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30 November 2016

Manawatu District Council  
Private Bag 10 001  
**FEILDING 4743**

Attention: Hearing Committee: Plan Change 52

**By email only:** [allie.dunn@mdc.govt.nz](mailto:allie.dunn@mdc.govt.nz)

Dear Committee

## RE: PROPOSED MANAWATU DISTRICT PLAN CHANGE 52 HEARINGS

### 1. INTRODUCTION

- 1.1 I refer to the abovementioned matter set down for hearing commencing 5 December 2016. Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Ltd (*the Oil Companies*) have made submissions and further submissions to Plan Change 52 (Submitter 21 and Further Submitter 12).
- 1.2 This statement has been prepared on behalf of the Oil Companies and represents their views. This statement, including **Attachment A**, identifies the Oil Companies submissions and further submissions and confirms the position of the Oil Companies with respect to each submission point.
- 1.3 This statement confirms that the Oil Companies will not be presenting evidence to the Hearings Panel as there are a number of matters where they are in general agreement with the recommendations set out in the Officer's Report, and only four matters where further clarification, but not evidence, is required. That clarification is provided in this hearing statement, with the specific relief that is sought by the Oil Companies identified in red text. In all other respects, the recommendations of the Reporting Planner are supported.

1.4 It would be appreciated if this statement could be tabled before the Hearings Committee.

## **2. MAINTENANCE AND ENHANCEMENT OF AMENITY**

### **Submission S21/041 and FS/006 – Objective 2**

### **Submission S21/022 – Policy 2.5**

### **Submission S21/39 and Further Submission F12/012 – Assessment Criteria 16.4.3 (ia)**

2.1 The Oil Companies lodged a range of submissions and further submissions relating to various amenity provisions. In summary, the key outcomes sought by the Oil Companies were to:

- i recognise that the amenity values of the Industrial Zone (and associated activities) are generally accepted to be lower when compared to the residential, rural and in some cases business or commercial zones; and
- ii recognise that the amenity values of the interface between industrial and residential zones are unlikely to be as high as the amenity values within residential zones.

### **Objective 2**

2.2 The Reporting Planner has recommended accepting in part the submission points on Objective 2 and making the following changes:

*To manage adverse effects of industrial activities on the environment, to promote appropriate amenity values associated with the Industrial Zone including:*

- *maintaining and where possible enhancing amenity values within the Industrial Zone and for adjacent sites beyond the Industrial Zone; and*
- *enhancing amenity values on sites fronting arterial routes or key entry points to townships.*

2.3 The Oil Companies are largely in agreement with the revised objective subject to amending the first bullet point to recognise that amenity values within industrial zones do not need to be enhanced, and consequently that it is the amenity at the interface of the zones where amenity should be maintained and enhanced where practicable.

2.4 Accordingly, the Oil Companies support the following further changes to Objective 2:

*To manage adverse effects of industrial activities on the environment, to promote appropriate amenity values associated with the Industrial Zone including:*

- maintaining ~~and where possible enhancing~~ amenity values within the Industrial Zone;*
- Maintaining and where practicable enhancing the amenity values at the interface of Industrial and ~~for adjacent zones sites beyond the Industrial Zone;~~*  
*and*
- enhancing amenity values on sites fronting arterial routes or key entry points to townships.*

## **Policy 2.5**

- 2.5 The Reporting Planner has recommended accepting in part the submission point on Policy 2.5 and making the following changes:

*To require subdivision, use and development in the Industrial Zone to be designed to maintain or enhance an appropriate level of ~~the~~ visual amenity values and streetscape within the Zone and maintain or enhance the visual amenity values where possible, when viewed from other zones and ~~any public place~~, key entry points to townships and arterial routes.*

- 2.6 The Oil Companies are largely in agreement with the revised policy subject to;
- iii replacing the first 'enhance' with 'create' to recognise that you don't 'maintain or enhance' appropriate levels of amenity but rather 'maintain or create' them; and
  - iv Replacing the 'where possible' with 'where practicable'. Where practicable is considered to be a better phrase because it provides some guidance as to whether amenity should be maintained or enhanced. For example, where it may be possible to enhance amenity but it is practicable to maintain it, the amenity should be maintained. But where it is practicable to enhance amenity, then it should be enhanced and not just maintained.

- 2.7 Accordingly, the Oil Companies support the following further changes to Policy 2.5:

*To require subdivision, use and development in the Industrial Zone to be designed to maintain or ~~enhance~~ create an appropriate level of visual amenity values and streetscape within the Zone and maintain or enhance the visual amenity values where practicable ~~possible~~, when viewed from other zones and, key entry points to townships and arterial routes.*

### Assessment Criterion 16.4.3(ia)

2.8 The Reporting Planner has recommended accepting in part the submission points on Restricted Discretionary assessment criterion 16.4.3 relating to amenity and making the following changes:

*ia Whether the application will maintain, or where possible enhance, the ~~and~~ amenity values ~~of the character~~ of the Industrial Zone or properties beyond the Industrial Zone.*

2.9 The Oil Companies note that the assessment criterion has little added value beyond what is found in the policy framework, however if it is to be retained, then they generally agree with the recommendation subject to changes to recognise that:

- v amenity values within industrial zones do not need to be enhanced; and
- vi consequently, that it is the amenity at the interface of the zones where amenity should be maintained and enhanced where practicable.

2.10 Accordingly, the Oil Companies support the following further changes to assessment criterion 16.4.3:

*ia Whether the application will maintain, ~~or where possible enhance,~~ the amenity values of the Industrial Zone or maintain or enhance the visual amenity values of the properties beyond the Industrial Zone.*

2.11 For the avoidance of doubt, in all other respects, the Oil Companies support the recommendations of the Reporting Planner.

### 3. LANDSCAPING

#### Submission S21/30 – Rule 16.4.2, Industrial Zone Standards - Permitted Activity Standard (B) (iii) (b)

3.1 The Oil Companies sought to amend Permitted Activity Standard (B) (iii) (b) to ensure that planting along the front boundary does not compromise signage and traffic safety.

3.2 The Reporting Planner has recommended accepting in part the submission points on Permitted Activity Standard (B) (iii) (b) and making the following changes:

*b. Major or Minor Arterial Roads (excluding carpark frontage areas where 16.4.2(b. ii) applies)*

- On sites which adjoin any major or minor arterial roads (excluding Waughs Road) (Refer Appendix 3B.1) or which lie directly across the road from a Residential or Village Zone, a 2m landscaping strip must be ~~provided, which must be~~ planted and maintained with a variety of low shrubs and trees ~~capable of that will grow~~ growing to a height of ~~1.5~~ between 0.5 - 1.0 metres. ~~Planting must ensure a density to achieve solid landscape screening within two years of planting.~~
- On sites adjoining Waughs Road/SH 54 a ~~105m wide buffer screen must be provided with a 2m~~ landscaping strip must be provided.
- Screen planting adjacent to any arterial road must be frangible (breakable or fragile).

3.3 The Oil Companies generally agree with the recommendation subject to:

- clarification as to where the landscape strip is to be provided; and
- the deletion of 'screen' in the last bullet point. This is a consequential change to the Reporting Planner's recommendation in response to Submission S21/029 to include a definition of landscape strip and screen planting. Permitted Activity Standard (B) (iii) (b) requires a landscape strip as now defined, and so the inclusion of the word 'screen' is now no longer either necessary or appropriate.

3.4 Accordingly, the Oil Companies support the following further changes to Permitted Activity Standard (B) (iii) (b):

*b. Major or Minor Arterial Roads (excluding carpark frontage areas where 16.4.2(b. ii) applies)*

- On sites which adjoin any major or minor arterial roads (excluding Waughs Road) (Refer Appendix 3B.1) or which lie directly across the road from a Residential or Village Zone, a 2m landscaping strip, along the front boundary but excluding at vehicle crossings, must be planted and maintained with a variety of low shrubs and trees that will grow to a height of between 0.5 - 1.0 metres.
- On sites adjoining Waughs Road/SH 54 a 5m wide landscaping strip must be provided.
- ~~Screen p~~Planting adjacent to any arterial road must be frangible (breakable or fragile).

3.5 For the avoidance of doubt, in all other respects, the Oil Companies support the recommendations of the Reporting Planner.

#### **4. DUPLICATION OF RULES**

##### **Submissions S21/031 to S21/038 - 16.4.2 Industrial Zone - Standards for Permitted Activities (d - i) and (k – q).**

- 4.1 The Oil Companies sought to delete Permitted Activity Standards 16.4.2(d), (e) and (k - q), on the grounds that it is inappropriate to include a permitted activity rule which simply refers to another rule in the Plan if that means that non-compliance with one rule triggers two infringements. The Oil Companies consider that it would be more appropriate to just add a general note to the effect that compliance with the District Wide Rules is required.
- 4.2 The recommendation of the Reporting Planner is to reject the submission. The Reporting Planner states that these submission points are beyond the scope of PC52 as they address provisions that were included for completeness only and which were clearly indicated with blue shading, as being beyond the scope of PC52, at notification. The intention of their inclusion was to demonstrate how changes proposed as part of PC55 would be transferred in due course to the Industrial Zone chapter.
- 4.3 If the intention is that the rules pertaining to such matters as earthworks, signage and noise are ultimately to be included in the zone chapters and not in the District Wide chapter, then the concern of the Oil Companies would be addressed because the rule would only appear once in the Plan, and non-compliance with the rule would only trigger one infringement.
- 4.4 As currently drafted, non-compliance with these zone standards triggers two infringements, one of the zone rule and one of the District Wide rule, even though both rules are exactly the same. The Oil Companies continue to consider duplication in that manner to be inefficient and unnecessary, and that it would be more appropriate to just add a general note in the Zone Rules to the effect that compliance with specified District Wide Rules is also required. If changes are required to address this issue, and they are out of scope, this matter may need to be addressed through a plan change at the conclusion of the sectional district plan review.

## 5. PROVISION FOR EXISTING ACTIVITIES IN THE INDUSTRIAL ZONE

### Submission S21/025 - 16.4.1 Permitted Activities - Industrial Zone (m)

5.1 The Oil Companies sought to delete Permitted Activity Clause (m) considering that lawfully established activities should not be able to expand or change as permitted activities, but should have to rely on their existing use rights.

5.2 The Reporting Planner recommends that the submission be accepted in part and that the following change should be made:

Delete Permitted Activity Clause (m).

Amend Rule 16.4.4 as follows:

*16.4.4 Discretionary Activities - Industrial Zone The following are discretionary activities in the Industrial Zone:..*

*(c) Additions or alterations to existing buildings associated with any lawfully established activity, operating on and prior to (specific day this Plan Change 52 rule takes effect).*

5.3 The Oil Companies agree with the intent of the recommended changes, however it does need to be clarified that it only applies to activities that would not otherwise be allowed within the zone. Otherwise, for example, it would potentially trigger a consent requirement for minor changes to any existing service station or industrial activity (for example), that would otherwise be a permitted activity in the zone. The Oil Companies consider that there should be an exemption for activities that are otherwise permitted in the zone.

5.4 Accordingly, the Oil Companies support the following further changes to Rule 16.4.4(c):

*(c) Additions or alterations to existing buildings associated with any lawfully established activity operating on and prior to (specific day this Plan Change 52 rule takes effect) and which is not listed as a permitted activity in Rule 16.4.1.*

5.5 For the avoidance of doubt, in all other respects, the Oil Companies support the recommendations of the Reporting Planner.

## 6. CONCLUDING COMMENT

6.1 Thank you for your time and acknowledgement of the issues raised in the Oil Companies submission. Please do not hesitate to contact the writer on (09) 917 4305 should you wish to clarify any matter addressed herein.

Yours sincerely,

**BURTON PLANNING CONSULTANTS LIMITED**

A handwritten signature in blue ink, appearing to read "Karen Blair".

Karen Blair

**Principal Planner**

**Attachment A - Proposed Plan Change 52 of the Manawatu District Plan – Summary of the Position on the Staff Recommendations On The Oil Companies Submissions (S21) and Further Submissions (FS12)**

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<b>Provision</b>	<b>Summary of Submission</b> <i>(additions to provisions <u>underlined</u>, deletions in <del>strikethrough</del>)</i>	<b>Officer Recommendation</b> <b>(Officer Report and Page Number)</b> <i>(additions to provisions <u>underlined</u>, deletions in <del>strikethrough</del>)</i>	<b>Comment</b>
<b>DEFINITIONS</b>			
S21/026  2. Definitions - Lunchbars and Dairies (new)	Retain the limited provision for lunchbars and dairies as permitted activities by retaining the definition of lunchbars and dairies, which requires them to serve the day to day needs of workers in the industrial zone and to not exceed 100m <sup>2</sup> GFA.	Recommend that submission S21/26 be accepted. No change to PC52 is recommended as a result of this submission.	The Oil Companies’ submission is given effect and the recommendation of the Reporting Planner is supported.
S21/023  2. Definitions - Reverse Sensitivity (new)	Definition is supported as notified.	Recommend that submission S21/23 be accepted. No change to PC52 is recommended as a result of this submission.	The Oil Companies’ submission is given effect and the recommendation of the Reporting Planner is supported.
<b>INTRODUCTION</b>			
S21/016  Introduction	Retain 5th paragraph which acknowledges risks and the issues of protecting industrial land for industrial activities.	Recommend that submission S21/16 be accepted. No change to PC52 is recommended as a result of this submission.	The Oil Companies’ submission is given effect and the recommendation of the Reporting Planner is supported.
<b>ISSUES</b>			
S21/017  16.2 Issue 3	Amend Issue 3 to ensure that amenity values are of a reasonable standard (rather than enhanced) from other zones and public places within and adjacent to the Industrial Zone. Amend Issue 3 as follows:	Recommend that submission S21/17 be accepted in part and make the following change: <i>The desire to <u>achieve an appropriate level of amenity within the Industrial Zone;</u></i>	The Oil Companies’ submission is given effect and the recommendation of the Reporting Planner is supported.

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Provision	Summary of Submission <i>(additions to provisions <u>underlined</u>, deletions in <del>strikethrough</del>)</i>	Officer Recommendation <b>(Officer Report and Page Number)</b> <i>(additions to provisions <u>underlined</u>, deletions in <del>strikethrough</del>)</i>	Comment
	<i>The desire <del>to enhance</del> <u>for a reasonable standard of amenity values, particularly visual amenity, to be experienced from other zones and public places within and adjacent to the Industrial zone, having regard to both the amenity values expected in the adjacent zone or public place and the lower amenity values expected in industrial zones compared to in other zones.</u></i>	<i>including <u>enhancing amenity values on sites adjacent to key entry points to townships and arterial routes; and to maintain or enhance amenity values where possible, particularly visual amenity, of adjacent more sensitive zones.</u> <del>to be experienced from other zones, and public places within and adjacent to the Industrial Zone.</del></i>	
<b>OBJECTIVES AND POLICIES</b>			
S21/018  16.3 Objective 1	Retain Objective 1.	Recommend that submission S21/18 be accepted in part, but make no changes to the objective.	The Oil Companies’ submission is given effect and the recommendation of the Reporting Planner is supported.
S21/019 Policy 1.2	Amend Policy 1.2 to ensure that activities with the potential to generate reverse sensitivity effects on industrial activities are avoided, as follows: <i>To <del>manage</del> <u>avoid the establishment of activities not provided for as permitted or restricted discretionary activities within the Industrial zone where that have the potential to hinder or constrain the establishment or ongoing operation or development of industrial activities</u> <del>the effects on to protect existing and potential</del></i>	Recommend that submission S21/19 be accepted in part and make the following change to Policy 1.2: Delete Policy 1.2 and replace with: <i><u>To protect the effectiveness and efficiency of the Industrial Zone for existing and potential future industrial activities by avoiding the establishment of activities within the Zone, that have the potential to constrain the establishment, ongoing operation or expansion of industrial</u></i>	The Oil Companies’ submission is given effect and the recommendation of the Reporting Planner is supported.

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	<i>future industrial activities in the zone <del>will be more than minor.</del></i>	<i><u>activities.</u></i>	
S21/041  FS12/006 (to S6/004)  FS 12/007 (to S3/002)  Objective 2	<p>Amend Objective 2 to acknowledge that the industrial zone is not generally intended to have a high standard of amenity, relative to other zones and to recognise that it is considered unnecessary to promote and enhance amenity within the Industrial Zone as follows:  <i>To <del>promote and enhance</del> <u>acknowledge that the Industrial Zone will have a lower standard of amenity relative to other zones, while still maintaining a reasonable standard of amenity values within the Industrial Zone whilst <del>and</del> managing adverse effects of industrial activities on the environment beyond the zone, particularly on the visual amenity of the surrounding environment.</u></i></p> <p>Supported HW Richardson’s request to maintain amenity, not promote and enhance it.</p> <p>Opposed Heritage NZPT’s requested amendments to include reference to Chapter 4 Historic Heritage. It is not necessary, in that context to amend specific provisions in Chapter 16.</p>	<p>Recommend that submission S21/041 be accepted in part, that further submissions FS12/006 be accepted in part and that further submission FS12/007 be accepted and make the following change:  Delete Objective 2 and replace with:  <u>To manage adverse effects of industrial activities on the environment, to promote appropriate amenity values associated with the Industrial Zone including:</u>  <ul style="list-style-type: none"> <li>• <u>maintaining and where possible enhancing amenity values within the Industrial Zone and for adjacent sites beyond the Industrial Zone; and</u></li> <li>• <u>enhancing amenity values on sites fronting arterial routes or key entry points to townships.</u></li> </ul> </p>	Refer to Section 2.0 of the Tabled Statement.
S21/020	Amend Policy 2.3 to recognise that the	Recommend that submission S21/20 and	The Oil Companies’ submission is

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<p>FS12/008 to S6/006</p> <p>Policy 2.3</p>	<p>industrial zone is not generally intended to have a high standard of amenity relative to other zones and that the key area of concern is inter-zone (or cross-zone) boundary management. Delete Policy 2.3 and insert the following new policy:  <u>To manage noise, glare or night lighting to recognize the lower amenity values of the industrial zone, and to ensure that any effects on adjacent more sensitive zones are managed in a manner that is consistent with the expected amenity values in that zone.</u></p> <p>Supported HW Richardson’s request to amend the policy to refer to maintaining amenity values, for the reasons set out above, and because the key area of concern is not inter-site but inter-zone boundary management.</p>	<p>FS 12/008 be accepted in part and make the following change to Policy 2.3:  <i>To ensure that activities located within the Industrial Zone, minimise, as far as practicable, adverse effects beyond the site boundary <u>within the Industrial Zone</u>, including any effects associated with noise, glare or night lighting, <u>and ensure that any effects on adjacent more sensitive zones are consistent with the expected amenity values in that zone.</u> <del>to protect the amenity values of the surrounding environment.</del></i></p>	<p>given effect and the recommendation of the Reporting Planner is supported.</p>
<p>S21/021</p> <p>FS12/009 to S5/002</p> <p>(Policy 2.4)</p>	<p>Sought to delete Policy 2.4 on the basis that it is impractical and of limited use to applicants and/or decision makers. For example, the effects of traffic will not be confined to only the Industrial Zone, because traffic will traverse a range of zones to access the industrial area. Similarly in terms of stormwater infrastructure, for example, where this is discharged to the reticulated network that discharge point may or may not be in an industrial zone. Noise and amenity values are already addressed in Policy</p>	<p>Recommend that submission S21/21 be rejected and further submission FS12/009 be accepted in part, and make the following change:  <i>To require <u>new industrial activities to locate within the Industrial Zone where the associated effects on the environment</u> <del>to ensure that effects of these activities,</del> particularly related to infrastructure, traffic, noise and amenity values, <u>are anticipated, provided for and, as far as</u></i></p>	<p>If Policy 2.4 is to be retained, the changes recommended by the Reporting Planner are supported as they provide some clarification of the intent of the policy.</p>

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	<p>2.3.</p> <p>Opposed a submission by Horizons Regional Council seeking changes to specifically include stormwater runoff. It is unclear what Council control in relation to stormwater is not already covered (eg: by term ‘infrastructure’).</p>	<p><i>practicable confined to the Zone.</i></p> <p>Also amend Section 16.4.2 (i) Stormwater Neutrality by inserting the following after the existing standard :</p> <p><i>Note: Where stormwater detention areas cannot be accommodated within the Industrial Zone, an equivalent quantity of stormwater runoff mitigation is to be provided in a suitable location outside the zone.</i></p>	
<p>S21/022</p> <p>FS 12/010 to S6/008</p> <p>Policy 2.5</p>	<p>Amend the Policy to recognise that the Industrial Zone is not generally intended to have a high standard of amenity, relative to other zones. If there are specific areas where enhancement is required, then those should be clearly identified. Amend as follows:</p> <p><i>To require subdivision, use and development in the Industrial Zone to be designed to maintain <del>or enhance</del> the visual amenity values and streetscape within the Zone and, when viewed from other zones and any public place, <u>to provide a reasonable level of amenity relative to the visual amenity values associated with both the industrially zoned land and the other zones or public places.</u></i></p> <p>Supported the submission by HW Richardson in part because of the lack of recognition in the</p>	<p>Recommend that submission S21/22 be rejected and further submission FS12/010 be accepted in part, and make the following change:</p> <p><i>To require subdivision, use and development in the Industrial Zone to be designed to maintain <u>or enhance an appropriate level of</u> <del>the</del> visual amenity values and streetscape within the Zone and maintain or enhance the visual amenity values where possible, when viewed from other zones and <del>any public place</del>, <u>key entry points to townships and arterial routes.</u></i></p>	<p>Refer to Section 2.0 of the Tabled Statement.</p>

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	policy that the Industrial Zone is not generally intended to have a high standard of amenity, relative to other zones.		
<b>RULES</b>			
S21/027 S21/024  16.4.1 Permitted Activities - Industrial Zone (h) and (j)	Retain the limited provision for lunchbars and dairies as permitted activities by retaining the definition of lunchbars and dairies, which requires them to serve the day to day needs of workers in the industrial zone and to not exceed 100m <sup>2</sup> GFA.  Support service stations as a permitted activity	Recommend that submissions S21/027 and 024 be accepted. No changes proposed.	The Oil Companies’ submission is given effect and the recommendation of the Reporting Planner is supported.
S21/025  16.4.1 Permitted Activities - Industrial Zone (m)	It is considered that such lawfully established activities should have to rely on their existing use rights and, if not permitted, should be required to obtain consent. Delete Permitted Activity Clause (m) and instead include it as a discretionary activity through Rule16.4.4:  <i>16.4.4 Discretionary Activities - Industrial Zone The following are discretionary activities in the Industrial Zone:...</i> <i><u>(x) Any lawfully established activity, existing and operating prior to (specific day Plan Change 52 rules take effect) including:</u></i> <i><u>i. additions or alterations to existing buildings</u></i>	Recommend that submission S21/025 be accepted in part and make the following change:  Delete Permitted Activity Clause (m).  Amend Rule 16.4.4 as follows: <i>16.4.4 Discretionary Activities - Industrial Zone The following are discretionary activities in the Industrial Zone:..</i>  <i><u>(c) Additions or alterations to existing buildings associated with any lawfully established activity, operating on and</u></i>	Refer to Section 5.0 of the Tabled Statement.

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	<i><u>associated with such activities, and</u></i> <i><u>ii. the expansion of such activities, including onto adjacent sites in the industrial zone.</u></i>	<i><u>prior to (specific day this Plan Change 52 rule takes effect).</u></i>	
S21/028  16.4.2 Industrial Zone – Standards for permitted activities (a - i)	Service station forecourt canopies should be excluded from the permitted activity yard standards. If necessary a setback of 2m from the road boundary could be required.	Recommend that submission S21/028 be accepted in part and make the following change: <i>16.4.2 (a):</i> <i>a. Building Setback Yards and Height ...</i> <i>i. All buildings <del>or storage of goods</del>, excluding signs <u>and service station canopies</u> must be set back at least 6 metres from any boundary with a road <u>or rail corridor.</u></i> <i>ii <del>Any building</del> <u>Buildings or storage of goods associated with industry (excluding light industry)</u> must be setback at least:</i> <i>• <del>15</del><u>10</u> metres from any boundary adjoining land zoned Residential <u>or Village</u> <del>or Recreation</del>; and</i> <i>• <del>10</del><u>5</u> metres from any boundary adjoining an arterial road or land zoned Rural, <u>Recreation</u> or Flood Channel 2</i>	The Oil Companies’ submission is given effect and the recommendation of the Reporting Planner is supported.
S21/029  16.4.2 Industrial Zone - Standards for permitted activities (b - iii -	Delete permitted activity standard 16.4.2(b)(iii)(a). As drafted, the standard requires the entire 10m planting area to be 'densely planted' to achieve a solid landscape screen between 4m and 9m in height. This is considered an excessive landscaping standard. A 4 - 9m high, the densely planted area could itself generate	Recommend that submission S21/029 be accepted in part and make the following change: <i>iii. Screening of Interface Areas</i> <i>a. Residential/Village and Rural zones</i> <i>On sites <del>boundaries</del> which adjoin a Rural, Residential or Village Zone a <del>10</del><u>5</u>m wide</i>	The Oil Companies’ submission is largely given effect and the recommendation of the Reporting Planner is supported.

**Attachment A: Proposed Plan Change 52 of the Manawatu District Plan – Summary of the Position on the Staff Recommendations On The Oil Companies’ Submissions (S21) and Further Submissions (FS12)**

Provision	Summary of Submission <i>(additions to provisions <u>underlined</u>, deletions in <del>strikethrough</del>)</i>	Officer Recommendation <b>(Officer Report and Page Number)</b> <i>(additions to provisions <u>underlined</u>, deletions in <del>strikethrough</del>)</i>	Comment
a)	issues for the adjoining property such as leaf fall and shading for example.	<p><del>buffer-screen planting area within the building setback yard must be established, planted and maintained with a variety of shrubs and trees (as specified (i) and (ii) of this standard). Planting must ensure a density to achieve solid landscape screening along the entire Rural, Residential or Village Zone boundary within two years of planting. On site boundaries which adjoin a Rural or Flood Channel 2 Zone a 2m wide screen planting area must be established, planted and maintained with a variety of shrubs and trees.</del></p> <p><i>i. Shrubs must be capable of growing to a minimum height at maturity of 4 metres; and</i></p> <p><i>ii. Trees must be capable of growing to a minimum height at maturity of 9 metres</i></p> <p><u>Note – The preferred planting species for this Zone are listed in Appendix 16.1</u></p> <p>Insert new definitions as follows:  <u>LANDSCAPE STRIP means, in relation to the Industrial Zone, a strip of land to be planted in accordance with Appendix 16.1, to improve visual amenity of the surrounding area rather than to screen activities on the subject site from view</u></p>	

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		<p><u>beyond the site.</u></p> <p><u>SCREEN PLANTING AREA means in relation to the Industrial Zone, an area required to be planted in accordance with Appendix 16.1, to screen activities on the subject site as far as practicable, from view from the adjacent road or non-industrial zoned land.</u></p>	
<p>S21/30</p> <p>16.4.2 Industrial Zone - Standards for permitted activities (b - iii - b - bullet point 1)</p>	<p>Amend Permitted Activity Standard (B) (iii) (b) to ensure that planting along the front boundary does not compromise signage and/or traffic safety by restricting vegetation in this area to between 0.6m and 1.2m, as follows: <i>On sites which adjoin any major or minor arterial roads (Refer Appendix 3B.1) or which lie directly across the road from a Residential or Village Zone, a 2m landscaping strip must be provided, which must be planted and maintained with a variety of low shrubs and trees <del>capable of that will growing</del> to a height of <del>1.5</del> <u>between 0.6 – 1.2</u> metres. Planting must ensure a density to achieve solid landscape screening within two years of planting.</i></p>	<p>Recommend that submission S21/030 be accepted in part and make the following change:</p> <p><i>b. Major or Minor Arterial Roads <u>(excluding carpark frontage areas where 16.4.2(b. ii) applies)</u></i></p> <ul style="list-style-type: none"> <li><i>• On sites which adjoin any major or minor arterial roads <u>(excluding Waughs Road)</u> (Refer Appendix 3B.1) or which lie directly across the road from a Residential or Village Zone, a 2m landscaping strip must be <del>provided, which must be</del> planted and maintained with a variety of low shrubs and trees <del>capable of that will grow growing</del> to a height of <u>1.5 between 0.5 - 1.0</u> metres. <del>Planting must ensure a density to achieve solid landscape screening within two years of planting.</del></i></li> <li><i>• On sites adjoining Waughs Road/SH 54 a <del>105m wide</del> <u>buffer screen</u> must be <del>provided with a 2m</del> landscaping strip</i></li> </ul>	<p>Refer to Section 3.0 of the Tabled Statement.</p>

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		<p><u>must be provided.</u></p> <ul style="list-style-type: none"> <li>• <u>Screen planting adjacent to any arterial road must be frangible (breakable or fragile).</u></li> </ul>	
<p>S21/031 to S21 /038</p> <p>16.4.2 Industrial Zone - Standards for permitted activities (d - i) and (k – q)</p>	<p>Delete Permitted Activity Standard 16.4.2(d), (e) and (k - q). It is inappropriate to include a permitted activity rule which simply refers to another rule in the Plan if that means that if there is non- compliance with Rule 3B.4.4 (Chapter 3 - District Wide Rules) for example, then there is also a technical non-compliance with the rules in the Industrial Zone. Such an approach is inefficient and unnecessary. It would be more appropriate to just add a general note to the effect that compliance with the District Wide Rules is required.</p>	<p>Recommend that submissions S21/031 to 038 be rejected. No changes proposed. These submission points are beyond the scope of PC52. They address provisions, which were included for completeness only and were clearly indicated with blue shading, as being beyond the scope of PC52, at notification. The intention being to demonstrate how changes proposed as part of PC55 would be transferred in due course to the Industrial Zone chapter. A cross referencing change is proposed in Chapter 3 as part of PC55 – District Wide Rules. However no submissions were received on that matter under PC55.</p>	<p>Refer to Section 4.0 of the Tabled Statement.</p>
<p>S21/033</p> <p>16.4.2 Industrial Zone - Standards for permitted activities (f)</p>	<p>Insert a Note to Permitted Activity Standard 16.4.2 (F) that refers to the construction vibration rule proposed by the Oil Companies in Plan Change 55 submission, Schedule 6, Relief sought 6.2, as follows: Note that construction vibration is controlled in the Temporary Activity rules (3F.4.2(g)).</p>	<p>Recommend that submission S21/033 be rejected. No changes proposed. The Standard 3F.4.2(g) referred to is not part of PC55 and does not presently exist. It is not necessary or appropriate to pre-empt decisions for PC55 here.</p>	<p>The Oil Companies’ acknowledge that construction vibration rules are addressed in relation to PC 55 and so are not pursuing the submission point at this time.</p>
<p>FS12/011 to S3/004</p>	<p>Opposed a submission of HNZPT seeking to insert a new standard relating to historic</p>	<p>Recommend that further submission FS12/011 be accepted. No changes</p>	<p>The Oil Companies’ submission is given effect and the</p>

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16.4.2 Industrial Zone - Standards for permitted activities (p-new)	heritage. It is considered that the proposed standard is inappropriate as it lacks clarity, certainty and is not readily enforceable. It is not a standard it is a criteria.	proposed.	recommendation of the Reporting Planner is supported.
S21/39  FS12/012 to S6/014  16.4.3 Restricted Discretionary Activities - Industrial Zone (a - iii)	<p>The Industrial Zone is not generally intended to have a high standard of amenity relative to other zones. Amend clause (iii) of Rule 16.4.3 so that the Restricted Discretionary assessment criterion relating to amenity values requires applications to be assessed according to whether they maintain amenity values rather than whether they promote or enhance them, as follows:</p> <p><i>iii. Whether the landscaping, streetscape and building design will <del>promote or enhance</del> <u>maintain</u> the amenity values within the Industrial Zone and surrounding area.</i></p> <p>Supported submission of HW Richardson seeking similar outcome.</p>	<p>Recommend that submission S21/39 and further submission FS12/012 be accepted in part and make the following changes:</p> <p>Amend Rule 16.4.3(a. i) assessment criteria as follows and make consequential number changes to Plan provisions:</p> <p><i>i. Whether the application will result in any adverse effects on heritage <u>values</u>.</i>  <i>ia <u>Whether the application will maintain, or where possible enhance, the <del>and</del> amenity values of the character of the Industrial Zone or properties beyond the Industrial Zone.</u></i>  <i>ib... <u>Whether the application will enhance amenity values on sites fronting arterial routes or key entry points to townships.</u></i></p> <p>Amend Rule 16.4.3(a.iii) as follows:  <i>iii. <u>Whether the landscaping, streetscape and building design will promote or</u></i></p>	Refer to Section 2.0 of the Tabled Statement.

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		<i>enhance the amenity values within the Industrial Zone and surrounding area.</i>	
S21/040  16.4.5 Non-complying activities - Industrial Zone (a)	Retain Rule 16.4.5(a) which provides for noise - sensitive activities as non- complying activities.	Recommend that submission S21/040 be accepted. No changes proposed.	The Oil Companies’ submission is given effect and the recommendation of the Reporting Planner is supported.