

OFFICER'S REPORT FOR:

Hearings Panel

SUBJECT:

**Proposed Waimakariri District Plan:
Whaitua Tākaro – Open Space and Recreation
Zones**

PREPARED BY:

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REPORT DATED:

1 September 2023

DATE OF HEARING:

Hearing Stream 6 (9-13 October 2023)



WAIMAKARIRI
DISTRICT COUNCIL

Executive Summary

1. This report considers the matters raised in submissions and further submissions received by the District Council in relation to the relevant definitions, objectives, policies, rules, built form standards, matters of control or discretion and planning map of the Proposed Plan as they apply to the Open Space and Recreation Zones (OSRZ): comprising the Natural Open Space Zone (NOSZ), the Open Space Zone (OSZ) and the Sport and Active Recreation Zone (SARZ).
2. There were 16 submissions and 56 submission points, and 12 further submissions and 36 further submission points, on matters relating to the OSRZ. The submissions and further submissions received were diverse and sought a range of outcomes.
3. I recommend amendments to the Proposed Plan provisions to address matters raised in submissions and further submissions. The recommended changes are shown in Appendices A, C, D and F of this report, and are summarised below:
 - a. Amendments to the following OSRZ related definitions:
 - i. 'Conservation activities'

Amended to broaden applicability for use in other zones, and to replace reference to 'ecological values' with 'intrinsic values of natural resources'
 - ii. 'Equestrian and ancillary activities and facilities'

Amended to include:

 - a. Reference to whether a charge is made for admission or participation or not
 - b. Dressage arenas
 - c. Short term grazing prior to an event

Amended to clarify the following are excluded:

 - d. Grazing on 'District Council land' under a grazing licence issued by the District Council
 - e. The keeping, grazing, exercising and training of horses in 'domestic' settings
 - iii. 'Major sports facility'

Amended to delete reference to 'show grounds'
 - iv. 'Public amenities'

Amended to clarify the definition applies to 'public' land and buildings or other structures 'on that land'
 - b. Amendments to the following Natural Open Space Zone (NOSZ) provisions:
 - i. Rule NOSZ-R11 'Office ancillary to park management activities or conservation activities'

- Deletion of clause (2) relating to cumulative gross floor area (GFA) as it created an unnecessary duplication with built form standard NOSZ-BFS1 'Coverage'
- ii. Rule NOSZ-R13 'Planting of vegetation'

Amended by deleting clause (1) relating to plantation forestry, and to clarify the rule includes planting for erosion control and natural hazard mitigation
 - iii. Rule NOSZ-R14 'Grazing'

Amended to clarify the rule applies to grazing on 'District Council land' under a grazing licence issued by the District Council
 - iv. Rule NOSZ-R20 'Removal of a building or other structure'

Proposed to be deleted due to potential issues with practical implementation
 - v. Built Form Standard NOSZ-BFS1 'Coverage'

Amended to increase the maximum permitted GFA of any building in the NOSZ from 75m² to 150m²
 - vi. Creation of a new built form standard relating to a 5m minimum setback by buildings from any site boundary with the rail corridor
- c. Amendments to the following Open Space Zone (OSZ) provisions:
- i. Rule OSZ-R14 'Grazing'

Amended to clarify the rule applies to grazing on 'District Council land' under a grazing licence issued by the District Council
 - ii. Creation of a new built form standard relating to a 5m minimum setback by buildings from any site boundary with the rail corridor
- d. Amendments to the following Matters of Control or Discretion (MCD) for all OSRZ:
- i. OSRZ-MCD12 'Removal of buildings or other structures'

Proposed to be deleted as it is only used in relation to rule NOSZ-R20 which is also proposed to be deleted, and deletion of references to where OSRZ-MCD12 is referred to
 - ii. OSRZ-MCD14

Amended to clarify it applies to grazing on 'District Council land' under a grazing licence issued by the District Council
 - iii. Creation of a new Matter of Discretion relating to the minimum setback by buildings from any site boundary with the rail corridor;
 - iv. Delete references to matters of 'control' as NOSZ-R20 was the only controlled activity rule which is proposed to be deleted; and
- e. Other minor consequential amendments, such as renumbering.

4. Having considered all the submissions and further submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Proposed Plan be amended as set out in Appendices A, C, D and F of this report.
5. For the reasons set out in the Section 32AA evaluations and included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
 - a. achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
 - b. achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

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Interpretation

This report may utilise the following abbreviations **relevant to this report** for brevity as set out in Tables 1 and 2 below:

Table 1: Abbreviations of technical terms

Abbreviation	Means
BFS	Built form standard
GFA	Gross floor area
MCD	Matter of control or discretion
National Planning Standards	National Planning Standards, Ministry for the Environment, 2019
NESPF	Resource Management (National Environmental Standard on Plantation Forestry) Regulations 2017
NOSZ	Natural Open Space Zone
NZCPS	New Zealand Coastal Policy Statement 2010
OSRZ	Open Space and Recreation Zones
OSZ	Open Space Zone
Proposed Plan	Proposed Waimakariri District Plan
RMA	Resource Management Act 1991
SARZ	Sport and Active Recreation Zone
s32	Section 32 of the RMA
s32AA	Section 32AA of the RMA
s42A	Section 42A of the RMA
WRRZRP	Waimakariri Residential Red Zone Recovery Plan

Table 2: Abbreviations of organisation names

Abbreviation	Means
CIAL	Christchurch International Airport Ltd
District Council	Waimakariri District Council
DoC	Department of Conservation
ECan	Environment Canterbury / Canterbury Regional Council
Federated Farmers	Federated Farmers of New Zealand Inc.
FENZ	Fire and Emergency NZ
Forest and Bird	Royal Forest and Bird Protection Society of NZ Inc.
Hort NZ	Horticulture NZ
House Movers	House Movers Section of New Zealand Heavy Haulage Association
Kāinga Ora	Kāinga Ora - Homes and Communities
KiwiRail	KiwiRail Holdings Ltd
Mainpower	Mainpower New Zealand Ltd
NZAAA	NZ Agricultural Aviation Association
RIDL	Rolleston Industrial Developments Ltd
Tūhaitara Trust	Te Kohaka o Tūhaitara Trust
Waka Kotahi	Waka Kotahi NZ Transport Agency

1 Introduction

1.1 Purpose

6. The purpose of this report is to provide the Hearing Panel with a summary and analysis of submissions and further submissions received by the District Council in relation to the provisions of the Proposed Plan as they apply to the Open Space and Recreation Zones (OSRZ): comprising the Natural Open Space Zone (NOSZ), Open Space Zone (OSZ) and Sport and Active Recreation Zone (SARZ).
7. This report is prepared under section 42A of the RMA.
8. This report makes recommendations as to whether the submissions and further submissions received should be accepted, accepted in part, or rejected, and includes recommendations for changes to the notified Proposed Plan provisions.
9. The recommendations are informed by evaluation undertaken by the author.
10. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
11. This report is intended to be read in conjunction with Officers' Reports on 'Part 1: Introduction and general provisions' (the 'overarching' report) and 'Strategic directions'.

1.2 Author

12. My name is Neil Lindsay Sheerin. My qualifications and experience are set out in Appendix H of this report.
13. My role in preparing this report is that of an expert planner.
14. I was involved in the preparation of the Proposed Plan including the OSRZ chapters and authored the Section 32 report for these chapters.
15. Although this is a District Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the 2023 Practice Note issued by the Environment Court. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
16. The scope of my evidence relates to the OSRZ in general; specific parts of each of the NOSZ, OSZ and SARZ chapters; and OSRZ related definitions and planning map matters. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert planner.
17. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
18. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Key Issues in Contention

19. There were 16 submissions and 56 submission points, and 12 further submissions and 36 further submission points, on matters relating to the OSRZ. The submissions and further submissions received were diverse and sought a range of outcomes in relation to definitions, objectives, policies, rules, built form standards, matters of control or discretion and planning map of the Proposed Plan as they apply to the OSRZ.
20. I address submissions and further submissions relating to these topics in the remainder of this report.
21. It may be useful at the outset to provide some insight into the structure of the OSRZ chapters.
22. There are general objectives and policies applicable to all the OSRZ zones (see Appendix B). As set out in the description of the zone purpose in the Introduction of each zone chapter (see Appendices C, D and E), each zone contains areas that are different in character and use and consequently each zone has a distinct purpose. The zone purposes described in each chapter Introduction reflect those in the National Planning Standards. Each zone therefore also has an objective unique to the zone, and a zone policy, in addition to the general objectives and policies. The general objectives and policies, and relevant zone objective and policy, are to be considered together, and no hierarchy exists between them. While some of the proposed rules and built form standards in each zone are similar, some are unique to the zone. The proposed rules and built form standards are intended to reflect the activities and types, location and scale of structures proposed to be provided for in each zone. There is one set of matters of control or discretion applicable to all of the OSRZ (see Appendix F).

Variation 1 to Proposed Plan: Housing Intensification

23. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 required certain councils including Waimakariri District to introduce Medium Density Residential Standards into plans. Variation 1 (notified in 2022 to give effect to this) did not contain any variation to the Proposed Plan relating to the OSRZ. The OSRZ are to be excluded from development for higher density commercial or residential purposes, as OSRZ contribute to well-functioning environments and are required to support increased density as intensification usually reduces private outdoor spaces. Any submissions on Variation 1 that may concern the OSRZ will be addressed in the s42A report for Variation 1.

1.4 Procedural Matters

24. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on provisions relating to OSRZ.

2 Statutory Considerations

2.1 Resource Management Act 1991

25. The Proposed Plan has been prepared in accordance with the RMA and in particular, the requirements of:
- a. section 74 Matters to be considered by territorial authority, and
 - b. section 75 Contents of district plans.
26. There are a number of higher order planning documents and strategies, legislation, regulations and other plans that provide direction and guidance for the preparation and content of the Proposed Plan. These documents relevant to the OSRZ provisions in the Proposed Plan are discussed in detail within the Section 32 Evaluation Report for the OSRZ. This s32 Report sets out the background context that has influenced the notified OSRZ provisions.

2.2 Section 32AA

27. I have undertaken an evaluation of the recommended amendments to provisions since the initial s32 evaluation was undertaken in accordance with section 32AA of the RMA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

28. I have not recommended any changes to the notified objectives and policies for the OSRZ. Consequently, where I have recommended amendments on other provisions based on my assessment of submissions and further submissions, I have undertaken only a brief s32AA

evaluation in the body of this report, due to what I consider to be the relatively limited scale and significance of the recommended changes.

2.3 Trade Competition

29. No consideration of trade competition has been given with respect to OSRZ. Trade competition is not considered relevant to the OSRZ provisions of the Proposed Plan.
30. There are no known trade competition issues raised within the submissions and further submissions.

3 Consideration of Submissions

3.1 Overview

31. There were 16 submissions and 56 submission points from the following:
- a. Horticulture NZ;
 - b. Royal Forest and Bird Protection Society of NZ Inc.;
 - c. Department of Conservation;
 - d. Oxford A&P Association;
 - e. Te Kohaka o Tūhaitara Trust;
 - f. Federated Farmers of NZ Inc.;
 - g. Rangiora-Ashley Community Board;
 - h. Rolleston Industrial Developments Ltd;
 - i. Mainpower NZ Ltd;
 - j. Canterbury Regional Council;
 - k. Christchurch International Airport Ltd;
 - l. House Movers Section of New Zealand Heavy Haulage Association;
 - m. Fire and Emergency NZ;
 - n. Rangiora and Districts Early Records Society;
 - o. KiwiRail Holdings Ltd; and
 - p. Woodend-Sefton Community Board.
32. There were 12 further submissions and 36 further submission points from the following:
- a. NZ Agricultural Aviation Association;
 - b. Royal Forest and Bird Protection Society of NZ Inc.;
 - c. Federated Farmers of NZ Inc.;
 - d. Oxford-Ohoka Community Board;
 - e. Waka Kotahi NZ Transport Agency;
 - f. Ohoka Residents Association;
 - g. David and Elaine Brady;
 - h. Jan Hadfield;
 - i. Emma Wood;
 - j. KiwiRail Holdings Ltd;
 - k. Kāinga Ora Homes and Communities; and
 - l. Department of Conservation.
33. The submission and further submission points related to the relevant definitions, objectives, policies, rules, built form standards, matters of discretion and planning map of the Proposed Plan as they apply to the OSRZ.
34. The Definitions that have been subject to submissions and further submissions were originally developed for application to activities currently occurring in the OSRZ. However, with the exception of the definition for “Open Space and Recreation Zones”, these definitions can also be applied in other zones.
- 3.1.1 Provisions receiving only submissions in support**
35. The following provisions received only submissions in support and seeking retention of the provisions as notified, and since no matters of contention have been raised they are

consequently not discussed in Section 3 of this report and instead are addressed only in Appendix G:

- a. Definition of 'conference facility';
- b. General objectives for all OSRZ;
- c. General policies for all OSRZ;
- d. NOSZ-P1 'Activities and structures in the NOSZ';
- e. NOSZ-R9 'Use of motor vehicles on beach areas'; and
- f. Planning Map – zoning of Pegasus lakefront and island as OSZ.

3.1.2 Submissions and Further Submissions Not Addressed

Mainpower NZ Ltd

36. In a submission on the Proposed Plan, Mainpower expressed a 'strong preference' for proposed new corridor protection provisions for major electricity distribution lines to be relocated from the Energy and Infrastructure chapter to nine different zone chapters including the NOSZ, OSZ, and SARZ chapters. Mainpower considers the zone chapters are where such provisions will be more visible to land owners.
37. To support this, Mainpower lodged the following submission points seeking the introduction of the following new provisions in the OSRZ chapters:
 - a. A new objective (shown in Table G3 in Appendix G) in each of the NOSZ [249.138], OSZ [249.129], and SARZ [249.135];
 - b. A new policy (shown in Table G4 in Appendix G) in each of the NOSZ [249.139], OSZ [249.130], and SARZ [249.136]; and
 - c. A new rule in each of the NOSZ [249.140], OSZ [249.131], and SARZ [249.137]. The new rules sought are lengthy and are shown in Table G5 in Appendix G.
38. Each of Mainpower's submission points regarding the requested new objectives and policies attracted further submissions in support from KiwiRail Holdings Ltd [FS 99]. KiwiRail supports the inclusion of new zone objectives and policies which seek to avoid reverse sensitivity effects on infrastructure.
39. The subject of where in the Proposed Plan provisions relating to corridor protection for major electricity distribution lines are most appropriately located, is addressed in the Energy and Infrastructure s42A report. Mainpower has lodged a number of submission points on the Energy and Infrastructure provisions relating to this topic.
40. On this basis, no recommendations on the above Mainpower submission points are made in this report.

Christchurch International Airport Ltd

41. In a submission on the Proposed Plan, CIAL seeks that the Proposed Plan include 'appropriate regulation for bird strike risk activities within 8km and 13km of the airport runways'.

42. To support this, CIAL lodged the following submission points seeking the introduction of the following new provisions in the OSRZ chapters:
- a. A new rule in each of the NOSZ [254.140], OSZ [254.138] and SARZ [254.139]. The new rules sought are lengthy and are shown in Table G5 in Appendix G. Alternatively, CIAL suggest the proposed new rules could instead be inserted into the District-wide rules with clear cross-references to relevant zone chapters; and
 - b. The following new matter of discretion [254.146]:

"MD[xx] – Bird strike risk
The extent to which the proposed activity will be designed, operated and managed to avoid attracting bird species which constitute a hazard to aircraft."
43. Each of CIAL's three submission points regarding the requested new rules attracted further submissions in opposition from Kāinga Ora Homes and Communities [FS 88]. Kāinga Ora opposes the airport noise contour and seeks the deletion of the aircraft/airport noise provisions in full including any mapped noise overlays and contour maps.
44. No further submissions were lodged relating to the requested new matter of discretion.
45. At the time of writing this report, I understand the Hearing Panel has requested that the District Council provide an updated hearing schedule that moves matters related to the Christchurch International Airport Noise Contour, bird strike, and growth related policies, to a later hearing (refer to Panel Minute 5, paragraph 10). As a result, CIAL's submission points relating to bird strike have not been addressed in this report.

3.1.3 Report Structure

46. Submissions and further submissions on matters relating to OSRZ have been addressed in the following order:
- a. Definitions;
 - b. General matters;
 - c. Objectives;
 - d. Policies;
 - e. Rules;
 - f. Built Form Standards;
 - g. Matters of Control or Discretion; and
 - h. Planning Map matters.
47. The recommended responses to submissions and further submissions in the above order is contained in Tables G1 to G8 in Appendix G.
48. In Appendices A, C, D and F, I have provided a marked-up version of provisions related to the OSRZ with recommended amendments in response to submissions and further submissions. Where changes are recommended in response to submissions and further submissions, these are shown as follows:
- a. Text recommended to be added to the Proposed Plan is underlined.
 - b. Text recommended to be deleted from the Proposed Plan is ~~struck through~~.

49. The recommendations in Tables G1 to G8 in Appendix G should be read in conjunction with Appendices A to F as well as the relevant sections in the body of this report.

3.1.4 Format for Consideration of Submissions and Further Submissions

50. I have considered submissions and further submissions seeking amendments to the Proposed Plan in the following format:
- a. Matters raised by submitters and further submitters;
 - b. Assessment;
 - c. Summary of recommendations in response to submissions and further submissions; and
 - d. Section 32AA evaluation (where amendments are recommended).

3.2 Definitions

51. Nine submission points and six further submission points were lodged on the following five OSRZ related Definitions in the Proposed Plan as notified:
- a. 'Conference facility' (see section 3.1.1 above)
 - b. 'Conservation activities'
 - c. 'Equestrian and ancillary activities and facilities'
 - d. 'Open space and recreation zones'
 - e. 'Public amenities'

3.2.1 Definition of Conservation Activities

3.2.1.1 Matters raised by submitters and further submitters

52. There were three submission points and two further submissions relating to the definition of 'conservation activities'. The full text of the definition is shown in Appendix A.

Forest and Bird

53. Forest and Bird [192.5] was neutral and wished the definition retained as notified.

Horticulture NZ

54. Hort NZ [295.19] opposed the current wording of the definition for several reasons. Hort NZ is concerned that the Definition limits 'conservation activities' to parks, reserves, beach areas, open space and recreation zones, and excludes farm activities. Hort NZ opposed the inclusion of 'plant nurseries, research and educational activities' as it considered these have different and more permanent effects from other activities listed depending on scale, and that public facilities will have a greater effect on neighbours which should be managed. Hort NZ opposed the inclusion of 'carbon sequestration' until adequate safeguards for the life supporting capacity of soils were included, as it considered carbon sequestering forests would remain in perpetuity and could prevent the use of highly productive land for productive purposes, and it questioned whether carbon sequestration was a conservation activity. Hort NZ opposes clause (f) as it considers it is for activities while the other clauses focus on structures or temporary activities. Hort NZ requested the definition be amended as follows:

"means the management, maintenance and enhancement of ecological values of parks and reserves, beach areas and open space and recreation zones. This includes:

...

c) ~~plant nurseries~~

...

e) ~~planting for stormwater treatment, erosion and coastal protection, and carbon sequestration~~

f) ~~ancillary environmental research and education activities...~~"

55. A further submission from NZ Agricultural Aviation Association (NZAAA) [FS 45] supported the Hort NZ submission, as NZAAA considers pest control (in clause (a) of the proposed definition) for conservation activities is relevant to all zones.

Department of Conservation

56. DoC [419.9] opposed the definition as it considers the definition is inconsistent with the 'conservation' definition from section 2 of the Conservation Act 1987, and sought the definition be amended as follows:

"means the use of land and/or buildings for any activity undertaken for the purposes of preservation, protection management, maintenance and enhancement of intrinsic values of natural and historical resources. ~~ecological values of parks and reserves, beach areas and open space and recreation zones.~~ This includes:-

a. ~~pest control;-~~

b. ~~fencing;-~~

c. ~~plant nurseries;-~~

d. ~~conservation and restoration planting;-~~

e. ~~planting for stormwater treatment, erosion and coastal protection, and carbon sequestration;-~~

f. ~~ancillary environmental research and education activities;-~~

g. ~~ancillary access tracks and ancillary structures;-~~

h. ~~the ancillary use of vehicles, machinery or equipment."~~

57. DoC's submission point was supported in a further submission from Forest and Bird [FS 78] as they considered the amendments sought were 'in accordance with the requirements of the RMA'.

58. However, DoC's proposed amendments were opposed by the following two further submissions:

- a. The NZAAA [FS 45] considers the definition should include specific activities, including weed and pest control for conservation purposes; and
- b. Federated Farmers [FS 83] considers the list in the proposed Definition is useful and is not exclusive.

3.2.1.2 Assessment

Horticulture NZ

59. The proposed definition was originally drafted to reflect activities occurring in the OSRZ.
60. I agree the applicability of the definition should be broadened beyond 'parks and reserves, beach areas and open space and recreation zones', as this will allow the definition to apply in other areas. For example, 'conservation activities' is not only a permitted activity in the three OSRZ, but also in the General Rural, Rural Lifestyle, Special Purpose (Kaiapoi Regeneration), Special Purpose (Pines Beach and Kairaki Regeneration) and Special Purpose (Kainga Nohoanga) zones, and District-wide Natural Features and Landscapes chapter.
61. Potential effects on neighbours of the structures provided for under clauses c. and f. would be managed by the built form standards for the relevant zone. If the relevant built form standards were unable to be met, resource consent would be required, a further 'check and balance'. Clauses c. and f. may also provide for activities undertaken by the submitters. Therefore, I do not recommend deletion of these clauses.
62. Carbon sequestration planting is an activity being undertaken in parts of Tūhaitara Coastal Park in the NOSZ hence its inclusion in the proposed definition. Carbon sequestration is part of measures that can be used to offset greenhouse emissions. Carbon sequestration planting does not have to occur on highly productive land and can take many different forms. Carbon sequestration can be undertaken in other zones; as outlined above, 'conservation activities' is a permitted activity in 9 zone and district-wide chapters of the Proposed Plan. Therefore, I do not recommend deletion of 'carbon sequestration' from the definition of 'conservation activities'.

Department of Conservation

63. The Proposed Plan is not drafted to be consistent with the Conservation Act, it is drafted to give effect to the RMA. Not all land in the OSRZ may be classified under the Conservation Act (or Reserves Act) and may be managed for a range of activities other than those contemplated under the Conservation Act. As mentioned above, the proposed definition was originally drafted to reflect activities occurring in the OSRZ and is generally consistent with the definition for 'conservation activities' in the operative Christchurch District Plan where 'conservation activities' is a permitted activity in all of the Christchurch Open Space Zones.
64. I recommend including the phrase 'intrinsic values of natural resources', as this is consistent with the National Planning Standards purpose of the NOSZ, which is to 'retain the natural environment'.
65. Clauses a. to h. were intended to provide some clarity as to what types of activities were contemplated as 'conservation activities' in the OSRZ based on what currently occurs. I therefore do not recommend deletion of clauses a. to h. as this would not assist in interpretation and application of the definition.
66. I do not recommend inclusion of 'historical resources', as this may create an overlap with the Historic Heritage chapter which may cause duplication and confusion.

67. I also do not recommend inclusion of the phrase (emphasis added) 'use of land and/or buildings for **any** activity'. This is a very all-encompassing term, and its inclusion could have unintended consequences. It could provide a basis for **any** activity construed as associated with conservation activities, including built structures. However, this may not be compatible with the purpose of the NOSZ which is to 'retain the natural environment'. There are proposed controls on the type and size of buildings in the NOSZ, and also in the OSZ, as open space in the OSRZ is intended to remain predominantly for open space.

Forest and Bird

68. As a consequence of the amendments that I have outlined above, I recommend the submission by Forest and Bird seeking the definition be retained as notified be accepted in part.

3.2.1.3 Summary of recommendations

69. Based on the above, I recommend the definition of 'conservation activities' be amended in the manner shown in Appendix A.
70. The recommended responses to submissions and further submissions relating to the definition of 'conservation activities', are summarised in Table G1 in Appendix G and reflects my assessment above.
71. The recommendations in Table G1 in Appendix G should be read in conjunction with Appendix A.
72. Based on the evaluation and recommended amendments, I recommend the following submission points be **accepted in part**:
- a. Royal Forest and Bird Protection Society of NZ Inc. [192.5];
 - b. Horticulture NZ [295.19]; and
 - c. Department of Conservation [419.9].

3.2.1.4 Section 32AA evaluation

73. In my opinion, the recommended amendments to the definition of 'conservation activities' provide clarity as to its meaning and application, which will assist in achieving the objectives of the Proposed Plan better than the notified definition. I consider the recommended amendments will provide greater scope and clarity and will be more effective than the notified provision.

3.2.2 Definition of Equestrian and Ancillary Activities and Facilities

3.2.2.1 Matters raised by submitters and further submitters

74. There was one submission point from Oxford A&P Association [146.2] on the definition of 'equestrian and ancillary activities and facilities'. The full text of the definition is shown in Appendix A.
75. Oxford A&P sought recognition of the private ownership and community use of Oxford A&P Showgrounds and to 'allow ongoing activities and recreation as undertaken without concern or complaint for past 117 years with care and duty by the organisation at all times'. Oxford

A&P considered the current wording of the proposed definition restricts ongoing activities. Oxford A&P requested the proposed definition be amended as follows:

"means the use of land and buildings for training, exercising, riding or showing of horses for recreational or competitive purposes, and may include (but is not necessarily limited to) and whether a charge is made for admission or participation or not.

...

*f. short term grazing of horses (horses arrive for shows 2-3 days prior to an event)
e. h. the use of land and buildings for keeping, grazing, training and exercising of horses where this is ancillary to residential activity on the same site.*

but excludes:

f. major sports facility; (any event that can be accommodated should be allowed on private property)

g. the grazing of horses on District Council land;

h. f. the use of land and buildings for keeping, grazing, training and exercising of horses where this is ancillary to residential activity on the same site. (Dressage Arena is available for public use)"

76. There was one further submission in support, from the Oxford-Ohoka Community Board [FS 62] who commented that the Oxford A&P Showgrounds is privately owned and considered that 'the way that the current plan is worded would limit their ability to operate as required and would restrict community activity in the area'.

3.2.2.2 Assessment

77. The definition was originally drafted to reflect activities currently occurring in the OSRZ, but as the definition would apply district-wide it was later amended prior to plan notification to exclude other activities not intended to be included, particularly the keeping, grazing, training and exercising of horses in 'domestic settings' (I discuss this further below). This is relevant, as the Oxford A&P Showgrounds does not lie within the OSRZ (nor does the Rangiora A&P Showgrounds). The Oxford A&P Showgrounds is proposed to be zoned General Residential, and the Rangiora A&P Showgrounds (also privately owned) is proposed to be zoned Rural Lifestyle in the Proposed Plan. Both showgrounds are provided for under these zones, and the permitted activities include 'equestrian and ancillary activities and facilities'.
78. There are some aspects of the requested relief that I agree with.
79. I recommend inclusion of the phrase 'and whether a charge is made for admission or participation or not' in the first part of the proposed definition, as it reflects the activities managed by Oxford A&P and will aid interpretation and provide greater certainty.
80. I also recommend adding 'dressage arenas' and 'short term grazing of horses prior to an event', which are complementary to the other activities intended to be provided for.
81. However, there are other aspects of the Oxford A&P submission that I do not agree with.
82. I consider the phrase (emphasis added) '**any** event that can be accommodated should be allowed on private property' to be vague and uncertain. It has also been requested to be added to the list of exclusions, however I am uncertain whether that was the intention. It would appear the submitter may have intended this to form part of the permitted activities,

but I consider that given the vagueness and uncertainty and scale of what could occur, this does not fit the requirements of a definition.

83. I do not recommend deletion of 'major sports facility'. This was listed amongst the list of exclusions as it was intended to signal that facilities of that scale were not intended to be included as part of 'equestrian and ancillary activities and facilities'. In part this is because the definition of 'major sports facility' includes 'equestrian race tracks'. It was intended that 'equestrian and ancillary activities and facilities' include activities at a 'lower' end of the scale (such as pony clubs). 'Equestrian race tracks' are considered at the 'higher' end of the scale and were instead intended to be included in the definition of 'major sports facility' which are proposed to be provided for in the SARZ. A reason why the submitter seeks deletion of 'major sports facility' from the exclusions may be because this term includes 'show grounds'. If that is the case, I recommend a consequential amendment to the definition of 'major sports facility' to delete reference to 'show grounds'.
84. I do not support deleting from the list of exclusions, 'the use of land and buildings for keeping, grazing, training and exercising of horses where this is ancillary to residential activity on the same site'. The purpose of the exclusion was so that the definition and associated rules did not capture the keeping, grazing, training and exercising of horses in a private, domestic setting such as a lifestyle block or a farm. Deleting the exclusion would result in the definition being applied to domestic settings, but this was not the intended scope of the definition. I have, however, recommended an amendment to clarify this distinction.
85. I do not support the requested deletion of the phrase 'the grazing of horses on District Council land'. There are proposed rules in the NOSZ and OSZ providing for grazing on District Council land where this is carried out under a grazing licence issued by the District Council, which already occurs. This is intended to be treated separately to 'equestrian and ancillary activities and facilities'. I have, however, recommended an amendment to clarify this distinction.

3.2.2.3 *Summary of recommendations*

86. Based on the above, I recommend the definition of 'equestrian and ancillary activities and facilities' be amended in the manner shown in Appendix A, along with a consequential amendment to the definition of 'major sports facility', also shown in Appendix A.
87. The recommended responses to the submission and further submission relating to the definition of 'equestrian and ancillary activities and facilities', are summarised in Table G1 in Appendix G and reflects my assessment above.
88. The recommendations in Table G1 in Appendix G should be read in conjunction with Appendix A.
89. Based on the evaluation and recommended amendments, I recommend the following submission point be **accepted in part**:
- a. Oxford A&P Association [146.2].

3.2.2.4 Section 32AA evaluation

90. In my opinion, the recommended amendments to the definition of 'equestrian and ancillary activities and facilities' provide clarity as to its meaning and application, which will assist in achieving the objectives of the Proposed Plan better than the notified definition. I consider the recommended amendments will provide greater scope, clarity and certainty, and will be more effective than the notified provision.

3.2.3 Definition of Open Space and Recreation Zones

3.2.3.1 Matters raised by submitters and further submitters

91. There was one submission point from Forest and Bird [192.24] on the definition of 'open space and recreation zones'. Forest and Bird oppose the definition as they do not consider the definition recognises natural open space as an important zone type. Forest and Bird request deletion of the definition and specification of each zone type. There were no related further submissions.

3.2.3.2 Assessment

92. I do not support this submission as I consider the relief sought unnecessary. The purpose of the definition was to specify what zones are being referred to in the Proposed Plan as 'open space and recreation zones' – i.e., the Natural Open Space Zone, Open Space Zone, and Sport and Active Recreation Zone. This was so that when referring to all of these zones, the phrase 'open space and recreation zones' could be used instead of having to list all three zones individually and in full. In other words, it was a more efficient way of plan drafting. The definition (which is hyperlinked so any time it is used it is easy to see what the term means) already specifies each zone type. The purpose of each zone, including the NOSZ, is set out in the first paragraph of each of the OSRZ chapters, and are generally as per the National Planning Standards.

3.2.3.3 Summary of recommendations

93. Based on the above, I recommend the definition of 'open space and recreation zones' be retained as notified.
94. I recommend the following submission point be **rejected**:
- a. Royal Forest and Bird Protection Society of NZ Inc. [192.24].

3.2.4 Definition of Public Amenities

3.2.4.1 Matters raised by submitters and further submitters

95. There were four submission points on the definition of 'public amenities'. The full text of the definition is shown in Appendix A.
96. Two submission points were from Te Kohaka o Tūhaitara Trust [113.12 and 113.13], the latter point lodged against Coastal Environment rule CE-R2 but is dealt with here as it specifically relates to that part of the NOSZ that includes Tūhaitara Coastal Park.
97. The other two submission points were from Forest and Bird [192.25], which attracted a further submission from Waka Kotahi NZ Transport Agency [FS 110], and a submission point from Federated Farmers [414.15].

Te Kohaka o Tūhaitara Trust

98. The Tūhaitara Trust requested reference to 'visitor information centre' be deleted from the definition. Tūhaitara Trust advised a visitor information centre could be established within Tūhaitara Coastal Park in the future. The NOSZ includes built form standard NOSZ-BFS1 relating to 'coverage' and under this the maximum permitted coverage is 75m² which the Tūhaitara Trust consider is unduly restrictive (the Tūhaitara Trust has submitted separately on NOSZ-BFS1.) The Tūhaitara Trust requests 'visitor information centres' be deleted from the definition of 'public amenities' to 'allow a visitor information centre within the Tūhaitara Coastal Park under NOSZ-BFS1'.

Forest and Bird

99. Forest and Bird sought deletion of 'walking and cycling paths' from clause h. of the definition. Forest and Bird consider the definition refers predominantly to structures and thought it was unclear whether all cycle and walk ways would be considered a structure. 'Public amenities' are proposed as a permitted activity in all of the OSRZ. Forest and Bird consider cycle and walk ways can be quite large and can have significant adverse effects and therefore should not be included in the definition.
100. This was opposed in a further submission from Waka Kotahi NZ Transport Agency [FS 110]. Waka Kotahi considers that cycleways and walkways would, depending on their formation, comply with the definition of a 'structure', and as such they may also provide amenity and assist the public, and would therefore also comply with the notified definition of 'public amenities'.

Federated Farmers

101. Federated Farmers were concerned that the definition of 'public amenities' could imply that amenities on private land which assist the public also become public amenities, and requested the definition be amended to clarify it only applied to public land, as follows:

"means public land and buildings or other structures on that land used to provide amenity and assist the public. ..."

3.2.4.2 Assessment*Te Kohaka o Tūhaitara Trust*

102. The definition of 'public amenities' was originally intended to provide for a range of facilities typically found in open space and recreation zones. It is a way of providing for the range of facilities listed in the definition under one rule, rather than writing separate rules for each component of the definition. This makes for more efficient plan drafting. The proposed definition is also generally consistent with that used in all of the Open Space Zones in the operative Christchurch District Plan, including the Open Space Natural Zone, and that definition also includes visitor information centres, so provides some cross-boundary consistency. While the definition was originally drafted to reflect activities currently occurring in the OSRZ, it is applicable for use in other zones; this term is used in 16 zone and district-wide chapters of the Proposed Plan.
103. Deletion of 'visitor information centres' from the definition of 'public amenities' would not necessarily 'allow' a visitor information centre within the Tūhaitara Coastal Park which forms

part of the NOSZ. Outside of rule NOSZ-R10 which provides for 'public amenities', the only other rule in the NOSZ chapter that could provide for a visitor information centre would be rule NOSZ-R2 which provides for (in summary) the construction and alteration of any building or other structure. However, activities provided for under NOSZ-R10 or NOSZ-R2 as permitted activities are still subject to compliance with the Built Form Standards for the zone. Non-compliance with the NOSZ rules and/or built form standards would require resource consent as a discretionary activity. Some control on the bulk of buildings and coverage by buildings in the NOSZ is important as the purpose of the zone is 'to retain the natural environment'. In the absence of any other applicable permitted activity rule in the NOSZ, a visitor information centre would be a discretionary activity under rule NOSZ-R22. My recommended amendments to NOSZ-BFS1 Coverage in section 3.6.2 of this report may help alleviate the concerns of Tūhaitara Trust regarding maximum permitted building coverage.

Forest and Bird

104. The RMA defines a structure as (in summary) 'any building, equipment, device or other facility made by people and which is fixed to land'. In my view, some aspects of cycle and walk ways would clearly fall within the RMA definition of 'structure', such as concrete or sealed paths, sections of cycle and walk ways that are boarded, or bridges. It may be debatable as to whether unsealed cycle and walking trails fall within the RMA definition of 'structure', however in my view they can as they are a 'facility made by people' and their formation facilitates access for recreation. On this basis I consider cycle and walk ways are 'structures'.
105. As I stated above, the definition of 'public amenities' was originally intended to provide for a range of facilities typically found in open space and recreation zones. It is a way of providing for the range of facilities listed in the definition under one rule, rather than writing separate rules for each component of the definition. This makes for more efficient plan drafting. The proposed definition is generally consistent with that used in all of the Open Space Zones in the operative Christchurch District Plan, including the Open Space Natural Zone, that definition also includes cycle and walk ways, so provides some cross-boundary consistency. However, the definition is applicable for use in other zones; this term is used in 16 zone and district-wide chapters of the Proposed Plan.
106. I agree that cycle and walk ways may have adverse effects depending on location, extent and construction. However, they are facilities typically found in open space and recreation zones, and contribute positively to access, recreation and enjoyment.
107. I agree with Waka Kotahi that cycle and walk ways may make a positive contribution to amenity and do assist the public.
108. I therefore do not recommend the deletion of 'walking and cycling paths' from the definition.

Federated Farmers

109. The submitter makes an interesting interpretation. I am unclear what amenities on private land, presumably provided for and owned by a private landowner, would assist the general public. If they were in private ownership, in my view they would be private amenities not public amenities. I do not anticipate the general public to have freedom of access to private land. If the amenities were not normally accessible to the public, in my view they would not

be public amenities. The third paragraph at the beginning of the OSRZ chapter (see Appendix B) states the OSRZ generally only include (emphasis added) **public** land. I consider the term (emphasis added) '**public** amenities' implies amenities on public land.

110. However, I agree the requested amendments may help provide clarification for the avoidance of any doubt and I recommend these be adopted.

3.2.4.3 *Summary of recommendations*

111. Based on the above, I recommend the definition of 'public amenities' be amended in the manner shown in Appendix A.

112. The recommended responses to the submissions and further submission relating to the definition of 'public amenities', are summarised in Table G1 in Appendix G and reflect my assessment above.

113. The recommendations in Table G1 in Appendix G should be read in conjunction with Appendix A.

114. Based on the evaluation and recommended amendments, I recommend the following:

- a. That the following submission point be **accepted**:
 - i. Federated Farmers of NZ Inc. [414.15]; and
- b. That the following submission points be **rejected**:
 - i. Te Kohaka o Tūhaitara Trust [113.12 and 113.13]; and
 - ii. Royal Forest and Bird Protection Society of NZ Inc. [192.25].

3.2.4.4 *Section 32AA evaluation*

115. In my opinion, the recommended amendments to the definition of 'public amenities' provide clarity to its meaning and application, which will assist in achieving the objectives of the Proposed Plan better than the notified definition. I consider the recommended amendments will provide greater scope and clarity and will be more effective than the notified provision.

3.3 **General OSRZ Matters**

3.3.1 ***Matters raised by submitters and further submitters***

116. Six submission points were lodged in relation to OSRZ but did not relate to a specific provision. Three of these submission points each attracted five opposing further submissions.

Rangiora-Ashley Community Board

117. Three submission points were lodged by the Rangiora-Ashley Community Board [148.19, 148.20 and 148.21]. Each submission point supported the OSRZ in general and wished to retain the provisions of the OSRZ as notified. There were no further submissions.

Rolleston Industrial Developments Ltd

118. Three submission points were lodged by RIDL [160.14, 160.15 and 160.16]. Each submission point supported the OSRZ in general and wished to retain the provisions of the OSRZ as notified.
119. Each of the three submission points by RIDL attracted five further submissions, from the following:
- a. Oxford-Ohoka Community Board [FS 62];
 - b. Ohoka Residents Association [FS 84];
 - c. David and Elaine Brady [FS 130];
 - d. Jan Hadfield [FS 132]; and
 - e. Emma Wood [FS 136].
120. The further submitters, in summary, opposed the submission by RIDL in its entirety and sought that the development proposed at Ohoka by RIDL does not proceed.

3.3.2 Assessment*Rangiora-Ashley Community Board*

121. These three submission points are supportive of the OSRZ in general and there were no further submissions. I recommend these submission points be accepted in part, as the provisions of the OSRZ are recommended to be retained, except to the extent to which they may be amended by decisions on other submissions.

Rolleston Industrial Developments Ltd

122. The three submission points by RIDL are supportive of the OSRZ in general.
123. While each of these submission points attracted five opposing further submissions, the opposition was not because of what RIDL was seeking in the Proposed Plan with regard to the OSRZ, but because of a separate private plan change by RIDL for residential development at Ohoka (Private Plan Change 31) which has attracted considerable opposition.
124. I recommend the three submission points by RIDL be accepted in part, as the provisions of the OSRZ are recommended to be retained, except to the extent to which they may be amended by decisions on other submissions.
125. However, I recommend that each of the five opposing further submissions lodged against each of the three submission points by RIDL be rejected, as the reason for opposition is not relevant to the OSRZ.

3.3.3 Summary of recommendations

126. Based on the above, I recommend that the provisions of the OSRZ be retained, except to the extent to which they may be amended by decisions on other submissions.
127. The recommended responses to submissions and further submissions relating to General OSRZ matters, are summarised in Table G2 in Appendix G, and reflect my assessment above.
128. Based on the evaluation, I recommend the following:
- a. That the following submission points be **accepted in part**:

- i. Rangiora-Ashley Community Board [148.19, 148.20 and 148.21]; and
- ii. Rolleston Industrial Developments Ltd [160.14, 160.15 and 160.16].

3.4 Objectives

129. There are five objectives in the Proposed Plan as notified that relate to the OSRZ. Two of these are General Objectives that apply to all of the OSRZ: OSRZ-O1 and OSRZ-O2 (see Appendix B). There is also one objective for each of the NOSZ, OSZ, and SARZ (see Appendices C, D and E, respectively).

130. There were a total of six submission points and four further submission points lodged relating to outcomes sought in respect of objectives for the OSRZ.

3.4.1 ***NOSZ-O1 – Predominant character, amenity values, role and function of the NOSZ***

3.4.1.1 *Matters raised by submitters and further submitters*

131. Two submission points and one further submission were lodged with respect to objective NOSZ-O1 (see Appendix C).

132. One submission point was lodged by Canterbury Regional Council [316.177] seeking to add an additional clause relating to 'natural landscapes and features' as ECan considered these may be a feature of the NOSZ.

133. One submission point was lodged by the Department of Conservation [419.142] in support of NOSZ-O1 and seeking it be retained as notified. This was supported in a further submission from Forest and Bird [FS 78] who considered the relief sought by DoC to be 'in accordance with the requirements of the RMA'.

3.4.1.2 *Assessment*

Canterbury Regional Council

134. I consider the amendment sought by ECan to be unnecessary. I consider the outcome sought by ECan is already be encapsulated in clause (1) of NOSZ-O1, which relates to 'undeveloped natural open spaces'. I also consider the outcome sought may create an overlap with the Natural Features and Landscapes chapter which may cause duplication and confusion.

Department of Conservation

135. No change is sought to the notified provision and the one further submission supports retention of the objective as notified. I agree.

3.4.1.3 *Summary of recommendations*

136. The recommended responses to the submissions and further submission relating to objective NOSZ-O1 are outlined in Table G3 in Appendix G and reflect my assessment above.

137. Based on the above, I recommend the following:
- a. Objective NOSZ-O1 be retained as notified;
 - b. The following submission point be **accepted**:

- i. Department of Conservation [419.142]; and
- c. The following submission point be **rejected**:
 - i. Canterbury Regional Council [316.177].

3.5 Rules

138. In the notified OSRZ, there are 25 proposed rules in the NOSZ, and 21 proposed rules in both the OSZ and SARZ (see Appendices C, D and E, respectively).
139. There was a total of 18 submission points lodged in respect of the notified OSRZ rules. Ten submission points were in relation to the NOSZ rules, four submission points were in relation to the OSZ rules, and four submission points were in relation to the SARZ rules.

3.5.1 Requested Amendments to NOSZ-R1, OSZ-R1 and SARZ-R1 – Any activity on a site listed in Appendix APP1

3.5.1.1 Matters raised by submitters and further submitters

140. Three submission points were lodged on NOSZ-R1 [221.19], OSZ-R1 [221.20] and SARZ-R1 [221.21] by House Movers Section of New Zealand Heavy Haulage Association (House Movers). House Movers wishes to amend each of these rules to include a clause to provide for moveable buildings, as follows:

"1. The activity complies with all built form standards (as applicable).

2. A building is moved:

a. It shall be fixed to permanent foundations within 2 months (unless being stored as a temporary activity); and

b. Reinstatement works to the exterior of the building shall be completed within 12 months, including connection to services, and closing in of the foundations.

c. A building pre-inspection report to accompany the application for a building consent for the destination site which identifies all reinstatement works that are to be completed to the exterior of the building and a certification by the property owner that the reinstatement works shall be completed within the specified [12] month period."

141. There were no further submissions.

3.5.1.2 Assessment

142. The purpose of rules NOSZ-R1, OSZ-R1 and SARZ-R1 is to provide only for residential activities existing before the Canterbury earthquakes which remain on the sites specified in

Appendix APP1 of the Proposed Plan that were 'red-zoned' following the Canterbury earthquakes.¹

143. From assessing House Movers submission, I believe the submission appears to incorrectly target rule 1 in each of the OSRZ, when in fact I believe that the submission really intends to target rule 2 in each of the OSRZ.
144. If this is the case, I believe this has arisen as the submission assumes that the first activity rule (rule 1) in all of the zones listed in the submission, is a rule requiring construction or alteration of buildings or other structures to comply with the zone built form standards. While this is the case in the other zones listed in the submission, in each of the OSRZ this rule is rule 2. I believe this situation has arisen because the submission generically targets the first activity rule in each zone.
145. This does not alter my overall conclusion regarding House Movers submission points as they relate to the OSRZ. Unlike the other zones listed in the submission, the OSRZ, for the most part, are not zones where built development is generally contemplated. Open space and recreation land is not land that has yet to be developed. The intent is that open space and recreation land remains (predominantly) for open space and recreation. In situations where built development is contemplated in the OSRZ, such as in the SARZ, this is mainly to support sport and recreation activities, but even then this is generally in specified locations or circumstances. Except where residential activity is ancillary to park management activities or conservation activities, relocation of houses is not consistent with the purposes and objectives of the OSRZ and may set a precedent for other activities that are not open space and recreation activities to seek to establish in the OSRZ.
146. In my view, the outcome sought House Movers would be better considered in relation to District-wide Temporary Activities rule TEMP-R6 which specifically concerns relocatable buildings and which House Movers has also submitted on.

3.5.1.3 Summary of recommendations

147. My recommended responses to the submission points on rules NOSZ-R1, OSZ-R1 and SARZ-R1 are outlined in Table G5 in Appendix G and reflect my assessment above.
148. Based on the above, I recommend rules NOSZ-R1, OSZ-R1 and SARZ-R1 (and NOSZ-R2, OSZ-R2 and SARZ-R2) be retained as notified.
149. I also recommend the following submission points be **rejected**:
- a. House Movers Section of New Zealand Heavy Haulage Association [221.19], [221.20] and [221.21].

¹ The Waimakariri Residential Red Zone Recovery Plan 2016 (WRRZRP) agreed between the Minister supporting Greater Christchurch Regeneration and the District Council was developed to identify long-term uses for residential areas in the District that were 'red zoned' after the 2010-2011 Canterbury earthquakes. It recognised remaining private residences and remains in force. There are four such sites in the NOSZ, two in the OSZ and one in the SARZ. While these lie within the OSRZ, under the WRRZRP they are to be managed under 'alternate' zone provisions specified in the relevant OSRZ rules.

3.5.2 Requested Amendments to NOSZ-R21 and SARZ-R18 – Emergency service facility

3.5.2.1 Matters raised by submitters and further submitters

150. Two submission points were lodged by Fire and Emergency NZ. FENZ wishes to amend the activity status of a new emergency service facility in the NOSZ [303.76] and SARZ [303.75] under rules NOSZ-R21 and SARZ-R18 from discretionary to restricted discretionary. FENZ wishes the exercise of the District Council's discretion to be restricted to the following:

- a. OSRZ-MCD1 – Boundary Setbacks
- b. OSRZ-MCD2 – Height
- c. OSRZ-MCD3 – Outdoor Storage
- d. OSRZ-MCD5 – Height in relation to boundary
- e. OSRZ-MCD7 – Scale and nature of the activity or facility
- f. OSRZ-MCD8 – Coverage
- g. OSRZ-MCD9 – Traffic generation and access

151. There were no further submissions.

3.5.2.2 Assessment

152. The purpose of the NOSZ is '*...to provide for areas where the natural environment is retained, and activities, buildings and other structures are compatible with the characteristics of the zone*'. This purpose is reflected in objective NOSZ-O1 and policy NOSZ-P1. Consequently, the NOSZ rules propose controls on the type and size of buildings and their location.

153. The purpose of the SARZ (emphasis added) is '*...to provide for areas used **predominantly** for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures*'. This purpose is reflected in objective SARZ-O1 and policy SARZ-P1. While the SARZ does contemplate a higher level of built development in certain locations or circumstances, there are still proposed to be controls on the location, type and size of buildings and other structures.

154. Open space and recreation land is not land that has yet to be developed. The intent is that open space and recreation land remains (predominantly) for open space and recreation. The proposed amendments are not consistent with the purposes of the NOSZ and SARZ and may set a precedent for other activities that are not open space and recreation activities to seek to establish in these zones.

155. Furthermore, I consider the matters over which discretion is proposed to be restricted are so broad as to effectively render the proposed amended rules a discretionary activity, which it already is for both zones in the Proposed Plan as notified.

156. There are a range of other zones where the Proposed Plan is relatively enabling of new emergency service facilities and, in my opinion, may be more appropriate for the outcome sought by FENZ. Consequently, not providing for emergency service facilities in the OSRZ does not mean such facilities could not be established elsewhere. For example, in the notified Proposed Plan an emergency service facility is a permitted activity (subject to compliance with any other relevant rules or standards) under the activity rules of the following zones:

- a. The following Commercial and Mixed Use Zones:
 - i. Local Centre Zone (rule LCZ-R3);
 - ii. Neighbourhood Centre Zone (rule NCZ-R3);
 - iii. Large Format Retail Zone (rule LFRZ-R7);
 - iv. Mixed Use Zone (rule MUZ-R3);
 - v. Town Centre Zone (rule TCZ-R6);
- b. The following Industrial Zones:
 - i. Light Industrial Zone (rule LIZ-R8);
 - ii. General Industrial Zone (rule GIZ-R8);
- c. The following Special Purpose Zones:
 - i. Special Purpose Zone (Hospital) (rule SPZ(HOS)-R2);
 - ii. Parts of the Special Purpose Zone (Kainga Nohoanga) (rule SPZ(KN)-R21);
 - iii. Special Purpose Zone (Kaiapoi Regeneration) (rule SPZ(KR)-R19); and
 - iv. Special Purpose Zone (Museum and Conference Centre) (rule SPZ(MCC)-R5).

3.5.2.3 Summary of recommendations

157. My recommended responses to the submissions on rules NOSZ-R21 and SARZ-R18 are outlined in Table G5 in Appendix G and reflect my assessment above.
158. Based on the above, I recommend rules NOSZ-R21 and SARZ-R18 be retained as notified.
159. I also recommend the following submission points be **rejected**:
- a. Fire and Emergency NZ [303.75] and [303.76].

3.5.3 NOSZ-R11 – Office ancillary to park management activities or conservation activities

3.5.3.1 Matters raised by submitters and further submitters

160. One submission point was lodged on rule NOSZ-R11 by Te Kohaka o Tūhaitara Trust [113.18]. The full text of the rule is shown in Appendix C. The Tūhaitara Trust opposes NOSZ-R11 due to its complexity when considered in conjunction with built form standard NOSZ-BFS1 Coverage, and also considers NOSZ-R11(2) complicated, with no clear connection to management of environmental effects. The Tūhaitara Trust suggests NOSZ-BFS1 be solely applicable to the Tūhaitara Coastal Park. The Tūhaitara Trust considers rules should be fit for purpose of the Tūhaitara Coastal Park, not generic. The Tūhaitara Trust seeks the deletion of NOSZ-R11(2), which refers to combined GFA. There were no further submitters.

3.5.3.2 Assessment

161. The purpose of the NOSZ is *'...to provide for areas where the natural environment is retained, and activities, buildings and other structures are compatible with the characteristics of the zone'*. Therefore, control on the type and coverage of buildings is appropriate and consistent with the zone purpose.

162. The NOSZ is not limited to Tūhaitara Coastal Park. As outlined in the Introduction to the NOSZ chapter (see Appendix C), and as can be seen from the Proposed Plan map, there are many other parts of the District that are zoned NOSZ. Therefore, I consider it would be inappropriate to limit the rule to only Tūhaitara Coastal Park.
163. Commenting on NOSZ-BFS1 here is not entirely relevant as the submission was made on rule NOSZ-R11 and not the built form standard, and the Tūhaitara Trust has submitted separately on NOSZ-BFS1. My recommended amendments to NOSZ-BFS1 in section 3.6.2 of this report may help alleviate the concerns of Tūhaitara Trust regarding maximum permitted building coverage.
164. However, I agree there is a duplication between clause (2) of rule NOSZ-R11 and built form standard NOSZ-BFS1 and I recommend that clause (2) of NOSZ-R11 be deleted.

3.5.3.3 Summary of recommendations

165. Based on the above, I recommend that clause (2) of rule NOSZ-R11 be deleted in the manner shown in Appendix C.
166. My recommended response to the submission and further submission relating to NOSZ-R11 is outlined in Table G5 in Appendix G and reflects my assessment above.
167. The recommendations in Table G5 in Appendix G should be read in conjunction with Appendix C.
168. Based on the evaluation and recommended amendment, I recommend the following submission point be **accepted in part**:
- a. Te Kohaka o Tūhaitara Trust [113.18].

3.5.3.4 Section 32AA Evaluation

169. In my opinion, the recommended amendment to rule NOSZ-R11 is more appropriate in achieving the objectives of the Proposed Plan than the notified rule. It will remove an unintended duplication between the rule and built form standard NOSZ-BFS1. I consider the recommended amendment will provide greater clarity and will be more effective than the notified provision.

3.5.4 NOSZ-R13 – Planting of vegetation

170. There were three submissions points and two further submissions lodged in respect of rule NOSZ-R13. The full text of the notified rule is shown in Appendix C.

3.5.4.1 Matters raised by submitters and further submitters

Te Kohaka o Tūhaitara Trust

171. One submission point was lodged by Te Kohaka o Tūhaitara Trust [113.9]. The Tūhaitara Trust oppose rule NOSZ-R13(1) as it precludes plantation forestry. The Tūhaitara Trust consider plantation forestry is an important existing activity within the Tūhaitara Coastal Park as it provides for recreational opportunities, ground stabilisation, protection from coastal hazards, groundwater level maintenance, income, and carbon sequestration potential, and should therefore be provided for. Tūhaitara Trust seek the deletion of NOSZ-R13(1), the insertion of a new controlled activity rule to provide for existing forestry in

Tūhaitara Coastal Park, a new restricted discretionary activity rule for when the controlled activity rule is not met (which I assume would be for expansion of plantation forestry beyond areas used for existing forestry, or for 'new' plantation forestry), and related new matters of control or discretion. The full text of the requested new provisions is shown in Table G5 in Appendix G.

172. This was opposed in a further submission from the Department of Conservation [FS 77]. DoC considers if plantation forestry is to be located within the NOSZ the activity status should be discretionary.

Canterbury Regional Council

173. One submission point was lodged by Canterbury Regional Council [316.178]. ECan considers rule NOSZ-R13(3) should also permit planting of vegetation for hazard mitigation such as erosion control. ECan seeks that NOSZ-R13(3) be amended to include planting for hazard mitigation purposes. There were no further submissions.

Department of Conservation

174. One submission point was lodged by the Department of Conservation [419.145]. DoC supports rule NOSZ-R13 and seeks that it be retained as notified.
175. This was supported in a further submission from Forest and Bird [FS 78] who considered the relief sought by DoC to be 'in accordance with the requirements of the RMA'.

3.5.4.2 Assessment

Te Kohaka o Tūhaitara Trust

176. Tūhaitara Coastal Park occupies approximately 700ha along an approximately 10.5km length of the District's coast and is administered by Tūhaitara Trust. Activities include recreation, conservation and education, along with existing plantation forestry. There is a management plan for the park, under which there is a 200 year plan to rehabilitate the park to an indigenous coastal ecosystem. In the interim, plantation forestry remains an income source for Tūhaitara Trust.
177. The purpose of the NOSZ is '*...to provide for areas where the natural environment is retained, and activities, buildings and other structures are compatible with the characteristics of the zone*'.
178. Given the zone purpose 'to retain the natural environment', the NOSZ is arguably the most sensitive of the three OSRZ. Consequently, the purpose of NOSZ-R13 is to control the type of any vegetation planted. In summary, in the first instance this is to be locally-sourced indigenous vegetation. Alternatively, indigenous vegetation of a non-local origin, or exotic vegetation, may be used but only in certain circumstances as set out in the rule.
179. Nationally, plantation forestry is generally to be administered under the Resource Management (National Environmental Standard on Plantation Forestry) Regulations 2017. The NESPF is relatively enabling of plantation forestry, however there are some situations where district plans may be more restrictive than the NESPF, as set out in section 6 of the NESPF. These include to give effect to the New Zealand Coastal Policy Statement 2010, or where outstanding natural features and landscapes, significant amenity landscapes or significant natural areas are identified.

180. The Proposed Plan definition for 'plantation forestry' references the NESPF definition for 'plantation forestry'² which includes 'all associated forestry infrastructure'.³
181. Clause (1) of NOSZ-R13 states planting is not to be for plantation forestry. Tūhaitara Trust has requested clause (1) be deleted. I appreciate this is because Tūhaitara Trust wish to insert an alternative rule framework to provide for plantation forestry in Tuhaitara Coastal Park. I agree clause (1) of NOSZ-R13 should be deleted, but for a different reason than that put forward by Tūhaitara Trust. The circumstances described in NOSZ-R13 in which exotic vegetation may be planted in the NOSZ, as I outlined above, do not provide for plantation forestry anyway, therefore I do not consider clause (1) to be necessary. I therefore agree with the submission to the extent that clause (1) should be deleted.
182. I acknowledge that NOSZ-R13 precludes **new** plantation forestry. This was the intent. I do not consider the establishment of **new** plantation forestry in the NOSZ including **new** associated forestry infrastructure would be consistent with the purpose of the NOSZ. The NOSZ is not limited to Tūhaitara Coastal Park. As outlined in the Introduction to the NOSZ chapter (see Appendix C), and as can be seen from the Proposed Plan map, there are many other parts of the District that are zoned NOSZ. The interests of Tūhaitara Trust and Tūhaitara Coastal Park have to be balanced against the need to 'retain the natural environment' of the whole zone in accordance with the zone purpose.
183. While Tūhaitara Coastal Park lies within the NOSZ, it is also overlain by the Coastal Environment Overlay. Accordingly, as I alluded to earlier, under the NESPF the Proposed Plan can be more restrictive than the NESPF with respect to **new** plantation forestry within the coastal environment, to give effect to the NZCPS.
184. I note from the s42A report by Mr Peter Wilson on the Coastal Environment chapter, that he has recommended proposed rule CE-R4 in the Proposed Plan be amended to make plantation forestry a non-complying activity within the Coastal Environment Overlay. If that recommendation is adopted, this would mean that **new** plantation forestry in Tūhaitara Coastal Park would be a non-complying activity under rule CE-R4. I agree with this position

² NESPF definition of plantation forestry: plantation forest or plantation forestry means a forest deliberately established for commercial purposes, being—

(a) at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and

(b) includes all associated forestry infrastructure; but

(c) does not include—

- i. a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or
- ii. forest species in urban areas; or
- iii. nurseries and seed orchards; or
- iv. trees grown for fruit or nuts; or
- v. long-term ecological restoration planting of forest species; or
- vi. willows and poplars space planted for soil conservation purposes

³ NESPF definition of forestry infrastructure: structures and facilities that are required for the operation of the forest, including forestry roads, forestry tracks, river crossings, landings, fire breaks, stormwater and sediment control structures, and water run-off controls.

- because, as I outlined above, I do not consider **new** plantation forestry to be consistent with the purpose of the NOSZ.
185. I therefore do not support the new restricted discretionary rule requested by Tūhaitara Trust for **new** plantation forestry in Tūhaitara Coastal Park.
186. In the absence of any other NOSZ rule, under NOSZ-R22 **new** plantation forestry in the NOSZ would be a discretionary activity. I recognise that this position is generally more restrictive than that prescribed by the NESPF. However, given the zone purpose to 'retain the natural environment', I still consider this would be appropriate, and is supported by the further submission from DoC which seeks discretionary activity status for plantation forestry in the NOSZ.
187. I also realise that discretionary activity status for **new** plantation forestry under NOSZ-R22 is inconsistent with the recommended non-complying activity status for plantation forestry under proposed Coastal Environment Overlay rule CE-R4.
188. However, I consider it unlikely any potential conflict or tension between different parts of the Proposed Plan or NESPF will arise from this.
189. In my opinion, and as can be seen on the Proposed Plan Map, the two largest areas of the NOSZ where it may be most feasible in terms of land area to establish **new** plantation forestry, may be in the Tūhaitara Coastal Park in the east of the District, and in the Puketeraki range in the west of the District. Other parts of the NOSZ in the part of the District in between these two relatively large NOSZ areas, are much smaller areas of the NOSZ that in my opinion would unlikely be suited to plantation forestry due to their relatively small size. The vast majority of the land between these two relatively large NOSZ areas is zoned General Rural Zone in the Proposed Plan, where 'primary production' which includes forestry is a permitted activity.
190. While a large part of the Puketeraki range in the west of the District lies within the NOSZ, it is also overlain by the Outstanding Natural Landscape Overlay. As I alluded to earlier, an Outstanding Natural Landscape is also an area under the NESPF where the Proposed Plan can be more restrictive than the NESPF with respect to **new** plantation forestry. I also note that plantation forestry is proposed to be a non-complying activity under rule NFL-R13.
191. Under the RMA, where an activity requires resource consent under multiple plan provisions, the highest activity status applies. In this context, if **new** plantation forestry was proposed in a part of the NOSZ that was also under either the Coastal Environment Overlay or Outstanding Natural Landscape Overlay, under a combination of either NOSZ-R22 and CE-R4, or NOSZ-R22 and NFL-R13, the overall activity status would be non-complying. The Coastal Environment and an Outstanding Natural Landscape are areas under the NESPF where the Proposed Plan can be more restrictive than the NESPF with respect to **new** plantation forestry.
192. I also note that the NESPF does not apply to forest that was not deliberately established for commercial purposes or is less than 1ha in size, or to forest species in urban areas. The NESPF defines 'urban areas' as including 'an area identified in a district plan or proposed district plan as being primarily zoned for residential, industrial, or commercial activities, together with adjoining special-purpose and open-space zones'. For these reasons, I consider the NESPF would likely not apply to the much smaller areas of the NOSZ I refer to

- above in between the Puketeraki range in the west and Tūhaitara Coastal Park in the east of the District.
193. I question whether the new controlled activity rule requested by Tūhaitara Trust is needed to the **existing** plantation forestry in Tūhaitara Coastal Park.
194. In my view, **existing** plantation forestry in Tūhaitara Coastal Park - which under the NESPF definition includes harvesting and replanting, and presumably including that being carried out by Tūhaitara Trust in Tūhaitara Coastal Park - would be allowed to continue provided it has existing use rights under section 10 of the RMA.
195. I appreciate Tūhaitara Trust may prefer a rule framework rather than rely on existing use rights which may be difficult to prove particularly for a cyclical activity, like forestry.
196. However, the NESPF definition of afforestation includes '*...where plantation forestry harvesting has not occurred within the last 5 years...*'. This implies that existing use rights for **existing** plantation forestry would cease 5 years after harvest, which is well in excess of the 12 months cease period under section 10 of the RMA. This is likely due to the technical requirements for replanting, such as post harvesting works, replanting preparation works, and seasonal and market considerations for replanting.
197. I therefore consider that existing use rights would likely apply to the full cycle of plantation forestry and not be limited to the time between planting and harvesting and the 12 months following harvesting.
198. I note that the author of the s42A report for the Natural Features and Landscapes chapter, Ms Shelley Milosavljevic, has expressed a similar view on this matter in her right of reply to the Hearing Panel.
199. On balance, I therefore do not consider the new controlled activity rule requested by Tūhaitara Trust is necessary with regards the **existing** plantation forestry in Tūhaitara Coastal Park.
200. The position I have reached as outlined above is also generally consistent with that in the Open Space Natural Zone in the operative Christchurch District Plan, where 'existing forestry' is a permitted activity and (new) 'plantation forestry' is a discretionary activity.
201. I do not consider there is scope to make plantation forestry a non-complying activity in those parts of the NOSZ where the NOSZ is overlain by the Coastal Environment or Outstanding Natural Landscape Overlays, as no submissions or further submissions on the NOSZ chapter have asked for this. Also, no submissions or further submissions on the NOSZ chapter have sought that the NOSZ provisions be more permissive of plantation forestry, outside of Tūhaitara Coastal Park.
- Canterbury Regional Council*
202. I agree with the submitter. I recommend rule NOSZ-R13 be amended to include planting for erosion control and natural hazard mitigation.

203. In addition, I note the proposed definition for 'conservation activities' – a permitted activity under rule NOSZ-R4 - also provides for 'conservation and restoration planting' and 'planting for stormwater treatment, erosion and coastal protection, and carbon sequestration'.⁴

Department of Conservation

204. This submission point is supportive of the notified rule. I recommend this submission point be accepted in part, as rule NOSZ-R13 is recommended to be retained, except to the extent to which it may be amended by decisions on other submissions.

3.5.4.3 Summary of recommendations

205. Based on the above, I recommend that rule NOSZ-R13 be amended in the manner shown in Appendix C.
206. My recommended responses to the submissions and further submissions on NOSZ-R13 is outlined in Table G5 in Appendix G and reflects my assessment above.
207. The recommendations in Table G5 in Appendix G should be read in conjunction with Appendix C.
208. Based on the evaluation and recommended amendment, I recommend:
- a. The following submission point be **accepted**:
 - i. Canterbury Regional Council [316.178]; and
 - b. The following submission points be **accepted in part**:
 - i. Te Kohaka o Tūhaitara Trust [113.9]; and
 - ii. Department of Conservation [419.145].

3.5.4.4 Section 32AA Evaluation

209. In my opinion, the recommended amendments to rule NOSZ-R13 are more appropriate in achieving the objectives of the Proposed Plan than the notified rule. I consider the recommended amendments will provide clarity to the rule and will be more effective than the notified provision.

3.5.5 NOSZ-R20 – Removal of a building or other structure

3.5.5.1 Matters raised by submitters and further submitters

210. One submission point was lodged by Te Kohaka o Tūhaitara Trust [113.7] on rule NOSZ-R20. The Tūhaitara Trust opposes the controlled activity resource consent requirement for removal of a building or structure within the NOSZ, given the Tūhaitara Trust 'already manages Tuhaitara Coastal Park appropriately under a Management Plan and small scale activities, such as removing fences, seats, boardwalks or footbridges, would be unreasonably caught by this rule'. Tūhaitara Trust requests deletion of NOSZ-R20. There were no further submissions.

⁴ I understand the matter of carbon forestry will be addressed in the Rural chapter hearing.

3.5.5.2 Assessment

211. The purpose of the NOSZ is '*...to provide for areas where the natural environment is retained, and activities, buildings and other structures are compatible with the characteristics of the zone*'. Demolition and removal of buildings or other large structures has the potential to generate adverse effects on the natural environment, such as through disturbance by heavy vehicles, failure to remove demolition material from the site and dispose of it at an approved dump site, failure to carry out site reinstatement, and disruption of existing activities. However, it was not the intention to capture small scale activities, and I consider it may be difficult to create a rule that effectively achieves a realistic, practical distinction between 'large' and 'small' scale demolition and removal. I also note that there are relatively limited existing buildings and other structures within the NOSZ, and there are likely to be relatively limited additional new buildings or other structures. Also, the Tūhaitara Coastal Park part of the NOSZ is under the management of the Tūhaitara Trust, with the rest/majority of the NOSZ generally in public ownership/management. As such, adverse effects related to this activity are likely to be minor. I therefore agree with the submitter and recommend the rule be deleted.
212. In addition, as the related Matter of Control or Discretion OSRZ-MCD12 'Removal of buildings or other structures' is not used in any other OSRZ rule, I also recommend a consequential amendment deleting OSRZ-MCD12, along with other consequential amendments to delete references to where OSRZ-MCD12 is referred to, and to delete references to matters of 'control' as rule NOSZ-R20 was the only controlled activity rule in the OSRZ.

3.5.5.3 Summary of recommendations

213. Based on the above, I recommend the following amendments in the manner shown in Appendices C and F:
- a. That rule NOSZ-R20 be deleted; and
 - b. Consequential amendments involving:
 - i. The deletion of matter of control or discretion OSRZ-MCD12;
 - ii. The deletion of references to OSRZ-MCD12; and
 - iii. The deletion of references to 'control' in the Matters of Control or Discretion for all OSRZ.
214. My recommended responses to the submission point on NOSZ-R20 are outlined in Table G5 in Appendix G and reflect my assessment above.
215. The recommendation in Table G5 in Appendix G should be read in conjunction with Appendices C and F.
216. Based on the evaluation and recommended amendment, I recommend the following submission point be **accepted**:
- a. Te Kohaka o Tūhaitara Trust [113.7].

3.5.5.4 Section 32AA Evaluation

217. In my opinion, the recommended amendments to rule NOSZ-R20 are more appropriate in achieving the objectives of the Proposed Plan than the notified rule. I consider the recommended amendments will remove an unnecessary rule and will be more effective than the notified provision.

3.5.6 OSZ-R12 – Cultural facility

3.5.6.1 Matters raised by submitters and further submitters

218. One submission point was lodged by Rangiora and Districts Early Records Society [255.1]. The submitter was concerned that the OSZ rules have the potential to affect the operations of the Rangiora Museum. The submitter requested clarification of the implications of these rules for Rangiora Museum on Good Street reserve, Rangiora, given the District Council owns the site. There were no further submissions.

3.5.6.2 Assessment

219. For clarification, the intent of the rule is to recognise existing 'cultural facilities' within the OSZ specified in the rule and provide for them, and potentially provide for new 'cultural facilities' within the OSZ but only in specified locations. In general, there are controls on the type and size of buildings on open space and recreation land and the circumstances of their proposed establishment, so that open space and recreation land remains (predominantly) for open space and recreation.
220. The proposed provisions provide for the existing Museum in its current location. In the absence of these proposed provisions, should the existing Museum remain on its current site, it may still be 'protected' provided it has existing use rights under section 10 of the RMA, but the rule is intended to provide greater certainty.
221. However, if the Museum wished (for example) to expand the existing building, it would be subject to compliance with the applicable built form standards, otherwise a resource consent may be required. If the Museum proposed to relocate to a different site within the OSZ or any other zone, it would be subject to compliance with the applicable rules and built form standards or a resource consent may be required. Or, if the Museum or other entity wished to use the existing building for a completely different activity, it would be subject to compliance with the applicable rules or a resource consent may be required.

3.5.6.3 Summary of recommendations

222. Since the submitter sought clarification only, no recommendation is proposed.

3.6 Built Form Standards

223. The NOSZ, OSZ and SARZ each have six built form standards relating to coverage, height, height in relation to boundary, internal boundary setback, road boundary setback, and outdoor storage.
224. There were five submission points lodged with respect to the OSRZ built form standards – three in relation to the NOSZ, one in relation to the OSZ, and one in relation to the SARZ.

3.6.1 Requested New Built Form Standards**3.6.1.1 Matters raised by submitters and further submitters**

225. Two submission points were lodged by KiwiRail Holdings Ltd seeking new built form standards in the NOSZ [373.93] and in the OSZ [373.94]. KiwiRail wishes to add the following 5m building setback from the rail corridor to provide a safety buffer and allow for maintenance of buildings without the need to access the rail corridor:

"Rail boundary setback

All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.

Activity status when compliance not achieved: RDIS

Matters of discretion are restricted to: XXXX-MDXX - Rail boundary setback

Rail boundary setback

1. The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including rail corridor access and maintenance.

Notification

An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval."

226. KiwiRail consider this is consistent with other zones and should be required in all zones which adjoin the rail corridor, not specific zones only.

227. There were no further submissions.

3.6.1.2 Assessment

228. The requested amendment seems practical and necessary as the requested setback will provide a safety buffer between buildings and the rail corridor and allow for maintenance of buildings without the need to access the rail corridor. It will help ensure consistency throughout the relevant zones adjoining the rail corridor.

229. However, I consider the activity status in the NOSZ when compliance is not achieved should remain Discretionary instead of Restricted Discretionary, to be consistent with the activity status in the other built form standards in the NOSZ.

230. I agree that an activity status in the OSZ of Restricted Discretionary when compliance is not achieved is appropriate as this is consistent with the building setbacks from road and internal boundaries in the OSZ.

3.6.1.3 Summary of recommendations

231. Based on the above, I recommend new built form standards in the NOSZ and OSZ for building setbacks from the rail corridor in the manner shown in Appendices C and D respectively.

232. My recommended responses to KiwiRail's submission points [373.93] and [373.94] is outlined in Table G6 in Appendix G and reflects my assessment above.

233. The recommendations in Table G6 in Appendix G should be read in conjunction with Appendices C and D.
234. Based on the evaluation and recommended amendment, I also recommend:
- a. The following submission point be **accepted**:
 - i. KiwiRail Holdings Ltd [373.94]; and
 - b. The following submission point be **accepted in part**:
 - i. KiwiRail Holdings Ltd [373.93].

3.6.1.4 Section 32AA Evaluation

235. In my opinion, the recommended amendments are more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. I consider the recommended amendments will provide greater scope and certainty, and greater consistency with other zones adjoining the rail corridor and will therefore be more effective than the notified provisions.

3.6.2 NOSZ-BFS1 - Coverage

3.6.2.1 Matters raised by submitters and further submitters

236. Two submission points were lodged in respect of built form standard NOSZ-BFS1 by Te Kohaka o Tūhaitara Trust.
237. Tūhaitara Trust [113.10] opposes NOSZ-BFS1, which limits the maximum permitted Gross Floor Area (GFA) of any building in the NOSZ to 75m². Tūhaitara Trust considers such a limit is unreasonable and restrictive in the context of the Tūhaitara Coastal Park, particularly in terms of its scale and operations. Tūhaitara Trust request NOSZ-BFS1 be amended by increasing the maximum permitted GFA to 350m².
238. Tūhaitara Trust [113.11] opposes discretionary activity status for non-compliance with NOSZ-BFS1. Tūhaitara Trust considers it onerous and unnecessary for such an activity to have effects beyond those on amenity, landscape and ecological values assessed. Tūhaitara Trust requests the activity status for non-compliance with NOSZ-BFS1 be amended to restricted discretionary and to limit matters of discretion to effects on the ecological, landscape and amenity values of Tuhaitara Coastal Park.
239. No further submissions were lodged on either submission point.

3.6.2.2 Assessment

Gross Floor Area

240. With regards the GFA limit, I accept Tūhaitara Trust's submission point [113.10] in part.
241. The purpose of the NOSZ is '*...to provide for areas where the natural environment is retained, and activities, buildings and other structures are compatible with the characteristics of the zone*'. Therefore, the NOSZ is arguably the most sensitive of the OSRZ including to effects from building coverage. A maximum permitted GFA of any single building of 75m² is relatively restrictive, but in the context of the zone purpose, this was deliberately so.

242. In this context, I consider the request to increase in the maximum permitted GFA of any building from 75m² to 350m² to be excessive. This is a requested increase of more than 4.5 times the notified standard.
243. The NOSZ is also not limited to Tūhaitara Coastal Park. As outlined in the Introduction to the NOSZ chapter (see Appendix C), and as can be seen from the Proposed Plan map, there are many other parts of the District that are zoned NOSZ. The interests of Tūhaitara Coastal Park have to be balanced against the need to 'retain the natural environment' of the whole zone in accordance with the zone purpose.
244. I do, however, propose a better balance between managing the effects of building coverage in a zone where the purpose is to 'retain the natural environment', and helping enable the role of the Tūhaitara Trust in managing Tūhaitara Coastal Park for current and future generations in accordance with the park management plan.
245. I am recommending the proposed maximum permitted GFA of any building in the NOSZ be increased from 75m² to 150m². This would be a doubling of the notified standard. This would also be consistent with the maximum permitted GFA of any building in the Open Space Natural Zone in the operative Christchurch District Plan for 'rural tourism' which is also 150m². 'Rural tourism' is defined in the Christchurch District Plan as including 'eco-tourism', 'nature tourism', 'conservation activities', and walking and cycling tracks, which aligns with some of the activities undertaken in the NOSZ. This would provide some cross-boundary consistency. The increased GFA may also better facilitate construction of built facilities by Tūhaitara Trust consistent with the zone purpose and the Tūhaitara Coastal Park management plan, such as for conservation activities or park management facilities.

Activity Status

246. I do not agree with Tūhaitara Trust's submission point [113.11] seeking to amend the activity status for non-compliance with NOSZ-BFS1 in Tūhaitara Coastal Park from discretionary to restricted discretionary. I consider discretionary activity status for non-compliance with NOSZ-BFS1 should be retained, as this is consistent with the activity status for non-compliance with all the other built form standards for the NOSZ. Given the purpose of the NOSZ is 'to retain the natural environment', it is therefore arguably the most sensitive of the OSRZ including to effects from building coverage. As I stated above, the NOSZ is also not limited to Tūhaitara Coastal Park; there are many other parts of the District that are zoned NOSZ and the interests of Tūhaitara Coastal Park have to be balanced against the need to 'retain the natural environment' of the whole zone in accordance with the zone purpose.

3.6.2.3 Summary of recommendations

247. Based on the above, I recommend the maximum permitted GFA of any building in built form standard NOSZ-BFS1, be amended in the manner shown in Appendix C.
248. My recommended responses to Tūhaitara Trust's submission points [113.10] and [113.11] are outlined in Table G6 in Appendix G and reflect my assessment above.
249. The recommendations in Table G6 in Appendix G should be read in conjunction with Appendix C.
250. Based on the evaluation and recommended amendment, I also recommend:

- a. The following submission point be **accepted in part**:
 - i. Te Kohaka o Tūhaitara Trust [113.10]; and
- b. The following submission point be **rejected**:
 - i. Te Kohaka o Tūhaitara Trust [113.11].

3.6.2.4 Section 32AA Evaluation

251. In my opinion, the recommended amendment is more appropriate in achieving the objectives of the Proposed Plan than the notified provision. I consider the recommended amendment will provide greater scope, and cross-boundary consistency, and will therefore be more effective than the notified provision.

3.6.3 SARZ-BFS4 – Internal boundary setback

3.6.3.1 Matters raised by submitters and further submitters

252. One submission point on this built form standard was lodged by Horticulture NZ [295.204]. Hort NZ notes that the SARZ also border Rural Zones thus consider the setbacks for buildings from boundaries with the zones currently specified in built form standard SARZ-BFS4 should also apply to Rural Zones. Hort NZ requests SARZ-BFS4 be amended as follows:

*"1. The minimum setback from an internal boundary with Residential Zones, Rural Zones, Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration), or other Open Space and Recreation Zones shall be as follows:
..."*

253. There were no further submissions.

3.6.3.2 Assessment

254. I do not agree with this submission. The SARZ is a zone where larger built developments are contemplated but for specified purposes and in specified locations. Minimum setbacks from internal boundaries were proposed to be applied where the SARZ adjoins Residential-type zones (or other OSRZ), as Residential-type zones (or other OSRZ) arguably have a greater sensitivity to effects on amenity including from larger buildings on adjoining sites in the SARZ. Rural zones arguably do not have a type and scale of built development comparable to Residential-type zones, therefore I consider the same amenity considerations should not apply.

3.6.3.3 Summary of recommendations

255. My recommended response to Hort NZ's submission point [295.204] is outlined in Table G6 in Appendix G and reflects my assessment above.

256. Based on my evaluation, I recommend the following submission point be **rejected**:

- a. Horticulture NZ [295.204].

3.7 Matters of Control or Discretion

257. There are 14 matters of control or discretion in the Proposed Plan as notified that are applicable to each of the OSRZ.

258. Four submission points were lodged in relation to the OSRZ matters of control or discretion.
259. Only two of the submission points related to the notified OSRZ matters of control or discretion.

3.7.1 Requested New Matters of Control or Discretion

3.7.1.1 Matters raised by submitters and further submitters

KiwiRail Holdings Ltd

260. One submission point was lodged by KiwiRail Holdings Ltd [373.97] seeking the inclusion of the following new matter of discretion related to building setback from boundaries with the rail corridor:

“XXXX-MDXX - Rail boundary setback

Rail boundary setback

1. The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including rail corridor access and maintenance.”

261. There were no further submissions.

3.7.1.2 Assessment

KiwiRail Holdings Ltd

262. I recommend this submission point be accepted. Adoption of the relief sought will help give effect to the proposed new built form standard recommended for inclusion in the NOSZ and OSZ relating to building setback from the rail corridor, discussed in Section 3.6.1 of this report.

3.7.1.3 Summary of recommendations

263. Based on the above, I recommend the inclusion of a new matter of discretion related to building setback from boundaries with the rail corridor, in the manner shown in Appendix F.
264. My recommended response to KiwiRail Holdings Ltd submission point [373.97] is outlined in Table G7 in Appendix G and reflects my assessment above.
265. The recommendations in Table G7 in Appendix G should be read in conjunction with Appendix F.
266. Based on my evaluation and recommended amendment, I recommend the following submission point be **accepted**:
- a. KiwiRail Holdings Ltd [373.97].

3.7.1.4 Section 32AA Evaluation

267. In my opinion, the recommended amendment is more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. I consider the recommended amendment will provide greater consistency with other zones and will therefore be more effective than the notified provisions.

3.7.2 OSRZ-MCD7 – Scale and nature of the activity or facility

3.7.2.1 Matters raised by submitters and further submitters

268. One submission point was lodged by the Canterbury Regional Council [316.179] who consider that matter of control or discretion OSRZ-MCD7 excludes both the consideration of natural feature and landscape values, and the presence of any indigenous vegetation. ECan request that OSRZ-MCD7(2)(d) be amended to include reference to natural landscapes and features in the area, and consideration of any indigenous vegetation present.
269. No further submissions were lodged.

3.7.2.2 Assessment

270. I do not agree with this submission point as I consider the requested amendments are both unnecessary and inappropriate.
271. OSRZ-MCD7(2)(d) already includes reference to 'natural values' which can include natural features and landscapes and indigenous vegetation. OSRZ-MCD7(2)(e) also includes reference to 'visual effects' which can include effects on natural features and landscapes.
272. The outcome sought may also create an overlap with the 'Natural Features and Landscapes' and 'Ecosystems and Indigenous Biodiversity' chapters of the Proposed Plan which may cause duplication and confusion.

3.7.2.3 Summary of recommendations

273. My recommended response to the Canterbury Regional Council submission point [316.179] is outlined in Table G7 in Appendix G and reflects my assessment above.
274. Based on my evaluation, I recommend the following submission point be **rejected**:
- a. Canterbury Regional Council [316.179].

3.7.3 OSRZ-MCD14 - Grazing

3.7.3.1 Matters raised by submitters and further submitters

275. One submission point was lodged by Federated Farmers of NZ Inc. [414.40]. Federated Farmers consider that if there is any private land within the OSRZ, the grazing license requirement must be amended to only apply to District Council-owned or managed (vested) land. Federated Farmers request that matter of control or discretion OSRZ-MCD14 be amended to apply to grazing on District Council owned or managed land. There were no further submissions.

3.7.3.2 Assessment

276. For the most part I do not agree with this submission as I consider the amendments sought to be largely unnecessary.
277. The third paragraph at the beginning of the OSRZ chapter (see Appendix B) states (emphasis added) the zones 'generally only include **public land**'.
278. There are rules in the NOSZ and OSZ chapters providing for grazing where is this carried out under a grazing licence issued by the District Council, which already occurs. If the grazing

was not occurring on District Council owned land, there would not be a need for the District Council to issue a grazing licence.

279. However, to remove any possible doubt, I recommend matter of control or discretion OSRZ-MCD14 be amended to make it clear the matter, and related rules, apply to grazing on District Council land. I also recommend there be consequential amendments to this effect to rules NOSZ-R14 and OSZ-R14.

3.7.3.3 *Summary of recommendations*

280. Based on the above, I recommend matter of control or discretion OSRZ-MCD14 be amended, with consequential amendments to rules NOSZ-R14 and OSZ-R14, in the manner shown in Appendices C, D and F.
281. My recommended response to the Federated Farmers submission point [414.40] is outlined in Table G7 in Appendix G and reflects my assessment above.
282. The recommendation in Table G7 in Appendix G should be read in conjunction with Appendices C, D and F.
283. Based on my evaluation and recommended amendments, I recommend the following submission point be **accepted**:
- a. Federated Farmers [414.40].

3.7.3.4 *Section 32AA Evaluation*

284. In my opinion, the recommended amendments are more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. I consider the recommended amendments will provide greater clarity and be more accurate, and will be easier to interpret and implement, and will therefore be more effective than the notified provisions.

4 Conclusions


285. There were 16 submissions and 56 submission points, and 12 further submissions and 36 further submission points, on matters relating to the OSRZ.
286. Having considered all the submissions and further submissions and reviewed all relevant statutory and non-statutory documents, I recommend the Proposed Plan be amended as set out in Appendices A, C, D and F of this report.
287. The recommended responses to submissions and further submissions on matters relating to the OSRZ, and reasons, are contained in Tables G1 to G8 in Appendix G of this report.
288. The recommendations in Tables G1 to G8 in Appendix G should be read in conjunction with Appendices A to F and the discussion in the body of this report.
289. For the reasons set out in the s32AA evaluations in the body of this report, and the assessments in the remainder of this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- a. achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - b. achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions as set out in Section 3 and Appendix G of this report; and
2. The Proposed Plan is amended in accordance with the changes recommended in Appendices A, C, D and F of this report.

Signed:

Name and Title		Signature
Report Author	Neil Sheerin Senior Policy Planner, Waimakariri District Council	

Appendix A. Recommended Amendments to Definitions

Where changes are recommended in response to submissions and further submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.

CONSERVATION ACTIVITIES	<p>means the management, maintenance and enhancement of <u>intrinsic values of natural resources, including</u>^{5 6} ecological values of^{7 8} parks and reserves, beach areas and open space and recreation zones. This includes:</p> <ol style="list-style-type: none"> a. pest control; b. fencing; c. plant nurseries; d. conservation and restoration planting; e. planting for stormwater treatment, erosion and coastal protection, and carbon sequestration; f. ancillary environmental research and education activities; g. ancillary access tracks and ancillary structures; h. the ancillary use of vehicles, machinery or equipment.
EQUESTRIAN AND ANCILLARY ACTIVITIES AND FACILITIES	<p>means the use of land and buildings for training, exercising, riding or showing of horses for recreational or competitive purposes and whether a charge is made for admission or participation or not⁹, and may include (but is not necessarily limited to):</p> <ol style="list-style-type: none"> a. pony clubs; b. clubroom; c. exercise areas, riding courses, dressage arenas¹⁰ and jumps; d. providing horse riding lessons for a tariff; e. short term grazing of horses prior to an event¹¹; and f. associated outdoor storage areas; <p>but excludes:</p> <ol style="list-style-type: none"> g. major sports facility; h. the grazing of horses on District Council land (other than in e. above)¹²; i. the use of land and buildings for keeping, grazing, training and exercising of horses where this is ancillary to residential activity on the same site (other than in a. to f. and h. above)¹³.
MAJOR SPORTS FACILITY	<p>means land and buildings, other than recreation facilities or a motorised sports facility, used for a large single or multi-purpose facility for the purposes of participating in or viewing sports and active recreation, whether indoor or outdoor, public or private, and</p>

⁵ Horticulture NZ [295.19]⁶ Department of Conservation [419.9]⁷ Horticulture NZ [295.19]⁸ Department of Conservation [419.9]⁹ Oxford A&P Association [146.2]¹⁰ Oxford A&P Association [146.2]¹¹ Oxford A&P Association [146.2]¹² Oxford A&P Association [146.2]¹³ Oxford A&P Association [146.2]

	<p>whether a charge is made for admission or not, and serves as a 'destination site' or 'hub'. It includes, but is not necessarily limited to:</p> <ol style="list-style-type: none"> a. stadiums (covered and uncovered); b. indoor sports and recreation facilities where the gross floor area of a single building is more than 800m²; c. aquatic centres/swimming pool complexes (covered and uncovered); d. golf courses and golf driving ranges; e. equestrian racetracks and show grounds¹⁴, including stables and ancillary facilities; f. athletics complexes; g. natural, artificial or hard playing and safety surfaces; and h. ancillary facilities such as clubroom and function rooms, spectator stands or seating, lighting and light poles (including security, amenity, flood or training lights), fencing (including security fencing), signage (including for advertising or sponsorship) and parking, loading and manoeuvring areas.
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PUBLIC AMENITIES	<p>Means public¹⁵ land and¹⁶ buildings or other structures on that land¹⁷ used to provide amenity and assist the public. This is limited to:</p> <ol style="list-style-type: none"> a. public toilets; b. changing rooms; c. visitor information centres; d. shelters and shade structures; e. security and amenity lighting (excluding flood or training lights); f. fences; g. outdoor furniture (such as seats, picnic tables, barbeques and rubbish bins); h. walking and cycling paths, viewing platforms and accessways; bridges; i. play and fitness equipment; j. memorials; k. memorial plantings; and l. public artworks.
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¹⁴ Oxford A&P Association [146.2]

¹⁵ Federated Farmers of NZ Inc. [414.15]

¹⁶ Federated Farmers of NZ Inc. [414.15]

¹⁷ Federated Farmers of NZ Inc. [414.15]

Appendix B. General Objectives and Policies for all Open Space and Recreation Zones

OSRZ - General Objectives and Policies for all Open Space Zones

Introduction

The purpose of this chapter is to set out provisions relating to the Open Space and Recreation Zones.

This chapter contains objectives and policies relating to the:

- Natural Open Space Zone;
- Open Space Zone; and
- Sport and Active Recreation Zone.

These zones generally include only public land to provide for open space and recreation areas to benefit the health and well-being of the people and communities of the District.

Within the Open Space and Recreation Zones are seven privately owned sites containing remaining pre-earthquake residential activity, as identified in Appendix 'APP1 Regeneration Area Remaining Private Residences and Alternate Zone'. While these sites lie within the Open Space and Recreation Zones, they are subject to the provisions of the General Residential Zone and any relevant District wide provisions. This is in accordance with the WRRZRP, with which the District Plan must not be inconsistent.

The objectives and policies set out below apply to all Open Space and Recreation Zones. However, there are other specific objectives and policies that apply to each zone and appear in each zone section along with the rules for each zone.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Objectives	
OSRZ-01	<p>Purpose of Open Space and Recreation Zones</p> <p>Open Space and Recreation Zones that:</p> <ol style="list-style-type: none"> 1. provide a range of types and sizes of open space and recreation areas and compatible recreation activities and structures to meet the current and future recreation needs and health and well-being of the District; 2. provide a high quality environment and enhanced opportunities for recreation; 3. are accessible and safe, and maintain and enhance connectivity and access; 4. enable multi-functional uses in specified locations; and 5. provide for the continuance of activities on specified remaining privately-owned pre-earthquake residential sites.
OSRZ-02	<p>Character, amenity values, role and function of Open Space and Recreation Zones</p> <p>Activities and structures within Open Space and Recreation Zones are of a scale, form, design and location that:</p>

	<ol style="list-style-type: none"> 1. maintain a predominance of open space, other than on sites specifically dedicated to a larger scale of built development of recreation activities and structures; 2. are compatible with the role and anticipated use of the open space and recreation land; and 3. maintain and, where possible, enhance amenity values.
Policies	
OSRZ-P1	<p>Predominant character, amenity values, role and function of the zones Within the Open Space and Recreation Zones:</p> <ol style="list-style-type: none"> 1. enable activities and structures, including compatible multi-functional uses, that are compatible with the predominant character, amenity values, role and function of the zone; 2. manage activities and structures and their effects where these may be potentially incompatible with the predominant character, amenity values, role and function of the zone; and 3. avoid activities and structures incompatible with the predominant character, amenity values, role and function of the zone, where these will: <ol style="list-style-type: none"> a. undermine the predominant character, amenity values, role and function of the zone; b. limit access to or the use of the zone for open space and recreation; c. adversely affect amenity values or safety; d. result in reverse sensitivity effects for, or lead to conflict with, existing activities within or adjoining the zone; and e. do not have a functional need or operational need to locate within the zone.
OSRZ-P2	<p>Environmental effects Ensure activities and structures are compatible with the scale, layout, design and intended use of open space and recreation land, and adverse effects on amenity values and the wider community are avoided, remedied or mitigated, including by:</p> <ul style="list-style-type: none"> • providing separation distances and minimising the number, type, bulk and location of structures; • limiting coverage of open space and recreation land by structures; • maintaining and enhancing, where practicable, accessibility of open space and recreation land to communities, including through the provision of: new parks, playgrounds and recreation spaces within a 500m radius of new residential allotments; public entrances and access points; walking, cycling and riding paths; viewing points and bridges; and connectivity with the transport network; • designing open space and recreation land and the structures within to be as safe as practicable, taking into account the principles of CPTED; • the application of measures to avoid, remedy or mitigate actual or potential adverse environmental effects and to achieve or enhance positive effects; • restricting the type, duration, frequency and hours of operation of activities; • promoting the planting of indigenous vegetation naturally occurring within the ecological district in which the planting will take place, or of ecologically similar origin, for landscaping, screening, reinstatement purposes or conservation activities, to enhance local or regional indigenous biodiversity;

	<ul style="list-style-type: none">• recognising that some infrastructure such as stormwater infrastructure may have a functional need or operational need to locate within the zone, but otherwise discouraging use of the zone as a location or route for infrastructure; and• enabling activities on sites in Appendix APP1 to continue where those activities and their effects are generally consistent with those anticipated in the Alternate Zone specified in Appendix APP1, and any relevant District wide provisions.
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Appendix C. Recommended Amendments to the Natural Open Space Zone chapter

Where changes are recommended in response to submissions and further submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is **underlined**.
- Text recommended to be deleted from the Proposed Plan is **~~struck through~~**.

NOSZ - Natural Open Space Zone

Introduction

The purpose of the Natural Open Space Zone is to provide for areas where the natural environment is retained, and activities, buildings and other structures are compatible with the characteristics of the zone.

Large areas of the zone lie in the Puketeraki range in the west of the District, and in the coastal environment in the east of the District, with many smaller areas of the zone in-between.

The portion of the zone in the coastal environment of the District lies from near the mouth of the Waimakariri River in the south to near the Ashley River/Rakahuri Saltwater Creek Estuary in the north. The coastal portion of the zone is of varying width between MHWS and varying points inland of the beach and dunes. This coastal portion of the zone is largely based around Tuhaitara Coastal Park, and also includes: Tūtaepatu Lagoon and coastal wetlands; estuary margins; coastal reserve land at Waikuku Beach and Pines-Kairaki Beach; Woodend Beach Domain; existing lifesaving, coastguard, yacht and boating facilities; existing commercial plantation forestry; and existing equestrian and ancillary activities and facilities at Pegasus Bay Coastal Reserve and beach, Waikuku Beach, Woodend Beach and Pines-Kairaki Beach.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

Objectives	
NOSZ-01	<p>Predominant character, amenity values, role and function of the Natural Open Space Zone</p> <p>A Natural Open Space Zone where the predominant character, amenity values, role and function of the zone is characterised by:</p> <ol style="list-style-type: none"> 1. undeveloped natural open spaces; 2. undeveloped coastal open spaces that include beaches, dunes, water bodies, wetlands, estuary margins, forest and parks; 3. minimal buildings and other structures; 4. activities compatible with the natural environment and location; 5. natural character; 6. indigenous biodiversity; 7. recreation, lifesaving, coastguard, yacht and boating activities and structures; and 8. park management activities, park management facilities and conservation activities.
Policies	
NOSZ-P1	<p>Activities and structures in the Natural Open Space Zone</p> <p>The predominant character, amenity values, role and function of the zone is maintained and, where possible, enhanced, by enabling or managing activities</p>

and structures in the zone in a manner consistent with OSRZ-P1 and OSRZ-P2, with regard to achieving the outcomes sought in OSRZ-O1 and OSRZ-O2 and in particular NOSZ-O1.
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Activity Rules

NOSZ-R1 Any activity on a site listed in Appendix APP1	
<i>That is permitted under the General Residential Zone in GRZ-R1 to GRZ-R6 and GRZ-R10.</i>	
Activity status: PER Where: <ol style="list-style-type: none"> the activity complies with all applicable activity standards and built form standards in the General Residential Zone; and the activity complies with any relevant District wide provisions. 	Activity status when compliance not achieved: as set out in the General Residential Zone and any relevant District wide provisions Matters of discretion are restricted to: <ol style="list-style-type: none"> As set out in the General Residential Zone and any relevant District wide provisions
NOSZ-R2 Construction or alteration of or addition to any building or other structure	
Activity status: PER Where: <ol style="list-style-type: none"> the activity complies with all built form standards (as applicable). 	Activity status when compliance not achieved: as set out in the relevant built form standards
NOSZ-R3 Customary harvesting	
Activity status: PER	Activity status when compliance not achieved: N/A
Advisory Note <ul style="list-style-type: none"> This rule does not override the requirements to obtain permission of the landowner or administrator for any customary harvesting of taonga species. 	
NOSZ-R4 Conservation activities	
Activity status: PER	Activity status when compliance not achieved: N/A
NOSZ-R5 Non motorised recreation activities	
Activity status: PER	Activity status when compliance not achieved: N/A
NOSZ-R6 Park management activities	
Activity status: PER	Activity status when compliance not achieved: N/A
NOSZ-R7 Park management facilities	
Activity status: PER	Activity status when compliance not achieved: N/A
NOSZ-R8 Surf lifesaving activities	
Activity status: PER	Activity status when compliance not achieved: N/A

NOSZ-R9 Use of motor vehicles on beach areas

This rule does not apply to the use of motor vehicles on beach areas in the circumstances provided for under NOSZ-R4, NOSZ-R6 to NOSZ-R8 and ~~NOSZ-R20~~¹⁸.

Activity status: PER

Where:

1. the activity shall be limited to the use of road legal motor vehicles on beach areas, for the following:
 - a. boat launching/retrieval;
 - b. fishing;
 - c. whitebaiting;
 - d. mahinga kai gathering;
 - e. transport of recreation equipment to/from the water edge; and
 - f. holders of mobility cards;
2. all motor vehicle access to beach areas shall be via formed vehicle access points; and
3. all motor vehicle use on beach areas shall:
 - a. be outside of the dunes;
 - b. be driven below the last high tide mark unless unsafe to do so;
 - c. be outside of flagged lifesaving patrol areas; and
 - d. not involve two wheeled motorbikes.

Activity status when compliance not achieved: DIS

Advisory Note

- The Northern Pegasus Bay Bylaw 2016 also regulates (among other things) access and use of motor vehicles on beach areas. Reference should be made to this Bylaw to ascertain whether there are any other requirements that may also apply.

NOSZ-R10 Public amenities

Activity status: PER

Activity status when compliance not achieved: N/A

NOSZ-R11 Office ancillary to park management activities or conservation activities

Activity status: PER

Where:

1. the activity shall be limited to sites with a minimum net area of 1ha; ~~and~~
2. ~~the combined GFA of all ancillary offices on a site shall cumulatively occupy a maximum of 250m² or 10% of the GFA of all buildings on the same site, whichever is the lesser.~~¹⁹

Activity status when compliance not achieved: DIS

¹⁸ Te Kohaka o Tūhaitara Trust [113.7]

¹⁹ Te Kohaka o Tūhaitara Trust [113.8]

NOSZ-R12 Residential activity ancillary to park management activities or conservation activities	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall be located either: <ol style="list-style-type: none"> a. within an existing residential unit; or b. within a new residential unit provided: <ol style="list-style-type: none"> i. it is used for caretaker and site management purposes only; ii. it is located on a site with a minimum net area of 1ha; and iii. there is only one residential unit on any site. 	<p>Activity status when compliance not achieved: DIS</p>
NOSZ-R13 Planting of vegetation	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. planting of vegetation is not for plantation forestry;²⁰ 1. planting shall be limited to indigenous species that are naturally occurring within the ecological district within which the planting is to take place, except as specified in (32²¹) below; 2. planting of indigenous vegetation of ecologically similar origin, or non-indigenous vegetation, in the following circumstances: <ol style="list-style-type: none"> a. re-introduction of indigenous species no longer occurring naturally in the District, procured from a naturally occurring and ecologically similar source; b. conservation activities (excluding non-indigenous vegetation); c. species conservation (excluding non-indigenous vegetation); d. soil conservation, including erosion control²²; e. natural hazard mitigation;²³ f. planting for the purposes of screening public amenities and parking areas, or for shelter 	<p>Activity status when compliance not achieved: DIS</p>

²⁰ Te Kohaka o Tūhaitara Trust [113.9]

²¹ Te Kohaka o Tūhaitara Trust [113.9]

²² Canterbury Regional Council [316.178]

²³ Canterbury Regional Council [316.178]

<p>purposes, or for maintaining the character of an existing cultural or historical site; and</p> <p>g. shall exclude:</p> <ol style="list-style-type: none"> i. all plants listed in the National Pest Plant Accord (reprinted with minor amendments February 2020); ii. all non-indigenous plants listed in the DoC Consolidated List of Environmental Weeds in NZ (May 2008); and iii. all organisms classified as pests and all Organisms of Interest listed in the Canterbury Regional Pest Management Plan 2018-2038. 	
<p>NOSZ-R14 Grazing <u>on District Council land</u> ²⁴</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. grazing is carried out <u>on District Council land</u> ²⁵ under a grazing licence issued by the District Council. 	<p>Activity status when compliance not achieved: DIS</p>
<p>NOSZ-R15 Community facility</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall be limited to Northbrook Studios buildings at Northbrook Wetlands Reserve; and 2. the activity shall not include a community garden or a new building. 	<p>Activity status when compliance not achieved: DIS</p>
<p>NOSZ-R16 Cultural facility</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall not include a new building. 	<p>Activity status when compliance not achieved: DIS</p>
<p>NOSZ-R17 Visitor accommodation</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall be limited to: <ol style="list-style-type: none"> a. existing tramping huts; 	<p>Activity status when compliance not achieved: DIS</p>

²⁴ Federated Farmers of NZ Inc. [414.40]

²⁵ Federated Farmers of NZ Inc. [414.40]

b. the use of existing buildings on a site; and c. the use of tents.	
NOSZ-R18 Recreation facilities	
Activity status: PER Where: 1. the activity shall not include a new building.	Activity status when compliance not achieved: DIS
NOSZ-R19 Equestrian and ancillary activities and facilities	
Activity status: PER Where: 1. the activity shall not include a new building.	Activity status when compliance not achieved: DIS
NOSZ-R20 Removal of a building or other structure ²⁶	
Activity status: CON Matters of control are restricted to: OSRZ MCD12 – Removal of buildings or other structures	Activity status when compliance not achieved: N/A
NOSZ-R21 Emergency service facility	
Activity status: DIS	Activity status when compliance not achieved: N/A
NOSZ-R22 Any activity not provided for in the Natural Open Space Zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision	
Activity status: DIS	Activity status when compliance not achieved: N/A
NOSZ-R23 Motorised recreation activities	
Activity status: NC	Activity status when compliance not achieved: N/A
NOSZ-R24 Motorised sports facility	
Activity status: NC	Activity status when compliance not achieved: N/A
NOSZ-R25 Major sports facility	
Activity status: NC	Activity status when compliance not achieved: N/A

Built Form Standards

NOSZ-BFS1 Coverage	
1. Unless otherwise specified in the activity standards, The maximum GFA of any building shall be 75150m² . ²⁷	Activity status when compliance not achieved: DIS

²⁶ Te Kohaka o Tūhaitara Trust [113.7]

²⁷ Te Kohaka o Tūhaitara Trust [113.10]

NOSZ-BFS2 Height	
1. The maximum building height above ground level shall be 5m.	Activity status when compliance not achieved: DIS
NOSZ-BFS3 Height in relation to boundary	
<p>1. Where an internal boundary adjoins Residential Zones, Special Purpose Zone (Kāinga Nohoanga) or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the height in relation to boundary in the adjoining zone shall apply, and where specified structures shall not project beyond a building envelope defined by recession planes measuring 2.5m from ground level above any site boundary in accordance with the diagrams in Appendix APP3, except for the following:</p> <ul style="list-style-type: none"> a. flagpoles; b. lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts; c. decorative features such as steeples, towers and finials; d. for buildings on adjoining sites which share a common wall, the height in relation to boundary requirement shall not apply along that part of the internal boundary covered by such a wall; and e. where the land immediately beyond the site boundary forms part of any rail corridor, drainage reserve, or accessway (whether serving the site or not), the boundary of the rail corridor, drainage reserve, or accessway furthest from the site boundary may be deemed to be the site boundary for the purpose of defining the origin of the recession plane, provided this deemed site boundary is no further than 6m from the site boundary; <p>2. Provided that none of the structures listed in (c) to (e) has a horizontal dimension of over 3m along the line formed where the structure meets the</p>	Activity status when compliance not achieved: DIS

recession plane as measured parallel to the relevant boundary.	
NOSZ-BFS4 Internal boundary setback	
<p>1. The minimum setback for buildings from an internal boundary with Residential Zones, Special Purpose Zone (Kāinga Nohoanga) or Special Purpose Zone (Pines Beach and Kairaki Regeneration) shall be as follows:</p> <ol style="list-style-type: none"> a. all sites, except as specified in (b) below: 6m; and b. any stand-alone building containing toilets or changing rooms: 10m. 	Activity status when compliance not achieved: DIS
NOSZ-BFS5 Road boundary setback	
<p>1. The minimum building setback from a road boundary shall be as follows:</p> <ol style="list-style-type: none"> a. all sites, except as specified in (b) below: <ol style="list-style-type: none"> i. a State Highway: 20m; and ii. all other roads: 5m; b. any stand-alone building containing toilets or changing rooms: <ol style="list-style-type: none"> i. a State Highway: 20m; and ii. all other roads: 3m. 	Activity status when compliance not achieved: DIS
NOSZ-BFS6 Outdoor storage	
<ol style="list-style-type: none"> 1. Outdoor storage areas shall not be located within the setbacks specified in NOSZ-BFS4 and NOSZ-BFS5; and 2. Outdoor storage areas shall be screened from adjoining sites and roads by either planting, walls or fences, or any combination of these, for a minimum of 1.8m in height above ground level along the length of the storage area (except for access points). Where screening is by landscaping this shall be to a minimum depth of 1.5m and any trees shall have a minimum height above ground level at the time of planting of 1m and be capable of achieving a height above ground level at maturity of at least 1.8m. 	Activity status when compliance not achieved: DIS
NOSZ-XXXX Rail boundary setback ²⁸	

²⁸ KiwiRail Holdings Ltd [373.93]

<p>1. <u>All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.</u></p>	<p><u>Activity status when compliance not achieved: DIS</u></p>
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Appendix D. Recommended Amendments to the Open Space Zone chapter

Where changes are recommended in response to submissions and further submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is **underlined**.
- Text recommended to be deleted from the Proposed Plan is **~~struck through~~**.

OSZ - Open Space Zone

Introduction

The purpose of the Open Space Zone is to provide for areas used predominantly for a range of passive and active recreational activities, along with limited associated facilities and structures.

The zone includes parks, playgrounds and informal recreation spaces in a range of sizes, locations, settings and communities. The zone also includes existing District Council owned cemeteries, which function as memorial gardens and have a park-like setting.

The zone may include items such as play equipment, outdoor furniture, ornamental landscaping, memorials, historic heritage items, and various other public amenities, and may also include ecological linkage reserves.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

Objectives	
OSZ-O1	<p>Predominant character, amenity values, role and function of the Open Space Zone</p> <p>An Open Space Zone where the predominant character, amenity values, role and function of the zone is characterised by:</p> <ol style="list-style-type: none"> 1. parks, playgrounds and informal recreation spaces of varying size and type in a range of locations, settings and communities, that complement and maintain amenity values; 2. compatible passive and active recreation activities; 3. limited buildings and other structures; 4. cemeteries functioning as memorial gardens with a park-like setting; and 5. park management activities and park management facilities.
Policies	
OSZ-P1	<p>Activities and structures in the Open Space Zone</p> <p>The predominant character, amenity values, role and function of the zone is maintained and, where possible, enhanced, by enabling or managing activities and structures in the zone in a manner consistent with OSRZ-P1 and OSRZ-P2, with regard to achieving the outcomes sought in OSRZ-O1 and OSRZ-O2 and in particular OSZ-O1.</p>

Activity Rules

OSZ-R1 Any activity on a site listed in Appendix APP1

That is permitted under the General Residential Zone in GRZ-R1 to GRZ-R6 and GRZ-R10.

Activity status: PER Where: <ol style="list-style-type: none"> the activity complies with all applicable activity standards and built form standards in the General Residential Zone; and the activity complies with any relevant District wide provisions. 	Activity status when compliance not achieved: as set out in the General Residential Zone and any relevant District wide provisions Matters of discretion are restricted to: <ol style="list-style-type: none"> As set out in the General Residential Zone and any relevant District wide provisions
OSZ-R2 Construction or alteration of or addition to any building or structure	
Activity status: PER Where: <ol style="list-style-type: none"> the activity complies with all built form standards (as applicable). 	Activity status when compliance not achieved: as set out in the relevant built form standards
OSZ-R3 Non motorised recreation activities	
Activity status: PER	Activity status when compliance not achieved: N/A
OSZ-R4 Park management activities	
Activity status: PER	Activity status when compliance not achieved: N/A
OSZ-R5 Park management facilities	
Activity status: PER	Activity status when compliance not achieved: N/A
OSZ-R6 Conservation activities	
Activity status: PER	Activity status when compliance not achieved: N/A
OSZ-R7 Recreation facilities	
Activity status: PER Where: <ol style="list-style-type: none"> recreation facilities do not involve a new building; and on sites with a net area of 5,000m² or less, any on site parking provided is limited to: <ol style="list-style-type: none"> one parking area per site; and a maximum of six parking spaces per parking area. 	Activity status when compliance not achieved: DIS
OSZ-R8 Public amenities	
Activity status: PER	Activity status when compliance not achieved: N/A
OSZ-R9 Office ancillary to park management activities	
Activity status: PER Where: <ol style="list-style-type: none"> the activity shall be limited to sites with a minimum net area of 1ha; and 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:

<p>2. the combined GFA of all ancillary offices on site shall cumulatively occupy a maximum of 250m² or 10% of the GFA of all buildings on the same site, whichever is the lesser.</p>	<p>OSRZ-MCD7 - Scale and nature of the activity or facility OSRZ-MCD8 - Coverage OSRZ-MCD9 - Traffic generation and access</p>
<p>OSZ-R10 Residential activity ancillary to park management activities</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall be located either: <ol style="list-style-type: none"> a. within an existing residential unit; or b. within a new residential unit provided: <ol style="list-style-type: none"> i. it is used for caretaker and site management purposes only; ii. it is located on a site with a minimum net area of 1ha; and iii. there is only one residential unit on any site. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: OSRZ-MCD6 - Residential activity OSRZ-MCD8 - Coverage</p>
<p>OSZ-R11 Community facility</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall be limited to: <ol style="list-style-type: none"> a. Cust Community Centre and PreSchool and Cust Toy Library, Cust Community Centre Reserve; b. Pines Community Hall, Pines Oval; c. Kaiapoi Community Centre, Darnley Square South; d. Kaiapoi Scouts Building, Darnley Square South; e. West Eyreton Hall; f. Waikuku Hall, Waikuku Main Oval; and g. Saltwater Creek Hall, Saltwater Creek Reserve; 2. in all other areas, the activity shall be ancillary to or co-located on the same site as existing built recreation facilities; and 3. the activity shall not include a community garden. 	<p>Activity status when compliance not achieved: DIS</p>
<p>OSZ-R12 Cultural facility</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall be limited to: 	<p>Activity status when compliance not achieved: DIS</p>

<p>a. Rangiora Museum, Good St Reserve;</p> <p>b. Kaiapoi Railway Station building; and</p> <p>c. unless otherwise specified in (a) or (b) above, an existing building on a site with a minimum net area of 1ha.</p>	
OSZ-R13 Equestrian and ancillary activities and facilities	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the activity shall not include a new building. 	<p>Activity status when compliance not achieved: DIS</p>
OSZ-R14 Grazing <u>on District Council land</u> ²⁹	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> grazing is carried out on District Council land ³⁰ under a grazing licence issued by the District Council. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion restricted to: OSRZ-MCD14 - Grazing</p>
OSZ-R15 Cemetery	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the activity is on an existing District Council owned cemetery within the Open Space Zone; there shall be only one building on a cemetery; any single building shall have a maximum GFA of 100m²; for closed cemeteries: any building shall have a maximum GFA of 40m², except that one residential unit that has a maximum GFA of 100m² may be erected on any site for custodial or management purposes. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: OSRZ-MCD10 - Cemetery – street scene and road boundary setback OSRZ-MCD11 - Cemetery – building height, setback from neighbours and height in relation to boundary</p>
OSZ-R16 Community garden	
<p>Activity status: RDIS Matters of discretion are restricted to: OSRZ-MCD13 - Community garden</p>	<p>Activity status when compliance not achieved: N/A</p>
OSZ-R17 Emergency service facility	
<p>Activity status: DIS</p>	<p>Activity status when compliance not achieved: N/A</p>

²⁹ Federated Farmers of NZ Inc. [414.40]

³⁰ Federated Farmers of NZ Inc. [414.40]

OSZ-R18 Any activity not provided for in the Open Space Zone as a permitted, controlled, restricted discretionary, discretionary, non complying, or prohibited activity, except where expressly specified by a district wide provision	
Activity status: DIS	Activity status when compliance not achieved: N/A
OSZ-R19 Motorised recreation activities	
Activity status: NC	Activity status when compliance not achieved: N/A
OSZ-R20 Motorised sports facility	
Activity status: NC	Activity status when compliance not achieved: N/A
OSZ-R21 Major sports facility	
Activity status: NC	Activity status when compliance not achieved: N/A

Built Form Standards

OSZ-BFS1 Coverage	
<p>1. Unless otherwise specified in the activity standards, with the exception of a cemetery, the maximum:</p> <ol style="list-style-type: none"> GFA of a single building; percentage of a site covered by all buildings; and percentage of a site covered by impervious surface (excluding walk ways, tracks, cycle ways, hard/artificial playing and safety surfaces, and buildings); <p>shall be as specified in Table OSZ-1 below.</p>	<p>Activity status when compliance not achieved: DIS</p>

Table OSZ-1: Coverage

Site Size	Single Building	All Buildings	Impervious Surface
< 5,000m ²	30m ²	1%	5%
5,000m ² - 10,000m ²	100m ²	1%	10%
>10,000m ²	500m ²	3%	10%

OSZ-BFS2 Height	
<p>1. All sites, except as specified in (2) below:</p> <ol style="list-style-type: none"> maximum building height above ground level: 8m; maximum height of any pole or structure for flood or training lighting: 30m; <p>2. Cemetery:</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>OSRZ-MCD2 - Height</p> <p>OSRZ-MCD11 - Cemetery – building height, setback from neighbours and height in relation to boundary</p>

<ul style="list-style-type: none"> a. maximum building height above ground level except as specified in (b) below: 8m; and b. closed cemetery: maximum building height above ground level shall be 5m. 	
OSZ-BFS3 Height in relation to boundary	
<ol style="list-style-type: none"> 1. Where an internal boundary adjoins residential zones, Special Purpose Zone (Kāinga Nohoanga) or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the height in relation to boundary for the adjoining zone shall apply, and where specified structures shall not project beyond a building envelope defined by recession planes measuring 2.5m from ground level above any site boundary in accordance with the diagrams in Appendix APP3, except for the following: <ul style="list-style-type: none"> a. flagpoles; b. lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts; c. decorative features such as steeples, towers and finials; d. for buildings on adjoining sites which share a common wall, the height in relation to boundary requirement shall not apply along that part of the internal boundary covered by such a wall; and e. where the land immediately beyond the site boundary forms part of any rail corridor, drainage reserve, or accessway (whether serving the site or not), the boundary of the rail corridor, drainage reserve, or accessway furthest from the site boundary may be deemed to be the site boundary for the purpose of defining the origin of the recession plane, provided this deemed site boundary is no further than 6m from the site boundary; 2. Provided that none of the structures listed in (c) to (e) has a horizontal dimension of over 3m along the line formed where the structure meets the 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: OSRZ-MCD5 - Height in relation to boundary</p>

recession plane as measured parallel to the relevant boundary.	
OSZ-BFS4 Internal boundary setback	
<p>1. The minimum setback from an internal boundary with Residential Zones, Special Purpose Zone (Kāinga Nohoanga) or Special Purpose Zone (Pines Beach and Kairaki Regeneration) shall be as follows:</p> <p>a. all sites, except as specified in (b) and (c) below:</p> <p>i. buildings: 10m;</p> <p>ii. poles or structures for flood or training lighting: 6m;</p> <p>b. any stand-alone building containing toilets or changing rooms: 10m;</p> <p>c. cemetery:</p> <p>i. buildings: 20m; and</p> <p>ii. burial plots: 5m.</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>OSRZ-MCD1 - Boundary setbacks</p> <p>OSRZ-MCD4 - Public amenities</p>
OSZ-BFS5 Road boundary setback	
<p>1. The minimum building setback from a road boundary shall be as follows:</p> <p>a. all sites, except as specified in (b) below:</p> <p>i. State Highway: 20m; and</p> <p>ii. all other roads: 5m;</p> <p>b. any stand-alone building containing toilets or changing rooms:</p> <p>i. State Highway: 20m; and</p> <p>ii. all other roads: 3m.</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>OSRZ-MCD1 - Boundary setbacks</p> <p>OSRZ-MCD4 - Public amenities</p>
OSZ-BFS6 Outdoor storage	
<p>1. Outdoor storage areas shall not be located within the setbacks specified in OSZ-BFS4 and OSZ-BFS5; and</p> <p>2. Outdoor storage areas shall be screened from adjoining sites and roads by either planting, walls or fences, or any combination of these, for a minimum of 1.8m in height above ground level along the length of the storage area (except for access points). Where screening is by landscaping this shall be to a minimum depth of 1.5m and any trees shall have a minimum height at the time of planting of 1m above ground level and be capable of</p>	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>OSRZ-MCD3 - Outdoor storage</p>

achieving a height at maturity of at least 1.8m above ground level.	
<u>OSZ-XXXX Rail boundary setback</u> ³¹	
<p><u>1. All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.</u></p>	<p><u>Activity status when compliance not achieved: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u> <u>XXXX-MDXX - Rail boundary setback</u></p> <p><u>Notification</u> <u>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval.</u></p>

³¹ KiwiRail Holdings Ltd [373.94]

Appendix E. Sport and Active Recreation Zone chapter

SARZ - Sport and Active Recreation Zone

Introduction

The purpose of the Sport and Active Recreation Zone is to provide for areas used predominantly for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures.

The activities, facilities and structures that may occur in this zone include, but are not necessarily limited to, the following:

- Sports fields and artificial and/or hard playing surfaces;
- Aquatic centres, sports stadiums and multi-sport facilities, both covered and uncovered;
- Ancillary activities and structures such as spectator stands and/or seating, clubrooms, offices, custodial facilities, ancillary sport and recreation services, food and beverage and retail outlets, and conference facility and function rooms;
- Signs including for advertising and sponsorship purposes;
- Outdoor lighting (including security, amenity, and flood or training lighting);
- Vehicle access, parking, loading and manoeuvring areas;
- Fencing (including security fencing);
- Landscaping; and
- Various other public amenities.

It is anticipated some facilities may have a capacity for multi-functional use, co-location of compatible activities, and an ability to host local, regional, national or international events which provide entertainment to both residents and visitors.

The zone may also provide for ancillary commercial activities that support the core facilities though these are secondary to the primary sport and active recreation use.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

As well as the provisions in this chapter, district wide chapter provisions will also apply where relevant.

Objectives	
SARZ-O1	<p>Predominant character, amenity values, role and function of the Sport and Active Recreation Zone</p> <p>A Sport and Active Recreation Zone where the predominant character, amenity values, role and function of the zone is characterised by:</p> <ol style="list-style-type: none"> 1. indoor and outdoor sport and active recreation activities and ancillary activities and structures; 2. a larger scale of built development; 3. compatible multi-functional use and co-location of activities and structures; 4. larger events; 5. times of higher levels of environmental effects; and 6. park management activities and park management facilities.

Policies	
SARZ-P1	Activities and structures in the Sport and Active Recreation Zone The predominant character, amenity values, role and function of the zone is maintained by enabling or managing activities and structures in the zone in a manner consistent with OSRZ-P1 and OSRZ-P2, with regard to achieving the outcomes sought in OSRZ-O1 and OSRZ-O2 and in particular SARZ-O1.

Activity Rules

SARZ-R1 Any activity on a site listed in Appendix APP1	
<i>That is permitted under the General Residential Zone in GRZ-R1 to GRZ-R6 and GRZ-R10.</i>	
Activity status: PER Where: <ol style="list-style-type: none"> the activity complies with all applicable activity standards and built form standards in the General Residential Zone; and the activity complies with any relevant District wide provisions. 	Activity status when compliance not achieved: as set out in the General Residential Zone and any relevant District wide provisions Matters of discretion are restricted to: <ol style="list-style-type: none"> As set out in the General Residential Zone and any relevant District wide provisions
SARZ-R2 Construction or alteration of or addition to any building or structure	
Activity status: PER Where: <ol style="list-style-type: none"> the activity complies with all built form standards (as applicable). 	Activity status when compliance not achieved: as set out in the relevant built form standards
SARZ-R3 Non motorised recreation activities	
Activity status: PER	Activity status when compliance not achieved: N/A
SARZ-R4 Recreation facilities	
Activity status: PER	Activity status when compliance not achieved: N/A
SARZ-R5 Park management activities	
Activity status: PER	Activity status when compliance not achieved: N/A
SARZ-R6 Park management facilities	
Activity status: PER	Activity status when compliance not achieved: N/A
SARZ-R7 Conservation activities	
Activity status: PER	Activity status when compliance not achieved: N/A
SARZ-R8 Public amenities	
Activity status: PER	Activity status when compliance not achieved: N/A
SARZ-R9 Office ancillary to park management activities, recreation facilities or major sports facility	

<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the combined GFA of all ancillary offices on site shall not exceed 10% of the GFA of all buildings on the site. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: OSRZ-MCD7 - Scale and nature of the activity or facility OSRZ-MCD8 - Coverage OSRZ-MCD9 - Traffic generation and access</p>
<p>SARZ-R10 Residential activity ancillary to park management activities</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall be located either: <ol style="list-style-type: none"> a. within an existing residential unit; or b. within a new residential unit provided: <ol style="list-style-type: none"> i. it is used for caretaker and site management purposes only; ii. it is located on a site with a minimum net area of 1ha; and iii. there is only one residential unit on any site. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: OSRZ-MCD6 - Residential activity OSRZ-MCD8 - Coverage</p>
<p>SARZ-R11 Community facility or cultural facility</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall be limited to: <ol style="list-style-type: none"> a. Oxford Museum, Oxford Art Gallery, Oxford Jaycee Rooms, and Oxford Community Men's Shed, all at Pearson Park, Oxford; b. Former Scout Building, Woodend Recreation Ground; c. Kaiapoi Toy Library Building, Darnley Square North; d. Rangiora Pottery Club Building, Loburn Domain; e. in all other areas, shall be ancillary to or co-located with existing built recreation facilities or major sports facility on the same site; and 2. the activity shall not include a community garden. 	<p>Activity status when compliance not achieved: DIS</p>
<p>SARZ-R12 Major sports facility</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. the activity shall be limited to: <ol style="list-style-type: none"> a. Dudley Park and Dudley Park Aquatic Centre, Rangiora; 	<p>Activity status when compliance not achieved: DIS</p>

<ul style="list-style-type: none"> b. Kaiapoi Aquatic Centre, Darnley Square North; c. Oxford Community Aquatic Centre and Health and Fitness Centre; d. Pearson Park, Oxford; e. Mandeville Domain; f. Gladstone Park; g. Coldstream Road Sport and Recreation Reserve (incorporating Mainpower Oval); h. Woodend Recreation Ground; i. Loburn Domain; j. Rangiora Golf Course; and <p>2. in all other areas, the activity shall be limited to sites with a minimum net area of 1ha.</p>	
SARZ-R13 Ancillary sport and recreation services	
Activity status: PER	Activity status when compliance not achieved: N/A
SARZ-R14 Food and beverage outlet	
<p>Activity status: PER Where:</p> <ul style="list-style-type: none"> 1. the activity shall be limited to a food and beverage outlet ancillary to recreation facilities or major sports facility on the same site; and 2. the combined GFA of all ancillary food and beverage outlets on site shall not exceed 10% of the GFA of all buildings on the site. 	Activity status when compliance not achieved: DIS
SARZ-R15 Retail activity	
<i>This rule does not apply to a food and beverage outlet provided for in SARZ-R14.</i>	
<p>Activity status: PER Where:</p> <ul style="list-style-type: none"> 1. shall be limited to retail activity ancillary to recreation facilities or major sports facility on the same site; 2. shall be limited to sites with a minimum net area of 1ha; and 3. the combined GFA of all ancillary retail activities on site shall not exceed 10% of the GFA of all buildings on the site. 	Activity status when compliance not achieved: DIS
SARZ-R16 Conference facility and other function facilities	
<p>Activity status: PER Where:</p> <ul style="list-style-type: none"> 1. the activity shall be limited to conference facility and other function facilities ancillary to recreation 	Activity status when compliance not achieved: DIS

facilities or major sports facility on the same site.	
SARZ-R17 Equestrian and ancillary activities and facilities	
Activity status: PER Where: 1. the activity shall be limited to sites with a minimum net area of 1ha.	Activity status when compliance not achieved: DIS
SARZ-R18 Emergency service facility	
Activity status: DIS	Activity status when compliance not achieved: N/A
SARZ-R19 Any activity not provided for in the Sport and Active Recreation Zone as a permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited activity, except where expressly specified by a district wide provision	
Activity status: DIS	Activity status when compliance not achieved: N/A
SARZ-R20 Motorised recreation activities	
<i>This rule does not apply to motorised vehicle events provided for in GRZ-R18.</i>	
Activity status: NC	Activity status when compliance not achieved: N/A
SARZ-R21 Motorised sports facility	
Activity status: NC	Activity status when compliance not achieved: N/A

Built Form Standards

SARZ-BFS1 Coverage	
1. Unless otherwise specified in the activity standards, the maximum: a. percentage of a site covered by all buildings; and b. percentage of a site covered by impervious surface (excluding walk ways, tracks, cycle ways, hard/artificial playing and safety surfaces); shall be as specified in Table SARZ-1 below.	Activity status when compliance not achieved: DIS

Table SARZ-1: Coverage

Site	All Buildings	Impervious Surface
All sites	20%	30%

SARZ-BFS2 Height	
1. Maximum building height above ground level: 20m. 2. Maximum height of any pole or structure for flood or training lighting: 40m.	Activity status when compliance not achieved: DIS
SARZ-BFS3 Height in relation to boundary	

<p>1. Where an internal boundary adjoins any Residential Zones, Special Purpose Zone (Kāinga Nohoanga) or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the height in relation to boundary for the adjoining zone shall apply, and where specified structures shall not project beyond a building envelope defined by recession planes measuring 2.5m from ground level above any site boundary in accordance with the diagrams in Appendix APP3, except for the following:</p> <ol style="list-style-type: none"> a. flagpoles; b. lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts; c. decorative features such as steeples, towers and finials; d. for buildings on adjoining sites which share a common wall, the height in relation to boundary requirement shall not apply along that part of the internal boundary covered by such a wall; and e. where the land immediately beyond the site boundary forms part of any rail corridor, drainage reserve, or accessway (whether serving the site or not), the boundary of the rail corridor, drainage reserve, or accessway furthest from the site boundary may be deemed to be the site boundary for the purpose of defining the origin of the recession plane, provided this deemed site boundary is no further than 6m from the site boundary; <p>2. Provided that none of the structures listed in (c) to (e) has a horizontal dimension of over 3m along the line formed where the structure meets the recession plane as measured parallel to the relevant boundary.</p>	<p>Activity status when compliance not achieved: DIS</p>
<p>SARZ-BFS4 Internal boundary setback</p>	
<p>1. The minimum setback from an internal boundary with Residential Zones, Special Purpose Zone (Kāinga Nohoanga), Special Purpose</p>	<p>Activity status when compliance not achieved: DIS</p>

<p>Zone (Pines Beach and Kairaki Regeneration), or other Open Space and Recreation Zones shall be as follows:</p> <ol style="list-style-type: none"> a. all sites, except as specified in (b) below: <ol style="list-style-type: none"> i. buildings: 20m; ii. poles or structures for flood or training lighting: 10m; b. any stand-alone building containing toilets or changing rooms: 10m. 	
SARZ-BFS5 Road boundary setback	
<ol style="list-style-type: none"> 1. The minimum building setback from a road boundary shall be as follows: <ol style="list-style-type: none"> a. all sites, except as specified in (b) below: <ol style="list-style-type: none"> i. a State Highway: 20m; and ii. all other roads: 10m; b. any stand-alone building containing toilets or changing rooms: <ol style="list-style-type: none"> i. a State Highway: 20m; and ii. all other roads: 3m. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: OSRZ-MCD1 - Boundary setbacks OSRZ-MCD4 - Public amenities</p>
SARZ-BFS6 Outdoor storage	
<ol style="list-style-type: none"> 1. Outdoor storage areas shall not be located within the setbacks specified in SARZ-BFS4 and SARZ-BFS5; and 2. Outdoor storage areas shall be screened from adjoining sites and roads by either planting, walls or fences, or any combination of these, for a minimum of 1.8m in height above ground level along the length of the storage area (except for access points). Where screening is by landscaping this shall be to a minimum depth of 1.5m and any trees shall have a minimum height of 1m above ground level at the time of planting and be capable of reaching a height at maturity of at least 1.8m above ground level. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: OSRZ-MCD3 - Outdoor storage</p>

Appendix F. Recommended Amendments to Matters of Control or Discretion for all Open Space and Recreation Zones

Where changes are recommended in response to submissions and further submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is **underlined**.
- Text recommended to be deleted from the Proposed Plan is **~~struck through~~**.

Matters of Control or ³²Discretion for all Open Space and Recreation Zones

<p>OSRZ- MC³³D1</p>	<p>Boundary setbacks</p> <ol style="list-style-type: none"> 1. The extent to which any reduced internal boundary setback will result in: <ol style="list-style-type: none"> a. adverse visual effects on open space or on adjoining residents; and b. potential for activities within the building to give rise to disturbance to neighbours or nuisance effects. 2. The extent to which any reduced road boundary setback will detract from the pleasantness, coherence, openness and attractiveness of the site as viewed from the street and adjoining sites, including consideration of: <ol style="list-style-type: none"> a. compatibility with the appearance, layout and scale of other buildings and sites within the vicinity of the site; and b. the classification and formation of the road, and the volume of traffic using it within the vicinity of the site. 3. The extent to which the scale and height of the building is compatible with the layout, scale and appearance of other buildings on the site or on adjoining sites. 4. The extent to which the provision of planting or screening will avoid, remedy or mitigate adverse effects of the encroachment. 5. The extent to which the development is designed and laid out to promote a safe environment, taking into account the principles of CPTED. 6. The extent to which the reduced setback will result in a more efficient, practical and better use of the balance of the site. 7. The extent to which any reduced setback from a transport corridor will enable buildings, balconies or decks to be constructed or maintained without requiring access above, on, or over the transport corridor. 8. Where development is proposed within District Plan setbacks from scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.
<p>OSRZ- MC³⁴D2</p>	<p>Height</p> <ol style="list-style-type: none"> 1. The extent to which any increased building height will result in: <ol style="list-style-type: none"> a. visual dominance; b. loss of privacy and outlook for adjoining residents; c. incompatibility with the scale and character of buildings within and adjoining the site; and d. adverse visual effects that are avoided, remedied or mitigated by landscaping. 2. The extent to which any increased building height will result in any benefits in terms of retention of open space, significant trees or the satisfaction of specialised recreational needs. 3. The extent to which the development is designed and laid out to promote a safe environment, taking into account the principles of CPTED. 4. In that part of any of the Open Space and Recreation Zones covered by the Coastal Environment Overlay, the matters of control or discretion in the Coastal Environment Chapter.

³² Te Kohaka o Tūhaitara Trust [113.7]

³³ Te Kohaka o Tūhaitara Trust [113.7]

³⁴ Te Kohaka o Tūhaitara Trust [113.7]

OSRZ- ME ³⁵ D3	<p>Outdoor storage</p> <ol style="list-style-type: none"> 1. The extent to which: <ol style="list-style-type: none"> a. planting or screening will avoid, remedy or mitigate adverse visual effects of outdoor storage areas; and b. the materials or goods stored have an adverse visual effect.
OSRZ- ME ³⁶ D4	<p>Public amenities</p> <ol style="list-style-type: none"> 1. For public amenities involving public toilets or changing rooms, the extent to which any reduced building setback will: <ol style="list-style-type: none"> a. detract from the amenity of adjoining residents and give rise to nuisance effects; and b. promote a safe physical environment, taking into account the principles of CPTED. 2. For other public amenities, the extent to which the building or other structure will: <ol style="list-style-type: none"> a. be of a scale that detracts from the open space qualities, including the natural character of scheduled freshwater bodies; b. have a layout and design that is appropriate to the locality, context and character of the area; and c. allow for better utilisation and improve the amenity of the open space. 3. The extent to which the design and landscaping avoids, remedies or mitigates adverse visual effects. 4. The extent to which indigenous vegetation and indigenous fauna and their habitats will be damaged or destroyed and whether any replacement planting or habitat is proposed. 5. The extent to which the removal of vegetation or proposed planting will maintain or enhance local or regional indigenous biodiversity. 6. In that part of any of the Open Space and Recreation Zones covered by the Coastal Environment Overlay, the matters of control or discretion in the Coastal Environment Chapter. 7. Where development is proposed within District Plan setbacks from scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.
OSRZ- ME ³⁷ D5	<p>Height in relation to boundary</p> <ol style="list-style-type: none"> 1. The extent to which the height in relation to boundary intrusion will result in: <ol style="list-style-type: none"> a. overshadowing and reduced sunlight admission, taking into account the location of residential units on adjoining sites and the position of main living areas and outdoor living spaces; b. loss of privacy and outlook for adjoining residents; and c. visual dominance. 2. The extent to which the height in relation to boundary intrusion will create any benefits in terms of retention of open space or the satisfaction of specialised recreational needs.

³⁵ Te Kohaka o Tūhaitara Trust [113.7]

³⁶ Te Kohaka o Tūhaitara Trust [113.7]

³⁷ Te Kohaka o Tūhaitara Trust [113.7]

OSRZ- MC ³⁸ D6	<p>Residential activity</p> <ol style="list-style-type: none"> 1. The extent to which a residential unit(s) is needed for custodial or management purposes, or other purposes. 2. The extent to which available open space would be reduced by a proposed building(s) and their surrounds and adversely affect the range of recreation activities undertaken on the site. 3. The extent to which the scale of residential activity would have adverse effects on the visual quality of the environment, residential amenities and traffic generation. 4. The extent of the visual impacts of such development as seen from adjoining residential zones or road frontage. 5. Where development is proposed within District Plan setbacks from scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.
OSRZ- MC ³⁹ D7	<p>Scale and nature of the activity or facility</p> <ol style="list-style-type: none"> 1. The extent to which the activity/facility has a functional need or operational need to be located within the open space. 2. The extent to which the activity/facility or its scale will: <ol style="list-style-type: none"> a. significantly reduce open space or impede access to it; b. displace recreation activities or facilities; c. be compatible with the functions of the open space and recreation activities within it; d. have a layout and design that is appropriate to the locality, context, character or natural values of the area; e. adversely impact on the amenity values of the open space and adjoining residents, including (but not necessarily limited to) visual impacts, noise, light spill, glare, nuisance and traffic effects; and f. promote a safe physical environment, taking into account the principles of CPTED. 3. The extent to which the facility interacts with pedestrians and pedestrian linkages. 4. The extent to which the activity will provide economic benefits enabling the ongoing operation and maintenance of recreation facilities or open spaces. 5. The extent to which the activity/facility maintains existing or future public access connections to multi-modal sustainable transport options including (but not necessarily limited to) walking/cycling and public transport. 6. In that part of any of the Open Space and Recreation Zones covered by the Coastal Environment Overlay, the matters of control or discretion in the Coastal Environment Chapter. 7. Where development is proposed within District Plan setbacks from scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.
OSRZ- MC ⁴⁰ D8	<p>Coverage</p> <ol style="list-style-type: none"> 1. The extent to which the proposal is consistent with the role and function of the open space.

³⁸ Te Kohaka o Tūhaitara Trust [113.7]

³⁹ Te Kohaka o Tūhaitara Trust [113.7]

⁴⁰ Te Kohaka o Tūhaitara Trust [113.7]

	<ol style="list-style-type: none"> 2. The extent to which the scale of development will detract from amenity values and public use and enjoyment of the open space. 3. The extent to which the location, layout and design is consistent with good urban design principles. 4. The extent to which the scale, design, materials, and external appearance are appropriate to the surrounding environment. 5. The extent to which the development is designed and laid out to promote a safe environment, taking into account the principles of CPTED. 6. The extent to which appropriate public access and connectivity is provided. 7. The extent to which adverse visual effects can be avoided, remedied or mitigated by effective use of landscaping. 8. The extent to which mixed or multi-functional use of land and facilities and adaptable design increases the capacity of the open space. 9. The extent to which the proposal meets a recreational need of the community, particularly where there is an identified deficiency, or a specialised recreational need. 10. In that part of any of the Open Space and Recreation Zones covered by the Coastal Environment Overlay, the matters of control or discretion in the Coastal Environment Chapter. 11. Where development is proposed within District Plan setbacks from scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.
OSRZ- MC⁴¹D9	<p>Traffic generation and access</p> <ol style="list-style-type: none"> 1. The extent to which traffic generation and vehicle access will adversely affect the character and amenity values of the surrounding area or safety and efficient functioning of the road network. 2. The ability to cater for increased traffic generation taking into account: <ol style="list-style-type: none"> a. the classification and formation of the connecting road network; b. the hourly, daily and weekly pattern of vehicle movements; c. the ability to provide safe vehicle access and adequate on site car parking and circulation and on site manoeuvring; and d. traffic management plans. 3. The extent to which adverse effects in terms of noise, vibration, dust, nuisance, glare and vehicle emissions will be incompatible with the amenity of the open space or adjoining residents. 4. In that part of any of the Open Space and Recreation Zones covered by the Coastal Environment Overlay, the matters of control or discretion in the Coastal Environment Chapter. 5. With regards access to scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.
OSRZ- MC⁴²D10	<p>Cemetery – street scene and road boundary setback</p> <ol style="list-style-type: none"> 1. The extent to which any reduction in setback would enable greater protection or retention of natural, cultural or heritage values within the site. 2. The extent to which any proposed landscaping may reduce the visual impact of a reduction in setback.

⁴¹ Te Kohaka o Tūhaitara Trust [113.7]

⁴² Te Kohaka o Tūhaitara Trust [113.7]

	3. The extent to which there will be adverse visual or heritage impacts on the site and zone and on its value to the public, or on its natural character.
OSRZ- ME ⁴³ D11	Cemetery – building height, setback from neighbours and height in relation to boundary 1. The extent of adverse effects of height on adjacent residences or residential zones. 2. The visual impact of the scale of the structure and its appropriateness having regard to the purpose of the site and zone. 3. The extent to which any landscaping provided will reduce the visual impact of the building as seen from the road or adjoining residences.
OSRZ- MCD12	Removal of buildings or other structures⁴⁴ 1. Timing, duration and hours of works. 2. Vehicle access for demolition or removal purposes. 3. The extent of actual or potential effects of the proposed works both within and surrounding the site, and the adequacy of any mitigation proposed. 4. Removal of materials and disposal at an approved dump site. 5. Reinstatement and rehabilitation of the area from which the building or other structure is to be removed and of the vehicle access used for this purpose.
OSRZ- ME ⁴⁵ D13	Community garden 1. Location and area. 2. The extent to which the existing open space functions, public access and environmental qualities of the site can be maintained without significant adverse effect or conflict with the wider community, or whether displaced open space functions can be provided at a nearby alternative site that meets the District Council's levels of service commitments.
OSRZ- ME ⁴⁶ D14	Grazing on District Council land ⁴⁷ 1. Whether the proposed grazing <u>on District Council land</u> ⁴⁸ has a grazing licence issued by the District Council. 2. Location and area. 3. The extent to which the existing open space functions, public access and environmental qualities of the site can be maintained without significant adverse effect or conflict with the wider community, or whether displaced open space functions can be provided at a nearby alternative site that meets the District Council's levels of service commitments.
OSRZ- MDXX	Rail boundary setback⁴⁹ <u>1. The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including rail corridor access and maintenance.</u>

⁴³ Te Kohaka o Tūhaitara Trust [113.7]⁴⁴ Te Kohaka o Tūhaitara Trust [113.7]⁴⁵ Te Kohaka o Tūhaitara Trust [113.7]⁴⁶ Te Kohaka o Tūhaitara Trust [113.7]⁴⁷ Federated Farmers of NZ Inc. [414.40]⁴⁸ Federated Farmers of NZ Inc. [414.40]⁴⁹ KiwiRail Holdings Ltd [373.97]

Appendix G. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions and further submissions on the OSRZ chapters are shown in Tables G1 to G8 below.

Table G 1: Recommended responses to submissions and further submissions – Definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
295.18	Horticulture NZ	Definition of conference facility	Support definition of 'conference facility' as provides clarity and acknowledges irregular nature of events. Retain definition of 'conference facility' as notified.	N/A	Accept	No change is sought to the notified provision and there were no opposing submissions or further submissions.	No
192.5	Royal Forest and Bird Protection Society of NZ Inc.	Definition of conservation activities	Neutral on definition of 'conservation activities'. Retain definition of 'conservation activities' as notified.	3.2.1	Accept in part	See relevant section of report.	No
295.19	Horticulture NZ	Definition of conservation activities	<p>Definition limits 'conservation activities' to parks, reserves, beach areas, open space and recreation zones, and excludes farm activities. This conflicts with policy direction to enable conservation activities in Rural Zones (RURZ-P4).</p> <p>Plant nurseries, research and educational activities have different and more permanent effects from other activities listed depending on scale and public facilities will have greater affect on neighbours which should be managed.</p> <p>Oppose carbon sequestration until adequate safeguards for the life supporting capacity of soils included as carbon sequestering forests are to remain in perpetuity, preventing the use of highly productive land for productive purposes and questionable if it is a conservation activity.</p> <p>Clause (f) is for activities while other clauses focus on structures or temporary activities.</p> <p>Amend definition of 'conservation activities':</p> <p>"means the management, maintenance and enhancement of ecological values of parks and reserves, beach areas and open space and recreation zones. This includes:</p> <p>... c) plant nurseries ... e) planting for stormwater treatment, erosion and coastal protection, and carbon sequestration f) ancillary environmental research and education activities..."</p>	3.2.1	Accept in part	See relevant section of report.	Yes
FS 45	NZ Agricultural Aviation Association		Support. Pest control for conservation activities is relevant to all zones. Allow.	3.2.1	Accept in part	See relevant section of report.	No
419.9	Department of Conservation	Definition of conservation activities	'Conservation activities' definition is inconsistent with the 'conservation' definition from section 2 of the Conservation Act 1987 - "preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values,	3.2.1	Accept in part	See relevant section of report.	Yes

Table G 1: Recommended responses to submissions and further submissions – Definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations". Oppose listing activities within the definition.</p> <p>Amend 'conservation activities' definition:</p> <p>"means the <u>use of land and/or buildings for any activity undertaken for the purposes of preservation, protection management, maintenance and enhancement of intrinsic values of natural and historical resources. ecological values of parks and reserves, beach areas and open space and recreation zones. This includes:-</u></p> <ul style="list-style-type: none"> a. pest control; b. fencing; c. plant nurseries; d. conservation and restoration planting; e. planting for stormwater treatment, erosion and coastal protection, and carbon sequestration; f. ancillary environmental research and education activities; g. ancillary access tracks and ancillary structures; h. the ancillary use of vehicles, machinery or equipment." 				
FS 45	NZ Agricultural Aviation Association		Oppose. For clarity the definition should include specific activities including weed and pest control for conservation purposes. Disallow.	3.2.1	Accept in part	See relevant section of report.	No
FS 78	Royal Forest and Bird Protection Society NZ		Support. In accordance with the requirements of the RMA.	3.2.1	Accept in part	See relevant section of report.	No
FS 83	Federated Farmers of NZ Inc.		Oppose. The list is useful and is not exclusive. Disallow.	3.2.1	Accept in part	See relevant section of report.	No
146.2	Oxford A&P Association	Definition of equestrian and ancillary activities and facilities	<p>Recognise private ownership and community use of Oxford A&P Showgrounds and allow ongoing activities and recreation as undertaken without concern or complaint for past 117 years with care and duty by the organisation at all times. Proposed District Plan wording restricts ongoing activities.</p> <p>Amend definition of 'equestrian and ancillary activities and facilities':</p> <p>"means the use of land and buildings for training, exercising, riding or showing of horses for recreational or competitive purposes, and may include (but is not necessarily limited to) <u>and whether a charge is made for admission or participation or not.</u></p> <p>...</p> <p>f. <u>short term grazing of horses (horses arrive for shows 2-3 days prior to an event)</u></p>	3.2.2	Accept in part	See relevant section of report.	Yes

Table G 1: Recommended responses to submissions and further submissions – Definitions							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>e.h. the use of land and buildings for keeping, grazing, training and exercising of horses where this is ancillary to residential activity on the same site.</p> <p>but excludes:</p> <p>f. major sports facility; (any event that can be accommodated should be allowed on private property)</p> <p>g. the grazing of horses on District Council land;</p> <p>h.f. the use of land and buildings for keeping, grazing, training and exercising of horses where this is ancillary to residential activity on the same site. (Dressage Arena is available for public use)"</p>				
FS 62	Oxford-Ohoka Community Board		Support. This land is privately owned and the way that the current plan is worded would limit their ability to operate as required and to restrict Community activity in the area. Allow.	3.2.2	Accept in part	See relevant section of report	No
192.24	Royal Forest and Bird Protection Society of NZ Inc.	Definition of open space and recreation zones	<p>Opposes 'Open Space and Recreation Zones' definition as it does not recognise natural open space as an important zone type.</p> <p>Delete 'Open Space and Recreation Zones' definition and specify each relevant zone type.</p>	3.2.3	Reject	See relevant section of report.	No
113.12 113.13 (against CE-R2)	Te Kohaka o Tūhaitara Trust	Definition of public amenities	<p>The definition of 'public amenities' includes visitor information centres. A visitor information centre could be established within the Tūhaitara Coastal Park in the future, and 75m² is unduly restrictive. Seek that visitor information centres be permitted under NOSZ-BFS1. Delete visitor information centres from the definition of 'public amenities' to allow a visitor information centre within the Tūhaitara Coastal Park under NOSZ-BFS1.</p>	3.2.4	Reject	See relevant section of report.	No
192.25	Royal Forest and Bird Protection Society of NZ Inc.	Definition of public amenities	<p>Amend the definition of 'public amenities' to clarify. This definition is far ranging by including cycle and walk ways. Many provisions relating to public amenities only relate to buildings and structures. It is unclear that all cycle and walk ways would be considered a structure. These can be quite large and can have significant adverse effects. The definition for 'infrastructure' also includes cycle and walk ways.</p> <p>Amend the definition of 'public amenities': Delete items that do have a clear link to the building and structure conditions / standards found in the rules such as cycle and walk ways.</p>	3.2.4	Reject	See relevant section of report.	No
FS 110	Waka Kotahi NZ Transport Agency		Oppose. Waka Kotahi considers that cycleways and walkways would, depending on their formation, comply with the definition of a structure, and as such they may also provide amenity and assist	3.2.4	Accept	See relevant section of report.	No

Table G 1: Recommended responses to submissions and further submissions – Definitions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<i>the public, we consider they also comply with the notified definition of a 'public amenity'.</i>				
414.15	Federated Farmers of NZ Inc.	Definition of public amenities	The definition of 'public amenities' could imply that amenities on private land which assist the public also become public amenities. A better way of writing the definition is to link the amenities to the underlying land ownership. Replace the definition of 'public amenities' with: "means <u>public land and buildings or other structures on that land used to provide amenity and assist the public. ...</u> "	3.2.4	Accept	See relevant section of report.	Yes

Table G 2: Recommended responses to submissions and further submissions - General OSRZ Matters

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
148.19	Rangiora-Ashley Community Board	General – Natural Open Space Zone	Supports Open Space and Recreation Zones to protect areas from development.	3.3	Accept in part	See relevant section of report.	No
148.20	Rangiora-Ashley Community Board	General - Open Space Zone	Supports Open Space and Recreation Zones to protect areas from development.	3.3	Accept in part	See relevant section of report.	No
148.21	Rangiora-Ashley Community Board	General – Sport and Active Recreation Zone	Supports Open Space and Recreation Zones to protect areas from development.	3.3	Accept in part	See relevant section of report.	No
160.14	Rolleston Industrial Developments Ltd	General – Natural Open Space Zone	Supports Natural Open Space Zone provisions. Retain Natural Open Space Zone provisions as notified.	3.3	Accept in part	See relevant section of report.	No
FS 62	Oxford-Ohoka Community Board		Oppose submission points 160.1 to 160.22 by Rolleston Industrial Developments Ltd in their entirety.	3.3	Reject	See relevant section of report.	No
FS 84	Ohoka Residents Association		Oppose submission points 160.1 to 160.22 by Rolleston Industrial Developments Ltd in their entirety. Disallow.	3.3	Reject	See relevant section of report.	No
FS 130	David and Elaine Brady		Oppose development proposed at Ohoka by Rolleston Industrial Developments Ltd.	3.3	Reject	See relevant section of report.	No
FS 132	Jan Hadfield		Oppose development proposed at Ohoka by Rolleston Industrial Developments Ltd. Disallow.	3.3	Reject	See relevant section of report.	No
FS 136	Emma Wood		Oppose submission #160 in its entirety.	3.3	Reject	See relevant section of report.	No
160.15	Rolleston Industrial Developments Ltd	General – Open Space Zone	Supports Open Space Zone provisions. Retain Open Space Zone provisions as notified.	3.3	Accept in part	See relevant section of report.	No
FS 62	Oxford-Ohoka Community Board		Oppose submission points 160.1 to 160.22 by Rolleston Industrial Developments Ltd in their entirety.	3.3	Reject	See relevant section of report.	No

Table G 2: Recommended responses to submissions and further submissions - General OSRZ Matters

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
FS 84	Ohoka Residents Association		Oppose submission points 160.1 to 160.22 by Rolleston Industrial Developments Ltd in their entirety. Disallow.	3.3	Reject	See relevant section of report.	No
FS 130	David and Elaine Brady		Oppose development proposed at Ohoka by Rolleston Industrial Developments Ltd.	3.3	Reject	See relevant section of report.	No
FS 132	Jan Hadfield		Oppose development proposed at Ohoka by Rolleston Industrial Developments Ltd. Disallow.	3.3	Reject	See relevant section of report.	No
FS 136	Emma Wood		Oppose submission #160 in its entirety.	3.3	Reject	See relevant section of report.	No
160.16	Rolleston Industrial Developments Ltd	General - Sport and Active Recreation Zone	Supports Sport and Active Recreation Zone provisions. Retain Sport and Active Recreation Zone provisions as notified.	3.3	Accept in part	See relevant section of report.	No
FS 62	Oxford-Ohoka Community Board		Oppose submission points 160.1 to 160.22 by Rolleston Industrial Developments Ltd in their entirety.	3.3	Reject	See relevant section of report.	No
FS 84	Ohoka Residents Association		Oppose submission points 160.1 to 160.22 by Rolleston Industrial Developments Ltd in their entirety. Disallow.	3.3	Reject	See relevant section of report.	No
FS 130	David and Elaine Brady		Oppose development proposed at Ohoka by Rolleston Industrial Developments Ltd.	3.3	Reject	See relevant section of report.	No
FS 132	Jan Hadfield		Oppose development proposed at Ohoka by Rolleston Industrial Developments Ltd. Disallow.	3.3	Reject	See relevant section of report.	No
FS 136	Emma Wood		Oppose submission #160 in its entirety.	3.3	Reject	See relevant section of report.	No

Table G 3: Recommended responses to submissions and further submissions - Objectives

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
General Objectives for all OSRZ							
148.18	Rangiora-Ashley Community Board	General Objectives for all Open Space and Recreation Zones	Supports Open Space and Recreation Zones to protect areas from development.	N/A	Accept in part	The provisions are recommended to be retained, except to the extent to which they may be amended by decisions on other submissions.	No
NOSZ Objectives							
249.138	Mainpower NZ Ltd	New objective	Insert new objective to support the introduction of new corridor protection rules for electricity distribution lines within the Natural Open Space Zone. Insert the following new objective: "Objective: The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities."	3.1.2	N/A	See relevant section of report.	N/A
FS 99	KiwiRail Holdings Ltd		KiwiRail supports the inclusion of new zone objectives which seek to avoid reverse sensitivity effects on infrastructure. Allow.	3.1.2	N/A	See relevant section of report.	N/A

Table G 3: Recommended responses to submissions and further submissions - Objectives							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
316.177	Canterbury Regional Council	NOSZ-O1	Natural landscapes and features may also be a characteristic of the Natural Open Space Zone. Add an additional clause for 'natural landscapes and features'.	3.4.1	Reject	See relevant section of report.	No
419.142	Department of Conservation	NOSZ-O1	Support NOSZ-O1. Retain NOSZ-O1 as notified.	3.4.1	Accept	See relevant section of report.	No
FS 78	Royal Forest and Bird Protection Society of NZ Inc.		Support. In accordance with the requirements of the RMA.	3.4.1	Accept	See relevant section of report.	No
OSZ Objectives							
249.129	Mainpower NZ Ltd	New objective	Insert new objective to support new corridor protection rules for electricity distribution lines within the Open Space Zone. Insert the following new objective: "Objective: The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities."	3.1.2	N/A	See relevant section of report.	N/A
FS 99	KiwiRail Holdings Ltd		KiwiRail supports the inclusion of new zone objectives which seek to avoid reverse sensitivity effects on infrastructure. Allow.	3.1.2	N/A	See relevant section of report.	N/A
SARZ Objectives							
249.135	Mainpower NZ Ltd	New objective	Insert new objective to support new corridor protection rules for electricity distribution lines within the Sport and Active Recreation Zone. Insert the following new objective: "Objective: The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities."	3.1.2	N/A	See relevant section of report.	N/A
FS 99	KiwiRail Holdings Ltd		KiwiRail supports the inclusion of new zone objectives which seek to avoid reverse sensitivity effects on infrastructure. Allow.	3.1.2	N/A	See relevant section of report.	N/A

Table G 4: Recommended responses to submissions and further submissions - Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
General Policies for all OSRZ							
148.22	Rangiora-Ashley Community Board	General Policies for all Open Space and Recreation Zones	Supports Open Space and Recreation Zones to protect areas from development.	N/A	Accept in part	The provisions are recommended to be retained, except to the extent to which they may be amended by decisions on other submissions.	No

Table G 4: Recommended responses to submissions and further submissions - Policies

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
419.141	Department of Conservation	OSRZ-P2	Support OSRZ-P2. Retain OSRZ-P2 as notified.	N/A	Accept	No change is sought to the notified provision and there were no opposing submissions or further submissions.	No.
FS 78	Royal Forest and Bird Protection Society of NZ Inc.		Support. In accordance with the requirements of the RMA.	N/A	Accept		No
NOSZ Policies							
249.139	Mainpower NZ Ltd	New policy	<p>Insert new policy to support new corridor protection rules for electricity distribution lines within the Natural Open Space Zone.</p> <p>Insert the following new policy:</p> <p><u>"Policy - Separation of incompatible activities</u></p> <p><u>Protect critical infrastructure, strategic infrastructure and regionally significant infrastructure by avoiding adverse effects, including reverse sensitivity effects, from incompatible activities by avoiding buildings, structures and any sensitive activities that may compromise the operation of Electricity Distribution Lines within an identified buffer corridor."</u></p>	3.1.2	N/A	See relevant section of report.	N/A
FS 99	KiwiRail Holdings Ltd		KiwiRail supports the inclusion of new zone policies which seek to avoid reverse sensitivity effects on infrastructure. Allow.	3.1.2	N/A	See relevant section of report.	N/A
419.143	Department of Conservation	NOSZ-P1	Support NOSZ-P1. Retain NOSZ-P1 as notified.	N/A	Accept	No change is sought to the notified provision and there were no opposing submissions or further submissions.	No.
FS 78	Royal Forest and Bird Protection Society of NZ Inc.		Support. In accordance with the requirements of the RMA.	N/A	Accept		No
OSZ Policies							
249.130	Mainpower NZ Ltd	New policy	<p>Insert new policy to support new corridor protection rules for electricity distribution lines within the Open Space Zone.</p> <p>Insert the following new policy:</p> <p><u>"Policy - Separation of incompatible activities</u></p> <p><u>Protect critical infrastructure, strategic infrastructure and regionally significant infrastructure by avoiding adverse effects, including reverse sensitivity effects, from incompatible activities by avoiding buildings, structures and any sensitive activities that may compromise the operation of Electricity Distribution Lines within an identified buffer corridor."</u></p>	3.1.2	N/A	See relevant section of report.	N/A

Table G 4: Recommended responses to submissions and further submissions - Policies							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
FS 99	KiwiRail Holdings Ltd		KiwiRail supports the inclusion of new zone policies which seek to avoid reverse sensitivity effects on infrastructure. Allow.	3.1.2	N/A	See relevant section of report.	N/A
SARZ Policies							
249.136	Mainpower NZ Ltd	New policy	<p>Insert new policy to support new corridor protection rules for electricity distribution lines within the Sport and Active Recreation Zone.</p> <p>Insert the following new policy:</p> <p><u>"Policy - Separation of incompatible activities</u></p> <p><u>Protect critical infrastructure, strategic infrastructure and regionally significant infrastructure by avoiding adverse effects, including reverse sensitivity effects, from incompatible activities by avoiding buildings, structures and any sensitive activities that may compromise the operation of Electricity Distribution Lines within an identified buffer corridor."</u></p>	3.1.2	N/A	See relevant section of report.	N/A
FS 99	KiwiRail Holdings Ltd		KiwiRail supports the inclusion of new zone policies which seek to avoid reverse sensitivity effects on infrastructure. Allow.	3.1.2	N/A	See relevant section of report.	N/A

Table G 5: Recommended responses to submissions and further submissions - Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
NOSZ Rules							
249.140	Mainpower NZ Ltd	New rule	<p>Insert corridor protection rules relating to Major Electricity Distribution Lines into the Natural Open Space Zone Chapter. Submitter suggests corridor protection rules be located within the relevant zone chapters to include land use constraints associated with Major Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners. Submitter also suggests that the width of the corridor protection can be reduced to 6m.</p> <p>Insert the following new rule:</p> <p><u>"Earthworks adjacent to major electricity distribution line</u></p> <p><u>Activity Status: PER</u></p>	3.1.2	N/A	See relevant section of report.	N/A

Table G 5: Recommended responses to submissions and further submissions - Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p><u>Where:</u></p> <p>1. Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</p> <p>2. Meet the following requirements:</p> <p>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</p> <p>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</p> <p>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</p> <p>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.</p> <p>Activity status when compliance not achieved: NC</p> <p>Notification</p> <p><u>An application for a non-complying activity under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</u></p> <p>Exemptions</p> <p><u>This rule does not apply to:</u></p> <ul style="list-style-type: none"> - earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track; - earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes); - earthworks for which prior written consent has been granted by the relevant electricity distribution line operator under the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; 				

Table G 5: Recommended responses to submissions and further submissions - Rules

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>Advisory Notes</p> <ul style="list-style-type: none"> - Major electricity distribution lines are shown on the planning maps. - Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003. - The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances." <p>Insert the following new rule:</p> <p><u>"Network utilities within 6m of the centre line of a major electricity distribution line</u></p> <p><u>Activity status: PER</u></p> <p><u>Where:</u></p> <p>1. the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</p> <p><u>Activity status when compliance not achieved: NC</u></p> <p><u>Advisory Note</u></p> <ul style="list-style-type: none"> - Major electricity distribution lines are shown on the planning map." <p>Insert the following new rule:</p> <p><u>"Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u></p> <p><u>Activity status: NC</u></p> <p><u>Where:</u></p> <p>1. activities and development adjacent to a major electricity distribution line involve the following:</p>				

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>a. <u>new sensitive activity and new buildings within 6m of the centreline of a major electricity distribution line or within 6m of the foundation of a support structure; or</u> b. <u>complies with the requirements of NZECP34:2001.</u></p> <p>Notification</p> <p><u>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</u></p> <p>Advisory Notes</p> <p><u>- Major electricity distribution lines are shown on the planning map.</u> <u>- Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.</u> <u>- The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances."</u></p> <p>Insert the following new rule:</p> <p><u>"Structures near a major electricity distribution line</u></p> <p>Activity status: NC</p> <p><u>1. The establishment of a new, or expansion of an existing structure:</u></p> <p><u>Where:</u></p> <p><u>2. The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> <u>3. The structure is within 6m of the foundation of a support structure of a major electricity distribution line as shown on the planning maps, or</u> <u>4. Complies with the requirements of NZECP34:2001</u></p> <p>Notification</p>				

Table G 5: Recommended responses to submissions and further submissions - Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</p> <p>Activity status when compliance not achieved: NC "</p>				
254.140	Christchurch International Airport Ltd	New rule	<p>Insert new provisions into the relevant zone chapters that provide appropriate regulation for bird strike risk activities within 8km and 13km of the airport runways. Or, insert into district-wide rules with clear cross-references in all relevant zone chapters:</p> <p>"Activity status: PER</p> <p><u>Where:</u></p> <p>any Bird Strike Risk Activity is proposed between an 8km and 13km radius of the thresholds of the runways at Christchurch International Airport (as shown on the planning maps), a birdstrike management plan prepared in consultation with CIAL has been provided to the Waimakariri District Council Planning Manager prior to the activity establishing, and accepted (within 10 days of receipt). An updated plan shall be provided to the Waimakariri District Council if the activity expands.</p> <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion:</p> <p>MD[xx] – Bird strike risk</p> <p>Notification:</p> <p>any application arising from this rule will be notified to Christchurch International Airport Limited."</p> <p>"Activity status: RDIS</p> <p><u>Where:</u></p> <p>1. Any Bird Strike Risk Activity is proposed within an 8km radius of the thresholds of the runways at Christchurch International Airport (as shown on the planning maps); and</p>	3.1.2	N/A	See relevant section of report.	N/A

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			<p>2. with regard to the creation of any new temporary or permanent waterbodies or stormwater basins, the combined areas of all stormwater basins and/or waterbodies that are wholly or partly within 1km of the proposed waterbody's or basin's edge exceed 1000m².</p> <p>Activity status when compliance not achieved: N/A</p> <p>Matters of discretion:</p> <p>MD[xx] – Bird strike risk</p> <p>Notification:</p> <p>any application arising from this rule will be notified to Christchurch International Airport Limited."</p> <p>"Activity status: NC</p> <p>1. any waste management facility, proposed within 13 km radius of the thresholds of the runways at Christchurch International Airport as shown on the planning maps.</p> <p>Activity status when compliance not achieved: N/A"</p>				
FS 88	Kāinga Ora Homes and Communities		Oppose. Consistent with its submission on the Proposed Plan Kāinga Ora opposes the airport noise contour. Kāinga Ora seeks the deletion of the Aircraft/ Airport noise provisions in full including any mapped noise overlays, contour maps. Disallow.	3.1.2	N/A	See relevant section of the report.	N/A
221.19	House Movers Section of New Zealand Heavy Haulage Association	NOSZ-R1	<p>Amend NOSZ-R1 to include a clause to provide for moveable buildings:</p> <p>"1. The activity complies with all built form standards (as applicable).</p> <p>2. A building is moved:</p> <p>a. It shall be fixed to permanent foundations within 2 months (unless being stored as a temporary activity); and</p> <p>b. Reinstatement works to the exterior of the building shall be completed within 12 months, including connection to services, and closing in of the foundations.</p> <p>c. A building pre-inspection report to accompany the application for a building consent for the destination site which identifies all reinstatement works that are to be completed to the exterior of the building and a certification by the property owner that the</p>	3.5.1	Reject	See relevant section of report.	No

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			reinstatement works shall be completed within the specified [12] month period."				
419.144	Department of Conservation	NOSZ-R9	Support NOSZ-R9. Retain NOSZ-R9 as notified.	N/A	Accept	No change is sought to the notified provision and there were no opposing submissions or further submissions.	No
FS 78	Royal Forest and Bird Protection Society of NZ Inc.		Support. In accordance with the requirements of the RMA.	N/A	Accept		No
113.18	Te Kohaka o Tūhaitara Trust	NOSZ-R11	Opposes NOSZ-R11 due to complexity when considered in conjunction with NOSZBFS1, and also considers NOSZ-R11(2) complicated, with no clear connection to management of environmental effects. Suggests NOSZ-BFS1 be solely applicable to the Coastal Park. Rules should be fit for purpose of the Coastal Park, not generic. Delete NOSZ-R11(2), which refers to combined GFA.	3.5.3	Accept in part	See relevant section of report.	Yes
113.9	Te Kohaka o Tūhaitara Trust	NOSZ-R13	<p>Oppose NOSZ-R13(1) as it precludes planting plantation forestry. Plantation forestry is an important existing activity within the Tūhaitara Coastal Park as it provides for recreational opportunities, ground stabilisation, protection from coastal hazards, groundwater level maintenance, income, and carbon sequestration potential. It should therefore be provided for.</p> <p>Delete NOSZ-R13(1). Insert new rule as follows:</p> <p>"NOSZ-RXX: The planting and harvesting of forestry in the Tūhaitara Coastal Park for commercial, sequestration or environmental benefits.</p> <p>Activity status: CON</p> <p>Where:</p> <p>1. The area of land dedicated to planting does not exceed that existing at (insert date proposed district plan was notified);</p> <p>Matters of control are restricted to:</p> <ul style="list-style-type: none"> - measures for protection of waterbodies and important ecological areas - measures for safe access to and from public roads - any requirements specified by Te Ngāi Tūāhuriri Rūnanga for the protection of wāhi tapu or wāhi taonga. 	3.5.4	Accept in part	See relevant section of report.	Yes

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> - the extent of additional land proposed to be planted; - the purpose of the planting; - any effects on recreational use of the Coastal Park. - measures for protection of waterbodies and important ecological areas - measures for safe access to and from public roads - any requirements specified by Te Ngāi Tūāhuriri Rūnanga for the protection of wāhi tapu or wāhi taonga" 				
FS 77	Department of Conservation	NOSZ-R13	Decline the submission. If plantation forestry is to be located within this zone the activity status should be discretionary.	3.5.4	Accept in part	See relevant section of report.	No
316.178	Canterbury Regional Council	NOSZ-R13	NOSZ-R13(3) should also permit planting of vegetation for hazard mitigation such as erosion control. Amend NOSZ-R13(3) to include planting for hazard mitigation purposes.	3.5.4	Accept	See relevant section of report.	Yes
419.145	Department of Conservation	NOSZ-R13	Support NOSZ-R13. Retain NOSZ-R13 as notified.	3.5.4	Accept in part	See relevant section of report.	No
FS 78	Royal Forest and Bird Protection Society of NZ Inc.		Support. In accordance with the requirements of the RMA.	3.5.4	Accept in part	See relevant section of report.	No
113.7	Te Kohaka o Tūhaitara Trust	NOSZ-R20	Opposes resource consent requirement for removal of a building or structure within the Natural Open Space Zone given Te Kōhaka o Tūhaitara Trust already manages Tuhaitara Coastal Park appropriately under a Management Plan and small scale activities, such as removing fences, seats, boardwalks or footbridges, would be unreasonably caught by this rule. Delete NOSZ-R20.	3.5.5	Accept	See relevant section of report.	Yes
303.76	Fire and Emergency NZ	NOSZ-R21	<p>Amend activity status of a new emergency service facility in the Natural Open Space Zone from discretionary to restricted discretionary.</p> <p>Amend NOSZ-R21:</p> <p>"NOSZ-R21 Emergency Service Facility</p> <p>Activity status: RDIS</p> <p><u>Matters of Discretion Restricted to:</u></p> <p><u>OSRZ-MCD1 – Boundary Setbacks</u></p> <p><u>OSRZ-MCD2 – Height</u></p>	3.5.2	Reject	See relevant section of report.	No

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			<u>OSRZ-MCD3 – Outdoor Storage</u> <u>OSRZ-MCD5 – Height in relation to boundary</u> <u>OSRZ-MCD7 – Scale and nature of the activity or facility</u> <u>OSRZ-MCD8 – Coverage</u> <u>OSRZ-MCD9 – Traffic generation and access"</u>				
OSZ Rules							
249.131	Mainpower NZ Ltd	New rule	<p>Insert corridor protection rules relating to Major Electricity Distribution Lines into the Open Space Zone Chapter. Submitter suggests corridor protection rules be located within the relevant zone chapters to include land use constraints associated with Major Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners. Submitter also suggests that the width of the corridor protection can be reduced to 6m.</p> <p>Insert the following new rule:</p> <p><u>"Earthworks adjacent to major electricity distribution line</u></p> <p><u>Activity Status: PER</u></p> <p><u>Where:</u></p> <p><u>1. Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> <u>2. Meet the following requirements:</u> <u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u> <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> <u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> <u>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.</u></p> <p><u>Activity status when compliance not achieved: NC</u></p> <p><u>Notification</u></p>	3.1.2	N/A	See relevant section of report.	N/A

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>An application for a non-complying activity under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</p> <p>Exemptions</p> <p>This rule does not apply to:</p> <ul style="list-style-type: none"> - earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track; - earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes); - earthworks for which prior written consent has been granted by the relevant electricity distribution line operator under the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; <p>Advisory Notes</p> <ul style="list-style-type: none"> - Major electricity distribution lines are shown on the planning maps. - Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003. - The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances." <p>Insert the following new rule:</p> <p><u>"Network utilities within 6m of the centre line of a major electricity distribution line"</u></p> <p>Activity status: PER</p> <p><u>Where:</u></p>				

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>1. the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</p> <p>Activity status when compliance not achieved: NC</p> <p>Advisory Note</p> <p>- Major electricity distribution lines are shown on the planning map.”</p> <p>Insert the following new rule:</p> <p>“Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</p> <p>Activity status: NC</p> <p><u>Where:</u></p> <p>1. activities and development adjacent to a major electricity distribution line involve the following:</p> <p>a. new sensitive activity and new buildings within 6m of the centreline of a major electricity distribution line or within 6m of the foundation of a support structure; or</p> <p>b. complies with the requirements of NZECP34:2001.</p> <p>Notification</p> <p>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</p> <p>Advisory Notes</p> <p>- Major electricity distribution lines are shown on the planning map.</p> <p>- Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.</p> <p>- The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines</p>				

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.”</p> <p>Insert the following new rule:</p> <p><u>“Structures near a major electricity distribution line</u></p> <p><u>Activity status: NC</u></p> <p><u>1. The establishment of a new, or expansion of an existing structure:</u></p> <p><u>Where:</u></p> <p><u>2. The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> <u>3. The structure is within 6m of the foundation of a support structure of a major electricity distribution line as shown on the planning maps, or</u> <u>4. Complies with the requirements of NZECP34:2001</u></p> <p><u>Notification</u></p> <p><u>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</u></p> <p><u>Activity status when compliance not achieved: NC "</u></p>				
254.138	Christchurch International Airport Ltd	New rule	<p>Insert new provisions into the relevant zone chapters that provide appropriate regulation for bird strike risk activities within 8km and 13km of the airport runways. Or, insert into district-wide rules with clear cross-references in all relevant zone chapters:</p> <p><u>"Activity status: PER</u></p> <p><u>Where:</u></p> <p><u>any Bird Strike Risk Activity is proposed between an 8km and 13km radius of the thresholds of the runways at Christchurch International Airport (as shown on the planning maps), a birdstrike management plan prepared in consultation with CIAL has been provided to the Waimakariri District Council Planning Manager prior to the activity establishing, and accepted (within</u></p>	3.1.2	N/A	See relevant section of report.	N/A

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Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>10 days of receipt). An updated plan shall be provided to the Waimakariri District Council if the activity expands.</p> <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion:</p> <p><u>MD[xx] – Bird strike risk</u></p> <p>Notification:</p> <p><u>any application arising from this rule will be notified to Christchurch International Airport Limited."</u></p> <p>"Activity status: RDIS</p> <p><u>Where:</u></p> <p><u>1. Any Bird Strike Risk Activity is proposed within an 8km radius of the thresholds of the runways at Christchurch International Airport (as shown on the planning maps); and</u></p> <p><u>2. with regard to the creation of any new temporary or permanent waterbodies or stormwater basins, the combined areas of all stormwater basins and/or waterbodies that are wholly or partly within 1km of the proposed waterbody's or basin's edge exceed 1000m².</u></p> <p>Activity status when compliance not achieved: N/A</p> <p>Matters of discretion:</p> <p><u>MD[xx] – Bird strike risk</u></p> <p>Notification:</p> <p><u>any application arising from this rule will be notified to Christchurch International Airport Limited."</u></p> <p>"Activity status: NC</p> <p><u>1. any waste management facility, proposed within 13 km radius of the thresholds of the runways at Christchurch International Airport as shown on the planning maps.</u></p>				

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			Activity status when compliance not achieved: N/A"				
FS 88	Kāinga Ora Homes and Communities		<i>Oppose. Consistent with its submission on the Proposed Plan Kāinga Ora opposes the airport noise contour. Kāinga Ora seeks the deletion of the Aircraft/ Airport noise provisions in full including any mapped noise overlays, contour maps. Disallow.</i>	3.1.2	N/A	See relevant section of the report.	N/A
221.20	House Movers Section of New Zealand Heavy Haulage Association	OSZ-R1	Amend OSZ-R1 to include a clause to provide for moveable buildings: "1. The activity complies with all built form standards (as applicable). 2. A building is moved: a. It shall be fixed to permanent foundations within 2 months (unless being stored as a temporary activity); and b. Reinstatement works to the exterior of the building shall be completed within 12 months, including connection to services, and closing in of the foundations. c. A building pre-inspection report to accompany the application for a building consent for the destination site which identifies all reinstatement works that are to be completed to the exterior of the building and a certification by the property owner that the reinstatement works shall be completed within the specified [12] month period."	3.5.1	Reject	See relevant section of report.	No
255.1	Rangiora and Districts Early Records Society	OSZ-R12	Note that the Open Space Zone rules have the potential to affect the operations of the Rangiora Museum. Request clarification of implications of these rules for Rangiora Museum on Good Street reserve, Rangiora, given Council owns site. Explain to Rangiora and Districts Early Records Society Inc the potential implications of Open Space zoning for Rangiora Museum site.	3.5.6	N/A	See relevant section of report.	N/A
SARZ Rules							
249.137	Mainpower NZ Ltd	New rule	Insert corridor protection rules relating to Major Electricity Distribution Lines into the Sport and Active Recreation Zone Chapter. Submitter suggests corridor protection rules be located within the relevant zone chapters to include land use constraints associated with Major Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners. Submitter also suggests that the width of the corridor protection can be reduced to 6m. Insert the following new rule: " Earthworks adjacent to major electricity distribution line Activity Status: PER	3.1.2	N/A	See relevant section of report.	N/A

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			<p><u>Where:</u></p> <p><u>1. Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u></p> <p><u>2. Meet the following requirements:</u></p> <p><u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u></p> <p><u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u></p> <p><u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u></p> <p><u>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.</u></p> <p><u>Activity status when compliance not achieved: NC</u></p> <p><u>Notification</u></p> <p><u>An application for a non-complying activity under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</u></p> <p><u>Exemptions</u></p> <p><u>This rule does not apply to:</u></p> <p><u>- earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u></p> <p><u>- earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u></p> <p><u>- earthworks for which prior written consent has been granted by the relevant electricity distribution line operator under the NZECP</u></p>				

Table G 5: Recommended responses to submissions and further submissions - Rules

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances;</p> <p>Advisory Notes</p> <p>- Major electricity distribution lines are shown on the planning maps.</p> <p>- Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.</p> <p>- The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances."</p> <p>Insert the following new rule:</p> <p><u>"Network utilities within 6m of the centre line of a major electricity distribution line</u></p> <p>Activity status: PER</p> <p>Where:</p> <p>1. the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</p> <p>Activity status when compliance not achieved: NC</p> <p>Advisory Note</p> <p>- Major electricity distribution lines are shown on the planning map."</p> <p>Insert the following new rule:</p> <p><u>"Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u></p> <p>Activity status: NC</p> <p>Where:</p>				

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			<p>1. activities and development adjacent to a major electricity distribution line involve the following:</p> <p>a. new sensitive activity and new buildings within 6m of the centreline of a major electricity distribution line or within 6m of the foundation of a support structure; or</p> <p>b. complies with the requirements of NZECP34:2001.</p> <p>Notification</p> <p>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</p> <p>Advisory Notes</p> <p>- Major electricity distribution lines are shown on the planning map.</p> <p>- Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.</p> <p>- The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances."</p> <p>Insert the following new rule:</p> <p>"Structures near a major electricity distribution line</p> <p>Activity status: NC</p> <p>1. The establishment of a new, or expansion of an existing structure:</p> <p>Where:</p> <p>2. The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</p> <p>3. The structure is within 6m of the foundation of a support structure of a major electricity distribution line as shown on the planning maps, or</p>				

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			<p>4. Complies with the requirements of NZECP34:2001</p> <p>Notification</p> <p><u>An application under this rule is precluded from being publicly notified, but may be limited notified only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval.</u></p> <p>Activity status when compliance not achieved: NC "</p>				
254.139	Christchurch International Airport Ltd	New rule	<p>Insert new provisions into the relevant zone chapters that provide appropriate regulation for bird strike risk activities within 8km and 13km of the airport runways. Or, insert into district-wide rules with clear cross-references in all relevant zone chapters:</p> <p>"Activity status: PER</p> <p><u>Where:</u></p> <p><u>any Bird Strike Risk Activity is proposed between an 8km and 13km radius of the thresholds of the runways at Christchurch International Airport (as shown on the planning maps), a birdstrike management plan prepared in consultation with CIAL has been provided to the Waimakariri District Council Planning Manager prior to the activity establishing, and accepted (within 10 days of receipt). An updated plan shall be provided to the Waimakariri District Council if the activity expands.</u></p> <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion:</p> <p><u>MD[xx] – Bird strike risk</u></p> <p>Notification:</p> <p><u>any application arising from this rule will be notified to Christchurch International Airport Limited."</u></p> <p>"Activity status: RDIS</p> <p><u>Where:</u></p>	3.1.2	N/A	See relevant section of report.	N/A

Table G 5: Recommended responses to submissions and further submissions - Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			<p>1. Any Bird Strike Risk Activity is proposed within an 8km radius of the thresholds of the runways at Christchurch International Airport (as shown on the planning maps); and</p> <p>2. with regard to the creation of any new temporary or permanent waterbodies or stormwater basins, the combined areas of all stormwater basins and/or waterbodies that are wholly or partly within 1km of the proposed waterbody's or basin's edge exceed 1000m².</p> <p>Activity status when compliance not achieved: N/A</p> <p>Matters of discretion:</p> <p>MD[xx] – Bird strike risk</p> <p>Notification:</p> <p>any application arising from this rule will be notified to Christchurch International Airport Limited."</p> <p>"Activity status: NC</p> <p>1. any waste management facility, proposed within 13 km radius of the thresholds of the runways at Christchurch International Airport as shown on the planning maps.</p> <p>Activity status when compliance not achieved: N/A"</p>				
FS 88	Kāinga Ora Homes and Communities		Oppose. Consistent with its submission on the Proposed Plan Kāinga Ora opposes the airport noise contour. Kāinga Ora seeks the deletion of the Aircraft/ Airport noise provisions in full including any mapped noise overlays, contour maps. Disallow.	3.1.2	N/A	See relevant section of the report.	N/A
221.21	House Movers Section of New Zealand Heavy Haulage Association	SARZ-R1	<p>Amend SARZ-R1 to include a clause to provide for moveable buildings:</p> <p>"1. The activity complies with all built form standards (as applicable).</p> <p>2. A building is moved:</p> <p>a. It shall be fixed to permanent foundations within 2 months (unless being stored as a temporary activity); and</p> <p>b. Reinstatement works to the exterior of the building shall be completed within 12 months, including connection to services, and closing in of the foundations.</p>	3.5.1	Reject	See relevant section of report.	No

Table G 5: Recommended responses to submissions and further submissions - Rules							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments (Summary)	Recommended Amendments to Proposed Plan?
			c. A building pre-inspection report to accompany the application for a building consent for the destination site which identifies all reinstatement works that are to be completed to the exterior of the building and a certification by the property owner that the reinstatement works shall be completed within the specified [12] month period."				
303.75	Fire and Emergency NZ	SARZ-R18	<p>Amend activity status of a new emergency service facility in the Natural Open Space Zone from discretionary to restricted discretionary.</p> <p>Amend NOSZ-R21:</p> <p>"NOSZ-R21 Emergency Service Facility</p> <p>Activity status: DISRDIS</p> <p>Matters of Discretion Restricted to:</p> <p><u>OSRZ-MCD1 – Boundary Setbacks</u></p> <p><u>OSRZ-MCD2 – Height</u></p> <p><u>OSRZ-MCD3 – Outdoor Storage</u></p> <p><u>OSRZ-MCD5 – Height in relation to boundary</u></p> <p><u>OSRZ-MCD7 – Scale and nature of the activity or facility</u></p> <p><u>OSRZ-MCD8 – Coverage</u></p> <p><u>OSRZ-MCD9 – Traffic generation and access"</u></p>	3.5.2	Reject	See relevant section of report.	No

Table G 6: Recommended responses to submissions and further submissions - Built Form Standards							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
NOSZ Built Form Standards							
373.93	KiwiRail Holdings Ltd	New Built Form Standard	<p>Insert new Built Form Standard to the Natural Open Space Zone that adds a 5m building setback from the rail corridor to provide a safety buffer and allow for maintenance of buildings without the need to access the rail corridor. This is consistent with other zones and should be required in all zones which adjoin the rail corridor, not specific zones only. Insert the following new Built Form Standard to the Natural Open Space Zone:</p> <p>"<u>Rail boundary setback</u></p> <p><u>All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.</u></p>	3.6.1	Accept in part	See relevant section of report.	Yes

Table G 6: Recommended responses to submissions and further submissions - Built Form Standards							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: XXXX-MDXX - Rail boundary setback</p> <p><u>Rail boundary setback</u></p> <p>1. The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including rail corridor access and maintenance.</p> <p><u>Notification</u></p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval."</p>				
113.10	Te Kohaka o Tūhaitara Trust	NOSZ-BFS1	Opposes NOSZ-BFS1, which limits the Gross Floor Area of any building in the Natural Open Space Zone to 75m ² , as such a limit is unreasonable and restrictive in the context of the Tūhaitara Coastal Park, particularly in terms of its scale and operations. Amend NOSZ-BFS1 by increasing 75m ² Gross Floor Area limit to 350m ² .	3.6.2	Accept in part	See relevant section of report.	Yes
113.11	Te Kohaka o Tūhaitara Trust	NOSZ-BFS1	<p>Opposes discretionary activity status for non-compliance with NOSZ-BFS1 as considers it onerous and unnecessary for such an activity to have effects beyond those on amenity, landscape and ecological values assessed.</p> <p>Amend activity status for non-compliance with NOSZ-BFS1 to restricted discretionary and limit matters of discretion to effects on the ecological, landscape and amenity values of Tuhaitara Coastal Park.</p>	3.6.2	Reject	See relevant section of report.	No
OSZ Built Form Standards							
373.94	KiwiRail Holdings Ltd	New Built Form Standard	<p>Insert new Built Form Standard to the Open Space Zone that adds a 5m building setback from the rail corridor to provide a safety buffer and allow for maintenance of buildings without the need to access the rail corridor. This is consistent with other zones and should be required in all zones which adjoin the rail corridor, not specific zones only. Insert the following new Built Form Standard to the Open Space Zone:</p> <p><u>"Rail boundary setback</u></p> <p>All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.</p> <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to: XXXX-MDXX - Rail boundary setback</p> <p><u>Rail boundary setback</u></p> <p>1. The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including rail corridor access and maintenance.</p> <p><u>Notification</u></p> <p>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval."</p>	3.6.1	Accept	See relevant section of report.	Yes
SARZ Built Form Standards							
295.204	Horticulture NZ	SARZ-BFS4	Note the Sport and Active Recreation Zones also border Rural Zones thus setbacks should also apply to Rural Zones.	3.6.3	Reject	See relevant section of report.	No

Table G 6: Recommended responses to submissions and further submissions - Built Form Standards

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			Amend SARZ-BFS4: "1. The minimum setback from an internal boundary with Residential Zones, <u>Rural Zones</u> , Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration), or other Open Space and Recreation Zones shall be as follows: ..."				

Table G 7: Recommended responses to submissions: Matters of Control or Discretion

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
254.146	Christchurch International Airport Ltd	New Matter of Control or Discretion	Insert a new matter of discretion related to bird strike risk on aircraft: "MD[xx] – Bird strike risk The extent to which the proposed activity will be designed, operated and managed to avoid attracting bird species which constitute a hazard to aircraft."	3.1.2	N/A	See relevant section of report.	N/A
373.97	KiwiRail Holdings Ltd	New Matter of Control or Discretion	Insert new 'rail boundary setback' matters of discretion for all Open Space and Recreation Zones: "XXXX-MDXX - Rail boundary setback <u>Rail boundary setback</u> 1. The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including rail corridor access and maintenance."	3.7.1	Accept	See relevant section of report.	Yes
316.179	Canterbury Regional Council	OSRZ-MCD7	OSRZ-MCD7 excludes both the consideration of natural feature and landscape values, and the presence of any indigenous vegetation. Amend OSRZ-MCD7(2)(d) to include reference to natural landscapes and features in the area, and consideration of any indigenous vegetation present.	3.7.2	Reject	See relevant section of report.	No
414.40	Federated Farmers of NZ Inc.	OSRZ-MCD14	If there is any private land within the Open Space Zone, the grazing license requirement must be amended to only apply to Council-owned or managed (vested) land. Amend OSRZ-MCD14 to apply grazing licence to Council owned or managed land.	3.7.3	Accept	See relevant section of report.	Yes

Table G 8: Recommended responses to submissions and further submissions - Planning Map							
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
155.11	Woodend-Sefton Community Board	Planning Map – Open Space Zone	Support Open Space Zone on Pegasus lakefront and island as these ensure access for the community and visitors to these important areas. Retain Open Space Zone on Pegasus lakefront and island.	N/A	Accept	No change is sought to the notified zoning and there were no opposing submissions or further submissions.	No

Appendix H. Report Author's Qualifications and Experience

My full name is Neil Lindsay Sheerin.

I hold the following qualifications:

- Bachelor of Social Sciences (double major - Geography and Earth Sciences), University of Waikato; and
- Master of Regional and Resource Planning (with Credit), University of Otago.

I am a Full Member of the New Zealand Planning Institute.

I have over 30 years' experience working as a planner in local and central government and in a large multi-disciplinary private consultancy. My experience includes plan assessment; environmental effects assessment; submissions; consultation; resource consents; district plan reviews; plan changes; designations; outline plans; and Council hearings and Environment Court appeals, involving a wide range of subjects and projects.

I have been employed by the Waimakariri District Council since July 2017 as a Senior Policy Planner. My sole focus has been the Waimakariri District Plan Review. This has included work on various district-wide and zone provisions; Section 32 reports; the designation process; summarising and assessing submissions; and Section 42A reports.