

No.	Submitter Name	Service Address	Point No.	Submission Summary	Reason for Decision Sought	Support/Oppose	Reasons	Relief Sought
Industrial								
402	Tuakau Proteins Limited	Tuakau Proteins Limited Attn: Stephen Daysh PO Box 149, Napier 4140	402.6	20.2.3 Noise: Retain the permitted noise levels in Rule 20.2.3 Noise, except for the amendments sought below AND Add new noise level standards to Rule 20.2.3.1 P2 - General, as follows (or words to similar effect): P2 (a) Noise measured within any other site: (i) In an Industrial Zone must not exceed: A. 75dBA (LAeq) 7am to 10pm; and B. 55dB (LAeq) and 85dB (LAmx) 10pm to 7am the following day. (ii) At the Rural Zone interface, noise levels must not exceed the below noise levels when measured within the notional boundary of property in a rural zone: A. 55dB (LAeq) 7am to 10pm; and B. 45dB (LAeq) and 75dB (LAmx) 10pm to 7am the following day. AND Add new noise level standards to Rule 20.2.3.1 P3 Noise General as follows (or words to similar effect): P3 (a) Noise measured within any site in any zone other than the Industrial Zone and the Heavy Industrial Zone, must meet the permitted noise levels for that zone, with the exception of the interface with the Rural Zone. AND Any consequential amendments and/or additional relief to give effect to the concerns raised in the submission.	Tuakau Proteins Limited supports the permitted noise levels in the Industrial Zone, but considers that is necessary to include 'interface' permitted noise levels in the Industrial zone. As Tuakau Proteins Limited is located within the Industrial Zone but is the only industrial activity, the zoning changes at the site boundary to the adjacent Rural Zone. Therefore, although noisy activities are accepted in the Industrial Zone and higher permitted noise levels are provided, Industrial activities still need to fit within the Rural Zone's permitted noise levels, since the noise measured within any site in any zone other than the Industrial Zone and Heavy Industrial Zone, must meet the permitted noise levels for that zone. Tuakau Protein Limited must meet the Rural Zone permitted noise levels, which are much lower than the Industrial Zone's, which creates an issue when considering future growth of the site. Tuakau Protein Limited notes that other councils have included interface noise levels to manage such situations where noise levels need to be considered on sites which are located on the boundary of another zone. It is considered that this is appropriate to ensure the District Plan does not unreasonably restrict future growth of rural industry located on the boundary of the Rural Zone.	Support	Agree that interface control for noise at the boundary would result appropriate management for noise and activities	The submission is allowed
697	Waikato District Council	Waikato District Council Attn: Gavin Ion and Will Gauntlett 15 Galileo Street Ngaruawahia New Zealand 3724	697.620	20.2.4 Glare and Artificial Light Spill: Amend Rule 20.2.4 P1 Glare and Artificial Light Spill, to read as follows: Illumination from Gglare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other site zoned Residential, Village or Country Living.	Consistency of wording with other zone chapters. It is more important to control light spill in the Residential, Village or Country Living zones than other zones.	Support	Support in insofar as it seeks a similar relief to that sought by VDB	The submission is allowed
465	Buckland Marine Limited	Buckland Marine Limited 143 Bollard Road Tuakau New Zealand 2121	465.4	20.2.5.1 Earthworks – General: Delete Rule 20.2.5.1P1(vi) Earthworks.	The submitter considers that a 1.5m setback from all boundaries is unnecessary where erosion and sediment controls are established on site in accordance with the Waikato Regional Council Erosion and Sediment Control: Guidelines for Soil Disturbing Activities, Report: TR 2009/02. The rules should be effects-based. A 1.5m setback would be impractical for many industrial sites levelling the site for hard fill up to the boundary.	Support	Concur that a 1.5m setback for all earthworks may result in impracticalities for sites (and have the potential to result in unusable land in a zone)	The submission is allowed
578	Ports of Auckland Limited	Ports of Auckland Limited Attn: Mark Arbutnot PO Box 4492, Shortland Street, Auckland 1140	578.1	20.2.5.1 Earthworks – General: Amend Rule 20.2.5.1 P3 Earthworks - General, as follows: (a) Earthworks for purposes other than creating a building platform for residential industrial within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions: (i) not exceed a total volume of 2,500m ³ ; (ii) not exceed a depth of 1m; (iii) the slope of resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) fill material is setback 1.5m from all boundaries; (v) areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and (vii) do not divert or change the nature of natural water flows, water bodies or established drainage paths; (viii) within overland flow paths, the extent of earthworks must maintain the same entry and exit point at the boundaries of the site and not result in any adverse changes in flood hazards beyond the site. OR Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions). AND Amend the Proposed District Plan to make alternative or consequential amendments as necessary	The extent of permitted earthworks proposed is insufficient to enable the comprehensive redevelopment of Industrial Zoned sites and in the context of greenfield industrial areas such as the Horotiu Industrial Plan. Therefore the permitted earthworks needs to be increased to 2500m ² and 2500m ³ per site within the Industrial Zone. Opposes the requirement for earthworks to be setback 1.5m from all boundaries. In the Industrial Zone there is a lower amenity expectation than other sensitive zones and these constraints are unnecessarily onerous and no justification has been provided for these provisions. Earthworks are not permitted to divert or change the nature of drainage paths and this is unnecessarily onerous, considering it can be enabled a permitted activity where the entry of exit point is not altered. References made to building platform for 'residential purposes' should be appropriately referenced 'industrial purposes'.	Support	The earthworks provisions could be more permissive and still appropriate manage potential effects	The submission is allowed

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697	Waikato District Council	Waikato District Council Attn: Gavin Ion and Will Gauntlett 15 Galileo Street Ngaruawahia New Zealand 3724	697.622	20.2.5.1 Earthworks – General: Amend Rule 20.2.5.1 P1(a) Earthworks – General, as follows: (a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions: (i) be located more than 1.5 m horizontally from any waterway, open drain or overland flow path; (ii) not exceed a volume of more than 250500m3 and an area of more than 10,000m2 over any single consecutive 12 month period; (iii) not exceed an area of more than 1000 10,000m2 over any single consecutive 12 month period; (iv) the total depth of any excavation or filling does not exceed 1.5m above or below ground level; (v) the slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal); (vi) earthworks are set back at least 1.5m from all boundaries; (vii) areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (viii) sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; and (ix) do not divert or change the nature of natural water flows, water bodies	The volume threshold in (ii) and area threshold in (iii) have been entered in error. They need to be corrected to enable significantly larger volumes of earthworks as permitted activities within the Industrial Zone. The rule needs to apply over a single consecutive 12 month period for both volume and area thresholds. This is also consistent with other zone chapters. The words "single" and "at least" provide clarity to the rule.	Support	The earthworks provisions could be more permissive and still appropriate manage potential effects	The submission is allowed
697	Waikato District Council	Waikato District Council Attn: Gavin Ion and Will Gauntlett 15 Galileo Street Ngaruawahia New Zealand 3724	697.623	20.2.5.1 Earthworks – General: Amend Rule 20.2.5.1 P2 Earthworks – General, as follows: (a) Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported fill material. must meet the following condition: (i) be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.	The NZS 4431:1989 Code of Practice for Earth Fill for Residential Development does not apply to industrial sites.	Support	Corrections are proposed would enable more permissive earthworks controls	The submission is allowed
697	Waikato District Council	Waikato District Council Attn: Gavin Ion and Will Gauntlett 15 Galileo Street Ngaruawahia New Zealand 3724	697.624	20.2.5.1 Earthworks – General: Amend Rule 20.2.5.1 P3 Earthworks – General, as follows: (a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions: (i) not exceed a total volume of 500m3; (ii) not exceed a depth of 1m; (iii) the slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) fill material is setback at least 1.5m from all boundaries; (v) areas exposed by filling are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and (iii) do not divert or change the nature of natural water flows, water bodies	In respect to (a), building platforms in the industrial zone are not for residential purposes. In respect to (a)(iv), the words "at least" provide clarity to the rule.	Support	Corrections are proposed would enable more permissive earthworks controls	The submission is allowed

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578	Ports of Auckland Limited	Ports of Auckland Limited Attn: Mark Arbutnot PO Box 4492, Shortland Street, Auckland 1140	578.18	20.3.4.2 Building setback – waterbodies: Amend Rule 20.3.4.2 D1 from a discretionary activity rule to a restricted discretionary activity rule and as follows: RD1 A building that does not comply with Rule 20.3.4.2 P1, P2, P3 or P4. Council's discretion shall be restricted to the following matters: (a) effects of the location, intensity, scale and form of subdivision, use and development in relation to natural character; (b) the extent of indigenous vegetation clearance and modification (including earthworks, disturbance and structures); (c) cumulative effects on natural character and landscapes. OR Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see Schedule 2 of the submission for specific provisions). AND Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address the matters raised in the	Opposes the discretionary activity status and seeks a restricted discretionary activity.	Support	A restricted discretionary activity status for development control infringements is considered more suitable than a discretionary activity status.	The submission is allowed
465	Buckland Marine Limited	Buckland Marine Limited 143 Bollard Road Tuakau New Zealand 2121	465.12	20.4.3 Subdivision - Road Frontage: Amend Rule 20.4.3 RD1 (a) Road Frontage, to reduce the road frontage requirements from 15m to 10m.	The submitter supports the inclusion of a road frontage provision but considers that road frontage is an important aspect for some businesses within the Industrial Zone and considers that 15m is too wide.	Support in part	A reduced frontage is supported particularly for rear lots (in the event that the relief sought by submission 697.666 is not granted,	The submission is allowed in part
697	Waikato District Council	Waikato District Council Attn: Gavin Ion and Will Gauntlett 15 Galileo Street Ngaruawahia New Zealand 3724	697.666	20.4.3 Subdivision - Road Frontage: Amend Rule 20.4.3 RD1 (a) Subdivision - Road Frontage, as follows: (a) Any Every proposed lot with a road boundary, other than any access or utility allotment, right of way or access leg, must have a width along the road frontage boundary of at least 15m. (b) Rule 20.4.3 (a) does not apply to any proposed rear lot or to a proposed access allotment. Council's discretion is restricted to the following matters: (i) traffic effects; safety and efficiency of vehicle access and road network; and (ii) amenity and streetscape.	Proposed change provides clarity to the rule.	Support	The exclusion of access legs for rear sites from the frontage requirements	The submission is allowed
697	Waikato District Council	Waikato District Council Attn: Gavin Ion and Will Gauntlett 15 Galileo Street Ngaruawahia New Zealand 3724	697.551	4.6.3 Policy – Maintain a sufficient supply of industrial land: Amend Policy 4.6.3 (a) Maintain a sufficient supply of industrial land as follows: ... requirements of different industries to avoid the need for industrial activities to locate in non-industrial zones.		Support insofar as it gives effect to the primary relief sought by VDB.	The proposed changes provide clarity to the policy	The submission is allowed
742	Kim Harris-Cottle for New Zealand Transport Agency	Kim Harris-Cottle for New Zealand Transport Agency PO Box 973 Waikato Mail Centre Hamilton New Zealand 3240	742.29	4.6.3 Policy – Maintain a sufficient supply of industrial land: Retain Policy 4.6.3 Maintain a sufficient supply of industrial land, except for the amendments sought below AND Amend Policy 4.6.3 Maintain a sufficient supply of industrial land as follows: Maintain a sufficient supply of industrial land within strategic industrial nodes to meet the foreseeable future demands, having regard to the requirements of different industries to and avoiding the need for industrial activities to locate in non-industrial zones. AND Request any consequential changes necessary to give effect to the relief sought in	The submitter supports the development of accessible, liveable and resilient communities. A key part of this is providing employment opportunities. The Transport Agency also notes that the amount and location of industrial land will need to be reviewed over time based on the changing demands in the Waikato District and as a result of the Hamilton to Auckland Corridor Plan.	Oppose	Amendments proposed by the submitter inadequately take into account differing needs for in industrial areas/activities	Disallow amendments to Policy 4.6.3 proposed by the submitter
402	Tuakau Proteins Limited	Tuakau Proteins Limited Attn: Stephen Daysh PO Box 149, Napier 4140	402.5	20.1.1 Permitted Activities: Amend the definition of "Industrial Activity" in Chapter 13 Definitions to specifically include "rural industry activities" (or words to similar effect). OR Add "Rural Industry" to Rule 20.1.1 Permitted Activities as a permitted activity in the Industrial Zone (or words to similar effect). AND Any consequential amendments and/or additional relief to give effect to the concerns raised in the submission.	Tuakau Proteins Limited is concerned that their activities may not fit within the definition of Industrial activity. Tuakau Proteins Limited is confident that they would fit within definition of rural industry however, there is no confirmation in the plan as it written that rural industry fits within Industrial activity. Therefore, rural industry potentially is not considered as a permitted activity in the Industrial Zone.	Support insofar as it gives effect to the primary relief sought by VDB.	The proposed changes provide clarity to activities permitted in the industrial zones	The submission is allowed

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465	Buckland Marine Limited	Buckland Marine Limited 143 Bollard Road Tuakau New Zealand 2121	465.1	20.1.1 Permitted Activities: Add the following activities to Rule 20.1.1 Permitted Activities: P7 Mechanical workshop P8 Ancillary yard P9 New buildings Include activity specific conditions specifying that building must be related to industrial activity. P10 Additions and Alterations to buildings P11 Demolition of buildings AND Add the following terms to Chapter 13 Definitions : Mechanical workshop - to include Marine outboard servicing centre Ancillary yard	There is currently no provision to allow for a mechanical workshop within the Industrial Zone, nor is there provision within for an ancillary yard. The submitter's are a Marine Outboard Servicing Centre (including mechanical workshop) located specifically in the Industrial Zone because that is the most suitable area for their business to be situated, yet under the proposed rule framework this activity would be considered a Non-Complying activity. There is no provision for new buildings associated with industrial activities to develop on an industrial site, alterations to existing industrial premises	Support in part insofar as it gives effect to the primary relief sought by VDB. Oppose in part.	The proposed changes provide clarity to activities permitted in the industrial zones, with the exception that the clarity on building activity status limits permitted activity buildings to those associated with an industrial activity only.	Allow - with the exception that permitted activity buildings should relate to any permitted activity (not just be permitted for industrial activities).
578	Ports of Auckland Limited	Ports of Auckland Limited Attn: Mark Arbutnot PO Box 4492, Shortland Street, Auckland 1140	578.58	20.1.3 Non-Complying Activities: Amend Rule 20.1.3 Non-complying Activities, as follows: NC1 Any activity that is not listed as a permitted or discretionary activity. NC1A Retail not otherwise provided for NC2 Offices not otherwise provided for NC3 Commercial services NC4 Community activities N5 Noise sensitive activities N6 Places of assembly N7 Sensitive land uses AND Amend Rule 20.1.2-Discretionary Activities as a consequential amendment, as follows: D1 Any permitted activity that does not comply with an activity specific condition in Rule 20.1.1. D2 Any activity that does not comply with Land Use – Effects Rule 20.2 or Land Use – Building Rule 20.3 unless the activity status is specified as controlled, restricted discretionary or noncomplying. D3 A waste management facility D4 Hazardous waste storage, processing or disposal D5 An extractive industry D6 An office Ancillary offices not provided for as a permitted activity D7 Any activity that is not listed as a permitted, discretionary or non-complying activity. OR Add a new section 20.6 within Chapter 20 Industrial Zone, specifically providing for the Horotiu Industrial Park (see schedule 2 of the submission for specific reasons). AND Amend the Proposed District Plan to make alternative or consequential amendments as necessary to address	Submitter does not support the default non-complying activity status for activities. Instead POAL considers that a discretionary activity status be considered the default for activities that are not specifically provided for. Discretionary activity status will enable the district plan to respond to future developments and innovative methods, whereas the non-complying activity status will act as a bar to innovation and development. The default non-complying activity status is inconsistent with section 87B of the RMA, which provides for a default discretionary activity for activities not specifically provided for within a district plan. Submitter does not agree that all office activities should be provided for as a discretionary activity. Offices not ancillary to industrial activities are not compatible with an industrial environment and have the potential to result in reverse sensitivity effects and/or constrain the efficient operation of the industrial activities. Considers it appropriate for the Proposed District Plan to identify activities that it wishes to actively discourage within the Industrial Zone as they would be inappropriate or inconsistent with the outcomes intended through a non-complying activity status. Amendments will be consistent with the objectives and policies of the Industrial zone. This is an outcome consistent with the policies of the Industrial Zone that seek to maintain a sufficient supply of industrial land for industrial purposes.	Support	The proposed amendments are considered to be an appropriate outcome	The submission is allowed
697	Waikato District Council	Waikato District Council Attn: Gavin Ion and Will Gauntlett 15 Galileo Street Ngaruawahia New Zealand 3724	697.608	20.1.1 Permitted Activities: Delete the word "Nil" from Rule 20.1.1 P1 Industrial activity the activity specific conditions wording; AND Add to Rule 20.1.1 P1 Industrial activity activity specific conditions, as follows: (a) where the industrial activity adjoins a Residential, Village, Reserve or Country Living Zone on the side or rear boundary of the site, a 3m wide landscaped strip must be provided running parallel with the side and/or rear boundary. (b) where the industrial site contains, or is adjacent to a river or a permanent or intermittent stream, an 8m wide landscaped strip must be provided, measured from the top edge of the closest bank and extending across the entire length of the watercourse.	Currently rule 20.2.2 aims to ensure landscape planting is provided as a controlled activity where an industrial site adjoins a residential, village, country living, reserve or business zone or a river or stream. Having the criteria as a permitted activity is more likely to ensure planting is provided with the development.	Oppose	The control is a mandatory requirement for planting of streams irrespective of what the proposal is (for example a car parking shortfall) and without any considerations of the costs associated with these rules.	Disallow
697	Waikato District Council	Waikato District Council Attn: Gavin Ion and Will Gauntlett 15 Galileo Street Ngaruawahia New Zealand 3724	697.634	20.2.8 Outdoor storage of goods or materials: Amend Rules 20.2.8(a)(vi) Outdoor storage of goods or materials A and B, to ensure the condition is enforceable and satisfies a section 32 evaluation.	Council has concerns that these rules do not achieve good planning outcomes. They are problematic rules that have issues in their practical application on industrial sites. These rules need further investigation and refinement to ensure the condition is enforceable and satisfies a section 32 evaluation.	Support in part	Agree that there could be issues of enforceability (particularly when reliant on planting heights), but full support cannot be given until such time that revised provisions are viable from the Council on this matter	The submission is allowed in part
Zoning								

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685	Greig Holdings Limited	Greig Holdings Limited Attn: Leigh Shaw PO Box 466, Pukekohe 2340	685.2	Amend the zoning of the properties around Ryders Road and Oak Street, Tuakau from Industrial Zone to Business Zone (see map attached to submission for specific properties).	The proposed Industrial zoned land is considered to provide ad-hoc development. This will introduce smell and noise sensitivity of some of the industries and business activities in the town to occur in the future. There is considerable stock of existing undeveloped industrial land on Bollard Road. A key principle of a District Plan is to provide buffers between residential and industrial activities to reduce reverse sensitivity effects. No additional areas for industry are required. There is a large area of industrial land to the east of the town. The industrial area is separated from residential areas by the gully through which the Kairoa stream flows. New opportunities for industrial activities should not be encouraged adjoining the town centre and residential areas. The Plan needs to enable industrial development in the Whangarata industrial area. Any existing businesses located in the subject area are protected by land use consents or existing use rights. The Tuakau Structure Plan shows this area as part of the Business Zone. The town centre is a focal point to provide a mixture of business and community services. There is no assessment in the s32 analysis as to why this land has been zoned	Support	Support insofar as it aligns with the relief sought by VDB in relation to its submission point 633.32	The submission is allowed
Business Zone								
749	Housing New Zealand Corporation	Housing New Zealand Corporation Attn: Dr CE Kirman / A Devine PO Box 1509, Auckland 1140	749.132	17.4.1.1 Subdivision - Multi-unit development: Amend Rule 17.4.1.1 Subdivision - Multi-unit development as follows: C1RD1 (a) Subdivision for multi-unit development must comply with all of the following conditions: (i) An application for land use consent under Rule 17.1.4 (Multi-unit housing development) must either accompany the subdivision or been granted resource consent by Council; (ii) Any subdivision relating to an approved land use consent must comply with that resource consent. (iii) (ii) Be connected to public wastewater and water reticulation; and (iv) (iii) Where a residential unit is being created in accordance with the Unit Titles Act 2010, it meets the following minimum unit size: ... Studio unit or 1 bedroom unit 60m2 30m2 2 bedroom or more residential unit 2 bedroom unit 80m2 45m2 3 or more residential unit 100m2 (b) The Council's discretion shall be limited to any of the following matters: ... (ii) Provision of common areas for shared spaces, access and services; (iii) ... (vi) Compliance with the approved land use consent. (vi) Consistency with the matters contained, and outcomes sought, in Appendix 3.4 (Multi-unit development guideline); (vii) Consistency with any relevant structure plan or master plan, including the provision of neighbourhood parks, reserves and neighbourhood centres; (viii) Vehicle, pedestrian and cycle networks; (ix) Safety, function and efficiency of road network and any internal roads or accessways. D1 Subdivision that does not comply with Rule 17.4.1.1 C1 RD1. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as	The submitter generally opposes the minimum residential unit size in multi-unit development. The provisions for multi-unit residential development subdivision are restrictive and discourage the desired urban uplift sought in the district. It is found that any type of infill housing development or multi-unit development will trigger a consent requirement. Subdivision consent will be required first in order to construct an in-fill dwelling or multi-unit development. The submitter considers that the minimum residential unit size to be high and will discourage any new residential development to occur. The provision does not encourage sufficient housing choice and variety in residential built form to support changing demographics, lifestyles, rising housing costs, future housing demands and population growth in the district. Amendments are required to enable and incentivise residential development in the district. Reducing the minimum residential unit size will enable more units to be accommodated within a development. The submitter seeks the deletion of the multi-unit development urban design guidelines from the Proposed District Plan, including any reference to such guidelines in a rule or policy approach.	Support	VDB support a reduction in minimum dwelling/unit size for multi unit development	The submission is allowed
749	Housing New Zealand Corporation	Housing New Zealand Corporation Attn: Dr CE Kirman / A Devine PO Box 1509, Auckland 1140	749.129	17.3.1.1 Height – Building General: Amend Rule 17.3.1.1 Height - Building General as follows: P1 The maximum height of any building must not exceed 12m10m. RD1D1 (a) Any building that does not comply with Rule 17.3.1.1 P1. (b) Council's discretion shall be restricted to any of the following matters: (i) Height of the building; (ii) Design and location of the building; (iii) Extent of shading on adjacent sites; and (iv) Privacy on adjoining sites. AND Amend the Proposed District Plan as consequential or additional relief as necessary to address the matters raised in the submission as	The submitter generally opposes the proposed permitted height and activity status. Amendments are required to the provision to provide for design flexibility as well as to better enable the delivery of centre intensification at a variety of different scales and typologies. The submitter proposes changes are necessary to establish triggers for consent and matters of discretion.	Support	VDB support an increased height for buildings and a reduced activity status for infringements	The submission is allowed

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81	Waikato Regional Council	Waikato Regional Council c/- Lisette Balsom Private Bag 3038, Waikato Mail Centre Hamilton New Zealand 3240	81.153	17.1.2 Permitted Activities: Amend Rule 17.1.2 Permitted Activities – P1 Commercial activity and P2 Commercial services to clarify which particular activities are appropriate for each zone.	These rules allow for commercial activity and commercial services as permitted activities in both the Business and Business Town Centre zones. Allowing the same activities to occur in both zones creates unnecessary and inappropriate competition between the Town Centre and Business Zones, and does not promote a supportive, complimentary role for them. This is not consistent with the policy approach set out in Section 4.5, which seeks to encourage a wide range of commercial activities in both zones, the town centres focusing on retail, administration, commercial and civic centre activities, the Business Zone discouraging small scale retail and focusing on large format retail. The submitter seeks clarification about the rationale behind the rules, and is concerned that they do not give proper effect to the WRPS' Policy 6.16 or the policy framework for these zones contained in Section 4.5: of the Proposed	Oppose	If allowed the amendment would unduly restrict development options for VDB.	This submission is disallowed
588	Peter Buchan for Woolworths NZ Ltd	Peter Buchan for Woolworths NZ Ltd Attn: Kay Panther Knight PO Box 24463, Royal Oak, Auckland 1345	588.13	17.1.2 Permitted Activities: Amend Rule 17.1.2 P2 Commercial activities Activity Specific Condition as follows: Nil Subject to Control 17.3[x] regarding Gross floor area AND Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.	Seek amendment to achieve the differentiated roles for Business Zone as per the objectives and policies	Oppose	If allowed the amendment would unduly restrict development options for VDB.	This submission is disallowed
697	Waikato District Council	Waikato District Council Attn: Gavin Ion and Will Gauntlett 15 Galileo Street Ngaruawahia New Zealand 3724	697.164	17.1.2 Permitted Activities: Delete Rule 17.1.2 (P2) Commercial services.	There is duplication between the terms "commercial activities" and "commercial services" and this is more appropriately represented by a single term.	Oppose	If allowed the amendment would unduly restrict development options for VDB. The Proposed plan contains two separate activities (both commercial activities and commercial service as defined terms therefore both should be permitted in a Business zone)	This submission is disallowed
781	Ministry of Education	Ministry of Education Attn: Andrew Hill PO Box 903, Tauranga 3140	781.9	17.1.2 Permitted Activities: Amend Rule 17.1.2 P5 Permitted Activities as follows: P5 Education facility facilities	Submitter requests consistency with their requested definition of 'Education facilities'.	Support	If allowed the amendment would allow for an activity appropriate in a business zone	The submission is allowed
785	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited for 'Oil Companies'	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited for 'Oil Companies' Attn: John McCall PO Box 33-817, Takapuna, Auckland 0740	785.38	17.1.2 Permitted Activities: Add a new activity to Rule Chapter 17.1.2 – Permitted Activities as follows: Service Station activity Activity Specific Conditions Nil OR Retain commercial and retail activities as permitted activities in Rule 17.1.2 Permitted Activities, with service stations being clearly defined as one or both activities). AND Any consequential amendments or further relief to give effect to the submission.	The Submitter seeks to retain the activity status of Service Stations as permitted activities in the Business Zone, not subject to any Activity Specific Conditions. The submitter has sought to include a new definition for a 'service station activity' (refer to submission point 785.3) The submitters service station activities are afforded to the following Business zonings under the Proposed District Plan: - Z Ngaruawahia - BP2Go Raglan and Hungry As Café - Mobil Mercer - Mobil Huntly In the Business Zone service stations are considered to be Permitted (as either a Retail or Commercial Activity). That activity status is supported, irrespective of whether service stations are provided for as commercial or retail activities or as	Support	If allowed the amendment would allow for an activity appropriate in a business zone and should not be restricted to existing sites only	The submission is allowed
588	Peter Buchan for Woolworths NZ Ltd	Peter Buchan for Woolworths NZ Ltd Attn: Kay Panther Knight PO Box 24463, Royal Oak, Auckland 1345	588.14	17.1 Land Use – Activities: Add a new rule within Section 17.1 Land Use - Activities as follows: 17.3[x] Gross floor area P1 Any individual tenancy must have a gross floor area of greater than 500m2 RD1 (a) Any individual tenancy with a gross floor area less than 500m2 (b) The Council's discretion shall be limited to the following matters: i. Design and location of the building ii. Effects on vitality and amenity of nearby Business Town Centre zones and centres. AND Amend the Proposed District Plan to make consequential or alternative relief to give effect to the specific amendments sought.	Insert a gross floor area limitation on small-scale retail activities to achieve the differentiated roles for Business and Business Town Centre zones as per the objectives and policies.	Oppose	If allowed the amendment would unduly restrict development options for VDB.	This submission is disallowed

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697	Waikato District Council	Waikato District Council Attn: Gavin Ion and Will Gauntlett 15 Galileo Street Ngaruawahia New Zealand 3724	697.327	17.1 Land Use – Activities: Add new provisions to Chapter 17 Business Zone to include new provisions for new retirement villages to establish; AND Add provisions for alterations and additions to existing retirement villages as a Restricted Discretionary Activity; AND Add new policies similar to Policies 4.2.13 and 4.2.19 (Residential Zone) to Chapter 4 Urban Environment, to support the proposed provisions.	Retirement Villages have been provided for in the Residential Zone only. Council are seeking to include Retirement Villages into the Business Zone. Retirement Villages provide a range of housing options for older persons.	Support	If allowed the amendment would allow for an activity appropriate in a business zone	The submission is allowed
KiwiRail								
986	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail)	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail) PO Box 593 Wellington New Zealand 6140	986.51	Add to Chapter 14 Infrastructure a new rule section called "Rules applying to development adjacent to railway corridors" applying to new, or alterations to buildings for any Noise Sensitive Activity at any point within 100 metres from the legal boundary of any railway network (see submission for details of provisions sought to be added, or similar amendments to achieve the requested relief). This includes a new Schedule and additions to Appendix 1. OR Add a new rule for new or alterations to buildings for any noise sensitive activity at any point within 100 metres from the legal boundary of any railway network to the following chapters (see submission for details of provisions sought to be added, or similar amendments to achieve the requested relief): Chapter 16: Residential zone Chapter 17: Business zone Chapter 18: Business town Centre zone Chapter 20: Industrial zone Chapter 21: Industrial zone heavy Chapter 22: Rural zone Chapter 23: Country Living Chapter 24: Village zone Chapter 25: Reserve zone This includes a new Schedule and additions to Appendix 1. AND Any consequential amendments to link and/or accommodate the requested changes.	<ul style="list-style-type: none"> • KiwiRail seeks that provisions be inserted requiring all new, or alterations to, buildings for noise sensitive activities be appropriately mitigated in relation to rail noise and vibration. • The proposed Plan acknowledges reverse sensitivity with some supportive policies and objectives, which are supported by KiwiRail but does not contain a definition of reverse sensitivity – which is sought by KiwiRail. • The Plan protects some activities sensitive to noise but not the effects from operational railway and road noise and vibration within in the District. • The KiwiRail submission seeks to introduce new rule, which has been developed collaboratively with NZTA , providing for the Plan and developers to ensure potential adverse effects (including conflicts between incompatible activities and associated reverse sensitivity effects) are mitigated (where they cannot be avoided). Two options are proposed: <ul style="list-style-type: none"> o The first, which is KiwiRail's preferred option, is to locate the Rule where it will apply to all plan zones; o Alternatively, add the Rule to each of the zones where state highways or rail networks are located. • The rail network operates 24 hours a day, 7 days a week operation, and the frequency, length and weight of trains can change without community consultation. Noise and vibration effects can interrupt people's amenity and enjoyment of their dwelling, as well as people's ability to sleep. Appropriate mitigation, installed to ensure that the health and wellbeing of those living near to the rail network is not adversely affected, is pivotal to ensure that undue restrictions are not placed on the operation of the rail network. • Part 2 of the Act supports the efficient use and development of the rail network while also enabling people and communities to provide for their well-being and their health and safety. An appropriate balance needs to be achieved between ensuring the rail network is efficiently utilised and adjacent development can be facilitated, without compromising safety of people and communities. • The new Rule provides for new or altered buildings within 100m of the railway boundary, which can achieve the required internal noise standard, to be permitted activities. Where windows need to be closed to achieve the desired internal noise 	Oppose	The amendments unduly restrict development options of business and industrial zoned land and imposes all costs related to mitigation of noise effects from the railway corridor on private property owners.	This submission is disallowed

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986	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail)	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail) PO Box 593 Wellington New Zealand 6140	986.52	Add a new Restricted Discretionary Activity applying to development adjacent to railway corridors in Chapter 14 Infrastructure which does not comply with the new performance standard sought in the preceding KiwiRail submission point (see submission for details of provisions sought to be added, or similar amendments to achieve the requested relief). OR Add a new Restricted Discretionary Activity or, where there are no current listed restricted discretionary activities in the zone, introduce a new restricted discretionary activity, to each of the zones listed below (see submission for details of provisions sought to be added, or similar amendments to achieve the requested relief): Chapter 16: Residential 16.1.3 Chapter 17: Business 17.1.3 Chapter 18: Business Town Centre 18.1.3 Chapter 20: Industrial 20.1 Chapter 21: Industrial Heavy 21.1 Chapter 22: Rural 22.1.3 Chapter 23: Country Living 23.1 Chapter 24: Village 24.1 Chapter 25: Reserve 25.1 AND Any consequential amendments to link and/or accommodate the	<ul style="list-style-type: none"> In view of the KiwiRail request to add a Permitted Activity Rule in submission 51, new Restricted Discretionary activity criteria are required. It is noted that some zones have a Restricted Discretionary Activity category and others do not. KiwiRail's policy is to seek Restricted Discretionary Activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects. 	Oppose	The amendments unduly restrict development options of business and industrial zoned land and imposes all costs related to mitigation of noise effects from the railway corridor on private property owners.	This submission is disallowed
986	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail)	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail) PO Box 593 Wellington New Zealand 6140	986.57	Add a new rule to Rule 17.3.4 Building setbacks as follows (or similar amendments to achieve the requested relief): Building setback - railway corridor (a) any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary AND Any consequential amendments to link and/or accommodate the requested changes.	<ul style="list-style-type: none"> KiwiRail seeks that a 5 metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses). Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety. For these safety reasons setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design. Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards. A 5m setback allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained. A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor. The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to: (i) location, design and use of the proposed building or structure as it relates to the rail network (ii) impacts on the safe operation, 	Oppose	Setback's from the NIMT (greater than a normal yard control) imposes unnecessary development restrictions on the use of land	This submission is disallowed
986	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail)	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail) PO Box 593 Wellington New Zealand 6140	986.63	Add new matters of discretion relating to non-compliance with the 5m Building setback - railway corridor (sought elsewhere in other submission points) in Rule 17.1 Land Use Activities as follows (or similar amendments to achieve the requested relief): 1. The size, nature and location of the buildings on the site. 2. The extent to which the safety and efficiency of rail and road operations will be adversely affected. 3. The outcome of any consultation with KiwiRail. 4. Any characteristics of the proposed use that will make compliance unnecessary. AND Any consequential amendments to link and/or accommodate the	<ul style="list-style-type: none"> KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance. It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects. Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991. 	Oppose	Setback's from the NIMT (greater than a normal yard control) imposes unnecessary development restrictions on the use of land	This submission is disallowed
986	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail)	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail) PO Box 593 Wellington New Zealand 6140	986.65	Add new matters of discretion relating to non-compliance with the 5m Building setback - railway corridor (sought elsewhere in other submission points) in Rule 20.1 Land Use Activities as follows (or similar amendments to achieve the requested relief): 1. The size, nature and location of the buildings on the site. 2. The extent to which the safety and efficiency of rail and road operations will be adversely affected. 3. The outcome of any consultation with KiwiRail. 4. Any characteristics of the proposed use that will make compliance unnecessary. AND Any consequential amendments to link and/or accommodate the	<ul style="list-style-type: none"> KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance. It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects. Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991. 	Oppose	Setback's from the NIMT (greater than a normal yard control) imposes unnecessary development restrictions on the use of land	This submission is disallowed

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986	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail)	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail) PO Box 593 Wellington New Zealand 6140	986.71	Amend Policy 4.2.5 – Setback: Side boundaries as follows (or similar amendments to achieve the requested relief): 4.2.5 Policy – Setback: Side boundaries (a) Require development to have sufficient side boundary setbacks to provide for: ... (c) Manage Reverse sensitivity by providing sufficient setbacks buildings to provide for residents' safety and amenity AND Any consequential amendments to link and/or	<ul style="list-style-type: none"> The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback. Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure. Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require 	Oppose	Setback's from the NIMT (greater than a normal yard control) imposes unnecessary development restrictions on the use of land	This submission is disallowed
986	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail)	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail) PO Box 593 Wellington New Zealand 6140	986.72	Add a new clause (b) to Policy 4.3.5 Building setbacks as follows (or similar amendments to achieve the requested relief): (a) Maintain existing and promote new vistas and views between buildings in the Village Zone when viewed from a road. (b) Manage Reverse sensitivity by providing sufficient setbacks buildings to provide for residents' safety and amenity AND Any consequential amendments to link and/or	<ul style="list-style-type: none"> The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback. Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure. Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require 	Oppose	Setback's from the NIMT (greater than a normal yard control) imposes unnecessary development restrictions on the use of land	This submission is disallowed
986	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail)	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail) PO Box 593 Wellington New Zealand 6140	986.73	Add a new clause (b) to Policy 4.6.7 Management of adverse effects within industrial zones as follows (or similar amendments to achieve the requested relief): (a) Manage adverse effects including visual impact from buildings, parking, loading spaces and outdoor storage, lighting, noise, odour and traffic by managing the location of industrial uses, bulk and form of buildings, landscaping and screening at the interface with roads and environmentally sensitive areas. (b) Manage Reverse sensitivity by providing sufficient setbacks buildings to provide for residents' safety and amenity AND Any consequential amendments to link and/or	<ul style="list-style-type: none"> The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback. Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure. Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance. 	Oppose	Setback's from the NIMT (greater than a normal yard control) imposes unnecessary development restrictions on the use of land	This submission is disallowed
986	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail)	Pam Butler on behalf of KiwiRail Holdings Limited (KiwiRail) PO Box 593 Wellington New Zealand 6140	986.76	Add a new clause (b) to Policy 4.5.33 Reverse sensitivity as follows (or similar amendments to achieve the requested relief): (a) Reverse sensitivity is managed by ensuring residential activities and development within the Business Town Centre Zone and Business Zone are acoustically insulated to mitigate the adverse effects of noise. (b) Reverse sensitivity is managed by providing sufficient setbacks to provide for residents' safety and amenity AND Any consequential amendments to link	<ul style="list-style-type: none"> The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback. Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure. Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance. 	Oppose	A 5 metre setback from the NIMT imposes unnecessary development restrictions on the use of land	This submission is disallowed