

## **Kelly Moulder**

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**From:** WEBMASTER [webmaster@mpdc.govt.nz]  
**Posted At:** Tuesday, 26 November 2013 20:39  
**Conversation:** Proposed plan changes submission  
**Posted To:** Submissions (Corporate Planning)  
  
**Subject:** Proposed plan changes submission  
  
**Categories:** Green Category

**Full name\*:** Macken Farm Ltd  
**Contact person:** J K MacRae  
**Address\*:** 224 Rawhiti Rd,  
Mangaiti  
**Phone:** 0274 888 378, 884 4492  
**Email\*:** [jkm@johnmacrae.co.nz](mailto:jkm@johnmacrae.co.nz)  
**Fax:**

**The specific provisions of the plan change that my submission relates to are::** Rules in Part B 3.5, 3.6, 6.1.1.11 and 3.8.

**My submission is (include whether you support or oppose the specific provisions or wish to have them amended, and the reason for your views):** Rules 3.5 and 3.6: Oppose: Limiting permitted development in the green zone and within 20m from the centre line of sub-transmission lines to development that complies with NZECP 34:2001 is unnecessarily and unduly restrictive.

Rule 6.1.1.11; Oppose: The imposition of restrictive development activity status on subdivision within the green zone is unnecessary and unduly restrictive.

Rule 3.8; Oppose: a) It is not clear on the face of the district plan to which waterways, tributaries and drains this rule applies. b) The imposition of the controls in the rule on minor and in many cases presently unspecified tributaries is unreasonable and unnecessary. c) The rule raises, but does not resolve, jurisdictional issues as between the Council and the WRC. d) Sub-paragraph (iii)(e) is invalid.

All four rules above; Aspects of all four rules are contrary to the principles of the RMA 1991 and to sound resource management practice.

**I seek the following decision from Council (please give precise detail):** Accept the plan change with the following amendments

**I wish to present at the Council planning hearing:** yes

**I would be prepared to present a joint case at the hearing with others making a similar submission:** yes

**You could gain an advantage in trade competition through this submission:** no

**If you could gain an advantage in trade competition through this submission please complete the following:** Nothing Selected

**Kelly Moulder**

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**From:** mike [mgribb@gmail.com]  
**Posted At:** Wednesday, 27 November 2013 09:55  
**Conversation:** Submission Plan change 43 & 44  
**Posted To:** Submissions (Corporate Planning)  
  
**Subject:** Submission Plan change 43 & 44  
  
**Categories:** Green Category

Hi  
Please find attached my submission to the plan changes

Mike Gribble

**Form 5**

**Submission on publicly notified proposal for policy statement or plan, change or variation**

Clause 6 of Schedule 1, Resource Management Act 1991

To Matamata Piako District Council

Name of submitter: Michael L Gribble

This is a submission on the following proposed variation to a change to an existing plan) (the **proposal**):

*Matamata Piako District Plan – Plan change 43 Transportation and Plan change 44 Works and Network Utilities*

I could not\* gain an advantage in trade competition through this submission

The specific provisions of the proposal that my submission relates to are:

- (1) Clause 5.2.9
- (2) Part C Panning maps - Page 1
- (3) Part 15 Definitions - Sensitive activity

My submission is: Attached

*[include—*

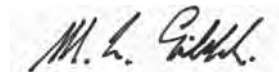
- *I wish to have them amended; and reasons for my views.*

I seek the following decision from the Matamata Piako District Council:

*[give precise details].* Attached

I do wish to be heard in support of my submission.

\*If others make a similar submission, I will consider presenting a joint case with them at a hearing.



Signature of submitter

(or person authorised to sign  
on behalf of submitter)

Date 27th November 2013

Address for service of submitter: No 2 RD Scott Road Morrinsville 3372

Telephone: 889 5472

Fax/email: mgribb @gmail.com

Contact person: *[name and designation, if applicable]* Mike Gribble

## **Submissions to Matamata Piako District Council (MPDC) on Plan Change 43 and 44**

### **Comment on the process.**

The length of time for submissions is too short, 28 days is a very limited time to read and research the make adequate submissions on 676 pages of documents with the timing so near the Christmas holiday period.

Council charging a fee for hard copy is inappropriate . Council can never recover full costs of printing the document.. It should accept that for the few, if any copies sold, it becomes a contributing cost to the plan change not an individual's cost Reference is difficult because there are no page numbers. Not helped by the lack of direct web page links to specific pages in the documentation. These shortcomings restrict the number and quality of submissions.

### **The Submitter reasons**

#### **1/ Reasons for the requested Changes to Clause 5.2.9**

Clause 5.2.9 subjects residents to noise controls that are costly, selective and have no upper limit. They exempt 50km/h while imposing restriction on 100 / 70 km/h speed zones. All the cost and control requirements are borne by the residents while NZTA and rail have none. It makes a legal requirements to a level that may not be achievable. The suggested restrictions should apply to new buildings only on new state highways and rail lines.

The original concept of reverse-sensitivity was that the polluters of sound, odours and vibrations were required to maintain a certain level at their property boundary. This was tested in Environment Court case Decision No. W 092/2005. with NZTA<sup>1</sup> and KiwiRail<sup>2</sup> having dispensation to this requirement. To change the effect of this decision an alternative wording must be inserted into the District plan to override it. This is what this clause requests, to reverse the onus from the polluter to the adjacent neighbours to bear the cost of noise control.

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1 New Zealand Transport Agency

2 New Zealand Railway trading as KiwiRail

### **The location of the boundary**

i NZTA and KiwiRail are requesting mitigation of the noise activities they create. Unlike Queensland the NZTA do not design for noise reduction nor contribute funding to highway noise suppression or reductions such as open graded porous asphalt to reduce the noise level. I would suggest having the choice, the vast majority of new dwellings would be built outside the 40 or 80 metre limits.

ii Residents can reduce the noise levels themselves to their own requirements without being dictated to by a third party. There is nothing hidden about an existing state highway or railway line and the residents would have assessed the noise level and economic value of the property at the time of building or purchase.

No specific study has been done to examine the noise levels in MPDC, in particular Morrinsville and Matamata 70 km/h speed zones. A desktop examination of noise levels in the district would give some indication of the noise levels that need to be addressed. All data has been based on evidence from outside the district. We are left with the question: Are we better or worse than other locations?

### **The 70km/h speed zone**

NZTA have been accepting various conditions for different District Plan changes throughout New Zealand. The results have been a variety of requirements that show that there is no absolute science behind the requests. NZTA based their requirements on their *Road Noise Effect Planning Policy Manual Appendix 5 D*. In submissions to the Waipia District Plan 2012 change, Dr Chiles expert witness for the NZTA said

*"The NZTA takes a consistent approach, but seeks to work with councils to integrate provisions into each particular plan, which can result in different formats to the resulting rules in each district".*

*"By limiting the area for controls to 100 metres, I consider that the NZTA reverse sensitivity policy takes an appropriate and pragmatic approach."*

*"In fact, the research<sup>3,4</sup> behind the policy indicated effects to beyond 300 metres from state highways".*

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<sup>3</sup>Reverse sensitivity measures to address road traffic noise from state highways, Malcolm Hunt Associates, July 2005

<sup>4</sup>Review reverse sensitivity guidelines, Marshall Day Acoustics, 3 October 2005

*Dr Chiles Quoted from the submissions to the Otorohanga District Plan*

***"The NZTA submission seeks to introduce a requirement for all new noise sensitive activities within 80 metres of state highways to achieve specified internal noise limits. I consider this an appropriate control necessary to manage reverse sensitivity effects."***

MPDC plan has the 70/100 km/h speed zone included for noise control and the 50 km/h speed zone exempted for noise control.

Dr Chiles in advice to MPDC states that

*the distances for sound insulation should be 80 metres (70 km/h and above) and 40 metres (50/60 km/h)*

Why does the 50km/h speed zone not have the 40metre as suggested and the how does the 10kp/h makes such a difference in the 70km/h zone? Neither has been justified by even with actual or a desktop examination of noise levels

The only difference between the two zones is the speed of the traffic and possibly topography. Section 32 information report lists the important questions but does not answer them or provided supporting evidence that the extra 10 km/h increase in speed from 60kmh to 70kmh on State Highways creates such a increase in the noise level that it requires the extra noise suppression measures. It is noted that in Morrinsville TeAroha and Matamata the 70kmh speed zones are on flat land except for a sligh rise in the eastern zone of Morrinsville It is the same volume of traffic, trucks, vans and cars that pass through both zones.

As stated previously there are no noise limits requirements on State Highways resulting in ever increasing road noise. There are increasing weight of the trucks exampled by 60 tonne loads Council and NZTA allowed on the roads. There is increasing volume of trucks and a changing traffic composition such as an increase in the proportion of trucks at night which the ratepayers and landowners have no control over limiting.

Frequently the 70kmp speed restrictions is a precursor to a 50kmh speed zone and it is inconsistent to require landowners to comply with these requirements when only a few months / years they would be exempt from the noise reduction requirements anyway.

Quoted from EVIDENCE ON BEHALF OF THE APPLICANTS NZTA and KiwiRail by Dr Chiles  
BEFORE A BOARD OF INQUIRY PEKA PEKA TO NORTH ŌTAKI EXPRESSWAY PROJECT

*The existing NIMT railway through Ōtaki is in close proximity to a number of PPFs, and the rail noise and vibration levels that currently exist are likely to be exceeding recommended limits for a new railway. Rail noise and vibration may currently disturb a number of residents, however people adapt and are usually less affected over time*

**Quoted from EVIDENCE ON BEHALF OF Kapiti District Council by Malcolm James Hunt BEFORE A BOARD OF INQUIRY PEKA PEKA TO NORTH ŌTAKI EXPRESSWAY PROJECT <sup>5</sup>**

*I consider the more sophisticated, multi-disciplinary approach to selecting the preferred mitigation within NZS6806:2010 offers considerable advantages over the 1999 Guidelines which provides no methods for assimilating information on non-acoustic effects such as landscape and visual effects of noise barriers when formulating the preferred mitigation option. Thus, I have come to the conclusion that the multi-disciplinary approach of NZS6806:2010 is preferred,*

### The Acoustic Design Report

An acoustic design report prepared by an appropriately qualified practitioner confirming compliance with the limits must be submitted to Council as part of any resource or building consent is far more than necessary.

The employment of a qualified acoustic expert does not always guarantee accuracy. One has only to observe the débâcle of the high profile case of the wooden fence along Motorway beside the Regional Botanical Gardens in Manurewa when a acoustic engineer from Marshall Day certified that the sound barriers were suitable for the purpose but were found not to be and the fence had to be removed. The second example can be found in the Peka Peka evidence.

*Dr Chiles Quoted from the submissions to the Otorohanga District Plan*

I recommend rules be inserted in the District Plan as follows:

iii ) The recommended maximum design guidelines in AS/NZS 2107:2000 within educational buildings, healthcare buildings, maraes, churches, travellers accommodation and offices.

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<sup>5</sup> There is available from this hearing a reports that both Dr Chiles and Mr Hunt produced a joint witness statement.

I agree with Dr Chiles, that this should be included within clause 5.2.9. and not in the Definition section as our Plan change has it.

#### **Section G4 of the Building Code**

The alternative means of ventilation in accordance with the clause G4 of the New Zealand building code. This is a 26 page document full of requirements for mechanical ventilation and to quote Dr Chiles who was responsible for producing draft provisions for Clause G6 of the New Zealand Building Code.

*" The minimum Building Code ventilation rates might be enough to stop people suffocating but do not provide any thermal comfort. Therefore occupants would still need to open windows which would negate the sound insulation."*

It is appropriate that the rules contain measures that while placing the onus on Rail and Highway operators for existing noise activities associated with rail and state highways that NZTA accepts variation between District plans. As MPDC has already rejected the 40metre set back zone in 50km/h speed zone it can also reject the 70 to 100 speed zone set backs and the control measures for existing buildings

#### **Reasons for the requests related to Part C Panning maps - Page 1**

The sub-transmission line data on the Planning Maps is sourced from Powerco Limited and is subject to the disclaimer that Sub-transmission line information is to be used as an indicative guide.

This is completely unacceptable. The District plan is suppose to give certainty to everyone. This gives no certainty to anyone including Powerco If they were serious they would supply accurate information in a timely manner.

#### **Reasons for the requests related to Part 15 Definitions**

As this part relates only to rail and state highways it should be in the main text body so that it can be easily seen and identified and not separated in another section.



## Changes Requested

### 1/ Listed below are the changes requested to Clause 5.2.9

Additions have the text underlined

Deletions have a strike through the words that are to be removed

#### 5.2.9 Internal noise limits – **New** railway lines and state highways

##### (i) Performance Standards

(a) New buildings ~~or additions to existing buildings~~ to be used for a noise sensitive activity located:

(i) Within 40m of an operational railway line;

(ii) Within 80m of a state highway ~~where the site's frontage has a~~  
~~posted speed limit of 70km/h or above; or~~

(iii) On a front site or a corner site that directly adjoins a state highway  
~~where the posted speed limit is less than 70km/h and~~ that has a  
complying building platform that is within 40m of the state highway;

Shall be designed, insulated, constructed, or screened by suitable barriers to ensure that noise received within any new bedroom, habitable space, or other space containing a noise sensitive activity, will not exceed the limits below:

Space	Internal noise limit	
	Road traffic noise	Rail noise
Inside bedrooms	40 dB LAeq(24h)	35 dBA LAeq(1 hour) at all times
Inside other habitable rooms	40 dB LAeq(24h)	40 dBA LAeq(1 hour) at all times
Inside other spaces containing a noise sensitive activity	No greater than the recommended maximum design guidelines in AS/NZS 2107-2000: Acoustics <del>(or newer</del> <b><u>AS/NZS Standards)</u></b> <b><u>within educational buildings,</u></b> <b><u>healthcare buildings, maraes, churches, travellers</u></b> <b><u>accommodation and offices.</u></b> recommended design sound level and reverberation times for building interiors	

2/ Listed below are the changes requested to

*Part C: Maps and Plans Page 1*

*Delete all.*

*Planning Maps*

~~The sub-transmission line data on the Planning Maps is sourced from Powerco Limited and is subject to the following disclaimer.~~

~~Disclaimer:~~

~~Sub-transmission line information is to be used as an indicative guide only and should not be relied on. No warranty to accuracy or completeness is given or implied and the exact locations of sub-transmission lines cannot be guaranteed (the exact location could vary significantly). Information is made available and given in good faith. Parties seeking to plan or undertake works in close proximity to sub-transmission lines should contact Powerco directly to obtain further and more accurate information before making such plans and/or commencing works.~~

~~Please note the following:~~

- ~~• Powerco does not take any responsibility for any misuse of the data or any inaccuracies or omissions in it.~~
- ~~• This indicative guide does not show all electricity assets that may exist in the relevant location, such as:~~
  - ~~• Other sub-transmission assets (e.g. poles);~~
  - ~~• Lower voltage Powerco lines and assets;~~
  - ~~• Additional electrical features that may have been installed since this information was published; or~~
  - ~~• Privately owned electricity assets.~~

3/ Listed below are the changes requested to Part 15 Definitions

~~"Sensitive activity" means a more recently established activity which is sensitive to the adverse environmental effects being generated by a pre-existing lawfully established activity, and in the context of state highways and railway lines includes any dwelling, papakainga, visitor accommodation, boarding house, retirement village, supported residential care, educational facilities, hospitals and healthcare services, and care centres.~~

Mike Gribble

27 November 2013

## **Kelly Moulder**

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**From:** Caitlin Kelly [Caitlin.Kelly@nzta.govt.nz]  
**Posted At:** Wednesday, 27 November 2013 12:04  
**Conversation:** the NZ Transport Agency's submission to plan changes 43 and 44  
**Posted To:** Submissions (Corporate Planning)  
  
**Subject:** the NZ Transport Agency's submission to plan changes 43 and 44  
  
**Categories:** Green Category

Kia ora

Please find the NZ Transport Agency's submission on this matter attached.

A hard copy follows by post.

Please are you able to confirm receipt of this Email, that would be really appreciated.

Please don't hesitate to contact me if you have any queries.

Kind Regards

**Caitlin Kelly**  
Resource Planner  
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F 64 7 957 1437  
Cell 021 220 7826  
E [Caitlin.Kelly@nzta.govt.nz](mailto:Caitlin.Kelly@nzta.govt.nz)

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27 November 2013

Plan Change 43 and 44  
Matamata Piako District Council  
PO BOX 266  
Te Aroha 3342

Dear Mr McLeod

Thank you for providing the NZ Transport Agency (Transport Agency) with the opportunity to comment on the proposed Plan Changes 43 –Transportation and 44 – Works and Network Utilities. These comments build on the earlier comments and feedback provided by the Transport Agency during the drafting of the plan changes, and we would like to thank Council for the ongoing and collaborative approach taken.

The Transport Agency's approach has largely been supportive of the approach taken by Council towards the integration of land use and infrastructure, with additional provisions sought to address reverse sensitivity concerns. The Transport Agency is particularly supportive of the collaborative approach taken by Council to the management of the Transport Network.

Our submission can be found attached. Please note that the Transport Agency is supportive of any consequential change that results from giving effect to our submission and also support any amendments which achieve the same effect that our submission sought.

The Transport Agency does wish to present at the Council planning hearing.

The Transport Agency is prepared to present a joint case at the hearing with others making a similar submission.

The Transport Agency cannot gain an advantage in trade competition through this submission.

We look forward to working with Council as the plan change progresses. If you have any queries, please do not hesitate to contact Caitlin Kelly on 07 958 7949.

Yours sincerely

**Andrew McKillop**  
Planning and Investment Manager  
NZ Transport Agency



Section	Provision	Support/ Oppose/ Amend	Reasons	Decision Sought
<b>PART A: Issues, Objectives and Policies</b>				
<b>General</b>				
Entirety of Plan Change 43 Transportation and 44 Works and Network Utilities		Support	The NZ Transport Agency generally supports the notified District Plan subject to the submission points below.	Retain the District Plan as notified subject to submission points below.
Entirety of Plan Change 43 Transportation and 44 Works and Network Utilities		Amend	The NZ Transport Agency is no longer known as the NZTA and would prefer that the plan referenced the NZTA as the 'NZ Transport Agency' or the 'Transport Agency'.	Amend all references to the New Zealand Transport Agency to read the 'NZ Transport Agency' or 'the Transport Agency'  Any other consequential amendments (including to the definitions section) are also supported.
<b>1 Introduction</b>				
1.2 Development suitability	1.2.1 Activity status criteria	Amend	The Transport Agency seeks certainty as to which activity status or criteria will be deemed appropriate in situations where there is a conflict of provisions. Requiring applicants to comply with the more onerous activity status will promote a precautionary approach within the plan and provide certainty to the Transport Agency.	Add a provision to the plan requiring that in the case of a conflict between provisions or activity status, the more onerous provisions and activity status will apply.
<b>2. Sustainable Management Strategy</b>				
2.3 Significant resource management issues	2.3.6 Integrating land use and infrastructure and 2.3.7 Regionally	Support	The Transport Agency supports the issue statements which give greater recognition to the importance of integrating land use and infrastructure from a strategic	Retain as notified

	significant infrastructure networks		and investment perspective.	
2.4 Sustainable management strategy	2.4.6 Integrating land-use and infrastructure	Support with Amendment	The Transport Agency generally supports the objectives, policies, methods & explanation. However, P1, P4 and the explanation only refer to “existing infrastructure” and “existing networks”. Infrastructure has a long lead time, therefore it is important that existing and planned infrastructure is recognised in the District Plan to ensure that planned infrastructure investments are not compromised by ad hoc land development.	Retain as notified sustainable management strategies 2.4.6 subject to the exception of the following:  Amend references to “existing infrastructure” and “existing networks” to “existing and planned infrastructure” or “existing and planned networks”
2.4 Sustainable management strategy	2.4.7 Regionally significant infrastructure	Support	The Transport Agency generally supports the objectives, policies, methods & explanation.	Retain as notified sustainable management strategy 2.4.7.
2.4 Sustainable management strategy	Anticipated environmental result No. 10	Support with Amendment	The Transport Agency generally supports anticipated environmental result 10. However efficient investment in “existing” infrastructure needs to be clarified to also include planned infrastructure that is not yet constructed but planned and invested in.	Amend reference to “existing infrastructure” to “existing and planned infrastructure”
<b>3. Environment</b>				
3.2 Subdivision	3.4.2 Subdivision 04	Support	The Agency supports this objective as it promotes the safe and efficient function of the transport network	Retain as notified



3.5 Amenities	3.5.2 Nuisance Effects 06	Support with amendment	The Transport Agency generally supports the objectives, policies, methods & explanation. However, 06 only refers to “infrastructure networks”. Infrastructure has a long lead time, therefore it is important that existing and planned infrastructure is recognised in the District Plan to ensure that planned infrastructure investments are not compromised by ad hoc land development.	Amend 3.5.2 as follows:  <i>To ensure that subdivision and land use activities are located and sited in a manner that recognises existing and planned <del>transport</del> infrastructure networks.</i>
<b>PART B: RULES</b>				
1 General provisions				
1.1 Information requirements for resource consent applications	1.1.14 Written Report (x)	Amend	Whilst the requirement for an Integrated Transport Assessment is supported, it is recommended that the document “Integrated Transport Assessment Guidelines”, November 2010, NZTA Research Report 422 is not directly referenced.	Add another appendix to the plan (provided in appendix 1 to this submission) and amend as follows:  <i>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, the information and guidance found in Appendix 11</i>  The Transport Agency also supports any other consequential amendments required to give effect to the intent of this submission.
5 Performance Standards – all activities				
5.2.9 Noise	5.2.9 Internal	Amend	The Transport Agency generally	

standards for works and network utilities	noise limits – railways lines and state highways (entire section)	<p>supports the management of reverse sensitivity issues in the District Plan but request amendments to better address this issue.</p> <p>The title for 5.2.9 - ‘<i>Internal Noise Limits – railway lines and state highways</i>’ is misleading as it suggests that the purpose of the provisions is to limit the amount of sound which can be created internally.. However, the actual intention of the provisions is to protect dwellings, noise sensitive activities and etc from external noise. The Transport Agency requests that this is amended to better reflect the intended purpose.</p> <p>Adjacent to a state highway there are two areas of interest as follows:</p> <p><b>1 Environmental Buffer Area</b></p> <p>The area closest to the state highway is the “environmental buffer area” and sensitive activities both indoors and outdoors within this area have the potential to experience significant vibration and noise</p>	<p>That the title to provisions within 5.2.9 is amended as follows:</p> <p><del><i>Internal Noise Limits – railway lines and state highways</i></del></p> <p><u><i>Noise insulation: noise sensitive activities</i></u></p> <p>That the potential reverse sensitive effects within the environmental buffer area are managed as follows, with a standard setback performance standard that avoids future reverse sensitivity effects:</p> <p><i>Environmental Buffer Area</i></p> <p><i>A permitted activity performance standard that requires new and altered buildings to be set back within</i></p> <ul style="list-style-type: none"> <li><i>• 10m of a state highway 70km/h or less</i></li> <li><i>• 20m of a state highway 70km/h or more</i></li> </ul> <p><i>Measured from the edge of the nearest traffic lane. Non compliance with this standard results in the activity</i></p>
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			<p>effects. This issue is easiest avoided by permitted activity performance setbacks determined by the level of traffic on the state highway.</p> <p>This would ensure road vibration and noise inside the buildings is within reasonable criteria and will avoid adverse effect such as sleep disturbance and ensure that appropriate outdoor amenity can be provided. Non compliance with these standards would result in the activity becoming non-complying as this would result in the building not meeting world health organisation standards.</p> <p><b>2 Road Noise Effects Area</b></p> <p>The area up to 80m from the road edge has the potential for reverse sensitivity effects which may be managed by ensuring noise sensitive activities provide appropriate insulation and ventilation to ensure that activities such as sleep are not interrupted.</p> <p>The notified version of Section 5.2.9 only attempts to address the issue of the wider road noise</p>	<p><i>becoming non-complying.</i></p> <p><i>Non-compliance with these standards results in non-complying activity status.</i></p> <p>Please note that the Transport Agency also requests amendments to 5.2.9 to better manage reverse sensitivity effects within the wider road noise effects area.</p>
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			effects area requiring buildings to be built to provide mitigation to ensure an internal noise limit of 40dB LAeq(24) with ventilation requirements.  The Transport Agency requests that additional provisions are inserted to manage the increased effects within the environmental buffer area and amendments are made to 5.2.9 to better manage effects within the wider road noise effects area.	
5.2.9 Noise standards for works and network utilities	5.2.9(i)(a)(ii) and 5.2.9(i)(a)(iii) Internal noise limits – railways lines and state highways	Amend	The Transport Agency request that 5.2.9(i)(a)(ii) & (iii) is clarified to ensure that any building to be used for sensitive activities within the road noise effects area is built to an appropriate standard to mitigate potential reverse sensitivity effects.	Amend as follows:  <i>5.2.8(i)(a)(ii) Within 80m of a state highway with a <u>where the site's frontage has a posted speed limit of 70km/h or above; and/or</u></i>  <i>5.2.8(i)(a)(iii) <del>On a front site or a corner site that directly adjoins a state highway where the posted speed limit is less than 70km/h and that has a complying building platform that is within 40m of the state highway with a speed limit of less than 70km/hr;</del></i>
5.2.9 Noise standards for works and network utilities	5.2.9(b) Internal noise limits – railways lines and state highways	Amend	The Transport Agency requests that 5.2.9(i)(b) is amended to clarify that the distance of the reverse sensitivity provisions will be measured from is the edge of the nearest traffic lane. The edge of the seal may be significantly	Amend as follows:  <i>5.2.9(i)(b) The distances referred to above are measured from the:</i> <ul style="list-style-type: none"> <li>• <i>Edge of a railway track;</i></li> <li>• <i>Edge of seal <u>nearest traffic lane of the state highway;</u></i></li> </ul>



5.2.9 Noise standards for works and network utilities	5.2.9(c) Internal noise limits – railways lines and state highways	Amend	<p>wider and does not reflect an accurate measurement from where the noise is being generated.</p> <p>The Transport Agency seeks amendments to the proposed ventilation standard. The proposed Building Code standard provides some air to inhabitants however, it does not provide any thermal comfort. Therefore occupants would still need to open a window which negates the necessary sound insulation.</p>	<p>Amend as follows:</p> <p>5.2.9(i)(c) <u>If windows are required to be closed to achieve the noise limits above, the building shall be designed and constructed to provide an alternative means of ventilation in accordance with the Clause G4 of the New Zealand Building Code, with a ventilation system to achieve the following:</u></p> <ul style="list-style-type: none"> <li>• <u>A quantity of air shall be provided to achieve the requirements of Clause G4 of the New Zealand Building Code. At the same time as meeting this requirement, the sound of the system shall not exceed 30 dB <math>L_{Aeq(30s)}</math> when measured 1 m away from any grille or diffuser.</u></li> <li>• <u>Either</u> <ul style="list-style-type: none"> <li>(i) <u>air conditioning shall be provided, or</u></li> <li>(ii) <u>a high air flow rate setting shall provide at least 15 air changes per hour (ACH) in the principal living space and at least 5 ACH in all other habitable spaces</u></li> </ul> </li> <li>• <u>At the same time as meeting the above requirement, the sound of the system shall not exceed 40 dB <math>L_{Aeq(30s)}</math> in the principal living space and 35 dB <math>L_{Aeq(30s)}</math> in all other habitable spaces, when measured 1m away from any grille or diffuser.</u></li> <li>• <u>The internal air pressure shall be no more than 10 Pa above ambient air pressure due to the mechanical ventilation.</u></li> <li>• <u>Where a high air flow rate setting is provided, the</u></li> </ul>
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5.2.9 Noise standards for works and network utilities	5.2.9(iii) Internal noise limits – railways lines and state highways	Amend	<p>The Transport Agency requests that any new building or addition to an existing building to be used for a noise sensitive activity not meeting the performance standards is a non-complying activity. This is because failure to meet these standards will result in buildings housing noise sensitive activities failing to meet world health organisation standards. Effects of such failure include sleep disturbance, interferences with communication, general annoyance and general deterioration in performance<sup>1</sup>. Such effects of non-compliance are difficult to mitigate, other than by the insulation standards referred to in these provisions. Therefore uninsulated noise sensitive activities within ‘environmental buffer area’ should not be enabled.</p>	<p><u>system shall be controllable by the occupants to be able to alter the ventilation rate with at least three equal stages up to the high setting.</u></p> <p>Amend as follows:</p> <p><u>5.2.9(iiii) <del>Restricted-discretionary</del> Non-complying activity activities</u></p> <p><u>A new building or addition to an existing building, to be used for a noise sensitive activity not meeting the performance standards in 5.2.9(i) above is a <del>restricted-discretionary</del> non-complying activity.</u></p> <p>Or similar amendments to achieve the same outcome.</p> <p>The Agency also supports any consequential amendments required.</p>
5.9.2 Performance outcomes	5.9.2(i) Integrating land	Support with amendments	The Transport Agency supports section 5.9.2(i) including the advice	<p>Amend as follows:</p>

<sup>1</sup> Bluhm G, Nordling E, Berglind N. Road traffic noise and annoyance-an increasing environmental health problem. Noise Health 2004;6:43-9



	use and infrastructure		notes, but requests the following amendments:  That (g) is amended to indicate that there is a guideline (the roading hierarchy) as to which roads will best serve the different types of development.  That (h) is amended to reflect the importance of existing and planned infrastructure. To ensure that planned infrastructure investments are not compromised by ad hoc land development.	<p>5.9.2(i)(g) That the development will be <u>connected</u> by existing and or new roads-identified in the <u>roading hierarchy</u> as appropriate for serving <del>designed</del> <u>purpose-of-carrying</u> the type and volume of traffic that will be generated...</p> <p>5.9.2(i)(h) That the development will lead to the investment in existing <u>and planned infrastructure networks</u> being used efficiently...</p>
5.9.3 Non-compliance with performance standards and outcomes	5.9.3(iv) Transportation	Support	The Transport Agency supports section 5.9.3 and the restricted discretionary activity status for activities that fail to meet the performance standards.	Retain 5.9.3(iv) as notified.
<b>8 Works and network utilities</b>				
8.6 Transport Network	8.6	Support	The Transport Agency supports section 8.6, in particular the link to assessing against the performance standards in section 9 and 5.9.2(i).	Retain 8.6 as notified
8.10 Matters of discretionary/discretionary assessment criteria/guidance for non-complying activities applicable to section ...	8.10 Matters of discretionary ...	Support with amendment	The Transport Agency seeks an additional assessment criteria that assesses the effect of the potential “miscellaneous” works and network utilities against the, safety, efficiency and effectiveness of the roading network. The	Insert additional assessment criteria into 8.10 as follows: <u>Adverse effects on the safety, efficiency and effectiveness of the ‘strategic’ road network, including state highways.</u>

				concern is that additional traffic movements generated from activities such as solid waste and recycling transfer stations also need to be carefully assessed and managed.	
<b>9 Transportation</b>					
9.1 Rooding	9.1.1 Rooding hierarchy	Support with amendment		<p>The Transport Agency supports a nationally, and regionally consistent rooding hierarchy.</p> <p>To provide plan users with greater understanding of the rooding hierarchy when considering development and to promote performance outcome 5.9.2(i)(g), it is recommended that the function of the different types of road is defined, as per the one network rooding strategy. It is therefore requested that the function of roads in each tier of the rooding hierarchy is explained.</p> <p>Into the future, the Transport Agency would like to see alignment with the One Network Rooding Classification that is currently being consulted on.</p>	<p>Retain as a regionally consistent rooding hierarchy, and;</p> <p>Insert explanations of the function of each of the rooding hierarchy tiers either within this section or within the definitions section of the Proposed Plan.</p>
9.1.2 Access	9.1.2 Access (entire section)	Support		The Transport Agency supports a collaborative approach to	Retain 9.1.2 as notified (with the following sub sequential amendments)



			<p>managing the transport network, particularly on significant roads with a low speed environment of 50km/hr or less.</p> <p>The Transport Agency also supports restricted discretionary activity status for existing vehicle crossings (in a speed environment over 50km/h) that change in character, scale, or intensity as this allows effects to be carefully assessed and managed.</p>	
9.1.2 Access	9.1.2(iii)(a)(ii) Access to significant roads and arterial roads	Support with amendments	<p>Whilst the Transport Agency supports the intention of this section, it is noted that there is only reference to the Council development manual with no explicit reference to the Transport Agency.</p> <p>It is acknowledged that there is an advice note within the Development Manual requiring consultation with the Transport Agency as to the siting and detail. However, this provision needs to be widened to ensure the appropriate road controlling authority can manage the safety of access onto the state highway network.</p>	<p>Amend as follows:</p> <p><i>9.1.2(iii) The vehicle crossing shall be designed, formed and constructed in accordance with the Development Manual; or if accessing a state highway network, to the standard required by the NZ Transport Agency in speed environments of 70km/h and over</i></p>

9.1.2 Access	9.1.2(viii)(a)(ii)G General Access Standards (all roads)	Support with amendments	The Transport Agency supports the requirement for all accesses to be of an appropriate standard for safety of use, but notes that not all safe access way designs will need to conform to the standards specified in this provision. It is recommended that a provision is added to allow the relevant Road Controlling Authority's discretion as to the appropriate accessway design.	Amend 9.1.2(viii)(a)(ii) as follows:  <i>The primary access to a lot shall be designed and constructed in accordance with the relevant standards being DG307, DG308, or Diagrams C, D, or E in the MPDC Development Manual 2010, or to the relevant Road Controlling Authority's satisfaction....</i>
9.1.4 Parking	9.1.4 On-site parking	Amend	It is important to ensure that there is no provision for parking on the state highway network. Parking on significant roads (with a function of linking different regions, economic areas or tourist spots) has the potential to impede traffic flow which affects road function and safety.	Insert an additional provision to 9.1.4 as follows:  <u>All properties with legal access to a strategic road shall provide all parking and manoeuvring on site.</u>  <u>Or</u> cross-reference to provision 9.1.2(iii)(iv)  The Transport Agency supports all consequential amendments required.
15. Definitions				
15 Definitions	"Built Environment"	Amend	Amend the definition of built environment to give effect to the Proposed Regional Policy Statement (RPS)	Amend as follows:  <b>"Built environment"</b> means buildings, physical infrastructure and other structures in urban as well as rural areas, and their relationships to natural resources, land use and people <del>areas</del> .



## Appendix 1

### Information Requirements for Integrated Transport Assessments

An Integrated Transport Assessment (ITA) is a comprehensive review of all the potential transport impacts of a development proposal. Its purpose is to identify appropriate transport information that is required to assist in better aligning land use and multi-modal transport at both the local and regional level and to provide information on how a proposed development is located, designed and managed to promote access by a choice of modes and to identify any mitigation required to address the adverse impacts of a proposal on the transport system, including the state highway network.

Council staff can give guidance as to the level of detail that will be commensurate with the activity proposed. ITAs may vary in terms of the level of detail and breadth of assessment required. For developments where there is potential for adverse effects that may be more than minor, the ITA will need to be prepared by a suitably qualified person. Below is some guidance as to the content required for ITAs.

- Outline of relevant development parameters (location, size, hours of operation, configuration of access and vehicle circulation on-site).
- Baseline conditions of the road network (traffic/pedestrian movements, intersection and accessway capacities, provision for public transport, walking & cycling).
- Future conditions of road network (analysis of likely traffic generation, impact of proposed development, provision for public transport, walking & cycling).
- Cumulative Effects (Analysis of cumulative effects in considering permitted and consented activities in the existing environment).
- Mitigation (Road network improvement measures, public transport improvement measures, walking/cycling facilities/parking management/Travel Plan).
- Safety Audit of access proposals and any related changes to the network through mitigation
- Construction effects

A more comprehensive guide on ITA content requirements is available from in the New Zealand Transport Agency research report 422 – Integrated transport assessment guidelines November 2012. That document is available at <http://www.nzta.govt.nz/resources/research/reports/422/>.



**Kelly Moulder**

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**From:** WEBMASTER [webmaster@mpdc.govt.nz]  
**Posted At:** Wednesday, 27 November 2013 12:23  
**Conversation:** Proposed plan changes submission  
**Posted To:** Submissions (Corporate Planning)  
  
**Subject:** Proposed plan changes submission  
  
**Categories:** Green Category

**Full name\*:** Vector Gas Limited  
**Contact person:** Darryl McMillan  
**Address\*:** Private Bag 2020  
New Plymouth 4342  
**Phone:** (0274) 872 101  
**Email\*:** [darryl.mcmillan@vector.co.nz](mailto:darryl.mcmillan@vector.co.nz)  
**Fax:**

**The specific provisions of the plan change that my submission relates to are::** Planning Maps

**My submission is (include whether you support or oppose the specific provisions or wish to have them amended, and the reason for your views):** Include the alignment of gas transmission pipelines within the planning maps and identify within legend as "Gas Transmission Pipeline"

**I seek the following decision from Council (please give precise detail):** Accept the plan change with the following amendments

**I wish to present at the Council planning hearing:** no

**I would be prepared to present a joint case at the hearing with others making a similar submission:** no

**You could gain an advantage in trade competition through this submission:** no

**If you could gain an advantage in trade competition through this submission please complete the following:** Nothing Selected

**Kelly Moulder**

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**From:** WEBMASTER [webmaster@mpdc.govt.nz]  
**Posted At:** Wednesday, 27 November 2013 12:35  
**Conversation:** Proposed plan changes submission  
**Posted To:** Submissions (Corporate Planning)  
  
**Subject:** Proposed plan changes submission  
  
**Categories:** Green Category

**Full name\*:** David Nickalls

**Contact person:**

**Address\*:** 2542 State Highway 26  
Morrinsville

**Phone:** 021 943 585

**Email\*:** [david.nickalls@rotaryplatforms.co.nz](mailto:david.nickalls@rotaryplatforms.co.nz)

**Fax:**

**The specific provisions of the plan change that my submission relates to are::** Plan Change 43 & 44

**My submission is (include whether you support or oppose the specific provisions or wish to have them amended, and the reason for your views):** I oppose this planed change on the grounds that when you purchase next to, or close by a railway or main road you expect some noise.

We as home owners have just brought in between a main road and a railway, and while there is road noise it is not to an extent that is of a concern.

Also WHY should the home owners in a 50kph zone be exempt form this planned change.

In our case why does the 50kph zone not be extended to past the last house allowing this to be also a safer road

**I seek the following decision from Council (please give precise detail):** Decline the plan change

**I wish to present at the Council planning hearing:** yes

**I would be prepared to present a joint case at the hearing with others making a similar submission:** yes

**You could gain an advantage in trade competition through this submission:** no

**If you could gain an advantage in trade competition through this submission please complete the following:** no