

17 June 2024

Independent Hearing Panel
Proposed Te Tai o Poutini Plan
PO Box 66
Greymouth 7840

By email to: doug.bray@wcrc.govt.nz

Dear Commissioners,

Proposed Te Tai o Poutini Plan – Topic 18 (Residential Zones) and Topic 21 (Special Purpose Zones)

KiwiRail Holdings Limited (**KiwiRail**) is the State-Owned Enterprise responsible for the management and operation of the national railway network. This includes managing railway infrastructure and land, as well as rail freight and passenger services within New Zealand. KiwiRail is also the Requiring Authority for land designated "Railway Purposes" in District Plans throughout New Zealand.

KiwiRail made a submission on the Proposed Te Tai o Poutini Plan (**TTPP**) on 27 October 2022. KiwiRail's submission sought a 5 metre setback for buildings and structures from the rail corridor boundary in all zones adjacent to the rail corridor and an associated matter of discretion.¹ KiwiRail filed corporate and planning evidence for Topic 1 (Introduction and General Provisions) of the TTPP on 2 October 2023, which addressed the need for safety setbacks from the rail corridor. KiwiRail also provided legal submissions and presented at the hearing for Topic 1 on 30 October 2023.

Although none of KiwiRail's submission points on the TTPP have been specifically allocated to Topics 18 or 21, nor is there specific discussion of KiwiRail's relief in the Section 42A Officer's Reports,² the relief sought by KiwiRail is relevant to Topics 18 and 21 as KiwiRail is seeking a 5 metre setback in *all zones adjacent to the rail corridor*, excluding the Commercial Zone, Natural Open Space Zone and Open Space Zone where a 4.5 metre setback is sought.

I refer to my earlier evidence and the evidence presented by Ms Heppelthwaite for Topic 1 which sets out the importance of providing an adequate plan-based setback adjacent to the rail corridor across all zones in the West Coast region, including the Residential and Special Purpose Zones. A safety setback is critically important to enable landowners to safely access their properties, avoid significant safety risks, and protect the rail corridor from interference.³ Fundamentally, KiwiRail seeks setback controls to appropriately manage the health and safety of communities and ensure the ongoing operation of KiwiRail's network as nationally and regionally significant infrastructure.⁴

¹ Submission 442 of KiwiRail Holdings Limited dated 27 October 2022 at pg 14.

² Te Tai o Poutini Plan – Section 42A Officer's Report Residential Zones dated 30 May 2024. Te Tai o Poutini Plan – Section 42A Officer's Report Special Purpose Zones dated 30 May 2024.

³ Statement of Evidence of Michelle Grinlinton-Hancock dated 2 October 2023 at [4.2].

⁴ Statement of Evidence of Michelle Grinlinton-Hancock dated 2 October 2023 at [2.2].



Topic 18 (Residential Zones)

The Section 42A Report does not include a 5 metre setback from the rail corridor in the General Residential Zone, Large Lot Residential Zone, or Medium Density Residential Zone (**Residential Zones**) provisions of the TTPP.

I have set out KiwiRail's proposed amendments to the TTPP provisions included in Topic 18 in **Appendix A** to this letter. In summary, KiwiRail seeks the following:

- a) inclusion of a 5 metre setback from the rail designation boundary in the permitted activity standards of the Residential Zones;⁵ and
- b) inclusion of two matters of discretion relating to impacts on the safe and efficient operation of the rail network when there is non-compliance with the setback rules in the Residential Zones. This will ensure the Council (and KiwiRail as a potentially affected party) have an opportunity to assess whether or not safety concerns can be adequately managed where the setback is not complied with (ie where a building or structure is located within 5 metres of the rail designation boundary).

Topic 21 (Special Purpose Zones)

The Section 42A Report also does not include a 5 metre setback from the rail corridor in the Future Urban Zone, Māori Purpose Zone, or Hospital Zone (**Special Purpose Zones**) provisions of the TTPP. The permitted activity rules in the Future Urban Zone and Māori Purpose Zone currently include standards providing for 10 metre setbacks from road boundaries, 5 metre setbacks from side boundaries and 20 metre setbacks from rear boundaries, however there is no explicit reference to *rail* setbacks.⁶ There are currently only road setback standards included in the permitted activity rule for the Hospital Zone.⁷

I note that the other zones included in Topic 21 are not adjacent to the rail corridor and are therefore not subject to KiwiRail's relief on setbacks.⁸

I have set out KiwiRail's proposed amendments to the TTPP provisions included in Topic 21 in **Appendix B** to this letter. In summary, KiwiRail seeks the following:

- c) inclusion of a 5 metre setback from the rail designation boundary in the Hospital Zone through a minor amendment to Rule HOSZ-R1 as follows: "[...] 5m from the road and rail designation boundaries";
- d) minor amendments to Rules FUZ-R1 and MPZ-R1 to specifically refer to a 5 metre setback from the rail designation boundary in the Future Urban Zone and Māori Purpose Zone, in addition to the existing road and boundary setbacks;
- e) reference to "structures" (in addition to buildings) in the setback rules for the Future Urban Zone and Māori Purpose Zone;⁹ and

⁵ Rules GRZ-R1, LLRZ-R1 and MRZ-R1.

⁶ Rules FUZ-R1 and MPZ-R1.

⁷ Rule HOSZ-R1.

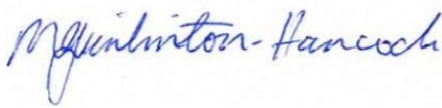
⁸ The Airport Zone, Port Zone, Stadium Zone, and Scenic Visitor Zone are not adjacent to the rail corridor.

⁹ Rules FUZ-R1 and MPZ-R1.

- f) inclusion of two matters of discretion relating to impacts on the safe and efficient operation of the rail network when there is non-compliance with the setback rules in the Special Purpose Zones (for the same reasons set out above).

At this stage, KiwiRail does not wish to be heard at the hearing for Topics 18 or 21, and respectfully requests this letter is tabled as a record of KiwiRail's position on the need for safety setbacks from the rail corridor in the Residential and Special Purpose Zones of the TTPP. I am available to answer any questions from the Hearing Panel either in writing or via videoconference if required.

Yours faithfully,

A handwritten signature in blue ink that reads "Michelle Grinlinton-Hancock".

Michelle Grinlinton-Hancock

Manager RMA Team

KiwiRail Holdings Limited



Appendix A: Proposed amendments to the TTPP

The proposed additions are shown in underline and deletions in ~~striketrough~~. Those recommended in the s42A Officer's Report are shown in black and those proposed by KiwiRail are shown in red for clarity.

General Residential Zone

GRZ - R1	Residential Activities and Residential Units <u>and Accessory Buildings</u>
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Residential unit density is no more than: <ol style="list-style-type: none"> a. 1 unit per 350m² net site area; or <u>but within the Buller District there is a maximum of 2 residential dwellings per allotment;</u> b. 1 unit per 300m² net site area where two or more adjoining sites are developed <u>except within the Buller District this standard does not apply;</u> 2. There is no more than 1 minor residential unit per site with a maximum size of 65m²; 3. Maximum building height above ground level is: <ol style="list-style-type: none"> a. 10m; except that b. No building, structure or tree shall protrude into the Airport Approach Path of any airport or aerodrome identified on the planning maps and as described in Appendix Nine 4. Buildings are setback a minimum 4.5m from road boundaries, except that a roof overhang may encroach 750mm into the setback distance; <u>4A. Buildings or structures are setback a minimum of 5m from any rail designation boundary;</u> 5. Maximum site coverage is 40%; 6. A minimum of 30m² of outdoor living space is provided per residential unit and 12m² per minor residential unit which is separate to the outdoor space for the principal dwelling and excluding any parking and manoeuvring areas; <u>and the outdoor living space must have a minimum dimension of 3m;</u> 7. No more than one heavy vehicle is stored on site; 8. All residential units and buildings used for a residential activity must be connected to the community water supply and wastewater networks and stormwater from the site <u>are managed in accordance with the relevant standards in NZS4404: 2010 Land Development and Subdivision Infrastructure used for the activity and</u> must not drain to any public road except for secondary flow purposes; 9. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where the neighbouring property owner's written approval is provided 	<p>Activity status where compliance not achieved:</p> <p>Discretionary where standards 1 to 8 are not complied with.</p> <p>Restricted Discretionary where standards 9 and 10 are not complied with; <u>or for Medium Density Housing.</u></p>

<p>to the Council at least 10 working days prior to the works commencing.—This standard does not apply to:</p> <ul style="list-style-type: none"> a.—Road boundaries; b.—Buildings on adjoining sites that have a common wall along the boundary; c.—Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard; d. Boundaries adjoining any site in a CMUZ - Commercial and Mixed Use, INZ - Industrial or RURZ - Rural Zone; e.—Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; or f.—Solar panels and solar water heaters, provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically; and <p>10. Buildings are setback a minimum of 1m from all other site boundaries, except that:</p> <ul style="list-style-type: none"> a. <u>In the Grey and Westland Districts</u> Duplexes do not require a setback from the side boundary of the other duplex unit; and b.—Setbacks are not required from adjacent residential boundaries where neighbouring property owner's written approval is provided to the Council 10 working days prior to the works commencing. <u>A setback of 150m is required from the site boundary of any designated wastewater treatment plant;</u> <p>Advice Note:</p> <p>1. Where a residential building or noise sensitive activity is located within:</p> <ul style="list-style-type: none"> a. 80m of a State Highway with a speed limit of 70kph or greater; or b. 40m of a State Highway with a speed limit of less than 70kph; or c. 40m of a Railway Line; or d. The 50 dBA Noise Contour boundary of Franz Josef Heliport; or e. The 55 dBA Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome. <p>Then the acoustic insulation requirements set out in Rule NOISE - R3 will apply.</p> <p>2. <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to the relevant district council.</u></p>	
<p>GRZ - R15</p>	<p>Community Facilities and Educational Facilities not meeting Rule GRZ - R7, Retirement Homes and Supported Residential Accommodation not meeting Rule GRZ - R8 and Retirement Villages</p>

<p>Activity Status Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Design and location of buildings; Design and location of parking and access; Landscape measures; Hours of operation; Water supply, wastewater and stormwater management; and Acoustic and noise insulation requirements. <u>Noise management;</u> <u>Traffic generation;</u> <u>Loss of privacy to adjoining sites; and</u> <u>Character and amenity of the surrounding area;</u> <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> <u>The safe and efficient operation of the rail network.</u> <p>Notification: Applications for community facilities will always be notified to adjacent neighbours and may be publicly notified.</p>	<p>Activity status where compliance not achieved: N/A</p>
<p>GRZ -R16</p>	<p>Development of Medium Density Housing</p>
<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> These do not meet the GRZ - 1 Permitted Activity Standards in relation to any of density, height, setbacks, recession planes and building coverage; All other performance standards for Rules GRZ - R1 are complied with; The minimum density is 150m² net site area; The maximum height is 12.5m; Within 10 metres of a site boundary that is zoned General Residential the maximum height shall be 10m; and Maximum building coverage is 50%. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Number of units; Provision of infrastructure to service the development; Design and location of parking and access; Design and location of buildings; Compliance with the Medium Density Housing Design guidelines in Appendix Three; Landscape measures; and Acoustic and noise insulation requirements; <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> <u>The safe and efficient operation of the rail network.</u> 	<p>Activity status where compliance not achieved: Non-complying</p>

GRZ - R17	Papakāinga Developments not meeting Permitted Activity Standards	
<p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. The minimum residential unit density is 150m² net site area; 2. The maximum height is 12.5m; 3. Within 10 metres of a site boundary that is zoned General Residential the maximum height shall be 10m; and 4. Maximum building coverage is 50%. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Number of units; b. Provision of infrastructure to service the development; c. Design and location of parking and access; d. Design and location of buildings; e. Where relevant compliance with the Medium Density Housing Design guidelines in Appendix Three; f. Landscape measures; and g. Acoustic and noise insulation requirements h. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> i. <u>The safe and efficient operation of the rail network.</u> 		<p>Activity status where compliance not achieved:</p> <p>Discretionary</p>
GRZ - R18	Commercial Visitor Accommodation within the Hokitika Visitor Accommodation Area not meeting Permitted Activity Standards	
<p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> 1. The maximum height is 12.5m; 2. Within 10 metres of a site boundary that is zoned General Residential the maximum height shall be 10m; and 3. Maximum building coverage is 50%. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Number of units; b. Provision of infrastructure to service the development; c. Design and location of parking and access; d. Design and location of buildings; e. Landscape measures; and f. Acoustic and noise insulation requirements; g. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> h. <u>The safe and efficient operation of the rail network.</u> 		<p>Activity status where compliance not achieved:</p> <p>Discretionary</p>

Large Lot Residential Zone

LLRZ - R1	Residential Activities and Residential Units and Accessory Buildings
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. There is no more than 1 unit per 1000m² net site area; 2. The maximum height of a building above ground level is 10m; 3. There is no more than 1 minor residential unit per 1000m² net site area with a maximum size of 65m²; 4. Buildings are setback a minimum 10m from road boundaries, except that a roof overhang may encroach 750mm; <u>4A. Buildings or structures are setback a minimum of 5m from any rail designation boundary;</u> 5. Maximum site coverage is 40% or 500m² whichever is the lesser; 6. Stormwater is managed on site with any off-site discharge is managed in accordance with NZS4404:2010 Land Development and Subdivision Infrastructure and must not drain to any public road except for secondary flow purposes; 7. All residential units and buildings used for a residential activity must be connected to the community water supply and wastewater networks; 8. No more than two heavy vehicles are stored on site; 9. Buildings are setback a minimum of 4m from all other site boundaries except where the neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing; 10. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to: <ol style="list-style-type: none"> a. Road boundaries; b. Buildings on adjoining sites that have a common wall along the boundary; c. Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard; d. Boundaries adjoining any site in a CMUZ - Commercial and Mixed Use, INZ - Industrial or RURZ - Rural Zone; e. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; or f. Solar panels and solar water heaters, provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically. <p>Advice Note:</p>	<p>Activity status where compliance not achieved:</p> <p>Discretionary</p>

<p>Where a residential building or noise sensitive activity is located within:</p> <ol style="list-style-type: none"> i. 80m of a State Highway with a speed limit of 70kph or greater; or ii. 40m of a State Highway with a speed limit of less than 70kph; or iii. 40m of a Railway Line; or iv. The 50 dBA Noise Contour boundary of Franz Josef Heliport; or v. The 55 dBA Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome. <p>Then the acoustic insulation requirements set out in Rule NOISE - R3 will apply.</p>	
LLRZ - R12	Community Facilities and Educational Facilities not meeting Rule LLRZ -R7, Supported Residential Accommodation and Retirement Homes not meeting Rule LLRZ - R8 and Retirement Villages
<p>Activity Status Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Design and location of buildings; b. Design and location of parking and access; c. Landscape treatment; d. Water supply, wastewater and stormwater requirements; e. Hours of operation; and f. Acoustic and noise insulation requirements; g. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> h. <u>The safe and efficient operation of the rail network.</u> <p>Notification: Applications for community facilities will always be notified to adjacent neighbours and may be publicly notified.</p>	<p>Activity status where compliance not achieved: N/A</p>
LLRZ - R14	Papakāinga Developments not meeting Permitted Activity Standards

<p>Activity Status Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The minimum residential unit density is 200m² net site area; 2. The maximum height is 12.5m; 3. Within 10 metres of a site boundary that is zoned Large Lot Residential the maximum height shall be 10m; and 4. All performance standards for Rules NOISE R1-R2 and R4 and LIGHT-R3 are complied with; and 5. Maximum building coverage is 50%. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Design and location of buildings; b. Design and location of parking and access; c. Landscape measures; and d. Water supply, wastewater and stormwater requirements; e. Where relevant compliance with the Medium Density Housing Design guidelines in Appendix Three; and f. Hours of operation; g. Acoustic and noise insulation requirements; h. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> i. <u>The safe and efficient operation of the rail network.</u> 	<p>Activity status where compliance not achieved:</p> <p>Discretionary</p>
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Medium Density Residential Zone

MRZ - R1	Residential Activities and Residential Units and Accessory Buildings
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. Residential unit density is no more than 1 unit per 300m² net site area; 2. The maximum height of a building above ground level is 10m; 3. Buildings are setback a minimum 4.5m from road boundaries, except that a roof overhang may encroach 750mm; <u>3A. Buildings or structures are setback a minimum of 5m from any rail designation boundary:</u> 4. Maximum site coverage is 40%; 5. A minimum of 30m² of outdoor living space is provided per residential unit excluding any parking and manoeuvring areas; <u>and the outdoor living space must have a minimum dimension of 3m;</u> 6. No heavy vehicles are stored on site; 7. All residential units and buildings used for a residential activity must be connected to the community water supply and wastewater networks and stormwater from the site used for the activity must not drain to any public road except for secondary flow purposes; 8. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to: <ol style="list-style-type: none"> g.—Road boundaries; h.—Buildings on adjoining sites that have a common wall along the boundary; i.—Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard; j. Boundaries adjoining any site in a CMUZ - Commercial and Mixed Use, INZ - Industrial or RURZ - Rural Zone; k.—Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; or t.—Solar panels and solar water heaters, provided these do not exceed the height in relation to boundary plane by more than 0.25m vertically. 9. Buildings are setback a minimum of 1m from all other site boundaries, except that: <ol style="list-style-type: none"> a. Duplexes do not require a setback from the side boundary of the other duplex unit; and b.—Setbacks are not required from adjacent residential boundaries where the neighbouring property owner's 	<p>Activity status where compliance not achieved:</p> <p>Controlled where this is for Medium Density Housing and standards 1 - 4 are not complied with.</p> <p>Otherwise: Discretionary</p>

<p>written approval is provided to the Council at least 10 working days prior to the works commencing.</p> <p>Advice Note:</p> <ol style="list-style-type: none"> 1. Where a residential building or noise sensitive activity is located within: <ol style="list-style-type: none"> i. 80m of a State Highway with a speed limit of 70kph or greater; or ii. 40m of a State Highway with a speed limit of less than 70kph; or iii. 40m of a Railway Line; or iv. The 50 dBA Noise Contour boundary of Franz Josef Heliport; or v. The 55 dBA Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome. <p>Then the acoustic insulation requirements set out in Rule NOISE - R3 will apply.</p> <ol style="list-style-type: none"> 2. <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundaries process will apply where the neighbouring property owner's written approval is provided to the relevant district council.</u> 	
MRZ - R11	Development of Medium Density Developments
<p>Activity Status Controlled</p> <p>Where:</p> <ol style="list-style-type: none"> 1. These do not meet the MRZ - 1 performance standards in relation to any of density, height, setbacks, recession planes and building coverage; 2. The maximum height is 12.5m; 3. Residential unit density is no more than 1 unit per 200m² net site area; 4. Within 10 metres of a site boundary that is zoned General Residential the maximum height shall be 10m; and 5. Maximum building coverage is 50%. <p>Matters of control are:</p> <ol style="list-style-type: none"> a. Provision of infrastructure to service the development; b. Design and location of parking and access; c. Design and location of buildings and compliance with the Medium Density Housing Design guidelines in Appendix Three; and d. Landscape measures; e. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> f. <u>The safe and efficient operation of the rail network.</u> 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
MRZ - R12	Community Facilities and Educational Facilities not meeting Rule MRZ - R7, Supported Residential Accommodation and Retirement Homes not meeting Rule MRZ - R8 and Retirement Villages

<p>Activity Status Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Design and location of buildings; b. Design and location of parking and access; c. Landscape measures; d. Hours of operation; and e. Acoustic and noise insulation requirements; and f. <u>Provision of infrastructure to service the development;</u> g. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> h. <u>The safe and efficient operation of the rail network.</u> <p>Notification:</p> <p>Applications for community facilities will always be notified to adjacent neighbours and may be publicly notified.</p>	<p>Activity status where compliance not achieved: N/A</p>
<p>MRZ - R13</p>	<p>Medium Density Housing not meeting Rule MRZ - R11</p>
<p>Activity Status Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Number of units; b. Height of buildings; c. Design and location of buildings; d. Provision of infrastructure to service the development; e. Design and location of parking and access; f. Compliance with the Medium Density Housing Design Guidelines in Appendix Three; g. Landscape measures; and h. Acoustic and noise insulation requirements; i. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> j. <u>The safe and efficient operation of the rail network.</u> 	<p>Activity status where compliance not achieved: N/A</p>

Appendix B: Proposed amendments to the TPPP

The proposed additions are shown in underline and deletions in ~~striketrough~~. Those recommended in the s42A Officer's Report are shown in black and those proposed by KiwiRail are shown in red for clarity.

Future Urban Zone

FUZ - R1	Agricultural, Pastoral and Horticulture Activities and Buildings	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The maximum gross ground floor area of a single building is 500m²; 2. Maximum building height above ground level is 10m; 3. Buildings <u>or structures</u> are setback a minimum of 10m from the road boundary, 5m from side boundaries and 20m from rear boundaries; and 4. The minimum separation distance between buildings housing more than 10 animals or commercial livestock and a residential/settlement/rural lifestyle zone boundary shall be 30m and from any residential building on another site 50m, and from any other boundary 20m. 	<p>Activity status where compliance not achieved: Discretionary</p>	

Māori Purpose Zone

MPZ - R1	Māori Purpose Activities	
<p>Activity Status Permitted Where:</p> <ol style="list-style-type: none"> 1. The maximum gross ground floor area of a single building is 500m²; 2. Maximum building height above ground level is 10m; 3. Maximum site coverage is 40%; 4. Buildings <u>or structures</u> are setback a minimum of 10m from the road boundary, 20m from the State Highway Boundary, and 5m from internal boundaries, except that: <ol style="list-style-type: none"> a. In the Arahura Pā settlement buildings are setback 5m from the road and any GRUZ - General Rural Zone or INZ - Industrial Zone boundary and 1m from internal boundaries; 5. The average residential density is no more than 1 unit per 500m² net site area in areas fully serviced by a network utility operator with wastewater, water supply and stormwater systems; and 6. In areas not serviced by network utility operated wastewater, stormwater and water supply the average dwelling/papakāinga building density is no more than one 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>	

<p>unit and one minor residential unit per 1000m² net site area; <u>and</u></p> <p>7. <u>Where reticulated systems are available buildings are connected to the reticulated wastewater, stormwater and water supply systems and these are not available wastewater, stormwater and water supply systems are designed to meet the relevant standards of NZS4404:2010.</u></p> <p>Advice Note: Where a residential building or noise sensitive activity is located within:</p> <ol style="list-style-type: none"> i. 80m of a State Highway with a speed limit of 70kph or greater; or ii. 40m of a State Highway with a speed limit of less than 70kph; or iii. 40m of a Railway Line; or iv. The 50 dBA Noise Contour boundary of Franz Josef Heliport; or v. The 55 dBA Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome. <p>Then the acoustic insulation requirements are set out in Rule NOISE - R3 will apply.</p>	
MPZ - R11	Māori Purpose Activities not meeting Permitted Activity Standards
<p>Activity Status Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The extent to which the proposal complies with any Iwi/Papatipu Rūnanga management plan in place for the site; b. Size, height, design and location of any buildings and structures; c. Landscape measures; d. Density of any residential buildings; e. Methods of water supply, wastewater and stormwater treatment and disposal; <u>and</u> f. <u>Design and location of vehicle access;</u> g. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> h. <u>The safe and efficient operation of the rail network.</u> <p>Notification: Applications for activities under this rule will not be Publicly Notified.</p>	<p>Activity status where compliance not achieved: N/A</p>
MPZ - R16	Community Facilities not meeting Rule MPZ - R9
<p>Activity Status Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site; <u>or</u> b. <u>If there is no Iwi/Papatipu Rūnanga management plan in place for the site</u> 	<p>Activity status where compliance not achieved: N/A</p>

<ul style="list-style-type: none"> i. Management of access, parking and traffic generation; ii. Hours of operation; iii. Noise management and lighting; iv. Landscape measures; <u>and</u> c. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> d. <u>The safe and efficient operation of the rail network.</u> <p><u>Notification: Applications for activities under this rule will not be Publicly Notified.</u></p>	
MPZ - R18	Buildings and Other Activities in Accordance with an Iwi/Papatipu Rūnanga Management Plan not meeting Rule MPZ - R10
<p>Activity Status Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Compliance with any Iwi/Papatipu Rūnanga management plan in place for the site; b. The extent to which the activity could be undertaken more appropriately in another zone; c. Bulk and location of buildings; d. Management of traffic and parking; e. Management of odour; f. Landscape measures; g. Any impacts on the production values of the surrounding land; h. Effects on visual amenity and rural character; <u>and</u> i. Methods of water supply, wastewater and stormwater treatment and disposal; <u>and</u> j. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> k. <u>The safe and efficient operation of the rail network.</u> <p><u>Notification: Applications for activities under this rule will not be Publicly Notified.</u></p>	<p>Activity status where compliance not achieved: N/A</p>

Hospital Zone

HOSZ - R1	Healthcare and Medical Activities and Buildings
<p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any ancillary commercial activity does not exceed 200m² gross floor area or 10% of the hospital building footprint per commercial activity per site, whichever is the lesser; 2. The maximum building height above ground level is: <ol style="list-style-type: none"> i. 12 metres at the Te Nikau Grey Hospital, Reefton Hospital and Buller Integrated Health Centre Site; and ii. 10m at all other locations in the zone; and iii. This does not include solar water heating components, antennas, aerials, flues, chimneys, satellite dishes (less than 1m in diameter) and architectural features (e.g. finials, spires) that do not exceed the height by more than 1m. 3. The maximum building length is 20m where this is within 5m of an adjoining RESZ - Residential Zone; 4. All outdoor rubbish and collection areas must be fully screened with a fence that is 1.8m in height measured from ground level; 5. Any building or structure including car parking areas, outdoor storage and rubbish collection areas must be setback: <ol style="list-style-type: none"> i. 5m from any RESZ - Residential Zone or OSRZ - Open Space and Recreation Zone; and ii. 5m from the road <u>and rail designation</u> boundaries; and 6. No building shall project beyond a building envelope defined by a recession plane as defined in Appendix Two to commence 2.5m above any site boundary except where neighbouring property owner's written approval is provided to the Council at least 10 working days prior to the works commencing. This standard does not apply to: <ol style="list-style-type: none"> i. Road boundaries; ii. Buildings on adjoining sites that have a common wall along the boundary; iii. Boundaries abutting an access lot or right of way in which case the furthest boundary of the access lot or right of way may be used for assessing compliance with this standard; iv. Antennas, aerials, satellite dishes (less than 1m in diameter), chimneys, flues and architectural features (e.g. finials, spires) provided these do not exceed the recession plane by more than 3m vertically; and v. Solar panels and solar water heaters, provided these do not exceed the height in relation to boundary plane by more than 0.5m vertically. <p>Advice Note:</p> <ol style="list-style-type: none"> 1. Where Healthcare and Medical Facilities are located within one of the Natural Hazard Overlays, the relevant rules for sensitive activities and critical response facilities of the Natural Hazards Chapter will apply. 	<p>Activity status where compliance not achieved: Restricted Discretionary</p>

<p>2. Where Healthcare and Medical Facilities are located within the Airport Noise Contour boundary, the acoustic insulation requirements of Rule NOISE - R3 will apply.</p> <p>3. <u>Where boundary setbacks are infringed, the Deemed Permitted Activity Boundary process will apply where the neighbouring owner's written approval is provided to the relevant district council.</u></p>	
HOSZ - R7	Activities, Buildings, Facilities, Minor Structures, Fences, Walls and Retaining Walls Provided for as Permitted Activities but not meeting the Permitted Activity Standards
<p>Activity Status Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Design, size and location of buildings, structures and facilities; b. Screening, planting and landscape measures; c. Shading and privacy impacts on neighbouring properties; d. Any adverse effects on the streetscape; e. Any adverse effects on the amenity of neighbouring properties; f. The extent to which the infringement is necessary due to the shape, natural or physical features of the site; and g. The extent to which any helicopter facilities are ancillary to and necessary for effective Healthcare and Medical Activities in the zone; and h. <u>Management of wastewater, stormwater and water supply in accordance with the relevant requirements of NZS 4044:2010; and</u> i. <u>The location and design of the building or structure as it relates to the ability to safely use, access and maintain buildings or structures without requiring access on, above or over the rail corridor; and</u> j. <u>The safe and efficient operation of the rail network.</u> 	<p>Activity status where compliance not achieved: N/A</p>