

**PLANNER'S REPORT FOR PLAN CHANGE 94 – WASHER ROAD BUSINESS PARK****File Number:** A4524970**Author:** Anna Price, Senior Consents Planner**Authoriser:** Rachael Davie, General Manager Strategy and Community**INTRODUCTION**

1. The purpose of this report is to provide recommendations on submissions and further submissions to Plan Change 94 – Washer Road Business Park.

**RECOMMENDATION**

1. That the Senior Consents Planner's report dated 7 June 2022 titled 'Planner's Report for Plan Change 94 – Washer Road Business Park' be received.
2. That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.
3. That pursuant to Clause 10(1) of Schedule 1 of the Resource Management Act 1991, the District Plan Committee approves Plan Change 94 as notified and modified by the recommendations contained in this report.
4. That, prior to the release of the decision, staff be authorised to make minor editorial changes to the decision of the District Plan Committee in consultation with the Committee Chairperson.
5. That pursuant to Clause 10(4)(b) of Schedule 1 of the Resource Management Act 1991, the decision on Plan Change 94 be publicly notified.
6. That pursuant to Clause 11 of Schedule 1 of the Resource Management Act 1991, the decision on Plan Change 94 be served on every person who made a submission on the Plan Change and be made available at all Council offices and all public libraries in the District.

**PLAN CHANGE (THE PROPOSAL)**

2. Plan Change 94 proposes to rezone approximately 7.012ha of land at 66 Washer Road, Te Puke, from Rural Zone to Industrial Zone, and establish the Washer Road Business Park Structure Plan area. A survey undertaken in 2012 to assess industrial land availability showed 25ha of vacant available industrial land in Te Puke, and a large area (79ha) of zoned but not yet available Industrial land. This means there is a need for other Industrial land to be developed to meet the needs of the Te Puke community.
3. The site comprises a wedge shape piece of pastoral land, which is bordered by Washer Road and the Industrial Zoned land to the east, and Ohineangaanga

Stream along the western boundary. To the north is more Rural zoned pastural land and to the south-east is existing Residential Zoned land separated from the site by the Ohineangaanga Stream.



Figure 1: Map showing the extent of the proposed Washer Road Business Park Structure Plan area.

### Section 32 Evaluation (for the Proposal)

4. To support their proposal, the applicant carried out an evaluation under Section 32 of the Resource Management Act 1991 (RMA). In summary, this evaluation must:
5. Examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA.
6. Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives, by identifying other reasonably practicable options for achieving the objectives, assessing the efficiency and effectiveness of the

provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

7. Contain level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
8. The Application and Section 32 is attached.

### **Section 32AA Evaluation (for any Changes to the Proposal)**

9. If Council is to propose any changes to the proposal through its decisions on the Plan Change, a further evaluation will be required to support any such changes under Section 32AA of the RMA (based on the requirements of Section 32).
10. In this Planner's Report, where a recommendation is made to change the proposal, this further evaluation is provided following the reasons for the recommendation.

## **TOPIC 1: ZONING**

### **Background**

The proposal is to re-zone the current Rural Zoned land to Industrial Zoned land to provide for a mix of industrial activities that will have a range of property and building sizes. For reference this could result in a built form similar to the industrial buildings on the western side of Washer Road which is currently zoned Industrial.



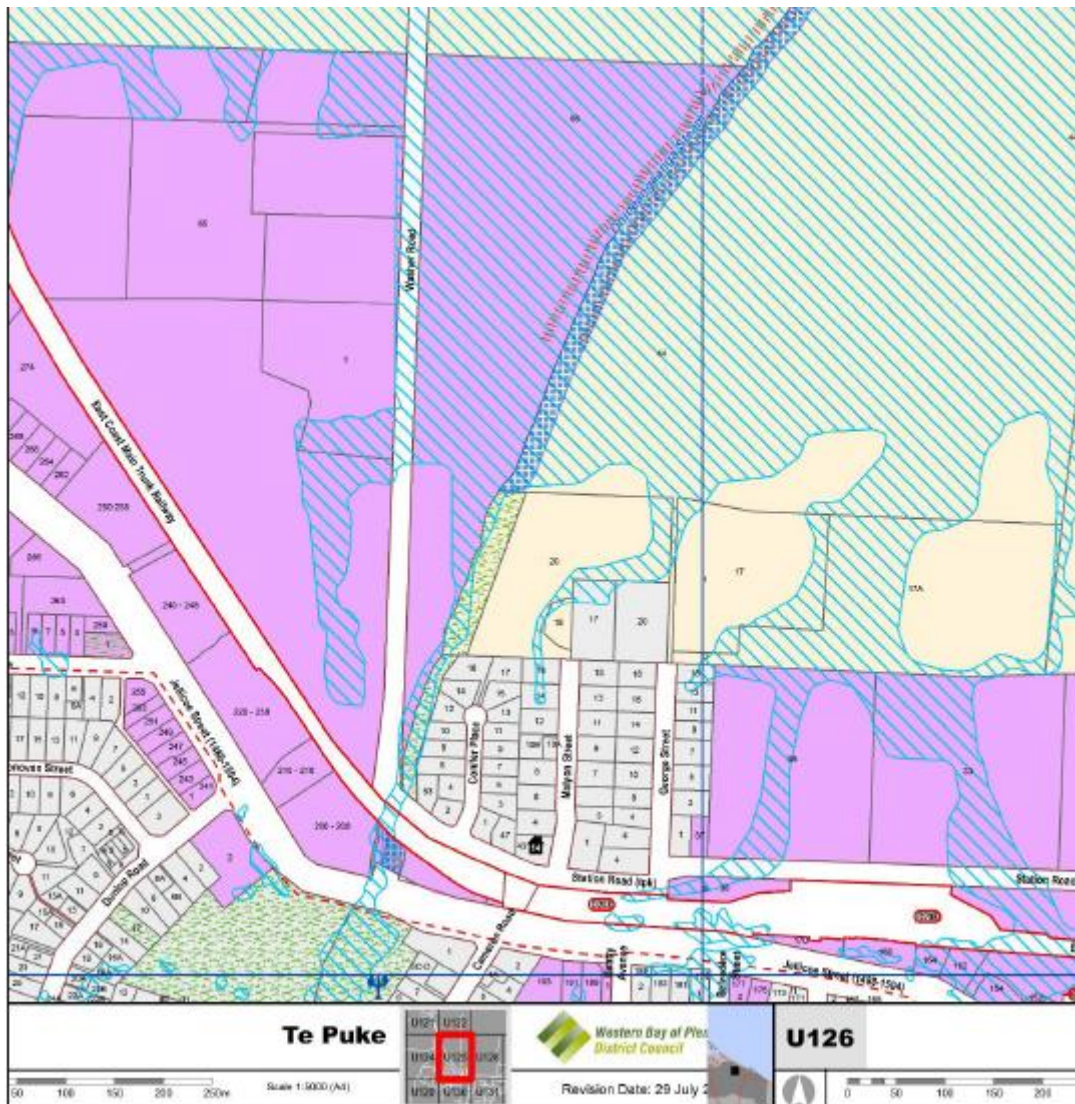


Figure 2: Proposed changes to Planning Map U125 to include land within the Industrial Zone (shown purple).

**Submission Points**

One submission point was received. No further submission points were received. The submission points on this topic are summarised as follows:

Submission 1.2 – Supports the proposed rezoning of the site to Industrial Zone as it will provide much needed industrial land in Te Puke.

**Options**

- Option 1 – As Proposed – Rezone from Rural to Industrial Zone.
- Option 2 – Status Quo – Retain Rural Zone

**Discussion**

The industrial land supply in Te Puke is constrained by the fact that much of the existing vacant Industrial Zoned land remains part of an operational farm, and depends on roading and infrastructure upgrades before it can be developed. This relates

predominantly to the Te Puke West Industrial Area (TPW). The Te Puke West Industrial area is identified as not available due to significant flood constraints, plus the need for key infrastructure to be provided in advance of the industrial land being developed. Due to these obstacles, it is unclear as to when this industrial land will be available.

The loss of approximately 7ha of rural land will have minimal effects on rural land supply around Te Puke. The greater farm that the structure Plan Area is cut from is 200ha for context. The land can also connect to proposed and existing services including roading.

Option 1 will help meet the immediate demand for greenfield industrial sites and provide additional industrial land that mirrors the East Pack site. It will also provide growth opportunities to meet the employment and business needs of the community.

### Recommendation

The preferred option is Option 1.

That the land be re-zoned from Rural to Industrial as notified.

The following submissions are therefore:

#### Accepted

Submission	Point Number	Name
1	2	Eastpack

### Reasons

Rezoning the land from rural to industrial will help meet the immediate demand for greenfield industrial sites and provide additional industrial land that mirrors the East Pack site. It will also provide growth opportunities to meet the employment and business needs of the community.

#### Section 32AA Analysis

Not required as there is no change being recommended to the proposal.

**TOPIC 2: STRUCTURE PLAN MAP****Background**

Due to the proposed rezoning to Industrial land the applicant has prepared a Structure Plan to show how the land can be developed and serviced and to identify particular requirements specific to this site. Any future development within the site would then need to be in accordance with the Structure Plan along with the existing industrial zone rules.

A Schedule of Works within the Structure Plan also identifies the work which needs to be completed prior to each stage of the Structure Plan area being available for development. This includes utilities upgrades, roading upgrades, landscape and earthworks.

The proposed Structure Plan Map identifies the development stages, future road access, landscape buffer area, height limits, gas transmission line and existing and proposed utilities/services.



- (i) access is provided to the stop bank to the satisfaction of the Bay of Plenty Regional Council Rivers and Drainage Department; and
- (ii) the stability of the stop bank and bridge can be maintained to the satisfaction of the Bay of Plenty Regional Council Rivers and Drainage Department.

BOPRC noted that the stopbanks in this vicinity are likely to be raised in the near future. This will mean that the existing toe of the left bank stopbank will be pushed further to the west.

Submission 4.1 – Requests that the gas transmission pipeline and 20m buffer be shown on the Structure Plan map, and that the landscape strip is removed from over the gas transmission pipeline.

### Options

Option 1 – As Proposed – Retain the Structure Plan Map

Option 2 – Amend the Structure Plan Map to relocate vegetation buffer to west of the stop bank.

Option 3 – Amend the Structure Plan Map to relocate the vegetation buffer to the west of the stop bank and show a 20m wide buffer from the gas transmission pipeline.

### Discussion

#### *Landscape Strip*

The existing stop bank is located along the true left bank of the Ohineangaanga Stream and the Structure Plan proposes a minimum 10m wide landscape buffer area between the bank of the stream and the stopbank. The application states a detailed landscape plan and planting schedule should be provided for approval at time of Development Works Approval.

Given the submission received from the Regional Council and the need to maintain access to the Stream and stop bank it is necessary to require the landscape strip to be located west from the toe of the stop bank. This ensures that access to the stream bank is maintained to protect the function, efficiency and safety of the flood protection assets.

It is also necessary that further details around the landscape strip are clear within the Structure Plan Staging details to ensure flood assets are protected and access maintained.

#### *Gas Transmission Line*

Firstgas are requesting that a 20m wide buffer be shown on the Structure Plan map. The Firstgas easement is currently shown on the Structure Plan Map. This identifies the pipeline to any future developers looking to develop within the area. Firstgas are also requesting an addition to Rule 21.4(b) to provide for buildings/ structures and earthworks to be setback 20m from the gas transmission pipeline.



As the gas transmission easement is already shown on the Structure Plan maps it would be more appropriate to provide for the 20m exclusion/buffer zone within the rules of the District Plan to give effect to the easement as already shown on the map rather than trying to show both the easement and the buffer on the map as per Option 3.

### Recommendation

That the preferred Option is Option 2 – Amend the Structure Plan Map to relocate the vegetation buffer to the west of the stop back.

The following submissions are therefore:

#### Accepted

Submission	Point Number	Name
3	3	BOPRC

#### Rejected

Submission	Point Number	Name
4	1	Firstgas

### Reasons

#### Section 32AA Analysis

The change to the location of the landscape strip is considered minor and improves the readability of the structure plan and Schedule of Works. The minor changes do not change the substance of the proposal and the reasons for the change are already given above.

### TOPIC 3: TRANSPORTATION

#### Background

Rezoning land from Rural to Industrial will result in a change to the traffic volumes, capacity, safety and other traffic effects on the existing roading network. A report prepared by Stantec highlighted several issues with the existing road network, as well as recommending mitigation measures to ensure effects on the roading network from the Structure Plan area are appropriately managed.

#### Submission Points

Two submission points were received. No further submission points were received. The submission points on this topic are summarised as follows:

Submission 1.1 – Have concerns over the ability of the existing single lane bridge to accommodate the increase in traffic. The single lane bridge is already under pressure during kiwifruit season resulting in queues. Request that the single lane bridge be upgraded to a double lane bridge and construction of roundabout at Jellicoe Street/Station Road intersection.

Submission 2.1 – Have concerns over the suitability of the single lane bridge and priority of traffic over the bridge and concerns with sightlines. Request that the roundabout at Jellicoe Street be installed prior to development and reverse the priority on the single lane bridge.

### Options

Option 1 – Transportation as proposed – intersection upgrades, road widening, pedestrian & cycle links

Option 2 – Upgrade of transportation network to include Washer Road single lane bridge.

### Discussion

Option 1 includes:

1. Construction of a cycle/pedestrian bridge adjacent to the single lane bridge and extension of the footpath south along Washer Road prior to stage 1 of the development commencing, and
2. An intersection upgrade at Jellicoe St/Cameron Road prior to stage 2 commencing.

Option 2 includes the intersection upgrades at Jellicoe Street and a new two lane bridge to replace the single lane bridge at Washer Road prior to any development on site.

Council staff have met and discussed this topic with the applicant/agent on several occasions and following the close of submissions have reached a final decision regarding the nature of work required to be undertaken as part of the Structure Plan.

Option 1 provides for the necessary upgrade works to occur in line with the staged development. The traffic effects will occur in line with development of the site, and the Transportation Assessment outlines that the wider network effects will not be felt until development occurs within Stage 2.

Council's Roding Engineer also considers the current single lane bridge to be appropriate for the scale of the development proposed, however agrees with submitters that the priority of the bridge and the intersection from Station Road should be considered as part of the wider improvements. They also agree that the footpath on Washer Road should be extended to the new foot bridge. This work is to be at the cost of

the developer and undertaken prior to development occurring within Stage 1. Council staff confirmed that widening of Washer Road is not required at this time.

Council staff also agree that the intersection to Jellicoe Street should be upgraded but have confirmed that this should be a signaled upgrade, rather than a roundabout, as other intersections along Jellicoe Street will in time be upgraded to signals. The applicant has agreed that this is appropriate and has agreed to provide an updated intersection concept to include in the Structure Plan.

Option two would require the installation of the proposed Jellicoe intersection upgrades and an upgrade of the current single lane bridge to a two lane bridge. Council staff have considered the current traffic concerns and wait times, however, believe that at this time the upgrade is not required. The Transportation Assessment confirms that the single-lane bridge is acceptable for the proposed development, and an upgrade to this bridge may result in the development no longer being financially viable as the upgrade would likely include the need to raise the level bridge in line with flood hazard requirements.

### Recommendation

The preferred option is Option 1 which provides for the development and transportation upgrades to progress in a staged manner and provide for much needed industrial land without significant impacts on the local transportation network.

The applicant should provide the concept intersection design for traffic signals if this option is accepted to replace to current round a bout design current in the Structure Plan.

The following submissions are therefore:

### Accepted in part

Submission	Point Number	Name
1	1	Eastpack
2	1	MC & HF Salt

### Reasons

The transportation upgrades will provide a safe and efficient transportation network and will ensure that the development can progress in a staged manner to provide much needed industrial land to Te Puke.

### Section 32AA Analysis

While the intersection design may change from roundabout to traffic signals this is considered a minor change as the upgrade works will still continue to be provided in a suitable form. As such it is considered a further s32AA analysis is not required.

## TOPIC 4: STORMWATER

### Background

The industrial nature of any future development will significantly increase site impervious area, resulting in an increase in runoff and potentially generating contaminants such as sediments, metals and hydrocarbons. The applicant proposes to manage runoff treatment by utilising stormwater wetlands, swales, rain gardens and other approved treatment devices.

Treated stormwater can then be discharged into the Ohineanganga Stream via attenuation to minimise downstream scour.

### Submission Points

One submission point was received. No further submission points were received. The submission point on this topic is summarised as follows:

BOPRC highlight that the application proposes no mitigation of increased runoff from the site and is proposed for water treatment purposes only. Mitigation of increased stormwater runoff should also be provided by detaining the increased runoff flow. They also consider the proposed location of the stormwater management devices, including the wetland, is proposed to be located within the 100-year ARI floodplain. Stormwater management devices should be located outside of the 100-year ARI to avoid resuspension of sediments and contaminants during larger storm events.

Submission 3.1 – Requests changes to the Plan Change as follows:

- additional feasibility reporting is undertaken to demonstrate the requirements for stormwater detention measures based on updated modelling and, in accordance with BOPRC's Hydrological and Hydraulic Guidelines 2012/02.
- Requests limits on Impermeable surface coverage.
- on-site methods to manage run-off within the plan change area such as water sensitive urban design;
- detailed design of stormwater mitigation measures for the business park.

### Options

Option 1 – As proposed – Retain proposed stormwater controls

Option 2 – Introduce new stormwater controls including stormwater detention, limits on impervious surfaces, water sensitive urban design.



## Discussion

In order to make a recommendation the applicant has been asked to provide further assessment of stormwater controls and mitigation through submissions. It is understood the applicant is preparing additional information and this should be circulated prior to the hearing to enable review by Council staff and a recommendation to be made.

## Recommendation

That the applicant provides additional stormwater assessment and options for controls on detention, impervious surfaces and water sensitive urban design if it is recommended under the assessment.

The following submissions are therefore:

### Accepted in part

Submission	Point Number	Name
3	1	BOPRC

## Reasons

It is important that the applicant provides the additional information and liaises with the Regional Council on the matters raised in its submission. Following this, the applicant can provide the assessment and outcome of discussion to Council. This can then be included in the information for the hearing.

### Section 32AA Analysis

As no options are recommended at this time a further assessment under s32AA cannot be considered. If the applicant proposes changes which result in an increase in the scale and significance to the proposal a further s32AA analysis may be required.

## TOPIC 5: HAZARDOUS SUBSTANCES

### Background

Industrial sites have the potential to use and store 'hazardous substances' as defined in the District Plan. The Application for the Plan Change does not specifically address the storage of hazardous substances within the Structure Plan Area nor the floodable area.

**Hazardous Substances:** means substances with one or more of the following intrinsic properties:

- An explosive nature;
- An oxidising nature;
- A corrosive nature;
- Flammability;
- Acute and chronic toxicity;
- Ecotoxicity with or without bioaccumulation.

*Has one or more of the above properties on contact with air or water.*

The District Plan controls the use of land to manage any effect of the use, storage and transportation of *hazardous substances* on specific environments and communities within the *District* and will manage location, design and operational aspects of activities using *hazardous substances* to ensure the effects are within acceptable limits and the potential risks of significant adverse effects are low. Some activities are specifically excluded from the controls of the District Plan as they have minor potential effects or are controlled through different legislation. Provisions for control of certain hazardous substances are included within Section 9 (Hazardous Substances) and Section 21 (Industrial) of the District Plan.

### Submission Points

One submission point was received. No further submission points were received. The submission points on this topic are summarised as follows:

Submission 3.2 (BOPRC) – requested the proposal be amended to require hazardous substances to be stored outside of the 1% AEP flood level. Statutory provisions should be included which recommend ‘good site practices’ to reduce contamination on industrial sites in the event of accidents and large flood events.

### Options

Option 1 – Status quo – existing District Plan rules – Industrial Zone and Hazardous Substances Sections

Option 2 – Require hazardous substances to be stored above the 1% AEP

### Discussion

The current District Plan controls the use of land to manage any effect of the use, storage and transportation of *hazardous substances* on specific environments and communities within the *District* and will manage location, design and operational aspects of activities using *hazardous substances* to ensure the effects are within acceptable limits and the potential risks of significant adverse effects are low. Some activities are specifically excluded from the controls of the District Plan as they have minor potential effects or are controlled through different legislation. Provisions for control of certain hazardous substances are included within Section 9 (Hazardous Substances) and Section 21 (Industrial) of the District Plan.

The District Plan defines “hazardous substances” in Chapter 3 as:

**Hazardous Substances:** *means substances with one or more of the following intrinsic properties:*

- *An explosive nature;*
- *An oxidising nature;*
- *A corrosive nature;*
- *Flammability;*

- Acute and chronic toxicity;
- Ecotoxicity with or without bioaccumulation.

*Has one or more of the above properties on contact with air or water.*

District Plan section 9 is specifically for controlling hazardous facilities and hazardous substances. This is based on threshold quantities and the potential risk to environmental human health and safety.

Further, Chapter 21 which is specific to the Industrial Zone, identifies and places limits on high risk facilities, those activities which are high risk in terms of potential stormwater contaminants.

These two sections in the District Plan are considered sufficient for controlling activities and hazardous substances which have the potential for stormwater contamination. Where storage of hazardous substances above the threshold is required a resource consent is necessary, which would then provide protection from overland flow, stormwater and flooding through conditions of consent.

### Recommendation

The preferred option is Option 1. No changes are proposed to the application as notified.

The following submissions are therefore:

### Rejected

Submission	Point Number	Name
3	2	BOPRC

## TOPIC 6: NATURAL HAZARDS

### Background

Ohineangaanga Catchment and the wider Kaituna Catchment Control Scheme is subject to flooding and the flood defences are at capacity. This is a significant concern for the Regional Council as flooding frequently occurs in the lower part of the catchment.

The Plan Change as notified, does not give effect to the natural hazard provisions of the Bay of Plenty Regional Policy Statement, which requires a risk assessment be prepared. The requirement for a risk assessment is used to determine the mitigation measures required to achieve a low natural hazard risk without increasing risk outside of the development site (see Policy NH 4B). The risk assessment should identify which hazards are applicable to the plan change area.

### Submission Points

One submission point was received. No further submission points were received. The submission points on this topic are summarised as follows:

Submission 3.5 – requests the applicant prepares a risk assessment for each natural hazard the site is susceptible to, prepared in accordance with Appendix L of the Regional Policy Statement (RPS). Provisions should be included in the structure plan to ensure a low level of risk for the various hazards can be achieved within the plan change area without increasing risk outside of the development site.

### Options

Option 1 – Status quo – no risk assessment has been undertaken

Option 2 – Applicant undertakes risk assessment in accordance with the RPS.

### Discussion

The applicant has now prepared a risk assessment in accordance with the methodology set out in Appendix L of the RPS.

The assessment concludes that overall, the risk from natural hazards which may affect the site is considered low and the land is suitable for use as an industrial park.

The following recommendation is drawn from the CMW Geosciences report

- That the ground be preloaded to reduce static settlement

Earthworks and ground improvements will be subject to future consent applications to the Regional Council and the future development and subdivision in the Structure Plan area will be subject to Engineering Design Approval through Council.

### Recommendation

That the preferred option is Option 2 and the applicant has now undertaken the Risk Assessment and provided this to Council. The Natural Hazard Risk Assessment shall be accepted.

The following submissions are therefore:

### Accepted

Submission	Point Number	Name
3	5	BOPRC

### Reasons

The applicant has now undertaken the assessment and determined the overall the risk from natural hazards to be low. The site will undergo ground improvements as part of future development which will be subject to Regional Council consent and WBOPDC



Council consent and engineering design approval. No changes are required to the Structure Plan as a result of the Risk Assessment.

### **Section 32AA Analysis**

As no changes are proposed a further assessment under s32AA is not required.

## **TOPIC 7: FRESHWATER**

### **Background**

Changes brought about by the National Policy Statement for Freshwater Management (2020)<sup>1</sup> (NPS-FM) seek to avoid further losses of the extent and values of rivers, streams and wetlands. Such provisions had immediate legal effect when enacted and were subsequently inserted into the Bay of Plenty Regional Natural Resources Plan on 29 March 2021.

Where streams and wetlands are identified, new urban zoning is not supported and applicants are encouraged to consider land use options that align with the general objective to protect the values and extent of streams and wetlands. Further, the Regional Council is urging applicants to consider options including water sensitive urban design to manage water quality in new development areas adjacent to identified streams and wetlands

### **Submission Points**

One submission point was received. No further submission points were received. The submission points on this topic are summarized as follows:

Submission 3 - requested the plan change applicant prepare an Ecological Assessment to identify the values of the Ohineangaanga Stream which is directly adjacent to the Structure Plan area. The ecological report is required by Policy IMP1A in the Regional Natural Resources Plan (RNRP) which seeks to avoid the losses in extent and values of streams.

### **Options**

Option 1 – Status Quo – No ecological assessment has been undertaken

Option 2 – Applicant prepares an ecological assessment

### **Discussion**

Option 2 is the preferred option. As the applicant has not had regard to the NPS-FM and Policy IMP 1A of the RNRP an ecological assessment should be undertaken by the applicant. The assessment should be prepared by a Suitably Experienced and Qualified Persons and have appropriate regard to the likely cumulative effects arising from the scale and intensity of the land uses and development anticipated in the industrial zone including high imperviousness for the subject site.

The applicant should undertake the necessary assessment to determine any effects on the local freshwater and ecology.

### Recommendation

The preferred option is option 2 and the applicant should prepare an ecological assessment. Any recommendations from the Ecological Assessment could be included in the Structure Plan requirements if considered necessary.

The following submissions are therefore:

### Accepted

Submission	Point Number	Name
3	4	BOPRC

### Reasons

The applicant should undertake an ecological assessment and have regard to the NPS for Freshwater. Recommendations from the report may then be included into the Structure Plan requirements should it be necessary.

### Section 32AA Analysis

As the ecological report is only a minor change and any recommendations can easily be incorporated into the structure plan no further assessment under s32AA is require at this time.

## TOPIC 8: ACTIVITY PERFORMANCE STANDARDS – GAS TRANSMISSION NETWORK

### Background

Firstgas have two gas transmission pipelines of a combined length of approximately 700m through the subject site which operate at over 8000 kPa. They are both contained within an easement on the Record of Title SA12A/1083. The Application for the Plan Change recognises the easement and only notes that the building sites will need to be established outside of it.

### Submission Points

Two submission points were received from Firstgas. No further submission points were received. The submission points on this topic are summarised as follows:

Firstgas highlight that reliance on easements has not delivered consistently good planning outcomes. Historically, it has proved difficult to ensure land use planners, developers, property and service designers, owners and operators, drillers and excavators, blasting companies and borers are made aware of gas transmission pipelines before planning their developments and activities. They say if the gas

transmission network is not considered, this can have significant safety considerations and poses potential risks to property.

Submission 4.2 – Opposes earthworks and buildings / structures within 20m of the gas transmission network and requests that these should be avoided. They propose an additional activity performance standard within Rule 21.4(b) to identify the setback to the transmission line as shown below:

21.4 (b). Yards and Setbacks

• Washer Road Business Park Structure Plan Area Provisions:

i. Buildings, structures and earthworks shall be set back 20 m from any gas transmission pipeline.

Advice note: when assessing resource consent applications for these activities Council should take into account the outcomes of consultation with Firstgas.

Submission 4.3 – requests no planting of any vegetation capable of reaching over 1 m in height over top of or within an easement over a Firstgas pipeline. They propose an amendment to activity performance standard 21.4 (c) – visual amenity – streetscene as follows

c. Visual amenity – Streetscene

• Washer Road Business Park Structure Plan Area in respect of any boundary with Washer Road and any future public road, except that there shall be no planting of any vegetation capable of reaching over 1 m in height required over top of or within an easement over a gas transmission pipeline. Advice Note: A permit is required to work within the gas easement. This includes digging/earthworks, driveway construction, laying services, planting, and fencing.

## Options

Option 1 – Status quo – no additions to performance standards to protect gas transmission pipelines. Easement currently shown on Structure Plan.

Option 2 – Amend existing performance standards as requested to protect gas transmission pipelines (setbacks for buildings, structures and earthworks and controls on vegetation planting) with minor amendments.

## Discussion

To retain the status quo would result in no specific regard being given to the gas transmission line. In the past it has proved difficult to ensure developers and landowners are aware of gas transmission pipelines before planning their developments and

activities. To ensure safety is maintained and potential risk to property is reduced the transmission network should be considered.

Option 2 would ensure Firstgas is consulted when works are proposed within proximity to the gas transmission network to manage effects on the network and from the network. The provisions sought would ensure that Firstgas are able to provide technical expertise in assessing whether activities proposed within proximity to the network may threaten the safety of the pipeline or result in the activity being exposed to potential risks.

Option 2 would also mean that no landscape planting over 1m in height could occur within the easement to ensure the easement and pipeline adjacent to the road is protected from development

These performance standard requests, while not preventing development, provide for protection of the gas transmission network within the structure plan area.

Option 2 results in suitable protection without limiting future industrial activities.

### Recommendation

The preferred option is Option 2. The applicant has not indicated if this is acceptable or if further discussion has been undertaken with the submitter. The applicant should provide further assessment prior to the hearing confirming if the 20m setback is suitable and has been agreed with Firstgas.

If the performance standards should be amended as requested to protect gas transmission pipelines (setbacks for buildings, structures and earthworks and controls on vegetation planting) with minor amendments, as follows:

## Section 21 – Industrial

### Activity Performance Standards

#### 21.4 (b). Yards and [Setbacks](#)

##### • [Washer Road Business Park Structure Plan Area Provisions:](#)

[i. Buildings, structures and earthworks shall be set back 20 m from the centreline of any gas transmission pipeline.](#)

[Advice note: when assessing resource consent applications for these activities Council should take into account the outcomes of consultation with the owner of the natural gas pipeline.](#)

#### 21.4 (c). Visual amenity – Streetscene

• Washer Road Business Park Structure Plan Area in respect of any boundary with Washer Road and any future public road, [except that there shall be no planting of any vegetation capable of reaching over 1 m in height over the top of or within an easement over a gas transmission pipeline.](#)



[Advice Note: A permit is required to work within the gas easement. This includes digging/earthworks, driveway construction, laying services, planting, and fencing.](#)

The following submissions are therefore:

**Accepted**

Submission	Point Number	Name
4	2	First Gas
4	3	First Gas

**Reasons**

Including the additional performance standards will ensure the gas transmission pipeline is identified within the site and will be protected within the development to avoid risk from future damage or disruption.

**Section 32AA Analysis**

The following provides a further evaluation of the changes made to the Plan Change / Proposal since the original evaluation under Section 32 of the RMA. The level of detail corresponds to the scale and significance of the changes.

<b>Efficiency &amp; Effectiveness in Achieving the Objectives</b>	<b>Recommendation - Option 2 - Amend existing performance standards as requested to protect gas transmission pipelines (setbacks for buildings, structures and earthworks and controls on vegetation planting) with minor amendments</b>
<p><b>Costs</b></p> <p>Environmental effects</p> <p>Economic effects</p> <p>Social effects</p> <p>Cultural effects</p> <p>Including opportunities for:</p> <p>(i) economic growth that are anticipated to be provided or reduced; and</p> <p>(ii) employment that are anticipated to be provided or reduced</p>	<p><b>Environmental</b></p> <p><i>No environmental costs</i></p> <p><b>Economic</b></p> <p><i>Additional time and cost for applicants associated with resource consent application or consultation with First Gas</i></p> <p><i>Minor reduction to the area available for industrial development</i></p> <p><b>Social</b></p> <p><i>No social costs</i></p> <p><b>Cultural</b></p> <p><i>No cultural costs</i></p>
<p><b>Benefits</b></p> <p>Environmental</p>	<p><b>Environmental</b></p>

<p>Economic Social Cultural</p> <p>Including opportunities for: (i) economic growth that are anticipated to be provided or reduced; and (ii) employment that are anticipated to be provided or reduced</p>	<p>Protection to nationally significant gas transmission line will ensure safety around the pipeline is maintained, risk of damage to the pipeline is avoided.</p> <p>More conservative approach which would allow assessment of any environmental effects on a case by case basis.</p> <p><b>Economic</b> Protection to nationally significant gas transmission line will prevent unnecessary costs relating to repair and maintenance . Prevents interruptions to the gas transmission network from activities damaging the pipeline. Prevents damage to activities establishing within close proximity of the pipeline.</p> <p><b>Social</b> Ensures that the benefits of gas are still provided to homes and businesses who rely on a continuous supply of gas.</p> <p><b>Cultural</b> No cultural benefits.</p>
<p><b>Quantification</b></p>	<p>Not practicable to quantify</p>
<p><b>Risks of Acting/ Not Acting if there is uncertain or insufficient information about the subject matter</b></p>	<p>Sufficient and certain information is available</p>