

Waipā District Council



Districtplan@waipadc.govt.nz

Re: Submission on Plan Change 14 to the Waipā District Plan

Submitter:	Waipā District Council (WDC)
Contact Phone Number:	[REDACTED]
Email Address:	[REDACTED]
Address for Service	email address
Trade Competition	<p>WDC could not gain an advantage in trade competition through this submission.</p> <p>WDC is directly affected by an effect of Plan Change 14 that could adversely affect the environment and that does not relate to trade competition or the effects of trade competition.</p>
Hearing	WDC wishes to be heard in support of this submission.
Others	If others make a similar submission, WDC would consider presenting a joint case with them at the hearing.
Position	Plan Change 14 is supported in part.

Specific Provisions

The specific provisions of Plan Change 14 that my submission relates to are:

1. The interface of the proposed Mangaone Stream Reserve identified on the Mangaone Precinct Structure Plan with industrial zoned land and in particular:
 - Requirements for buildings to comply with daylight control performance standards with respect to unzoned reserve land (Rule 7.4.2.7)
 - Light spill into the proposed Mangaone Stream Reserve (Rule 7.4.2.41)
 - Fencing requirements applying to the proposed Mangaone Stream Reserve boundary with industrial zoned land (Rule 15.4.2.91A and Information Requirement 21.2.7.1)
2. Reference to Mangaone Stream Reserve Management Plan.

Reasons and Relief Sought

3. The reasons for and relief sought by my submission are set out in (a) – (d) below.

Daylight Control

(a) Rule 7.4.2.7 specifies daylight controls in relation to zone boundaries. In this instance the proposed Mangaone Stream Reserve will be vested as reserve but will not be rezoned to Reserve Zone as part of PC14. While it may be intended that the daylight controls apply to the proposed Mangaone Stream Reserve boundary, the wording of Rule 7.4.2.7 will not achieve this.

The relief sought is that Rule 7.4.2.7 be amended to read:

Where a site adjoins a road, a reserve or any zone other than the industrial zone; no building, or stored materials shall penetrate through a recession plane at right angles to a boundary inclined inwards and upwards at an angle of 45° from 2.7m above ground level of the front boundary, side boundary and rear boundary of a site.

Light Spill in Structure Plan Areas

(b) Rule 7.4.2.41 applies lighting controls in respect of adjoining residential dwellings and roads. Given that proposed new Rule 7.4.2.42 seeks to control artificial lighting within the proposed Mangaone Stream Reserve, it is necessary that controls are also placed on artificial light sources on sites adjoining the proposed Mangaone Stream Reserve.

The relief sought is that:

- Rule 7.4.2.41 be amended to read:

All external lighting shall be shaded or directed away from any adjoining residential dwellings, reserves or roads, and adjusted and maintained to ensure that direct illuminance from the lighting source shall not exceed:

- (a) *4 lux (lumens per square metre) at or within the notional boundary of any adjoining dwelling between the hours of 10:00pm and 7:00am;*
- (b) *10 lux at or within the notional boundary of any adjoining dwelling at all other times when lighting is required;*
- (c) *4 lux at the boundary of the Mangaone Stream Reserve as identified on the Mangaone Precinct Structure Plan.*

- Or other relief as may be appropriate (including the inclusion of a new rule in the Industrial Zone, or the amendment / adaptation of Rule 20.4.2.2 to be specific to light emissions adjacent to reserves and high value bat habitat areas.

Mangaone Stream Reserve Management Plan

- (c) Rule 15.4.2.91A and Information Requirement 21.2.7.1 refer to “*Mangaone Stream Reserve Management Plan*”. Use of this term may create confusion with respect to requirements for reserve management plans under the Reserves Act 1977.

This term where it appears throughout PC14 should be amended to read:
*Mangaone Stream Reserve ~~Management~~ **Development and Operational Maintenance Plan***

Reserve Fencing Requirements

- (d) Rule 15.4.2.91A provides requirements that apply to any subdivision and development within the Mangaone Precinct Structure Plan area. Rules 15.4.2.91A (d) and (g) require that:
- The first subdivision or land use consent for industrial purposes is required to provide a plan for the reserve (including the information requirements set out in Rule 21.2.7.1)
 - The proposed Mangaone Stream Reserve is planted and fenced, and pedestrian / cycle paths are constructed as part of the first subdivision consent

Rule 21.2.7.1(i) provides that the plan for the proposed Mangaone Stream Reserve is to include a planting / fencing implementation programme.

It is not clear what actual fencing requirements will apply under the ruleset in relation to the proposed Mangaone Stream Reserve boundary with adjoining industrial properties. This requirement should be clarified in the rules.

The relief sought is that:

- Rule 15.4.2.91A(g) is amended to read:
*The Mangaone Stream Reserve is planted and fenced, and pedestrian / cycle paths are constructed **in accordance with the approved Mangaone Stream Reserve Development and Operational Maintenance Plan** as part of the first subdivision consent*
- Rule 21.2.7.1(i) is amended to read:

Planting / Fencing Implementation Programme in accordance with a reserves agreement forming part of a development agreement under Rule 7.4.2.36

- Or other relief as may be appropriate (including the inclusion of specific fencing requirements for industrial / reserve boundaries within the Industrial Zone provisions.



David Totman

PRINCIPAL POLICY ADVISOR