

DECISION REPORT



**STRATFORD
DISTRICT COUNCIL**

TO: Chief Executive

File Ref 18270

FROM: Planning & Regulatory Manager

DATE: 11 August 2009

**SUBJECT: DISTRICT PLAN DECISIONS PART VI
REMAINING SUBMISSIONS**

1. PURPOSE OF REPORT

This report is to provide recommendations for Council on the remaining submissions made in respect of the District Plan review.

This final decision report covers submissions made in respect of the following issues

- Heritage
- Transportation
- Rural land use
- Emergency Services
- Mineral extraction
- Impermeable surfaces
- Natural hazards
- Amenity values
- Hazardous substances
- Designations
- Statutory Acknowledgements

2. EXECUTIVE SUMMARY

This report contains a number of recommendations in response to those submissions which did not fall into the various issues reported previously. The most significant amendments recommended as a result of these submissions are:

- The replacement and updating of Appendix 6.2 relating to the vehicle access standards.
- New provisions for emergency services which had not previously been separately considered under the District Plan.
- The inclusion of Statutory Acknowledgements (Treaty of Waitangi settlements)

3. BACKGROUND

A number of submissions were received concerning the various issues during the review process. As these submissions did not fall within the issue areas considered previously they have been grouped together within this report.

4. **CONSULTATIVE PROCESS**

4.1 **Public Consultation**

There is no requirement for further consultation on the submissions received. In drafting the recommendations, however, all of the submitters and cross submitters have been further consulted with.

4.2 **Maori Consultation**

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

5. **RISK ANALYSIS**

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

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

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

6. **DECISION MAKING PROCESS**

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

6.1 **Direction**

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

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

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

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

“Sustainable development”.

6.2 **Choices**

Council may uphold or decline any submissions or cross submissions made and may make any consequential changes which arise from those decisions. Where the intent of the submissions may be met more appropriately in a matter other than as outlined by the submitter, then Council may make those changes should it be deemed necessary.

6.3 **Data**

Almost all of the submissions and cross submissions were received on the third notification involving the entire proposed Stratford District Plan. A limited number were received on proposed Plan Change 15 and are italicised. Cross submissions received are indented beneath the reference submitted on and the position of the cross submission with regard to the original submission is stated.

HERITAGE

Introduction

Submissions

AMEND - NZ Historic Places Trust

Commentary on Submissions

The submitter is seeking additional words within the Introduction to the Stratford District Plan which provide recognition of the role of heritage values within the district.

The appropriate place for any recognition of heritage is within A5.4 Settlement in the District in the Introduction as all of the heritage values are linked directly to historic occupation of the District.

RECOMMENDED

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

335. The following paragraph be inserted as a new fourth paragraph in Section 5.4:

“By the 1890s settlement had spread to the eastern hill country and the township of Wangamomona (the “h” being added in 1902) was founded. Fuelled by an expansion of farming and the construction of both the roads and the railway, the area flourished until the effects of flood and fire in 1924 and 1943 respectively initiated a gradual decline. The heritage of the area is highly significant to the District and is acknowledged with the naming of State Highway 43 as the “Forgotten World Highway. The current population of the eastern area beyond Douglas is now approximately only 400.”

Recommended Reason

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

A11.1 Issue

Submissions

AMEND - NZ Historic Places Trust

Commentary on Submissions

The submitter is seeking a change from the references to “heritage resources” in the District Plan to “historic heritage” as is used in Section 6(f) of the Resource Management Act 1991.

Whilst the use of the term “historic heritage” in the Act is acknowledged, with respect this term is a comparatively poor descriptor of the issue. “Heritage Resources” encapsulates the necessity of actually using our built heritage if we are to effectively protect it and also acknowledges that these structures are a resource for the district that has been passed on through the generations.

Their “historic” value is subject to debate and varies according to how the structures have been assessed, but nevertheless the range of structures is still included within what the District Plan defines as being “heritage resources”. In that definition the term goes beyond including just “historic value” but includes “*architectural, cultural, spiritual, amenity or [any] other values of significance*”. Although most of these values are included within the Act definition of “historic heritage”, any ordinary reading of this term would not include those wider values and therefore the term lacks clarity.

RECOMMENDED

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

Recommended Reason

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

A2.3.1 Policy

A4 Treaty of Waitangi and Matters of Significance to Iwi

A10.3.1 Policy

A11.2 Objective

A11.3 Policies

A11.4 Methods

A11.4.5 Method

A11.5 Explanation for Objectives, Methods and Policies

A11.6 Anticipated Environmental Outcomes
A14.3.1 Policy
A14.3.3 Policy
A14.3.5 Policy
A16.3.6 Policy
B1.1.6 Non-Complying Activities Rule
B2.7 Standards - Heritage Resources
B5.8 Assessment Criteria - Heritage Resources
B6.4 Information Requirements - Heritage Resources
C2.1.19 Financial Contributions - Heritage Resources

Submissions

SUPPORT - NZ Historic Places Trust
Federated Farmers (A11.4.5)

RECOMMENDED

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

Recommended Reason

337 The submissions are in support of the proposals.

A11.2.1 Objective

A11.3.2 Policy

A11.3 Policy

Proposals

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

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

Submissions

AMEND - Transpower (NZ) Ltd
Federated Farmers - Support
NZ Historic Places Trust - Oppose
EECA - Support

Commentary on Submissions

The submitter, supported by Federated Farmers and EECA, seeks to qualify the land use, development and subdivision activities for which effects will be considered by the use of the word “inappropriate”. The NZ Historic Places Trust submit that there is no need as the intent is clarified by the wording of the Resource Management Act.

The submitters’ request is identical to others considered previously. Where possible it is agreed that the wording of the objectives and policies should follow the Act and the Plan is not compromised by doing so. The Plan allows for appropriate activities as permitted because there are no environmental effects which require consideration.

The submitters also seek a reference to Policy A1.3.1 to determine what is appropriate. As pointed out by the NZ Historic Places Trust, that policy concerns riparian management and is not relevant to heritage resources.

RECOMMENDED

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

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

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

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

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

Recommended Reason

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

B1.1.1(e) General Rule - Permitted Activities

B1.1.4 Limited Discretionary Activities

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

Proposals

“B1.1.1

(e) The following types of signs:

- *All signs that comply with the Standards, Conditions, and Terms in Part B.2, except for -*
 - *signs using light, including illuminated signs, neon lights, flashing or revolving lights (see Rule B1.1.4); and*
 - *signs to be sited on land adjacent to either State Highway 3 or State Highway 43 where a speed restriction of greater than 70 km/hr applies (see Rule B1.1.4).*
- *All official signs irrespective of whether they comply with standards, conditions and terms in Part B.2 (see Part E for the definition of an “Official Sign”).”*

“B1.1.4

- *Signs not provided for as a permitted activity in Rule B1.1.1.”*

“B1.1.4.1

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

- *compliance with the applicable Standards, Conditions, and Terms in Part B.2; and*
- *the location, size, colour, letter height, and construction of the sign;*
- *the requirement of financial contributions; and*
- *the payment of administrative charges.*

- *the completion of works and services which may be, but are not limited to, those works and services detailed in Section C2 of this plan.*
- *effects on amenity, outstanding natural features and landscapes, and the safe use of the transport infrastructure.*

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

Submissions

AMEND - NZ Historic Places Trust

Commentary on Submissions

The submitter requests that all signs which comply with the general sign standards and are proposed to be sited on allotments which contain heritage resources or on the structures themselves be treated as limited discretionary activities rather than be permitted. Neither the submission nor the referenced Guide No.3 document suggests any matters over which discretion would be restricted.

There is merit in having some control over signs placed directly on heritage structures as these can have a major effect on the appearance of a building and are largely uncontrolled in the Plan. Signs on land are, however, already subject to size and application controls which are considered to be sufficient. Further controls on these may be counterproductive in that they potentially block effective use of the land. Where these standards are not met, however, then the matters over which discretion is reserved should include heritage effects.

RECOMMENDED

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

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

(e) *The following types of signs:*

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

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

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

- *compliance with the applicable Standards, Conditions, and Terms in Part B.2; and*
- *the location, size, colour, letter height, and construction of the sign;*

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

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

Recommended Reasons

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

B1.1.1(i) General Rule - Permitted Activities

Part E Definition

Proposals

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

““Minor works”

means, in the context of heritage resources, the minor repair of buildings and structures where the minor repair means the repair of materials by patching, piecing in, splicing and consolidating existing materials and including minor replacement of minor components such as individual bricks, cutstone, timber sections, tiles and slates where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces, and the number of components replaced should be substantially less than existing.”

Submission

AMEND - NZ Historic Places Trust

Commentary on Submissions

The submitter requests that the use of the term “minor works” be deleted and replaced with “repairs and maintenance” and a robust (supplied) definition of that. The current definition of “minor works” is focused on minor repairs where like materials are used whereas the supplied terms are more focused on restoration.

The Historic Places Trust proposal would allow for a wider range of restoration work to be carried out on historic structures as permitted activities provided that the suggested standards were adhered to. The existing rule and definition have been in the Plan for 10 years and have not lead to any difficulties. The only restoration work carried out in that period did go through the consent process which involved consultation with the Historic Places Trust. It is acknowledged, however, that the suggested definitions and

standard will provide a greater degree of both certainty and flexibility to the Plan provisions.

RECOMMENDED

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

345. The following definition be added to Part E:

“”Repairs or maintenance”

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

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

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

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

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

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

- The work involves stabilisation, preservation and conservation as defined in the ICOMOS NZ Charter for the Conservation of Places of Cultural Heritage Value, 1993 (the ICOMOS Charter).*
- The work does not involve alterations, additions (including restoration and reconstruction as defined in the ICOMOS Charter), relocation, partial demolition and demolition.*
- The work involves the restoration to good or sound condition of any existing building or any part of an existing building.*
- The work involves the patching, restoration or minor replacement of materials, elements, components, equipment and fixtures for the purposes of maintaining such materials, elements, components, equipment and fixtures in good or sound condition.*
- Any redecoration work involves the renewal, restoration or new application of surface finishes, decorative elements, minor fittings and fixtures and floor coverings which does not destroy, compromise, damage or impair the appreciation of the heritage values of the element being redecorated.*
- The work carried out on the building shall generally match the original in terms of quality, materials and detailing.*
- Repair of material or of a site should generally be with original or similar materials. However, repair of technically higher standard than the original workmanship or materials*

may be justified where the life expectancy of the site or material is increased, the new material is compatible with the old and any heritage value is not diminished.

- *The work is for the purposes of keeping the building in good condition.*
- *The work does not result in any increase in the area of land occupied by the building.*
- *The work does not change the character, scale and intensity of any effects of the building on the environment (except to reduce any adverse effects or increase any positive effects) but does not include upgrading.*
- *No painting is to be applied to any previously unpainted surface or render to previously unplastered wall surfaces. New paint should not adopt brash or extreme colours and the adoption of ‘corporate colours’ should be discouraged.*
- *Repair work should be carried out or supervised by a tradesperson with experience in working with heritage buildings.”*

Recommended Reason

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

B1.1.5 General Rule - Discretionary Activities

Proposal

- *“The modification, alteration or subdivision of any structure listed amongst the heritage resources identified for protection in Appendix 5 of this Plan (but EXCLUDING “minor works” as defined in Part E, Definition of Terms. See also Rule B1.1.1(i)).”*

Submission

AMEND - NZ Historic Places Trust

Commentary on Submission

The submitter contends that the wording of the rule is unclear as the words alteration and modification are not defined within the Plan. The submission contains two definitions, one for “alteration” and the other for “addition” although it is clear that the two can be effectively combined as, in terms of an existing structure, any addition is by necessity an alteration to that structure.

The change can be made without compromising the Plan.

RECOMMENDED

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

350. The following definition be added to Part E:

““Alteration”

means, in the context of heritage resources, any changes to the characteristics of a building involving, but not being limited to, the

removal, replacement or construction of walls, windows, ceilings, floors or roofs, either externally or internally but does not include repairs or maintenance.”

351. That Rule B1.1.5 Bullet Point 3 be amended to state:

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

Recommended Reason

349-351 The amended wording aligns with best practice.

B1.1.6 General Rule - Non-Complying Activities

Proposal

- *“The damage, removal, demolition, or destruction of any heritage resource, identified for protection in Appendix 5 of this Plan.”*

Submission

AMEND - NZ Historic Places Trust

Commentary on Submission

The submitter requests that this rule be extended to include all heritage resources.

The rule is part of a suite of rules which provides for a tiered approach to heritage resources in the Plan. The level of protection offered differs according to whether a structure is nationally protected, included in Appendix 5 for protection or listed in the Inventory. It was never intended that all structures listed in the Inventory be protected and that was the reason for assessing the various structures listed. To amend the rule as requested would in effect protect all of the Inventory list, as well as any “older” structure in the District, as opposed to just those that had been assessed as requiring protection.

The remaining structures in the Inventory are subject to non-regulatory mechanisms instead.

RECOMMENDED

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

Recommended Reason

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

B2.1.9 Standard - Signs

Proposal

“(b) Other Sign Criteria:

- *There shall be only one free standing sign per property, and the content of the sign must relate to the activity being undertaken on the site.*
- *All “temporary signs” (as defined in Part E, Definition of Terms) and their fixtures, including signs advertising the sale of*

building/s and/or property, must be removed within 48 hours of the related activity ending, or the property being sold.

- *All signs must not create a hazard to vehicular or pedestrian traffic in the District and must comply with the "Traffic Regulations 1976" and the "Transport Act 1962".*
- *All signs must be located on the lot or site to which they relate, within the area delineated by the Land Use Standard for Height In Relation To Boundary, except for temporary signs (including real estate signs) and directional signs.*
- *Footpath signs must comply with the requirements of the District Council Bylaws."*

Submission

AMEND - NZ Historic Places Trust

Commentary on Submission

The submitter requests that the criteria include effects on heritage resources due to the potential for signs to obscure views or affect the amenity of historic sites.

Signs are subject to size limitations and must relate to the activity on the site if they are to be permanently fixed without requiring a resource consent. Heritage resources are located in the business, rural and protected area zones. In fact the issue identified by the submitter only arises in the rural area due to buildings taking up the entire allotment in the business area and protected areas being subject to reserve management controls.

The only sites which are potentially affected in the rural zone are those within Whangamomona and every heritage building in the township is located up to the road boundary. There is, therefore, no ability to place a sign which would compromise views of any of these buildings without substantially altering the building and therefore requiring resource consent.

RECOMMENDED

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

Recommended Reason

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

Appendix 5: Known Heritage Resources of Significance Identified for Protection

Submission

AMEND - NZ Historic Places Trust

Commentary on Submissions

The submitter requests that the Appendix be reformatted to better reflect the categories of protection, particularly in regard to those registered with the Trust, heritage areas, waahi tapu and other archaeological sites.

The suggestion is based on the premise that different types or categories of heritage resources within the list would have different levels of protection. In fact this is not the case in the Stratford District, except in regard to those structures actually listed and registered with the Trust as compared with those which are in the Appendix but not listed with the Trust. Stratford does not

have any heritage landscapes or areas which would, if present, potentially warrant separate standards.

However, it is acknowledged that the Appendix could be reformatted to make it easier to identify sites and the archaeological sites need to be fully identified. The archaeological sites were identified with Iwi in the NZ Archaeological Association Sites Upgrade Project. Although there has since been some question over the accuracy of some of the information, the locations were identified by Iwi at the time of the project.

RECOMMENDED

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

355. That Appendix 5 be reformatted such that:

- The heritage resources are ordered in terms of their Historic Places Trust classification.
- The information from the NZ Archaeological Association Sites Upgrade Project is incorporated into the list.
- The complete list is shown on the Plan Maps.

Recommended Reason

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

Appendix 5: Known Heritage Resources of Significance Identified for Protection

Submission

AMEND - NZ Historic Places Trust
Federated Farmers - Oppose

Commentary on Submissions

In addition to the above amendments the submitter is seeking three specific changes to the listed sites:

- The addition of the Ministry of Agriculture and Fisheries building
- The addition of the Whangamomona village as an historic area
- The removal of the Mangaotuku Truss Bridge

Federated Farmers object to the addition of the Whangamomona village due to the lack of consultation.

Any proposal to protect the entire Whangamomona village must be subject to a separate consultative process and cannot be actioned simply on the basis of a single submission to the District Plan. This is especially the case given that the Whangamomona community is in the process of upgrading and restoring the township area on both sides of the State Highway. The submitters request could be investigated as a part of the District Plan rolling review or, should the local community be in agreement, as a part of an earlier Plan Change.

The Ministry of Agriculture and Fisheries building, which was on Juliet Street adjacent to the Stratford Club, was removed to Hamilton in 1993. At least a quarter of the building failed to make the destination and was destroyed *en route*.

The request concerning the Mangaotuku Truss Bridge is “*because the bridge has been demolished and no longer exists*”, as stated by the submitter. In fact a proposal to demolish the bridge was being investigated by Transit NZ in 2005 but was never followed through with. No resource consent to demolish the structure has been applied for or granted and the bridge, although in an advanced state of disrepair, still exists. If the NZ Historic Places Trust wishes to deregister the existing structure then, with respect, it is suggested that they go through the appropriate process to do so and advise Council accordingly. No evidence was provided that this has been done.

RECOMMENDED

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

Recommended Reason

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

TRANSPORTATION

A9.2.1 Objective

A9.2.2 Objective

A9.3.2 Policy

A9.3.4 Policy

A9.3.5 Policy

A9.4.2 Method

B2.1.13 Standard

B2.1.14 Standard

B2.1.15 Standard

Submissions

SUPPORT - *Ontrack*
NZ Transport Agency
Contact Energy Ltd

RECOMMENDED

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

Recommended Reason

357. The submissions are in support of the proposals.

A9.4.2 Method

Proposal

“A9.4.2 To use **rules and standards** for land use, and **conditions and terms of resource consents** -

(a) to **control** such things as (but not limited to) -

- access to and from properties; and
- design and location of roads and intersections; and

- *avoid disturbance to amenity values and to the environment, including sites of historic, cultural or spiritual significance identified in the District Plan; and*
- *the impact of adjoining land uses; and*
- *provision for safe pedestrian movement; and*
- *provision of off-street parking; and*
- *provision of stock underpasses.*
- *Development on or adjacent to indicative roads.*
- *Development of forestry with regards to road use outputs....”*

Submission

AMEND - *Ontrack*

Commentary on Submission

The submitter seeks the inclusion of the rail network within the method, having noted that indicative roads are specifically covered whereas rail is not.

The inclusion of indicative roads is simply required because they do not actually exist as transportation infrastructure. The possible effects of activities adjacent to road and rail is covered under the fourth bullet point. This could be further clarified without overly limiting the method.

RECOMMENDED

358. The submission from Ontrack be upheld in part.

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

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

Recommended Reason

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

A9.4.6 Method

Proposal

“A9.4.6 To **signal** indicative roads within the District Plan, and control development on or adjacent to those roads through the use of rules, standards, conditions and terms on resource consents.”

Submission

AMEND - *Ontrack*

Commentary on Submission

The submitter again seeks the inclusion of the rail network within the method, having noted that indicative roads are specifically covered whereas rail is not.

The inclusion of indicative roads is to allow the identification of these within the Plan. The possible effects of activities adjacent to road and rail is covered under the fourth bullet point of Method A9.4.2(a). The need to recognise the potential for adverse effects on the transportation infrastructure, including the rail network, is covered by Method A9.4.2(b) which is supported by the submitter.

RECOMMENDED

360. The submission from Ontrack be declined

Recommended Reason

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

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

Submissions

AMEND - *Stratford District Council*
NZ Transport Agency
Vector Gas Ltd

Commentary on Submissions

The NZ Transport Agency seeks the incorporation of Appendix 5B to the Transit Planning and Policy Manual to be incorporated into the Appendix 6 standards. The submission states that the District Plan is silent on provisions relating to vehicle access onto State Highways. In fact these are explicitly covered in the provisions relating to Strategic Arterial Roads, but the standards do require updating. The Stratford District Council submission is to clarify the application of the various standards and update them where necessary.

Vector Gas seeks a consultation note, as an information requirement, in conjunction with the vehicle access way standards. Although the plan does require this where a vehicle crossing or access way is proposed as a part of subdivision or land use, it is not clear that this applies to any vehicle access way or vehicle crossing even when not associated with other activities. In addition the requirement should apply to other network utilities.

Appendix 6.2 has been further reviewed to ensure that the submissions from the NZ Transport Agency and Vector gas Ltd have been incorporated.

RECOMMENDED

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

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

Recommended Reason

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

RURAL LAND USE

A14.2.2 Objective

A14.3.1 Policy

A14.3.3 Policy

A14.3.5 Policy

A14.4.8 Method

A14.5 Explanation for Objectives, Policies and Methods

B1.2.1.1 Rule - Permitted Activities

Submissions

SUPPORT - Contact Energy Ltd
TrustPower NZ Ltd - Support
Federated Farmers
NZ Historic Places Trust

RECOMMENDED

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

Recommended Reason

363. The submissions are in support of the proposals.

Introduction - 5.2 Economic Activity

Submission

AMEND - Federated Farmers

Commentary on Submission

The submitter requests that the economic activity tables be updated to include more current information. The tables should have information from the last two census reports in them.

RECOMMENDED

364. The submission from Federated Farmers be upheld.

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

Recommended Reason

364-365 The information should be current.

A14.6.3 Anticipated Environmental Outcome

Proposal

“A14.6.3 *Rural amenity values are protected and maintained.*”

Submissions

AMEND - Federated Farmers
TrustPower NZ Ltd - Support

Commentary on Submissions

The submissions are similar to ones considered previously and point out that the Resource Management Act 1991 does not require the protection of amenity values. The appropriate wording is “maintenance and enhancement”.

RECOMMENDED

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

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

Recommended Reason

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

B1.2.1.1 Rule - Permitted Activities

Proposal

- “• *Farming (except goat farming within 1km of the boundaries of Egmont and Whanganui National Parks - see Rule B1.2.1.3 - and deer farming within 7km of Egmont National Park - see Rule B1.2.1.6).”*

Submission

AMEND - Federated Farmers

Commentary on Submissions

The submitter seeks the addition of “noises associated with farming activities” to be added to this bullet point as being permitted. The intent of this is to exempt farming noises from the noise standards, although the remedy sought would not actually achieve this. Submissions received concerning the goat farming restriction were considered in a previous report.

No analysis of the noise levels produced by farming equipment has been provided and therefore it is unable to be ascertained as to whether or not seasonal activities, such as harvesting or haymaking, which may occur in the evenings or at night do actually exceed the noise standards of the District Plan. It must be noted that these standards apply at the notional boundaries, i.e., 20m from dwellings on other properties. There is therefore a degree of flexibility built into the noise standards where noisy activities may still occur at night and be within the standards so long as care is taken to keep such activities away from the neighbours’ houses during night time hours.

In the absence of either complaints about such activities or evidence to the contrary regarding the alleged non-compliance with the noise standards, it must be assumed that normal farming activities are not giving rise to breaches of the noise standards and that normal farming activities are not being unduly restricted by those standards.

RECOMMENDED

368. The submission from Federated Farmers be declined.

Recommended Reason

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

EMERGENCY SERVICES

Part E Definitions

B1.2.1.3 Rule - Rural Zone Limited Discretionary Activities

B1.2.1.3.1 Matters to Which Discretion is Reserved

B1.3.3 Rule - Residential Zone Limited Discretionary Activities

B1.3.3.1 Matters to Which Discretion is Reserved

B1.4.1 Rule - Business Zone Permitted Activities

Submissions

AMEND - NZ Fire Service Commission

Commentary on Submissions

The submitter is seeking a definition of emergency service facilities to be included in the Plan and provision made for emergency services in the rural, residential and business zones. The rural and residential provisions sought are as limited discretionary activities and the business zone one is as a permitted activity. Relaxation of various standards is also sought for emergency services and these are considered separately.

The suggested definition includes facilities for fire, ambulance and health services. The definition should, however, more appropriately cover emergency services rather than just their facilities.

The amendments sought are appropriate with the exception of the suggested activity status in the residential zone. Hospitals and community services are referenced in the residential rules but as discretionary activities and it would be appropriate for emergency services to also be considered likewise. This signals that although the Plan recognises the possibility of these activities being located within the residential zone, they are considerably different in terms of effect from the typical uses in that zone.

RECOMMENDED

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

370. The following definition for “Emergency Service” be added to Part E:
“Emergency Service”
means an authority responsible for the safety and welfare of the people and property in the community and includes Fire, Police, and Ambulance Services.

371. The following bullet point be inserted into Rural Zone Rule B1.2.1.3 Limited Discretionary Activities:

- “*Emergency Service facilities.*”

372. The following be inserted into Rural Zone Rule B1.2.1.3.1 Matters to Which Discretion is Reserved:

(e) **For Emergency Service Facilities:**

- *actual or potential effects on amenity; and*
- *actual or potential effects on adjoining neighbours; and*
- *actual or potential effects on the safe and efficient use of the transportation infrastructure, particularly the formation and location of access points and the need for on-site parking; and*
- *the payment of administrative charges; and*
- *the requirement of financial contributions.*
- *the completion of works and services which may be, but are not limited to, those works and services detailed in Section C2 of this plan.*

373. The following bullet point be inserted into Residential Zone Rule B1.3.4 Discretionary Activities:

- “*Emergency Service facilities.*”

374. The following bullet point be inserted into Business Zone Rule B1.4.1 Permitted Activities:

- “*Emergency Service facilities.*”

Recommended Reasons

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

B2.1.4 Standard - Maximum Height

Submission

AMEND - NZ Fire Service Commission

Commentary on Submissions

The submitter is seeking an increased height allowance for fire service drying towers which are up to 15m in height as compared with the 10m limit in the residential and rural zones. The business zone limit is 15m and is therefore not an issue.

An exemption is appropriate for the rural zone, given the relatively low level of development. In the residential zone, however, a height of 15m could be visually intrusive and not in character with the surrounding area. Any increase in height over the permitted level should be considered on its merits, especially given the recommendation to classify any emergency service facility in the residential zone as a discretionary activity. It is also noted that the drying tower height could be lowered to around 12m which may avoid unnecessary amenity effects.

RECOMMENDED

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

376. That Maximum Height Standard B2.1.4(g), as amended by decisions, be amended to state:

“(g) **Other Exemptions:**

- *All temporary structures in the Rural Zone (ie. occur for one period of less than four consecutive months at any site)*
- *The height of Emergency Service drying towers in the Rural Zone may be up to a maximum of 15m.”*

Recommended Reason

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

B2.1.8 Standard - Noise and Vibration

Submission

AMEND - NZ Fire Service Commission

Commentary on Submissions

The submitter is seeking increased noise limits in the rural and residential zones for activities taking place at fire stations. Consideration of the appropriateness of an allowance for higher noise levels is similar to the consideration of the height exemption and, in terms of existing facilities, could only apply to the Toko Fire Station.

It is noted, however, that the Toko Fire station is subject to the noise limits provided in the old Stratford County District Scheme and has an existing use

right in regard to the operative and proposed Stratford District Plan. The County Scheme had the 55dB(A)L₁₀ / 45dB(A)L₁₀ limits as the standard and hence the Toko Fire Station already has an allowance to these noise levels.

The exemption should therefore apply only to consented (new) activities given that these facilities are only temporarily occupied and therefore any amenity effects from the relaxation of the noise standards will be minimised.

RECOMMENDED

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

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

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

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

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

Recommended Reason

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

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

Submission

AMEND - NZ Fire Service Commission

Commentary on Submissions

The submitter is requesting that all water supplies and waste water/ stormwater disposal systems comply with the fire fighting code of practice. While this is appropriate wherever reticulated supplies are provided, and is a requirement of subdivision, it is not appropriate for rural properties.

RECOMMENDED

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

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

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

Recommended Reason

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

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

Submission

AMEND - NZ Fire Service Commission

Commentary on Submissions

The NZ Fire Service Commission seeks a technical change to the on-site parking standards. Emergency services are not specified within the table giving the on-site parking requirements.

RECOMMENDED

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

382. Appendix 6 Table 1: Minimum Parking Requirements be amended by including a parking requirement of 1 per 100m² for Emergency Service Facilities.

Recommended Reason

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

MINERAL EXTRACTION

A10 Mineral Extraction

Submission

OPPOSE - Federated Farmers

Commentary on Submission

The submitter opposes the chapter in full as minerals are explicitly excluded from the Resource Management Act 1991 and the effects of the activities are covered under other chapters.

The Mineral Extraction chapter was included in the Stratford District Plan 1997 primarily due to the significance of the oil industry in the district, but also includes quarrying.

Although the Mineral Extraction Objective and Anticipated Environmental Result are both explicitly targeted towards mineral extraction, the underlying methods are more general and replicate methods found under Rural Land Use and Hazardous Substances in particular.

The Mineral Extraction Policy, of which there is only the one, could be transferred to the Rural Land Use Policies to ensure that the issue is adequately covered by policy. This is particularly important in regard to long term quarrying or petroleum production.

The only matter not explicitly covered elsewhere is the need to control transportation routes in conjunction with mineral extraction activities. This is given effect to by Road Maintenance Agreements with the various consent

holders which detail specific routes with these being required by conditions of consent. This method could be transferred to the Transportation chapter.

It is possible to incorporate appropriate wording concerning mineral extraction, which would be a portion of the existing text, into the Rural Land Use chapter whilst still leaving the specific standards, assessment criteria and information requirements given under B2.5, B5.7 and B6.5, as well as the definition of mineral extraction in Part E, as they stand.

This approach confirms the appropriate approach towards mineral extraction activities and, in particular the petroleum exploration industry, as a rural based industry. It is noted that the rules relating to this industry are all found in the Rural Rules section and that any such activity in any other zone would be a discretionary activity in any event.

This change does not affect the provision of discrete standards, assessment criteria and information requirements relating to mineral extraction in the District Plan. These relate back to the activity of “mineral extraction” which is defined in Part E. This is in the same sense that the provisions for forestry relate back to the part E definition for “forestry” despite there not being a separate policy chapter on the same.

RECOMMENDED

383. The submission from Federated Farmers be upheld.

384. The words from the paragraph starting “*The petroleum industry is a significant...*” to the paragraph ending “*...mining of aggregates, or quarrying.*” and the words from “*Impacts can include*” to “*...quarrying has ceased.*” be inserted after the second paragraph of A14.1 Issue (Rural Land Use).

385. That Objective A14.2.2 (Rural Land Use) be amended to state:
“*A14.2.2 A range of activities are provided for in rural areas, in ways that avoid, remedy or mitigate any actual or potential adverse effects of these activities on the environment [and/or community].*”

386. That Policy A10.3.1 be removed from the Mineral Extraction chapter and inserted as Policy A14.3.4 in the Rural Land Use chapter.

387. The following bullet points be added to Method A9.4.2(a) (Transportation):

“*A9.4.2 To use **rules and standards** for land use, and **conditions and terms of resource consents** -*

(a) *to **control** such things as (but not limited to) -*

.....

- *routes for transportation*
- *the payment of performance bonds, financial contributions and requirements for road rehabilitation”*

388. That Chapter A10 Mineral Extraction be deleted.

Recommended Reason

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

A10.1 Issue Statement

Proposal

“• *Actual or potential adverse effects of mineral extraction on the surrounding environment.*”

Submission

AMEND - Department of Conservation

Commentary on Submission

The submitter points out that effects may be on the same land as the site as well as the surrounding land and requests that the word “surrounding” be deleted.

The consequence of deleting the chapter is that mineral extraction is considered as a rural activity. The issue statement for this is: “*The actual or potential effects of rural activities on the environment.*” This therefore gives effect to the submission.

RECOMMENDED

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

Recommended Reason

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

A10.2.1 Objective

A10.3.1 Policy

Proposals

“A10.2.1 *The prospecting for, exploration for, extraction of, and processing of minerals in Stratford District is provided for in a manner that avoids, remedies or mitigates any actual or potential adverse effects on the environment and/or community.*”

“A10.3.1 *To avoid, remedy or mitigate any actual or potential adverse effects of the prospecting for, exploration for, extraction of, and processing of minerals on -*

- *the environment of the District, including (but not limited to)*
 - *ecosystems and habitats; and*
 - *indigenous forest areas; and*
 - *the natural character of the margins of lakes, rivers, streams and wetlands; and*
 - *the integrity of heritage resources, including sites of historical, architectural, archaeological, cultural or spiritual significance; and*
 - *amenity values; and*
- *people and communities in the District; and*
- *properties on which the prospecting for, exploration for, extraction of and processing of minerals is occurring or has occurred; and*

- *adjacent land uses; and*
- *transportation routes and facilities.”*

Submissions

SUPPORT - Department of Conservation
NZ Historic Places Trust

Commentary on Submissions

The equivalents of both the objective and the policy are found in the Rural Land Use Chapter.

RECOMMENDED

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

Recommended Reason

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

B2.5(b) Standards

Proposal

- “
- *No mineral prospecting or exploration operation or underground pipeline operation shall be commenced until notification has been made to the District Council, Regional Council and affected landowners that the activity is to be undertaken. This notice shall include details of measures undertaken to comply with the requirements of the District Plan, including the consultation requirements. Such notification must take place 30 days prior to the commencement of the work. The commencement of operations is to be publicly notified seven days prior to commencement.*

Purpose:

To assist the District Council in monitoring compliance with the provisions of the District Plan, which will in turn assist the District Council in monitoring the state of the environment in the District, with the intention of avoiding, remedying or mitigating any adverse effects of mineral extraction in the District.”

Submission

AMEND - *Swift Energy Ltd*

Commentary on Submission

The submitter objects to the public notification requirement as all affected persons have been previously notified as a part of the consenting process. Although this is correct, the standard also applies to permitted activities such as seismic testing in the rural area.

One way of addressing the concern is to place a caveat on the requirement to publicly notify operations such that it only applies where there is any interruption or involvement of public facilities, such as roads.

RECOMMENDED

391. The submission from Swift Energy Ltd be upheld in part.

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

Recommended Reason

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

B2.5(c) Standards

Proposal

- “• *With regard to the application of the control of noise in Standard/Condition/Term B2.1.8 above, the party undertaking mineral extraction shall be required - at its own cost - to provide for the monitoring of noise emissions associated with -*
- *well drilling; and*
 - *drill stem testing, initial well testing and clean-up;*
 - *flaring; and*
 - *interim; and*
 - *petroleum production;*
- for the duration of these operations, and noise monitoring records shall be made available to the District Council within 24 hours upon request.*

Purpose:

To assist the District Council in monitoring the state of the environment in the District, with the intention of ensuring the avoidance, remedying or mitigation of any adverse effects of noise on people, amenity values, and the environment.”

Submission

AMEND - *Swift Energy Ltd*

Commentary on Submission

The submitter objects to the need for continual noise monitoring throughout the activity. It is noted that the second bullet point of this standard requires separate monitoring should three noise complaints be received. Beyond this, in practice applicants have been required to provide monitoring results and noise modelling for drilling rigs to demonstrate the ability to comply with the noise levels as a part of the consenting process and are then required to meet those levels by way of consent condition.

The standard should therefore match what is established practice in the consenting process.

RECOMMENDED

393. The submission from Swift Energy Ltd be upheld.
394. That the first bullet point of B2.5(c) be transferred to B6.1.2 Information Requirements for Controlled and Limited Discretionary Activities and amended to state:

- “• For consents for petroleum exploration, production testing and interim production:

With regard to the control of noise as required by Standard/Condition/Term B2.1.8, the party undertaking mineral extraction shall be required, at its own cost, to provide for the monitoring and noise modelling of noise emissions to be associated with -

- *well drilling; and*
- *drill stem testing, initial well testing and clean-up;*
- *flaring; and*
- *interim production; and*
- *petroleum production”*

Recommended Reason

393-394 The amendment reflects established consenting practice.

B2.5(d) Standard

Proposal

- “• *Any flaring associated with the “drill stem testing”, “well clean-up” and “initial well testing” phases of petroleum exploration may be intermittent, but shall not exceed an aggregate of 96 hours per geological formation or “zone”, for a maximum of 4 geological formations or “zones”.*

Purpose:

To avoid, remedy or mitigate any adverse effects of flaring on amenity values, people, and the environment, by limiting the duration of flaring associated with aspects of the mineral extraction industry that are permitted activities.”

Submission

AMEND - *Swift Energy Ltd*

Commentary on Submission

The submitter points out the lack of consistency between the Taranaki district and regional plans and the lack of consistency between these and the relevant regulations. The Stratford District Plan limit is 16 days, compared with 180 days under the TRC, 180 days under the NPDC and 30 days under the regulations. This limit applies to planned flaring and has not created a compliance issue to date, although in some cases the limit has been relaxed by way of the consent conditions for the overall activity.

Generally it is not in the interests of the exploration company to extend flaring beyond a minimal level as any product extracted has a financial value. As the lower limit in the Stratford District has not presented any problem to date there is no sufficient reason to change it.

RECOMMENDED

395. The submission from Swift Energy Ltd be declined

Recommended Reason

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

IMPERMEABLE SURFACES

Proposals

Policy

“A8.3.2 *To manage development in a manner that does not exacerbate natural hazards.*”

Method

“A8.4.4 *To develop rules and standards, conditions, and terms on resource consents in the District Plan to:*

- *control subdivision and/or development proposed to take place in areas identified as being at risk from natural hazards; and*
- *ensure all development is carried out in a manner that does not exacerbate natural hazards”*

Standard

“B2.1.3 *Maximum Impermeable Surface*

(a) *Residential Zone:*

Development of a site in the Residential Zone or Rural Zone is a permitted activity if total impermeable surfaces does not exceed 60% of the site area.

(b) *Business Zone; Rural Zone:*

There are no controls in impermeable surfaces in the Business Zone or Rural Zone.

Purpose:

To avoid the exacerbation of stormwater flooding problems, protect water and soil quality, and protect the natural character and visual amenity of residential and rural areas.”

Submissions

AMEND - *Taranaki Regional Council*
Swift Energy Ltd
Tegel Foods - Support
Powerco Ltd
Tegel Foods - Support
Ontrack
Tegel Foods - Support
Federated Farmers

Commentary on Submissions

Powerco seeks an exemption from the impermeable surface standard for network utility sites. The standard only applies to residential zone properties, noting the concern raised by Swift Energy and Federated Farmers, and the reason is due to the lack of stormwater reticulation in the residential areas of Stratford. This applies irrespective of the actual or proposed use of the property.

Swift Energy and Federated Farmers point out that there is some confusion over the application of Standard B2.1.3 in the rural zone and suggests that it should not apply. The inclusion of the rural zone in the standard is in error and

the stated exemption for the rural zone should apply. In addition it is noted that the reference in the proposed standard to “site” should be to an “allotment” to provide clarity to the application of the standard.

Both the Taranaki Regional Council and Ontrack are concerned about the lack of control over impermeable surfaces in the business zone and the potential for stormwater overflow to affect rail reserve. The business zone has always allowed for 100% site coverage, but stormwater is required to be disposed of into the reticulated system where supplied. Where there is no stormwater reticulation then stormwater must be disposed of on site and is not permitted under the District Plan site development standards, B2.1.13, to be left to run onto a neighbouring site. To effectively limit the amount of site coverage permitted in the business zone is inappropriate given the need for business activities to maximise the use of their sites as compared with the open space amenity which is a part of residential development in Stratford.

RECOMMENDED

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

Recommended Reasons

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

NATURAL HAZARDS

A8.3.1 Policy

Proposal

- “A8.3.1 *To identify areas of the District at risk from natural hazards, particularly (but not limited to) areas or sites susceptible to flooding, erosion, subsidence, slope instability, volcanic or seismic*

activity, and to manage development occurring in these areas in such a way as to avoid, remedy or mitigate the risk to people, property and the environment as far as is practicable.”

Submissions

SUPPORT - Transpower (NZ) Ltd
EECA

RECOMMENDED

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

Recommended Reason

399. The submissions are in support of the proposals.

A8.4.4 Method

Appendix G: Planning Maps

Proposal

“A8.4.4 *To develop rules and standards, conditions, and terms on resource consents in the District Plan to:*

- *control subdivision and/or development proposed to take place in areas identified as being at risk from natural hazards; and*
- *ensure all development is carried out in a manner that does not exacerbate natural hazards.”*

Submissions

AMEND - Powerco Ltd
Taranaki Regional Council
TransPower (NZ) Ltd - Oppose

Commentary on Submissions

Powerco are seeking a further method whereby network utilities may be located in a natural hazard area where there is no alternative and any effects can be avoided, remedied or mitigated.

The Taranaki Regional Council request that the Plan explicitly prohibit proposals where it is not possible to avoid, remedy or mitigate the risk. Tied in with this is the request to show hazard areas on the Planning Maps. The request to prohibit such development is opposed by Transpower as not being necessarily appropriate for such as electricity lines, although the original submitter’s caveat concerning mitigation could well apply in such circumstances.

Where a natural hazard is identified, the ability to determine whether or not a proposal proceeds, where there is building work, is determined under the Building Act 2004. Any building work can only be given approval if the design is able to mitigate any identified hazard.

In the Stratford District there have been no specific hazard areas identified to date, although identified hazards from wind, rain fall and snow fall are routinely dealt with in the building consent processes. Areas such as the eastern hill country can be prone to slippage on steep slopes, although these

are rarely if ever subject to either building or subdivision development. Any subdivision which does occur is rarely for the express purpose of building on the land and any building work is subject to the constraints of the Building Act 2004 in any event.

The Eastern hill country rivers, notable the Tangarakau and Whangamomona Rivers, and the Te Wera flats are the only areas which have been subject to flooding, albeit at very low return rates. Again the level of subdivision and development in these areas is negligible and subject to building control processes.

The explanation of the objectives, policies and methods in the Plan gives an overview of this, which could be expanded to include additional reference to the Building Act 2004. In summary, however, because of the low levels of hazard within the District coupled with the low development pressure it is not considered appropriate to either map out hazard areas or include specific controls in the rules and standards relating to any such areas.

RECOMMENDED

400. The submissions from Powerco Ltd and the Taranaki Regional Council be declined and the cross-submission from Transpower (NZ) Ltd be upheld.

401399. That the 5th paragraph under A8.5, commencing with the words *“The identification of areas at risk...”* be replaced with the following; *“The low level of subdivision and development in the hill country river valleys means that the appropriate control in regard to hazards, such as potential flooding or land instability, in these areas is on a case by case basis with reliance primarily on the Building Act 2004. The building controls require the identification and mitigation of hazards to allow appropriate development to occur.”*

Recommended Reasons

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

401. The additional words balance the explanation given for a more planned approach in the Stratford urban area.

AMENITY VALUES

A5.4.5 Method

Proposal

“A5.4.5 *Provide guidelines that provide landowners and developers with information on -*

- *sources of design techniques for the attenuation of noise; and*
- *how maintenance of trees identified as notable trees may be best undertaken so as to help maintain the attributes of such trees; and*

- *the merits of voluntarily protecting trees identified as notable, and the legal options available for voluntary protection, particularly the use of covenants.”*

Submissions

AMEND - Transpower (NZ) Ltd
 Federated Farmers - Support
 EECA - Support

Commentary on Submissions

The submitters are requesting that an additional bullet point be added concerning safe separation distances between trees and overhead power lines.

The District Plan’s concern with trees is only concerning:

- setbacks for plantation trees, for which guidance notes are given relating to overhead lines
- indigenous forest, for which standards are provided concerning overhead lines
- protected trees which must be assessed prior to protection, with that assessment also concerning the proximity of overhead lines.

It is not considered appropriate that the District Plan allow for guidelines on an issue which is covered by other legislation, that being non-plantation trees on private property, and which is otherwise not referenced in the District Plan.

RECOMMENDED

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

Recommended Reason

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

B2.1.9 Standard

B2.1.12 Standard

Submissions

SUPPORT - Contact Energy Ltd

RECOMMENDED

403. The submission from Contact Energy Ltd be accepted.

Recommended Reason

403. The submissions are in support of the proposals.

Appendix 4

Submission

AMEND - *Stratford District Council*

Commentary on Submission

The amendment sought is the addition of two groups of trees, one on the Wellington property at 548 Beaconsfield Road and the other at the Stanley School site, to the appendix of Notable Trees. Both requests originated from the site owners at that time and the trees have been formally assessed as being appropriate for inclusion.

RECOMMENDED

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

Recommended Reason

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

HAZARDOUS SUBSTANCES

A6 Issue

B2.3.2 Standard

Submissions

SUPPORT - Contact Energy Ltd

RECOMMENDED

405. The submission from Contact Energy Ltd be accepted.

Recommended Reason

405. The submissions are in support of the proposals.

DESIGNATIONS

Submissions

AMEND - *TransPower Ltd*
Powerco Ltd
Ministry of Education
Stratford District Council
Telecom NZ Ltd

RECOMMENDED

406. The notification of designation changes from TransPower Ltd., Powerco Ltd., Ministry of Education, Stratford District Council and Telecom NZ Ltd be accepted.

407. That the following changes be made to Appendix 1: Designations:

- D97 (Transpower (NZ) Ltd Stratford Substation) legal description be amended to “*Lot 1 DP 18343 Blk II Ngaere SD*”.
- D91 (Powerco Ltd Cloton Road Substation) legal description be amended to “*Lot 1 DP 19036 Blk I Ngaere SD*” and purpose be amended to “*Cloton Road Substation*”.
- D88 (Powerco Ltd Whangamomona Substation) spelling error of Whangamomona be corrected
- D23 (Ministry of Education Tahora School) be deleted.
- D25 (Ministry of Education Matau School) be deleted.
- D53 (Stratford District Council Skinner Road Hall) be deleted.

- D93-D96 (Telecom NZ Ltd) requiring authority to include Telecom Mobile Ltd., and purpose statements be amended to state “*Telecommunication and radiocommunication and ancillary purposes*”

Recommended Reason

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

APPENDIX G: PLANNING MAPS

Submitter

AMEND - *Transpower (NZ) Ltd*

Commentary on Submission

The submitter is seeking the inclusion of the National Grid on the Planning Maps. The Method A13.4.2 allowing this has been recommended by Council and it gives effect to the National Policy Statement for Electricity Transmission (NPSET).

RECOMMENDED

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

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

Recommended Reason

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

STATUTORY ACKNOWLEDGEMENTS

Commentary

Any statutory areas which are acknowledged within iwi settlements must be referenced within District Plans pertaining to those areas. The reference may be either by including just the subpart of the settlement or the entire statutory acknowledgement within the Plan. This is not subject to the consultation or decision making processes of the Resource Management Act 1991 and should be done as soon as practicable following the settlement process.

Within the Stratford District the following settlements have been reached between Iwi which have rohe falling within the District and the Crown:

- Ng ti Tama
- Ng ti Ruanui
- Ng ti Mutanga
- Nga Rauru

Of these, only the Ng ti Tama and Ng ti Ruanui settlements have Statutory Areas within the Stratford District. The Statutory Areas section of these two settlements, including the relevant descriptions of those areas, should be included as an appendix to the District Plan.

The documents are attached as Appendix 2 of this report.

RECOMMENDED

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

Recommended Reason

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

6.4 **Significance**

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

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

6.5 **Prioritisation & Trade-off**

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

6.6 **Specify Nature of Decision Required**

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

6.7 **Sustainability**

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

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

7. **RECOMMENDATIONS**

THAT recommendations 334 to 410, as contained within this report, be approved.

Recommended Reason

The reasons for each recommendation are provided within this report.

M R Avery
PLANNING & REGULATORY MANAGER

Approved by
M R Freeman
CHIEF EXECUTIVE

DATE

APPENDIX 2: STATUTORY AREAS

2.1 Ngati Ruanui Claims Settlement Act 2003

Subpart 5 - Statutory Acknowledgements

Statutory Acknowledgements

88 Statutory acknowledgements by the Crown

The Crown acknowledges the statements made by Ngati Ruanui of the particular cultural, spiritual, historical, and traditional association of Ngati Ruanui with the statutory areas listed in Part 1 of Schedule 4, the texts of which are set out in Schedules 5 to 9.

89 Purposes of statutory acknowledgements

(1) The only purposes of the statutory acknowledgements are -

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court to have regard to the statutory acknowledgements in relation to the statutory areas, as provided for in sections 90 to 92:
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94:
- (c) to enable the governance entity and a member of Ngati Ruanui to cite the statutory acknowledgements as evidence of the association of Ngati Ruanui with the statutory areas, as provided for in section 95:
- (d) to enable the Minister of the Crown responsible for the management of the statutory areas, or the Commissioner of Crown Lands, to enter into deeds of recognition, as provided for in section 96.

(2) This section does not limit the operation of sections 103 to 106.

90 Consent authorities must have regard to statutory acknowledgments

From the effective date, and without limiting its obligations under Part 2 of the Resource Management Act 1991, a consent authority must have regard to the statutory acknowledgement relating to a statutory area in forming an opinion in accordance with sections 93 to 94C of that Act as to whether the governance entity is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on, the statutory area.

91 Environment Court must have regard to statutory acknowledgements

(1) From the effective date, the Environment Court must have regard to a statutory acknowledgement relating to a statutory area in determining, under section 274

of the Resource Management Act 1991, whether the governance entity is a person having an interest in the proceedings greater than the public generally in respect of an application for a resource consent for activities within, adjacent to, or impacting directly on the statutory area.

- (2) Subsection (1) does not limit the obligations of the Environment Court under Part 2 of the Resource Management Act 1991.

92 New Zealand Historic Places Trust and Environment Court must have regard to statutory acknowledgements

From the effective date, the New Zealand Historic Places Trust and the Environment Court must have regard to the statutory acknowledgement relating to a statutory area in forming an opinion under section 14(6)(a) or section 20(1) of the Historic Places Act 1993, as the case may be, as to whether the governance entity is a person directly affected in relation to an archaeological site within the statutory area.

93 Recording of statutory acknowledgements on statutory plans

- (1) Local authorities with jurisdiction in an area that includes a statutory area must attach information recording the statutory acknowledgement to all statutory plans that wholly or partly cover the statutory area.
- (2) The attachment of information under subsection (1) to a statutory plan -
 - (a) may be by reference to this subpart or by setting out the statutory acknowledgement in full and
 - (b) is for the purpose of public information only, and the information is not -
 - (i) part of the statutory plan (unless adopted by the relevant regional council or district council) or
 - (ii) subject to the provisions of Schedule 1 of the Resource Management Act 1991.
- (3) In this section, statutory plans means regional policy statements, regional coastal plans, district plans, regional plans, and proposed plans as defined in section 2(1) of the Resource Management Act 1991 and includes proposed policy statements referred to in Schedule 1 of the Resource Management Act 1991.

94 Distribution of resource consent applications to governance entity

- (1) A relevant consent authority must, for a period of 20 years from the effective date, forward to the governance entity a summary of resource consent applications for activities within, adjacent to, or impacting directly on a statutory area.
- (2) The information provided under subsection (1) must be -
 - (a) the same as would be given under section 93 of the Resource Management Act 1991 to persons likely to be adversely affected, or as may be agreed between the governance entity and the relevant consent authority and

- (b) provided as soon as reasonably practicable after the application is received and before a determination is made under sections 93 to 94C of the Resource Management Act 1991.
- (3) The governance entity may, by notice in writing to a relevant consent authority,
 -
 - (a) waive its rights to be notified under this section and
 - (b) state the scope of any waiver that is given.
- (4) This section does not affect the discretion of a relevant consent authority as to whether -
 - (a) to notify an application under sections 93 to 94C of the Resource Management Act 1991 or
 - (b) the governance entity is a person who is likely to be adversely affected under those sections.
- (5) In this section, relevant consent authority means a consent authority of the region or district that contains, or is adjacent to, a statutory area.

95 Use of statutory acknowledgement

- (1) The governance entity and a member of Ngati Ruanui may, as evidence of the association of Ngati Ruanui with a statutory area, cite the relevant statutory acknowledgement in submissions to, and in proceedings before, a consent authority, the Environment Court, or the New Zealand Historic Places Trust concerning activities within, adjacent to, or impacting directly on the statutory area.
- (2) The content of the statement of association, as recorded in the statutory acknowledgement, is not, by virtue of the statutory acknowledgement, binding as deemed fact on -
 - (a) consent authorities:
 - (b) the Environment Court:
 - (c) the New Zealand Historic Places Trust:
 - (d) parties to proceedings before those bodies:
 - (e) any other person able to participate in those proceedings.
- (3) Despite subsection (2), the statutory acknowledgement may be taken into account by the bodies and persons specified in that subsection.
- (4) Neither the governance entity nor a member of Ngati Ruanui is precluded from stating that Ngati Ruanui have an association with a statutory area that is not described in the statutory acknowledgement.

- (5) The content and existence of the statutory acknowledgement do not limit a statement made under subsection (4).

Deeds of Recognition

96 Authorisation to enter into and amend deeds of recognition

- (1) The Minister of Conservation or the Commissioner of Crown Lands may -
- (a) enter into a deed of recognition with the governance entity -
 - (i) in respect of the land within a statutory area referred to in Part 2 of Schedule 4 and
 - (ii) in the form set out for each statutory area in Part 11 of the Cultural Redress Schedule and
 - (b) subject to subsection (2), amend a deed of recognition.
- (2) A deed of recognition may be amended only by written agreement between -
- (a) the Minister of Conservation or the Commissioner of Crown Lands and
 - (b) the governance entity.

97 Purpose of deed of recognition

- (1) The only purpose of a deed of recognition is to require that the governance entity be consulted and regard be had to its views, as provided in section 98.
- (2) Subsection (1) does not limit or affect sections 105 and 106.

98 Form and terms of deeds of recognition

A deed of recognition entered into under section 96 must provide, in relation to the matters it specifies concerning the management or administration by the Minister of Conservation or the Commissioner of Crown Lands of the statutory area (or that part of it to which the deed of recognition applies), that -

- (a) the governance entity must be consulted and
- (b) regard must be had to the views of the governance entity relating to the association described in the statutory acknowledgement to which the deed of recognition relates.

99 Termination of deeds of recognition

A deed of recognition terminates in respect of a statutory area if -

- (a) the governance entity and the Minister of Conservation or the Commissioner of Crown Lands agree in writing that a deed of recognition is no longer appropriate for the area concerned or
- (b) the area concerned is alienated by the Crown or

- (c) there is a change in the Minister or the department of State responsible for the management of the area concerned.

100 Crown management

The entry into a deed of recognition does not, in relation to a statutory area to which the deed of recognition applies, -

- (a) require the Crown to increase or resume management or administrative functions or
- (b) preclude the Crown from undertaking only limited management or administrative functions.

Application of Statutory Acknowledgements and Deeds of Recognition to Rivers

101 Statutory acknowledgements in relation to rivers

If a statutory acknowledgement relates to a river, the river does not include -

- (a) a part of the bed of the river that is not owned or controlled by the Crown:
- (b) land that the waters of the river do not cover at its fullest flow without overlapping its banks:
- (c) an artificial watercourse:
- (d) a tributary flowing into the river.

102 Deeds of recognition in relation to rivers

If a deed of recognition is entered into in relation to a river, that deed of recognition relates only to the bed of the river, but does not include -

- (a) a part of the bed of the river that is not owned or controlled by the Crown:
- (b) land that the waters of the river do not cover at its fullest flow without overlapping its banks:
- (c) the bed of an artificial watercourse:
- (d) the bed of a tributary flowing into the river.

General Provisions

103 No limitation on other statutory acknowledgements or deeds of recognition

Neither the provision of a statutory acknowledgement nor the entry into a deed of recognition precludes the Crown from providing a statutory acknowledgement to, or entering into a deed of recognition with, a person other than Ngati Ruanui.

104 Exercise of powers, functions, and duties not affected

- (1) Except as expressly provided in sections 89 to 92, 95, 97, and 98, -

- (a) neither a statutory acknowledgement nor a deed of recognition affects, or may be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
- (b) No person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with a statutory area (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if no statutory acknowledgement or deed of recognition existed in respect of the statutory area.

(2) Subsection (1)(b) does not limit subsection (1)(a).

105 Rights not affected

Except as expressly provided in this subpart, neither a statutory acknowledgement nor a deed of recognition affects the lawful rights or interests of a person who is not a party to the deed of settlement.

106 Limitation of rights

Except as expressly provided in this subpart, neither a statutory acknowledgement nor a deed of recognition has the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, a statutory area.

Amendment to Resource Management Act 1991

107 Amendment to Resource Management Act 1991

Schedule 11 of the Resource Management Act 1991 is amended by inserting, in its correct alphabetical order, the following item: “Ngati Ruanui Claims Settlement Act 2003.”

| |
|---|
| Schedule 1 - Cultural Redress Properties |
|---|

Whakaahurangi **Taranaki Land District,**

Marae Site

Stratford District

9337 square metres, more or less,
being Section 1 SO 13312, Sections
146 and 149 Block II Ngaere Survey
District, and Lots 1 and 2 LT 307658.
Part Computer Freehold Register TN
94/239

Subject to the rights to construct and maintain a tunnel and use that tunnel as a water race for the free passage and running of water. Created by Transfer 9284.

Subject to an unregistered lease to Whakaahurangi Marae (Incorporated) over Section 146 expiring on 31 March 2005.

Subject to an unregistered lease to

Whakaahurangi Marae (Incorporated)
over Section 149 expiring on 31
March 2005.

Schedule 9 - Statutory Acknowledgement for Patea River

Statutory Area

The area to which this statutory acknowledgement applies is the area known as the Patea River (excluding Lake Rotorangi), as shown on SO 14742.

Preamble

Under section [88](#), the Crown acknowledges the statement by Ngati Ruanui of the cultural, spiritual, historical, and traditional association of Ngati Ruanui with the Patea River as set out below.

Cultural, Spiritual, Historical, and Traditional Association of Ngati Ruanui with the Patea River

The full name of this river is Patea nui a Turi. It was named by Turi on his arrival overland after leaving the Aotea Waka at Kawhia. The name Patea was given by Turi Ariki when, upon seeing nga kaitiaki (the guardians) left by Kupe as guides for him and his family, he exclaimed “Ka Patea tatou” - *we have arrived at Patea*.

Since that arrival, the river has played an important part in the lifestyles of the Aotea people. The riverbanks have provided the soil for the gardens of Rongorongo Tapairu called Hekeheke I papa, the karaka grove called Papawhero, and the spring of life of Turi and Rongorongo called Parara-ki-te-Uru.

The source of the Patea River is on the mountain Rua Taranaki and is called Whakapou Karakia.

Whakapou Karakia can be found upon the mountain Rua Taranaki within the rohe of Ngati Ruanui.

Upon the arrival of the Aotea people to South Taranaki from Kawhia, Turi Ariki at Te Pou a Turi laid claim to the surrounding territory and the river, which until then has been known as “Te Awa o Taikehu”, as belonging to him and his descendants. Upon completing the respective rituals to protect the newly gained lands from unwanted entities, he then proceeded to spiritually purify the rest of the area.

The newly claimed river, because of its spiritual and life-giving resources, was then traversed and spiritual Kaitiaki sown in every location that was to become significant to the people of the Aotea Waka along the total length of the river. These purifying rituals continued to the source of the river on the mountain. It was at this locality upon the mountain that the final Karakia of protection was performed to unite all the Kaitiaki as one in the protection of the waters and resources pertaining to the river, hence -

whaka: *to do*

pou: *pillar of strength*

karakia: *invocation*

Purposes of Statutory Acknowledgement

Under section 89, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are -

- (a) to require consent authorities, the New Zealand Historic Places Trust, or the Environment Court, to have regard to this statutory acknowledgement in relation to the Patea River, as provided for in sections 90 to 92; and
- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 94; and
- (c) to enable the governance entity and any member of Ngati Ruanui to cite this statutory acknowledgement as evidence of the association of Ngati Ruanui with the Patea River, as provided for in section 95; and
- (d) to provide a statement by Ngati Ruanui of the association of Ngati Ruanui with the Patea River for inclusion in a deed of recognition.

Limitations on Effect of Statutory Acknowledgement

- (1) Except as expressly provided in sections 89 to 92 and 95, -
 - (a) this statutory acknowledgement does not affect, and is not to be taken into account by, any person exercising a power or performing a function or duty under any statute, regulation, or bylaw; and
 - (b) No person, in considering a matter or making a decision or recommendation under any statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Ruanui with the Patea River described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw if this statutory acknowledgement did not exist in respect of the Patea River.
- (2) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not affect the lawful rights or interests of a person who is not a party to the deed of settlement.
- (3) Except as expressly provided in subpart 5 of Part 5, this statutory acknowledgement does not have the effect of granting, creating, or providing evidence of an estate or interest in, or any rights relating to, the Patea River.
- (4) Clause (1)(b) does not limit clause (1)(a).

No Limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Ruanui in respect of the Patea River.

2.2 Ngati Tama Claims Settlement Act 2003

Subpart 4 - Statutory Acknowledgements and Deeds of Recognition

Statutory Acknowledgements

53 Statutory acknowledgements by the Crown

The Crown acknowledges the statements made by Ngati Tama of the particular cultural, spiritual, historic, and traditional association of Ngati Tama with the statutory areas listed in Parts 1 and 2 of Schedule 2, the texts of which are set out in Schedules 3 to 14.

54 Purposes of statutory acknowledgements

- (1) The only purposes of the statutory acknowledgements are -
 - (a) to require consent authorities, the Environment Court, and the Historic Places Trust to have regard to the statutory acknowledgements, as provided for in sections 55 to 57 and
 - (b) to require relevant consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59 and
 - (c) to enable the governance entity and a member of Ngati Tama to cite the statutory acknowledgements as evidence of the association of Ngati Tama with the relevant statutory areas, as provided for in section 60 and
 - (d) to provide a statement by Ngati Tama, for inclusion in a deed of recognition, of the association of Ngati Tama with a statutory area.
- (2) This section does not limit the operation of sections 67 to 70.
- (3) In this subpart, **relevant consent authority** means a consent authority of the region or district that contains, or is adjacent to, a statutory area.

55 Consent authorities to have regard to statutory acknowledgements

- (1) From the effective date, a consent authority must have regard to a statutory acknowledgement relating to a statutory area in forming an opinion in accordance with sections 93 to 94C of the Resource Management Act 1991 as to whether the governance entity is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to, or impacting directly on, the statutory area.
- (2) Subsection (1) does not limit the obligations of a consent authority under Part 2 of the Resource Management Act 1991.

56 Environment Court to have regard to statutory acknowledgements

- (1) From the effective date, the Environment Court must have regard to a statutory acknowledgement in determining under section 274 of the Resource Management Act 1991 whether the governance entity is a person having an interest in the proceedings greater than the public generally in respect of an application for a resource consent for activities within, adjacent to, or impacting directly on the statutory area.
- (2) Subsection (1) does not limit the obligations of the Environment Court under Part 2 of the Resource Management Act 1991.

57 Historic Places Trust and Environment Court to have regard to statutory acknowledgements

From the effective date, the Historic Places Trust and the Environment Court must have regard to a statutory acknowledgement in forming an opinion under section 14(6)(a) or section 20(1) of the Historic Places Act 1993, as the case may be, as to whether the governance entity is a person directly affected in relation to an archaeological site within the statutory area.

58 Recording statutory acknowledgements on statutory plans

- (1) From the effective date, local authorities with jurisdiction in an area which includes a statutory area must attach information recording a statutory acknowledgement to all statutory plans that wholly or partly cover the statutory area.
- (2) The attachment of information under subsection (1) to a statutory plan -
 - (a) may be by reference to this subpart or by setting out the statutory acknowledgement in full and
 - (b) is for the purpose of public information only, and the information is not -
 - (i) part of the statutory plan (unless adopted by the relevant local authority) or
 - (ii) subject to the provisions of Schedule 1 of the Resource Management Act 1991.
- (3) In this section, **statutory plan** -
 - (a) means a regional policy statement, regional coastal plan, district plan, regional plan, or proposed plan as defined in section 2(1) of the Resource Management Act 1991 and
 - (b) includes a proposed policy statement provided for in Schedule 1 of the Resource Management Act 1991.

59 Distribution of resource consent applications to governance entity

- (1) A relevant consent authority must, for a period of 20 years from the effective date, forward to the governance entity a summary of resource consent applications received by that consent authority for activities within, adjacent to, or impacting directly on a statutory area.

- (2) The information provided under subsection (1) must be -
 - (a) the same as would be given under section 93 of the Resource Management Act 1991 to persons likely to be adversely affected, or as may be agreed between the governance entity and the relevant consent authority and
 - (b) provided as soon as reasonably practicable after the application is received, and before a determination is made in accordance with sections 93 to 94C of the Resource Management Act 1991.
- (3) The governance entity may, by notice in writing to a relevant consent authority, -
 - (a) waive its rights to be notified under this section and
 - (b) state the scope of that waiver.
- (4) This section does not affect the obligation of a consent authority to -
 - (a) notify an application in accordance with sections 93 and 94C of the Resource Management Act 1991:
 - (b) form an opinion as to whether the governance entity is a person that is likely to be adversely affected under those sections.

60 Use of statutory acknowledgement

- (1) The governance entity and a member of Ngati Tama may, as evidence of the association of Ngati Tama with a statutory area, cite the relevant statutory acknowledgement in submissions to, and in proceedings before, a consent authority, the Environment Court, or the Historic Places Trust concerning activities within, adjacent to, or impacting directly on the statutory area.
- (2) The content of the statement of association, as recorded in the statutory acknowledgement, is not, by virtue of the statutory acknowledgement, binding as deemed fact on -
 - (a) consent authorities:
 - (b) the Environment Court:
 - (c) the Historic Places Trust:
 - (d) parties to proceedings before those bodies:
 - (e) any other person able to participate in those proceedings.
- (3) Despite subsection (2), the statutory acknowledgement may be taken into account by the bodies and persons specified in that subsection.
- (4) Neither the governance entity nor a member of Ngati Tama is precluded from stating that Ngati Tama have an association with a statutory area that is not described in the statutory acknowledgement.

- (5) The content and existence of the statutory acknowledgement do not limit a statement made under subsection (4).

Deeds of recognition

61 Authorisation to enter into and amend deeds of recognition

A Minister of the Crown with statutory responsibility for land within a statutory area, or the Commissioner of Crown Lands, may -

- (a) enter into deeds of recognition with the governance entity -
- (i) in respect of the land within the statutory areas referred to in Part 1 of Schedule 2 and
 - (ii) in the form set out for each statutory area (or part of an area) in Part 6 of the Cultural Redress Schedule:
- (b) amend a deed of recognition by entering into a deed with the governance entity to amend that deed of recognition.

62 Purpose of deed of recognition

- (1) The only purpose of a deed of recognition is to require that the governance entity be consulted, and regard be had to its views, as provided for in the deed of settlement and in each deed of recognition.
- (2) Subsection (1) does not limit or affect sections 67 to 70.

63 Termination of deed of recognition

A deed of recognition terminates in respect of a statutory area or part of it if -

- (a) the governance entity and the Minister of Conservation or the Commissioner of Crown Lands agree in writing that a deed of recognition is no longer appropriate for the area concerned or
- (b) the area concerned is disposed of by the Crown or
- (c) there is a change in the Minister or the department of State responsible for the management of the area concerned.

64 Crown management

The entry into a deed of recognition does not, in relation to a statutory area to which the deed of recognition applies, -

- (a) require the Crown to increase or resume management or administrative functions or
- (b) preclude the Crown from undertaking only limited management or administrative functions.

Application of Statutory Acknowledgements and Deeds of Recognition In Relation to Rivers

65 Statutory acknowledgements in relation to rivers

If a statutory acknowledgement relates to a river, the statutory acknowledgement does not include -

- (a) a part of the bed of the river that is not owned by the Crown or
- (b) land that the waters of the river do not cover at its fullest flow without overlapping its banks or
- (c) an artificial watercourse or
- (d) a tributary flowing into the river.

66 Deeds of recognition for rivers

If a deed of recognition relates to a river, that deed of recognition relates only to the bed of the river, which does not include -

- (a) a part of the bed that is not owned and managed by the Crown or
- (b) land that the waters of the river do not cover at its fullest flow without overlapping its banks or
- (c) the bed of an artificial waterwork or
- (d) the bed of a tributary flowing into the river.

General provisions

67 Crown not precluded from granting other statutory acknowledgement or deed of recognition

Neither the provision of a statutory acknowledgement nor the entry into a deed of recognition precludes the Crown from providing a statutory acknowledgement to, or entering into a deed of recognition with, persons other than Ngati Tama or the governance entity with respect to the same area.

68 Exercise of powers, duties, and functions not affected

- (1) Except as expressly provided in this subpart, -
 - (a) neither a statutory acknowledgement nor a deed of recognition affects, or may be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw may give greater or lesser weight to the association of Ngati Tama with a statutory area (as described in the relevant statutory acknowledgement) than that person would give under the relevant statute, regulation, or bylaw if no statutory

acknowledgement or deed of recognition existed in respect of the statutory area.

(2) Subsection (1)(b) does not affect the operation of subsection (1)(a).

69 Rights not affected

Except as expressly provided in this subpart, neither a statutory acknowledgement nor a deed of recognition affects the lawful rights or interests of a person who is not a party to the deed of settlement.

70 Limitation of rights

Except as expressly provided in this subpart, neither a statutory acknowledgement nor a deed of recognition has the effect of granting, creating, or providing evidence of an estate or interest in, or rights relating to, a statutory area.

Amendment to Resource Management Act 1991

71 Amendment to Resource Management Act 1991

Schedule 11 of the Resource Management Act 1991 is amended by adding the following item: “Ngati Tama Claims Settlement Act 2003”.

| |
|--|
| Schedule 5 - Statutory Acknowledgement for Moki Conservation Area |
|--|

Statutory area

The area to which this statutory acknowledgement applies is the area referred to in the deed of settlement as the Moki conservation area, the general location of which is indicated on SO 14707.

Preamble

Under section 53, the Crown acknowledges the statement by Ngati Tama of the cultural, spiritual, historical, and traditional association of Ngati Tama with the Moki conservation area, as set out below.

Cultural, spiritual, historical, and traditional association of Ngati Tama with Moki conservation area

This area is important to Ngati Tama for the inland walking track that Ngati Tama used to travel overland to Wanganui and an alternative route from the coast to neighbouring iwi. This area also contains a pa site, the Tihi Manuka Pa, of importance to Ngati Tama.

Purposes of statutory acknowledgement

Under section 54, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are -

- (a) to require consent authorities, the Environment Court, and the Historic Places Trust, as the case may be, to have regard to this statutory acknowledgement in relation to the Moki conservation area, as provided for in sections 55 to 57; and

- (b) to require consent authorities to forward summaries of resource consent applications to the governance entity, as provided for in section 59; and
- (c) to enable the governance entity and members of Ngati Tama to cite this statutory acknowledgement as evidence of the association of Ngati Tama with the Moki conservation area, as provided for in section 60; and
- (d) to provide a statement by Ngati Tama of the association of Ngati Tama with the Moki conservation area for inclusion in a deed of recognition.

Limitations on effect of statutory acknowledgement

- (1) Except as expressly provided in subpart 4 of Part 5, -
 - (a) this statutory acknowledgement does not -
 - (i) affect, and must not be taken into account by, a person exercising a power or performing a function or duty under a statute, regulation, or bylaw:
 - (ii) affect the lawful rights or interests of a person who is not a party to the deed of settlement:
 - (iii) have the effect of granting, creating, or giving evidence of an estate or interest in, or rights relating to, the Moki conservation area; and
 - (b) no person, in considering a matter or making a decision or recommendation under a statute, regulation, or bylaw, may give greater or lesser weight to the association of Ngati Tama with the Moki conservation area described in this statutory acknowledgement than that person would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Moki conservation area.
- (2) Clause 1(b) does not limit clause 1(a).

No limitation on the Crown

This statutory acknowledgement does not preclude the Crown from providing a statutory acknowledgement to a person other than Ngati Tama or the governance entity in respect of the Moki conservation area.

6.2 VEHICLE ACCESS

6.2.1 Design of Vehicle Crossings

Vehicle crossings which provide access to any parking or loading space shall comply with the following requirements:

- for sites with 30m or less total site frontage only one crossing shall be permitted; and
- for sites that have a total street frontage greater than 30m a maximum of two vehicle crossings shall be permitted with a minimum distance of 7.5m between crossings; and
- vehicle crossings shall be of the following width –

Residential Zone

Rural/Residential Area,

Business Zone or other Areas - a minimum width of 3.6 m and a maximum width of 7.2 m.

Rural Zone - a minimum width of 4.0 m.

- where a site is at an intersection of two or more streets (where neither are strategic arterial roads) only one vehicle crossing per frontage shall be permitted and this shall be situated as far as practical from the intersection. Where a site at an intersection has a frontage to a strategic arterial road, any access shall be to the lesser street; and
- vehicle crossing design shall be in accordance with Figures 4 - 7 of this Appendix.
- Consultation is required with the appropriate network utility operator where it is proposed to create a vehicle crossing over a network utility such as, but not being limited to, gas lines, electricity lines and telecommunications. The network utility operator may have requirements in addition to any prescribed in this Plan.

(Vehicle crossing construction standards can be found in Council's Policy Manual. Figure 4 in this Appendix outlines the construction standard for a standard urban vehicle crossing. See also 6.2.4 regarding Crossings Adjacent Strategic Arterial Roads.)

6.2.2 Vehicle Access Points Separation and Sight Distances

(a) **Basis for distance requirements:**

The distance requirements associated with the location of vehicle access points are derived from either the posted speed limit for access to strategic arterial roads, or the speed at which vehicles may safely travel along the section of road (travel speed) for all other roads. The following factors will be taken into consideration when determining the travel speed:

- The posted speed limit
- The 85th percentile speed determined from traffic speed records
- Side thrust gauge results

(b) **Minimum separation distances between intersections:**

The minimum separation distance between intersections shall be as given in Figure 12 of this Appendix.

(c) **Minimum sight distance from intersection:**

The minimum sight distance from an intersection shall be as given in Figure 12 of this Appendix. The method of measuring sight distance shall be in accordance with Figure 8 of this Appendix.

(d) **Minimum separation distance between vehicle access points and intersections:**

The minimum separation distance between vehicle access points and intersections shall be as given in Figure 12 of this Appendix.

(e) **Minimum separation distance between vehicle access points:**

The minimum separation distance between vehicle access points shall be as given in Figure 12 of this Appendix.

(f) **Minimum sight distances from access:**

The minimum sight distance from access points shall be as given in Figure 12 of this Appendix.

(g) **For intensive traffic generated activities on strategic arterial roads:**

- This term is defined as:
 - a truck stop; or

- a supermarket over 1,000 m² gfa; or
 - a group of shops having over 1,000 m² gfa; or
 - a drive-in fast food facility; or
 - a service station.
- Where access is proposed to be to a strategic arterial road and where the speed limit is 50-70 km/hr, the design and construction of the access and vehicle crossing shall comply with the following standards:
 - the access shall cross the property boundary at an angle of 90°, plus or minus 15°; and
 - the vehicle crossing shall intersect with the carriageway at an angle of between 45° and 90°; and
 - There should be a minimum separation distance from an access driveway to an intersection of 60m; and
 - For truck stops and service stations where the speed limit is 100 km/hr, acceleration and deceleration lanes shall be provided. Minimum requirements for this are given in Figure 8 of this Appendix; and
 - The minimum sight distance from an access shall be in accordance with Table 2 of this Appendix (ie, the minimum sight distance from an intersection).

(h) Information Requirements

Consultation with the NZ Transport Agency shall be undertaken where it is proposed to create a vehicle access or road intersection with any State Highway. Note that the NZ Transport Agency may have requirements in addition to any prescribed by this Plan.

6.2.3 Design of Vehicle Accessways

(a) Residential Zone (includes Rural/Residential Zone):

- Vehicle access must be provided to all sites, including rear sites.
- Vehicle accessways must comply with the following minimum widths:
 - 1-3 units and /or lots: 3.5m minimum carriageway width;
 - 4-6 units and/ or lots: 6.0m minimum accessway width and 3.5m minimum carriageway width;
 - 7 or more: constructed to a public road standard in accordance with NZS 4404:2004 “Land

Development and Subdivision Engineering”, and vested in the Council.

- For rear sites the maximum accessway length is 60 m, except that a greater length is permitted if either:
 - a passing bay is provided; or
 - the minimum accessway width is 6.0 m and the minimum carriageway width is 3.5m with the remaining width being readily accessible by vehicles (trafficable) for the entire length of the accessway; or
 - only one unit is served by the accessway and the minimum carriageway width is 3.5m.
- Maximum gradient of accessways: no greater than 1 in 5.

(b) Business Zone:

- Minimum carriageway width: 6.0m.
- Maximum gradient of accessways: no greater than 1 in 5.

(c) Rural Zone:

- Minimum trafficable accessway width: 6.0m
- Minimum carriageway width: 3.5m

(d) All Zones:

- Consultation is required with the appropriate network utility operator where it is proposed to create a vehicle accessway over a network utility such as, but not being limited to, gas lines, electricity lines and telecommunications. The network utility operator may have requirements in addition to any prescribed in this Plan.

6.2.4 Construction of Vehicle Accessways to all Roads and Vehicle Crossings Adjacent to Strategic Arterial Roads

(a) Vehicle Accessways in all Zones:

- Generally all vehicle accessways shall be formed in accordance with NZS 4404:2004 “Land Development and Subdivision Engineering” in Urban and Rural Areas except that in terms of a formation standard for an accessway the following shall apply in the respective zone:

| Zone | Number of Lots Served | Minimum Formation Standard |
|-------------|-----------------------|--|
| Residential | In all cases | Sealed or concrete strips and drained. |

| | | |
|-------------------|----------------------------|----------------------|
| Rural/Residential | Less than 3 | Metalled and drained |
| Rural/Residential | Greater than or equal to 3 | Sealed and drained |
| Rural | In all cases | Metalled and drained |
| Business | In all cases | Sealed and drained |
| Protected Area | Not applicable | Metalled and drained |

(b) Vehicle Crossings Adjacent to Strategic Arterial Roads:

- In all zones any crossings connecting a lot to a sealed strategic arterial road must be sealed and drained.
- In the Rural Zone, for any crossing connecting a lot to a sealed strategic arterial road, provided that:
 - the crossing is subject to no more than 30 vehicle movements per day; and
 - the proposed activity to be carried out on that lot is listed as a permitted activity under Rule B1.2.1.1; then

the vehicle crossing shall meet the minimum requirements given in Figure 13 of this Appendix.

- In the Rural Zone, for any crossing connecting a lot to a sealed strategic arterial road, provided that the crossing is subject to more than 30 vehicle movements per day, acceleration and deceleration lanes shall be provided.

Minimum requirements for this are given in Figure 14 of this Appendix.

6.2.5 Railway Crossings

- All railway crossings shall conform with the requirements in Figure 10 of this Appendix.

6.3 Stratford Aerodrome Protection Control

No structure shall be erected, or trees grown, above the controlled surfaces described below (designed for aeroplanes at or below 5700kg maximum certified take-off weight), and illustrated in Figure 11 of this Appendix:

(a) Take-off, climb, and approach surfaces:

- each runway shall be provided with “take-off, climb and approach surfaces” such that aeroplanes taking off or landing have a clear, obstacle-free surface over which they may carry out the initial part of their climb or their final approach; and

- the origin of the take-off, climb, and approach surface is at the end of the runway strip, and extends -
 - horizontally from the end of the runway strip for 3000m, for the full width of the runway strip; and
 - upwards from the end of the runway strip at a gradient of 1:40; and
 - the sides of the take-off, climb, and approach surface shall expand outwards at a gradient of 1:10; and

all space within this take-off, climb, and approach surface shall be obstacle-free.

(b) Transitional surfaces:

- each runway shall be provided with a “*transitional surface*” that slopes upwards and outwards from the side of the runway strip and the take-off, climb, and approach surface at a gradient of 1:5 to a height of 10m above the runway strip, then rise vertically to meet the inner horizontal surface, and all space within this transitional surface shall be obstacle-free.

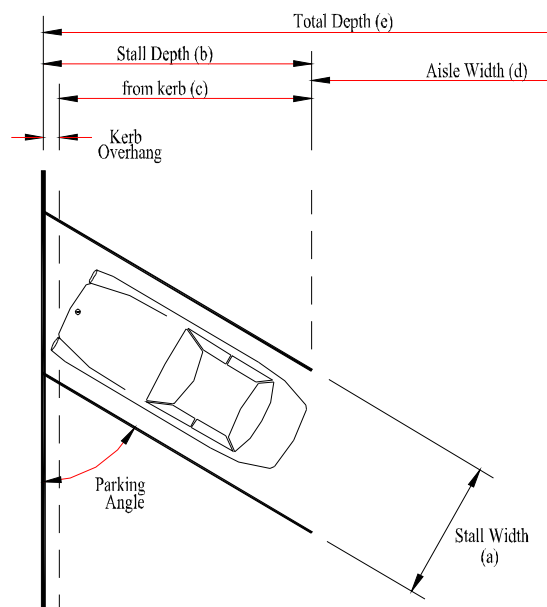
(The gradient of the transitional side surface should be measured in the vertical plane at right angles to the centre line of each runway).

(c) Inner horizontal surface:

- an “*inner horizontal surface*” shall be provided 45m above the aerodrome elevation datum out to a distance of 2500m from the runway centre line, and all space within this surface shall be obstacle-free.

(d) Boundary fences:

- any boundary fence, shelterbelt, hedge, or other vegetation exceeding 1200mm in height above ground level shall be sited so as not to penetrate the transitional side surface.



| Parking Type Angle | Type | Stall Width (a) | Stall Depth | | Aisle Width (d) |
|--------------------|----------|-----------------|---------------|---------------|-----------------|
| | | | (b) from wall | (c) from kerb | |
| 0° | Parallel | 2.4 | See note 1 | | 3.5 |
| 30° | Nose In | 2.4 min | 4.2 | 4.0 | 3.5 |
| 45° | Nose In | 2.4 min | 4.9 | 4.5 | 3.5 |
| 60° | Nose In | 2.4 | 5.4 | 4.9 | 4.5 |
| | | 2.5 | | | 4.1 |
| | | 2.6 | | | 3.5 |
| | | 2.7 | | | 3.5 |
| 75° | Nose In | 2.4 | 5.4 | 4.9 | 6.6 |
| | | 2.5 | | | 6.3 |
| | | 2.6 | | | 5.2 |
| | | 2.7 | | | 4.6 |
| 90° | Nose In | 2.4 | 5.1 | 4.6 | 8.7 |
| | | 2.5 | | | 7.7 |
| | | 2.6 | | | 7.0 |
| | | 2.7 | | | 6.8 |

ALL MEASUREMENTS

NOTE

- 1 Parallel parking spaces (parking angle =0) shall be 6.0m long, except where one end of the space is not obstructed in which case the length of space may be reduced to 5.0m
- 2 Minimum aisle and accessway widths shall be 3.0m for one way flow, and 5.5m for two way flow. Recommended widths shall be 3.5m for one way flow and 6.0m for two way flow.
- 3 Maximum kerb height shall be 150mm.
- 4 Stall dimensions are computed for a 90 percentile vehicle. A 200mm separation from a wall has been added
- 5 Aisle Width data has been taken from MoT Traffic Engineering Section Analysis.

Figure 1: Minimum Carpark Dimensions

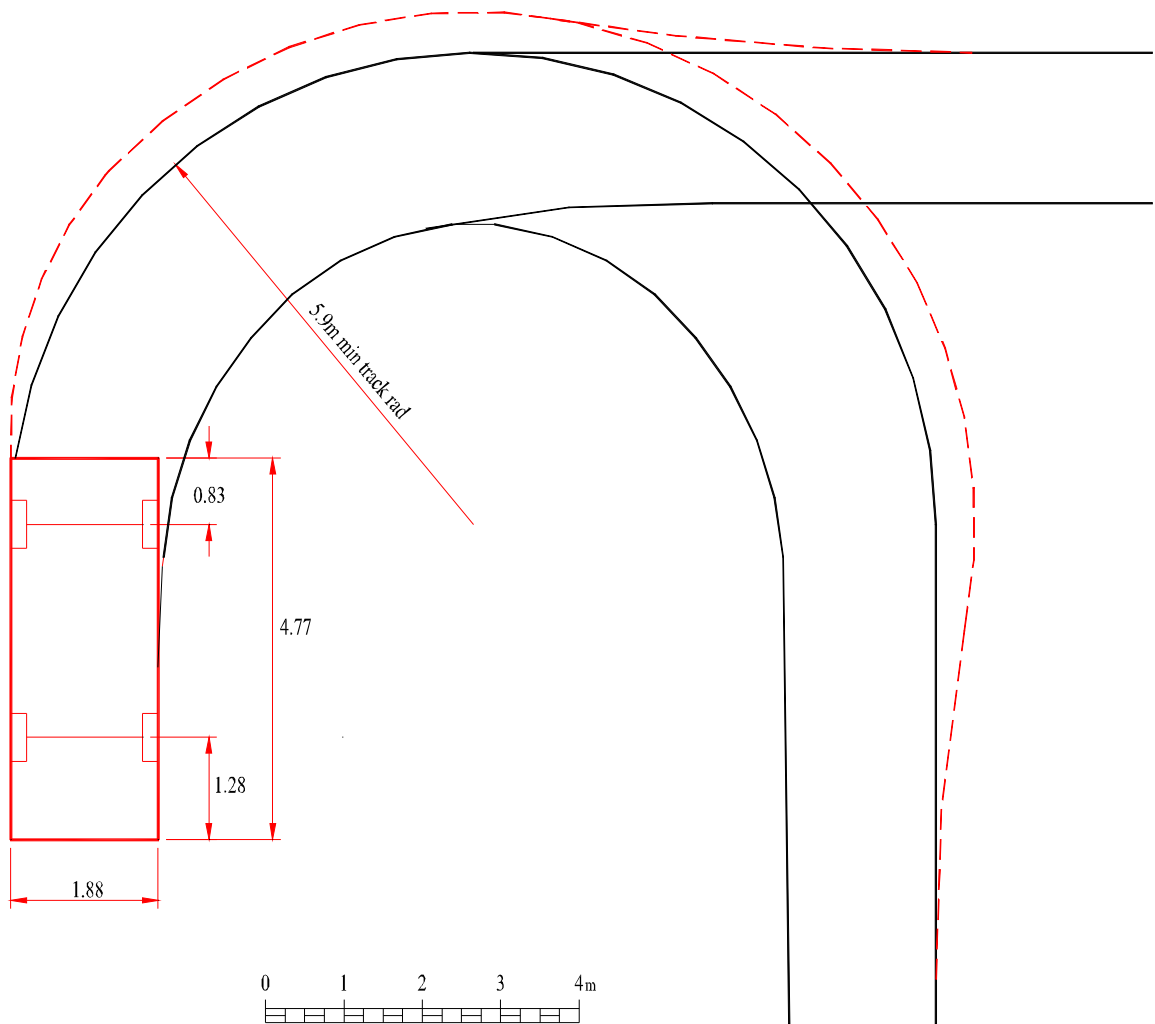


Figure 2: Tracking Curve - 90 Percentile Car

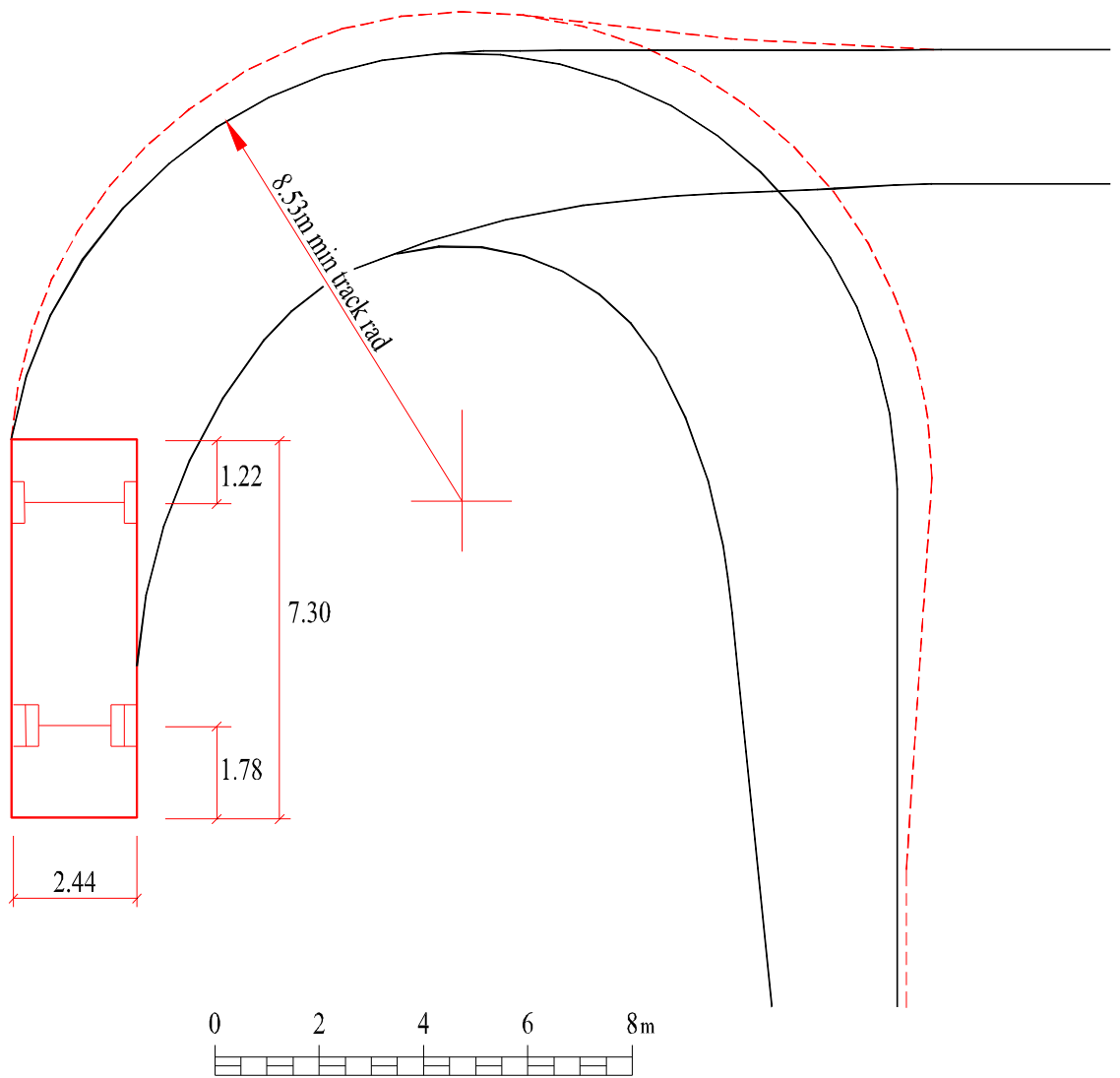
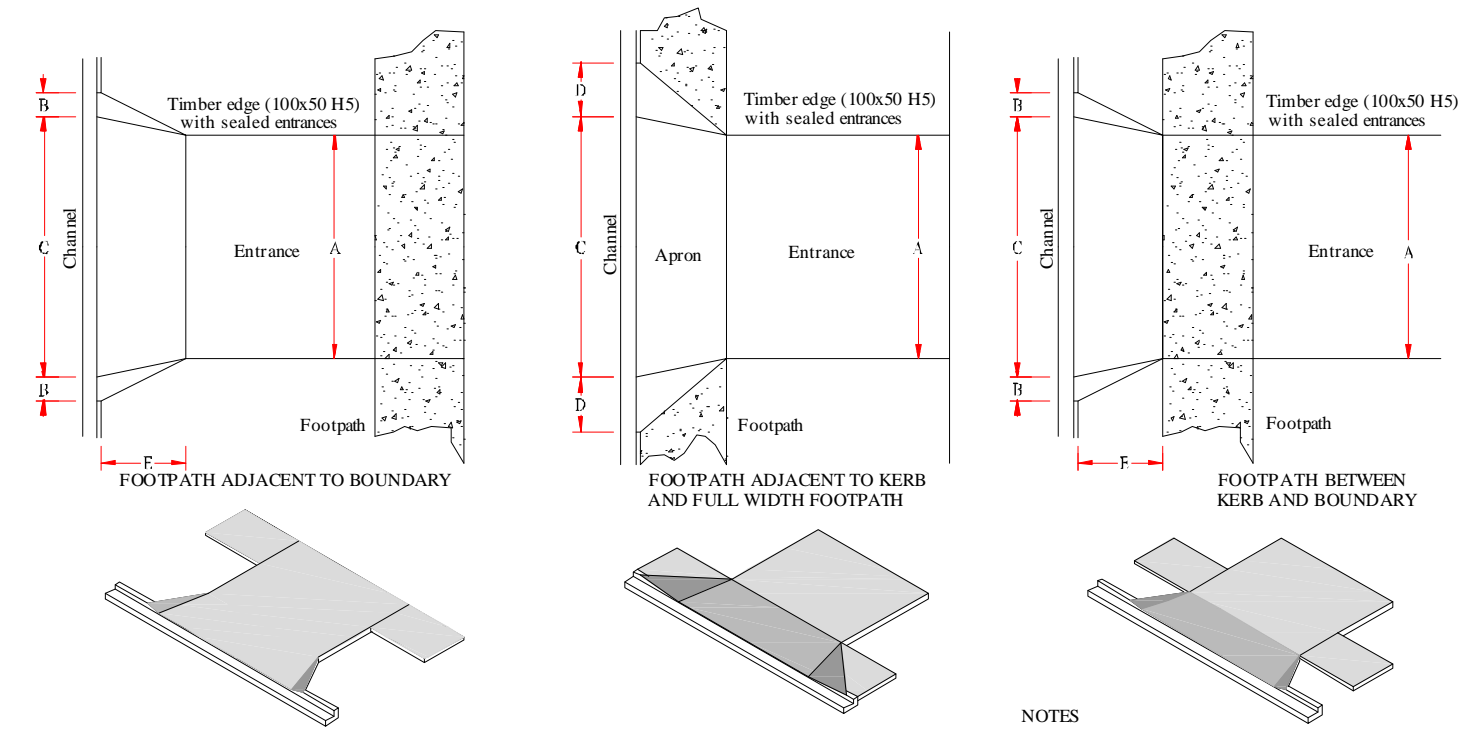


Figure 3: Tracking Curve - 90 Percentile Truck

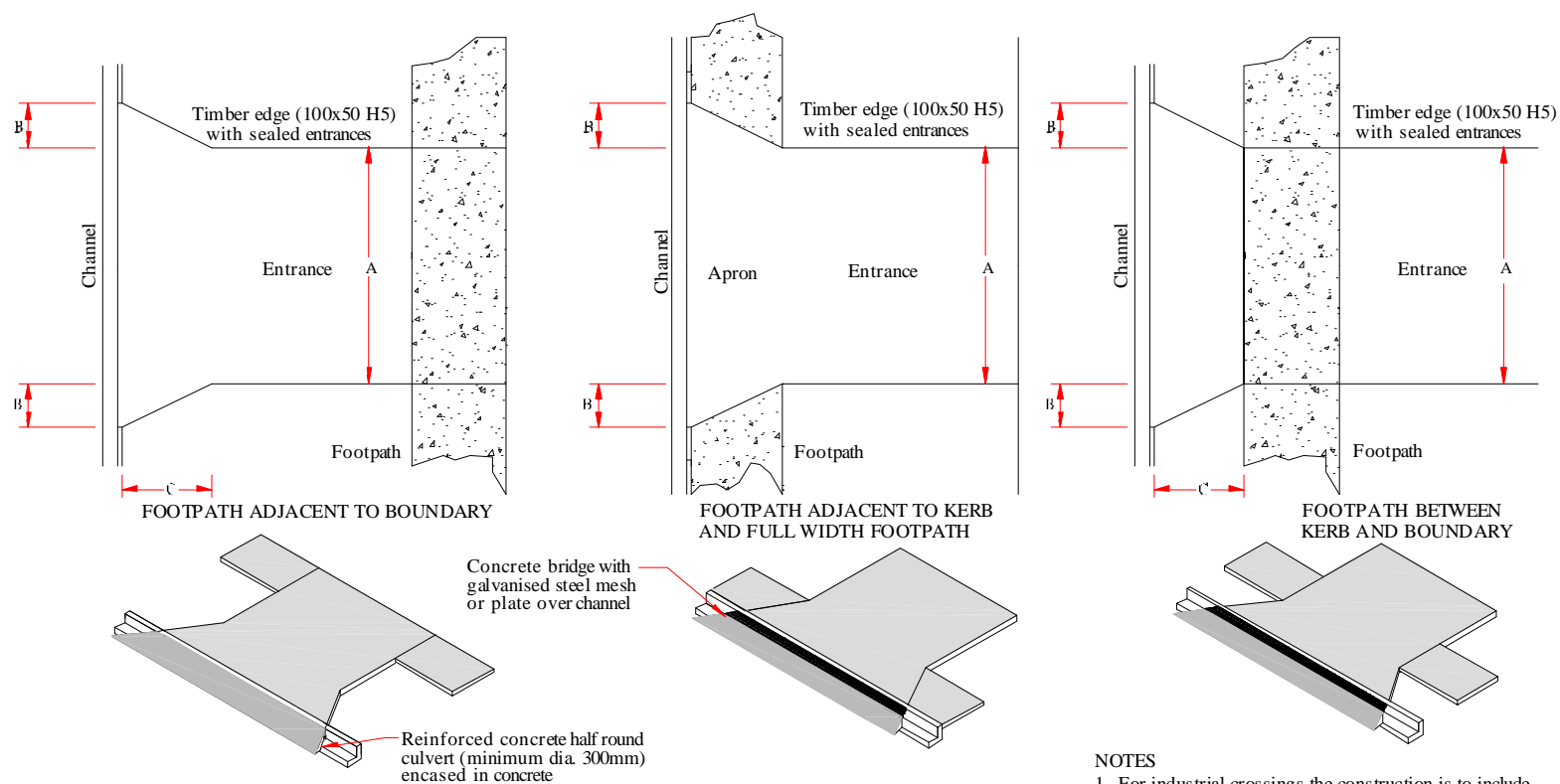


| Crossing Type | Dimensions (m) | | | | Metal | | Concrete (to be 17.5MPa with a broomed finish) | |
|---------------|----------------|---------|-----|-----|-------|-------------|--|-------------|
| | A(min.) | A(max.) | B | C | Depth | Type | Depth | Reinforcing |
| Residential | 3.6 | 7.2 | 0.6 | 1.2 | 150mm | AP40 | 120mm | Nil |
| Commercial | 3.6 | 7.2 | 0.6 | 1.2 | 250mm | AP40 | 150mm | Nil |
| Industrial | 3.6 | 7.2 | 0.6 | 1.2 | 300mm | AP65 & AP40 | 150mm | 665 mesh |

NOTES

- 1 For industrial crossings the construction is to include new heavy duty reinforced kerb and channel
- 2 Entrance can be sealed, concreted or other approved materials. Sealed entrances shall have a 2 coat seal using Grade 3 and 5 sealing chip
- 3 Footpath strengthening to be concrete or other approved materials
- 4 Prior to commencing construction the applicant should seek clarification of standards from the appropriate Council staff.

Figure 4: Urban Vehicle Crossing (Standard Kerb and Channel)



| Crossing Type | Dimensions (m) | | | | Metal | | Concrete (to be 17.5MPa with a broomed finish) | |
|---------------|----------------|---------|-----|-----|-------|-------------|--|-------------|
| | A(min.) | A(max.) | B | C | Depth | Type | Depth | Reinforcing |
| Residential | 3.6 | 7.2 | 0.6 | 1.2 | 150mm | AP40 | 120mm | Nil |
| Commercial | 3.6 | 7.2 | 0.6 | 1.2 | 250mm | AP40 | 150mm | Nil |
| Industrial | 3.6 | 7.2 | 0.6 | 1.2 | 300mm | AP65 & AP40 | 150mm | 665 mesh |

NOTES

- 1 For industrial crossings the construction is to include new heavy duty reinforced kerb and channel
- 2 Entrance can be sealed, concreted or other approved materials. Sealed entrances shall have a 2 coat seal using Grade 3 and 5 sealing chip
- 3 Footpath strengthening to be concrete or other approved materials
- 4 Prior to commencing construction the applicant should seek clarification of standards from the appropriate Council staff, including need for culvert on berms with water table.

Figure 5: Urban Vehicle Crossing (High Profile Kerb and Channel)

REQUIREMENTS

| | | |
|--------------------------------|--|------------------------|
| Culvert diameter | Less than or equal to 10m long | minimum 225mm diameter |
| | Greater than 10m long | minimum 300mm diameter |
| Culvert Pipe | Class X RCRRJ | |
| Concrete Depth/Reinforcement | For crossings serving dwellings only, 120mm minimum depth (no mesh). For all other crossings, 150mm minimum depth with one layer of 665 mesh. Council shall decide which of the above applies on a case-by-case basis. | |
| Concrete Compressive Strength | Minimum 17.5MPa | |
| Concrete Sawcutting | 25mm depth @ 4m centres | |
| Sealed Pavement | Minimum compacted depth 300mm, consisting of 200mm AP65 and 100mm AP40 | |
| Seal | Two coat seal consisting of Grade 3 and Grade 5 chip | |
| Sealing Chip Crushing Strength | Minimum 180kN | |

NOTES

1. Council shall determine the need for and position and size of culverts. Inlet/outlet structures may be required.
2. The applicant shall request a subgrade inspection from Council once the crossing has been dug out, to determine the need for any undercutting (additional pavement depth) due to soft ground conditions.
3. When concreting, the edge of seal shall be sawcut so the concrete can be brought up to it. Otherwise the carriageway will have to be reinstated to the concrete edge using compacted AP40 basecourse and chip seal or RPM.
4. Gate is to be recessed back from any strategic arterial road to allow any vehicle using the driveway to stop clear of the edge of the seal while the gate is being opened or closed.

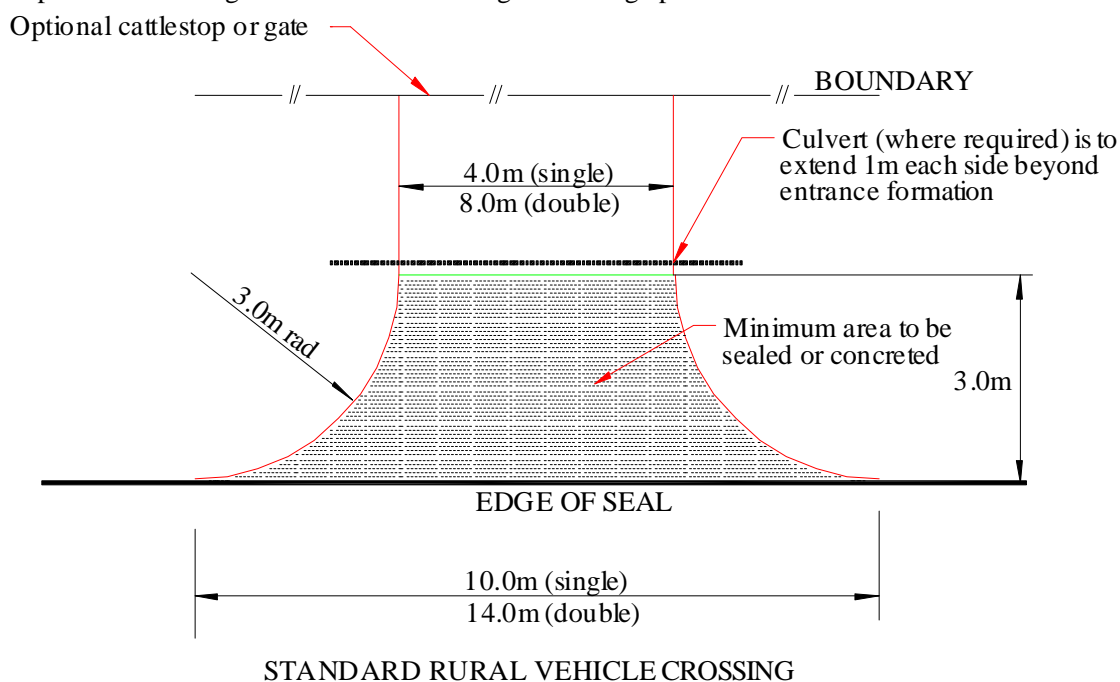


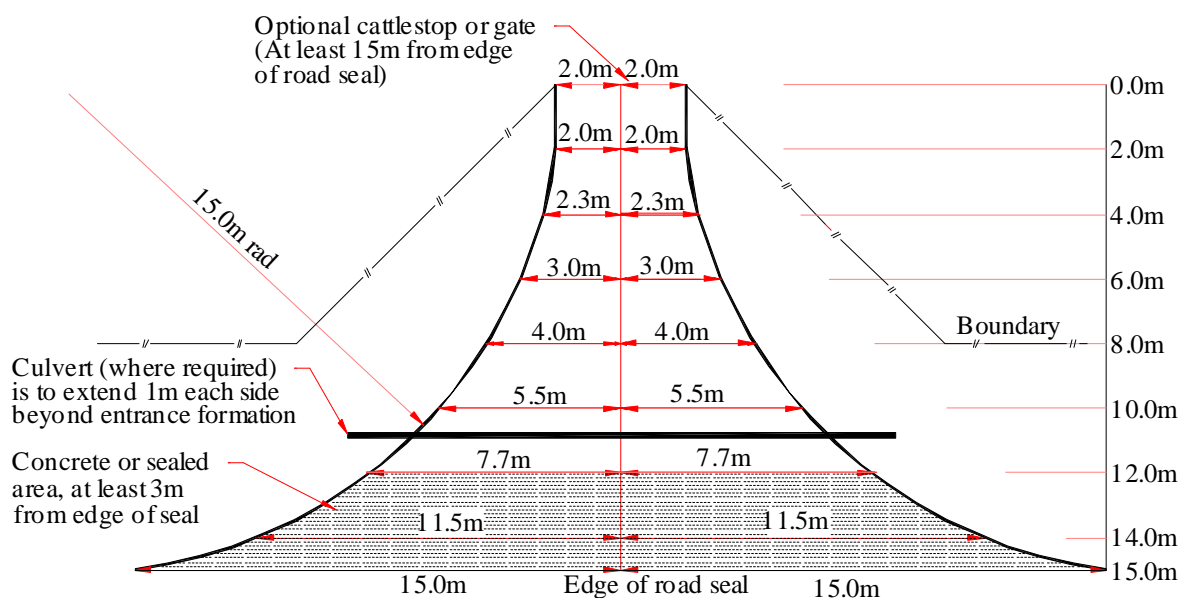
Figure 6: Standard Rural Vehicle Crossing (No Kerb and Channel)

REQUIREMENTS

| | | |
|--------------------------------|--|------------------------|
| Culvert diameter | Less than or equal to 10m long | minimum 225mm diameter |
| | Greater than 10m long | minimum 300mm diameter |
| Culvert Pipe | Class X RCRRJ | |
| Concrete Depth/Reinforcement | Minimum 150mm, with one layer of 665 reinforcing mesh | |
| Concrete Compressive Strength | Minimum 17.5MPa | |
| Concrete Sawcutting | 25mm depth @ 4m centres | |
| Sealed Pavement | Minimum compacted depth 300mm, consisting of 200mm AP65 and 100mm AP40 | |
| Seal | Two coat seal consisting of Grade 3 and Grade 5 chip | |
| Sealing Chip Crushing Strength | Minimum 180kN | |

NOTES

1. Council shall determine the need for and position and size of culverts. Inlet/outlet structures may be required.
2. The applicant shall request a subgrade inspection from Council once the crossing has been dug out, to determine the need for any undercutting (additional pavement depth) due to soft ground conditions.
3. When concreting, the edge of seal shall be sawcut so the concrete can be brought up to it. Otherwise the carriageway will have to be reinstated to the concrete edge using compacted AP40 basecourse and chip seal or RPM.



STANDARD DAIRY TANKER CROSSING

Figure 7: Standard Dairy Tanker Crossing

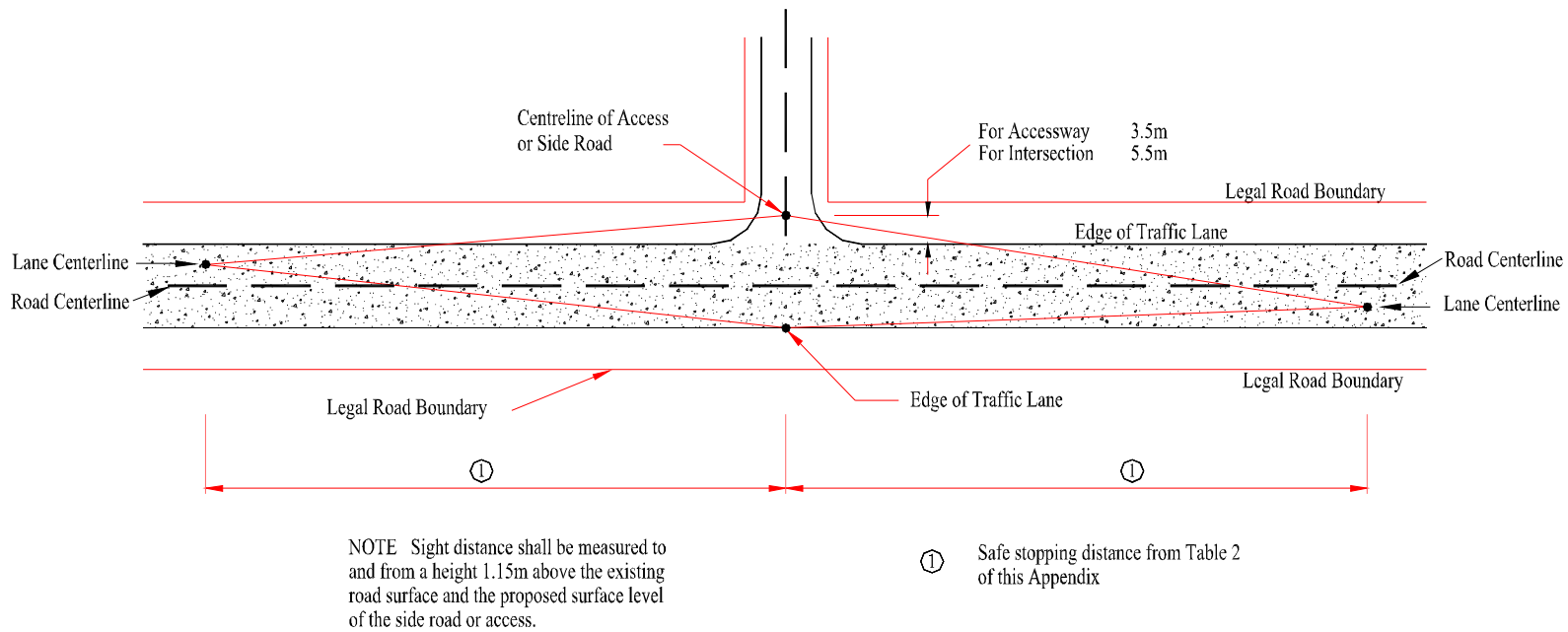


Figure 8: Sight Distance Measurement Diagram

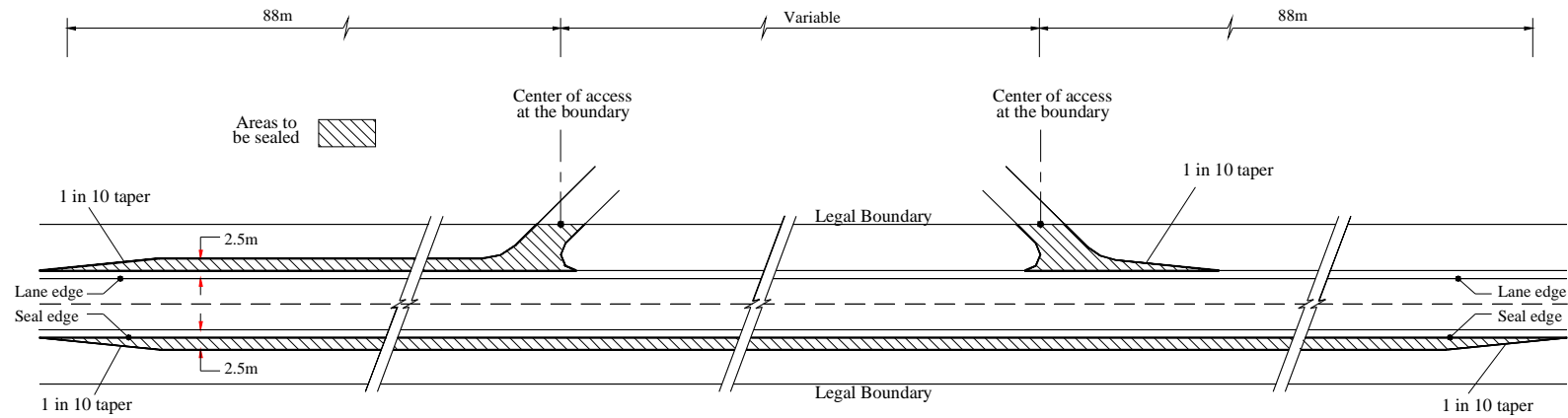


Figure 9: Deceleration and Acceleration Lanes for Intensive Traffic Generating Activities

Hatched areas are to be kept clear of buildings or other obstructions that might block the sight line. Dispensation to the given dimensions may be possible through application to Ontrack (NZ Railways Corporation) depending upon train movements in the area. Where there are two or more tracks the 30m sight line applies from the centre line of the nearest track

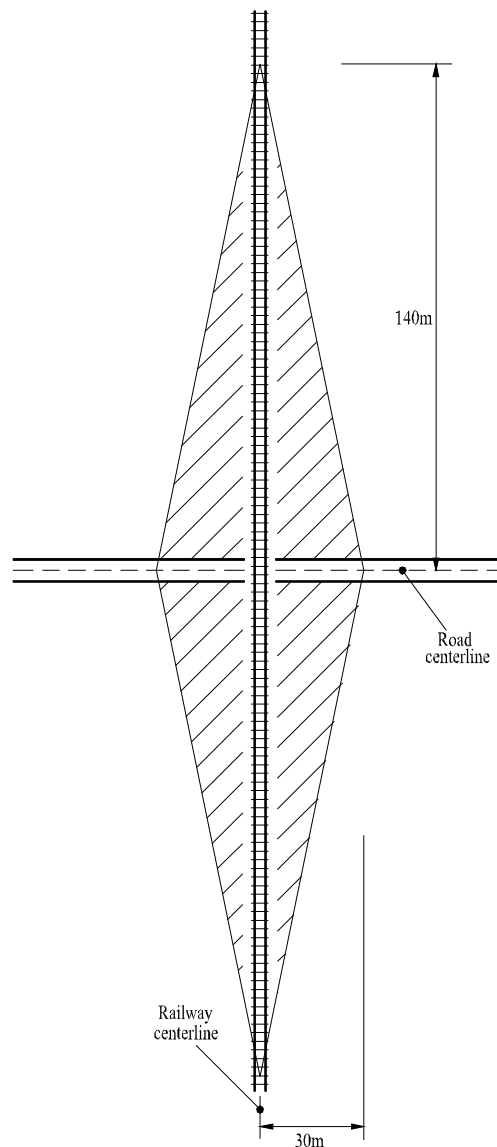


Figure 10: Railway Crossing and Traffic Sight Lines at Road/Rail Level Crossings (not to scale, dimensions are in metres)

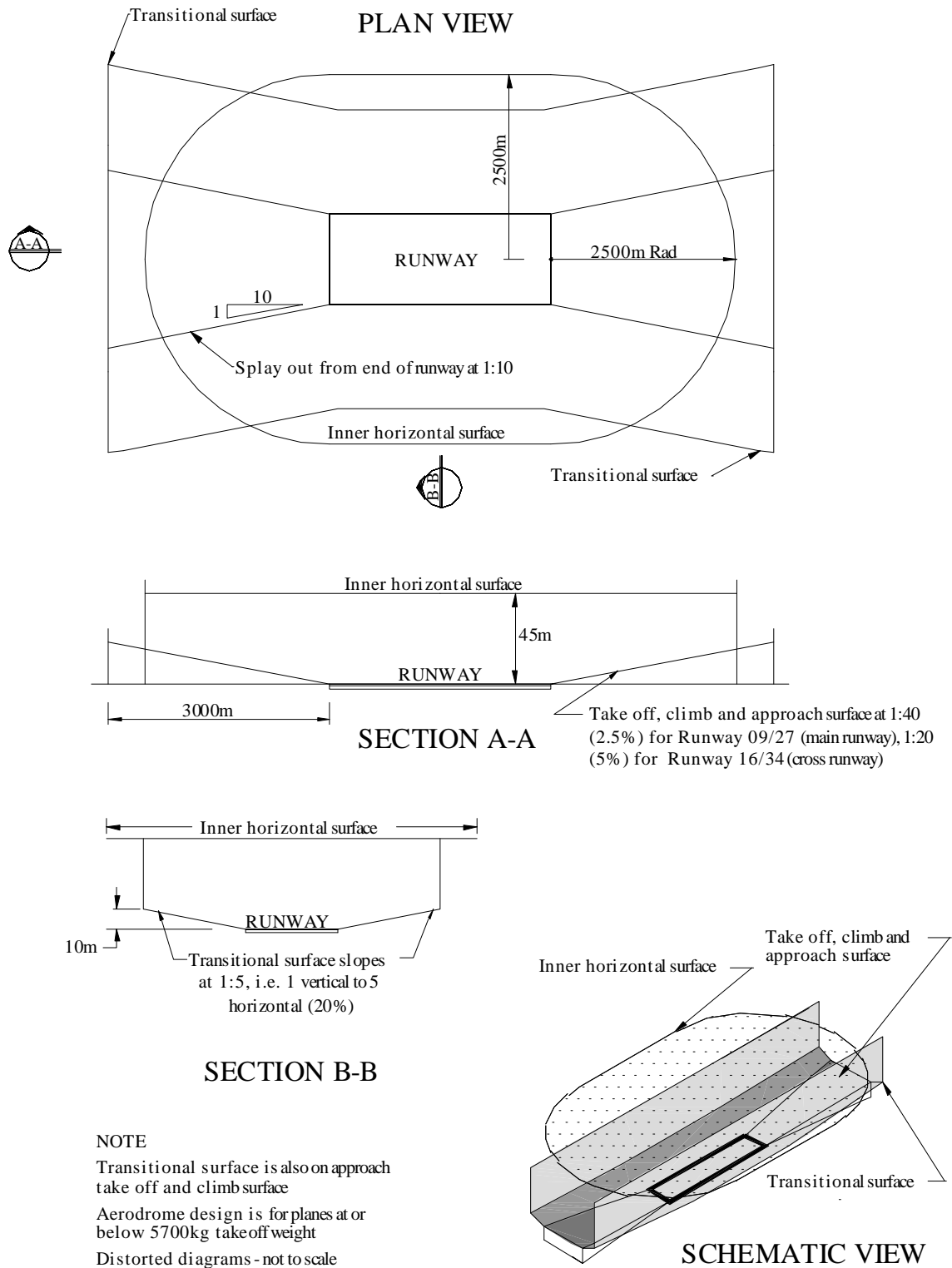


Figure 11: Stratford Aerodrome Obstacle Limitation Surfaces

DISTANCE REQUIREMENTS FOR STRATEGIC ARTERIAL ROADS (SH3 AND SH 43)

| | SPEED LIMIT | DISTANCE (m) | | | | |
|-------|-------------|--------------|-----|----|-----|-----|
| | | 1 | 2 | 3 | 4 | 5 |
| URBAN | 50 | 113 | 20 | 20 | 0 | 130 |
| | 60 | 140 | 20 | 20 | 0 | 180 |
| | 70 | 170 | 20 | 20 | 0 | 380 |
| RURAL | 70 | 170 | 90 | 45 | 40 | 380 |
| | 80 | 203 | 90 | 45 | 100 | 780 |
| | 90 | 240 | 190 | 60 | 200 | 780 |
| | 100 | 282 | 190 | 60 | 200 | 780 |

DISTANCE REQUIREMENTS FOR ROADS OTHER THAN STRATEGIC ARTERIAL

| | TRAVEL SPEED | DISTANCE (m) | | | | |
|-------|--------------|--------------|----|----|---|-----|
| | | 1 | 2 | 3 | 4 | 5 |
| URBAN | 50 | 65 | 10 | 10 | 0 | 130 |
| | 60 | 80 | 20 | 20 | 0 | 180 |
| | 70 | 95 | 20 | 20 | 0 | 380 |
| RURAL | 70 | 95 | 30 | 30 | 0 | 380 |
| | 80 | 105 | 40 | 40 | 0 | 780 |
| | 90 | 130 | 50 | 50 | 0 | 780 |
| | 100 | 160 | 60 | 60 | 0 | 780 |

Note: If Dimensions 2 and 3 cannot be attained, entrance is to be located as close to the boundary furthest from the intersecting road as possible.

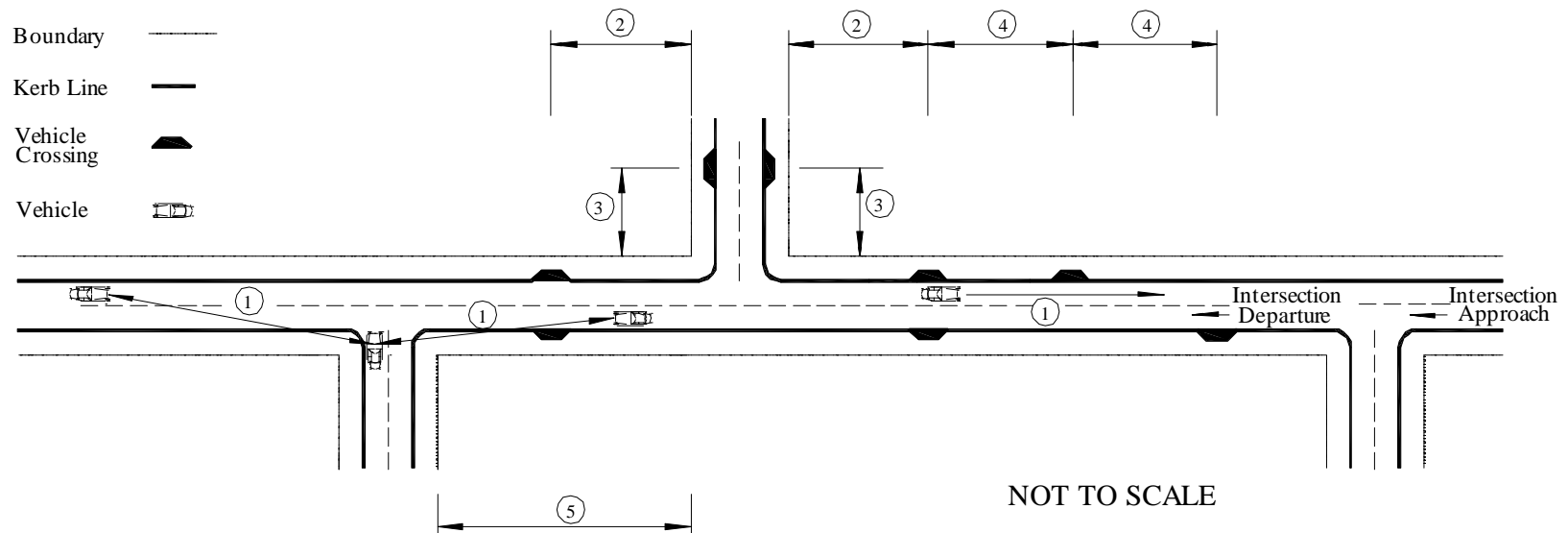


Figure 12: Minimum Separation and Sight Distances

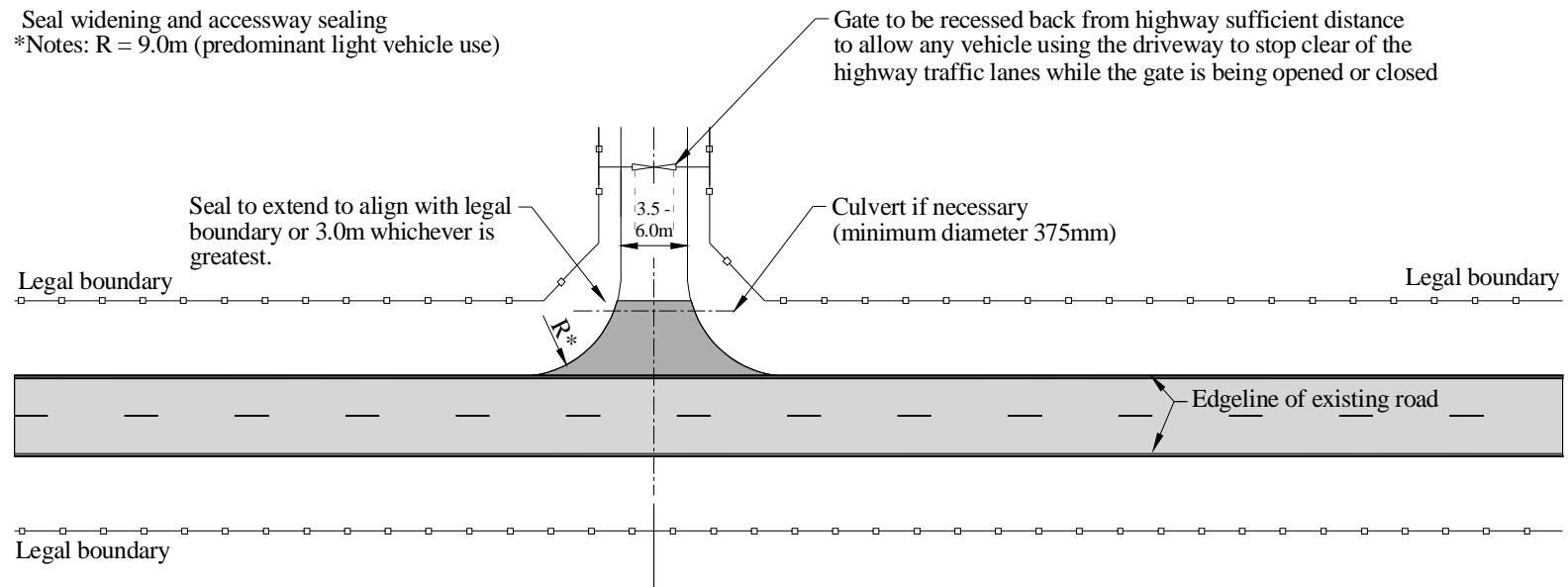


Figure 13: Access off Strategic Arterial Roads (Low Traffic Volume Access)

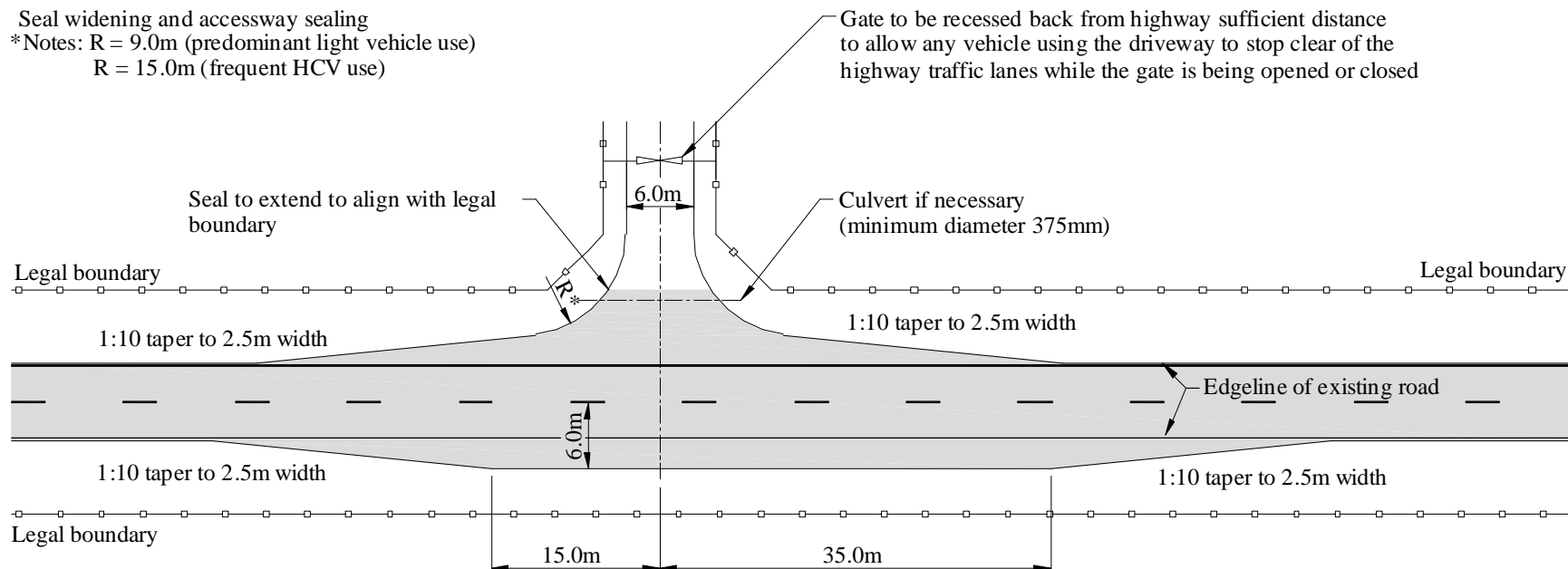


Figure 14: Access off Strategic Arterial Roads (High Volume / Heavy Traffic Access)