordination with exiting infrastructure and practical/economic expansion. Add to "recognise the potential benefits of cooperation between new development and upgrading of existing infrastructure".

3.7.2 1. Community Infrastructure

Support proposals. Coordination of infrastructure add to "cooperation between new development and upgrading of existing infrastructure".

Policy 9 - *Stormwater is managed having regard to a total catchment management approach and low impact design methods.*

Support total catchment management approach. Need planning on that basis to provide for coordinated improvement of existing stormwater servicing in particular. Improved planning in the overall management required.

3.8.2 Transportation

Add objectives/policies noting on a local road basis that transportation design criteria needs to be balanced with urban design principles and goals. Urban design requirements have differing focus of significant importance on a neighbourhood scale and should be recognised, as should transport objectives on a wider urban environment basis.

Part B

1.3.4 Subdivision

Reference to Transportation (Section 9) balanced against urban design criteria.

Section 1.4 Assessment Criteria for restricted discretionary, discretionary and non-complying resource consent applications.

“For discretionary activities, these matters do not restrict Council’s discretionary power”.

Clarification sought in terms of the discretionary activity assessment requirements. Are these matters intended to identify the environmental impact assessment criteria?

Section 5.9.1

(v) “Other Reticulation”

- Provide for alternative servicing options. Anti – competitive current arrangements.

Section 5.9.2

(ii)(f)

- WRC consents need to be addressed as previously identified.

(iv) Water Supply

(i) Alter to read:

“... provided with a reliable supply of water sufficient to meet the needs of the proposed development of the site.”

(vi) “Other Reticulation”

(d) “Landline telephone and electricity connections shall be provided to the boundary of any new lot.”

Provide exception in terms of telecommunications and computer media otherwise anti competitive and superseded by technology. Recognise options for alternative energy sources. As provided in 5.9.3 (v).

Rule 6.1.3 (i) (iii) Haig Road

Clarify that the additional 10 lots relates to Lot 1 DPS 62506 at the end of Haig Road, and does not include infill on the existing residential sites (as confirmed at the Precinct F plan change stage).

Rule 6.1.3 (vi) Boundary Adjustment

At Plan Change 42 the concept of boundary adjustments of a minor nature being assessed on the effects of the boundary movement only. Section 9 criteria should only be addressed in that context.

Section 9 Transportation

Object to changes in entirety subject to issues identified in the Development Manual changes and references to Urban Design standards and outcomes.

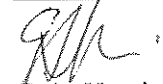
Section 9.1.4 On-site Parking

Criteria for parking including financial contributions should consider the criteria in terms of subject sites and existing public parking or shared private parking. Based on the existing parking provision restrictions on development proposals should consider optimum use of the land considering servicing and effects on town development.

The above objections relate to the clauses shown and any related or affected sections in the District Plan or Development Manual changes.

Yours faithfully

BARR + HARRIS SURVEYORS LTD



G.A. Harris

Registered Professional Surveyor
(Bachelor of Surveying, MCSNZ, MNZIS)
MIPENZ)

A.V. Holroyd

Chartered Professional Engineer
(BSc Civil Engineering Hons,

Kelly Moulder

From: Shaun [shaun@geomatrix.co.nz]
Sent: Monday, 02 December 2013 13:29
To: Patrick Clearwater
Subject: Late submission PC 43&44
Attachments: submission plan change 43 2013.pdf; GeoMetrix Submission to MPDC PC 43 2013.pdf

Hi Patrick sorry for the delay in getting this to you hope you can still consider. Please confirm its receipt

Cheers

Shaun O'Neill
Director

☎ 07 884 4184
☎ 07 884 4180
📠 027 415 3574

💻 Shaun@GeoMetrix.co.nz
📮 PO Box 152, Te Aroha 3342



SUBMISSION BY GEOMETRIX LIMITED
ON
PROPOSED PLAN CHANGE 43 & 44
TO THE MATAMATA-PIAKO DISTRICT PLAN

To: Matamata-Piako District Council
PO Box 266
Te Aroha 3342

Submission on: Proposed Plan Change 43 & 44 to the Matamata-Piako District Plan

Name: **GEOMETRIX LIMITED**

Address for Service: GeoMetrix Limited
PO Box 152
Te Aroha 3342

Mobile: 027 415 3574
e-mail: shaun@GeoMetrix.co.nz

SUBMISSION

1. **GEOMETRIX LIMITED** requests that Council exercises its discretion under section 37 of the RMA to accept this submission as a late submission.
2. The Waiver is sought on the following grounds:
 - a) No party will be prejudiced by granting the waiver.
 - b) The granting of this extension will not have the effect of doubling any time frame within the Act
3. **GEOMETRIX LIMITED** opposes Plan Change 43 & 44 in part. In particular: the attached submission on the objectives and policies and the following items;
4. **GEOMETRIX LIMITED** is a land development consultancy established by the director Shaun O'Neill Registered Professional Surveyor who has over 15 years' experience working in the Matamata Piako District. GeoMetrix was established in Te Aroha in 2003. Our field of expertise includes land surveying, planning, urban design, subdivisional engineering, Architectural drafting and project management. We have extensive experience regarding transport issues in this district. We have a healthy working relationship with Council and the submissions that follow are to be taken as opportunities to enhance our district and trust that council will consider our recommendations and suggestions to ensure the best possible outcome for our district.

5. **GEOMETRIX LIMITED** considers that the proposed change 1.1.1 (x) Applications that have the potential to result in adverse traffic effects shall be accompanied by an ITA prepared in accordance with the "Integrated Transport Assessment Guidelines", November 2010, NZTA Research Report 422.
GEOMETRIX LIMITED believes that this is too open and should be deleted or alternatively specific requirements where a ITA would be necessary. Council staff have always had and still do have the ability to request Traffic reports where appropriate however we are concerned that this will result in staff insisting on simple subdivision activities and the like requiring unnecessary and expensive reports as any development has the "potential" for adverse traffic effects.
6. **GEOMETRIX LIMITED** 5.9.2 (e) be amended as follows, That there is sufficient capacity in the infrastructure networks to cope with the additional demand, or that the existing networks can be increased cost effectively. ~~In the case of stormwater, the adequacy of the network will be assessed taking into account the requirement for on-site soakage or detention/disposal and provision for secondary flow paths and ability to set minimum floor levels as set out in the Development Manual;~~
7. **GEOMETRIX LIMITED** believes that rule 5.9.4 should be deleted in its entirety. This rule makes any residential subdivision greater than 12 lots, any business or industrial subdivision restricted discretionary, a single business's generate more than 100 vehicle movements per day. My advice is to encourage business and development in this district. The existing rules give council sufficient powers to restrict development where necessary. Our roads are designed for traffic. Other than site access roading should not restrict development of a site.
8. **GEOMETRIX LIMITED** believes that 8.5.1 Activity table item 12, secondary flow paths is ultra vires and Council should delete it in its entirety. A secondary flow path is the path that water will take when piped networks are inundated. Council could attempt to control the creation of additional water to the secondary flow path however the instances that secondary flow paths are generally utilized in this district are high intensity bursts during extended periods of rain. This generally limits the viability for retention devices and soakage to assist in the reduction of peak flows.
9. **GEOMETRIX LIMITED** opposes 8.6.1(2) At present it is permitted activity to establish cycleways and footpaths within road reserves. We are unsure of Councils motivation to change this status, changing to full discretionary activity will only delay positive community initiatives and cost the public unnecessary. We believe that this rule should be deleted in its entirety. It is expected that if you own land adjacent to a formed or un formed road that it is entirely feasible that Council will place services and or roading footpaths.. within the corridor and advice would be given of any proposal not request for approval as is status quo.
10. **GEOMETRIX LIMITED** The Activity table 9.1.2 vehicle crossings, we believe that these rules should be independently reviewed / tested by an experienced local consultant to ensure the applicability to our district. We have had a quick desk top analysis and believe that there may be situations that the proposed rules may stifle owner's ability to use their land.
11. 9.1.3 Onsite loading and 9.1.4 Onsite Parking . **GEOMETRIX LIMITED** believes that the proposed rules are likely to deter development and/or be overly onerous for startup businesses. These rule need to be reconsidered if we are to be encouraging development in our towns.
12. **GEOMETRIX LIMITED** seeks: that the proposed change be amended to support development in our towns

13. **GEOMETRIX LIMITED** wishes to be heard in support of this submission.
14. **GEOMETRIX LIMITED** would be prepared to present a joint case with similar submitters at the hearing.
15. **GEOMETRIX LIMITED** would be available to attend a pre-hearing meeting.



Shaun O'Neill
2/December/2013
Director GEOMETRIX Limited

GeoMetrix Submission Matamata Piako District Plan Proposed Plan Change 43
Objectives and Policies

Specific provision submitting on	Support	Support in Part	Oppose	Our Submission is	We seek the following decision from Council on this provision
2.4.6 Intergrated land-use and infracture		✓		It appears that this section is written too heavily on restricting industrial development. This district is blessed with significant infracture and networks and is idealy suited for industrial development. We belive that this should be promoted not just restricted.	We request that this also promote Industry especially around primary produce (dairy, meat, pork chicken, horticulture) and equine industries
2.4.7 Regionally significant infrastructure		✓		Similar as above we should recognise the ability to increase use of existing infracture and promote the development of industry that enhances the vialibility of such infracture	We suggest an additional policy or re-writing of proposed to encorage additional use of existing infracture.
2.4.8 Energy efficiency and renewable energy generation	✓			good initiative	GeoMetrix submits that 2.4.8 remain unchanged
3.1.2 Natural enviroment and heritage				Unsure why so much is being replaced. We belive that the enviromental and heritage is important to the district	Re-consider the stance in regard to enviroment and heritage
3.2.2 Natural hazards	✓				
3.4.2 Subdivision	✓				
3.4.5 Amenity	✓				
3.7.2 Woprks and Network utilities	✓				
3.8.2 Transportation		✓			