

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**District Council reply on Whaitua Tākaro – Open Space and Recreation Zones
by Neil Sheerin on behalf of Waimakariri District Council**

Date: 31/10/2023

INTRODUCTION

- 1 My full name is Neil Lindsay Sheerin. I am employed as a Senior Policy Planner for Waimakariri District Council (District Council). I am the Reporting Officer for the *Whaitua Tākaro – Open Space and Recreation Zones* topic and prepared the Section 42A report on this topic.
- 2 I have read the evidence and tabled statements provided by submitters relevant to the s42A report.
- 3 I have prepared this reply on behalf of the District Council in respect of matters raised through Hearing Stream 6 on the *Whaitua Tākaro – Open Space and Recreation Zones*.
- 4 I am authorised to provide this evidence on behalf of the District Council.

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

- 5 Appendix H of my s42A report sets out my qualifications and experience.
- 6 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

SCOPE OF REPLY

- 7 This reply follows Hearing Stream 6 held on 9 to 10 October 2023. Minute 12 of the Hearing Procedures allows for the s42A report author to submit a written reply by 3 November 2023.
- 8 The main topics addressed in this reply include:
 - a. Written answers to written questions posed by the Hearings Panel (refer to Minute 12, issued 13 October 2023);
 - b. Matters remaining in contention including those arising in the Hearing;
 - c. Changes to recommendations in the s42A report, including those recommended in my speaking notes to the Hearing on 9 October 2023 which are available on the District Council website; and
 - d. A response to issues relating to the 'primacy', or not, of strategic versus chapter objectives posed by the Hearings Panel (refer to Minute 11, issued 2 October 2023, paragraphs 8 and 10).

- 9 **Appendix 1** has a list of materials relevant to the matters in paragraphs 8 a. to c. above provided by submitters including expert evidence, legal submissions, submitter statements etc. This information is available on the District Council website.
- 10 **Appendix 2** has recommended amendments to Proposed Plan provisions, with updated recommendations differentiated from those made in Appendices A to F of the s42A report, including those contained in my speaking notes to the Hearing referred to in paragraph 8 c. above.
- 11 **Appendix 3** has an updated table of recommended responses to submissions and further submissions, with updated recommendations differentiated from those made in Appendix G of the s42A report, including those contained in my speaking notes to the Hearing referred to in paragraph 8 c. above.

ANSWERS TO WRITTEN QUESTIONS POSED BY THE HEARINGS PANEL

- 12 A preliminary set of written responses was provided to written questions from the Hearings Panel prior to the Hearing on 9 October 2023, which are available on the District Council website.
- 13 This right of reply is in response to written questions from the Hearings Panel in Minute 12, subsequent to the Hearing, as follows.
- “Having discussed NOSZ-R11 clause 2, do you still recommended that this clause be deleted given that there is no limit on the number of buildings permitted in the zone?”***
- 14 Yes, for the reasons outlined in sections 3.5.3 and 3.6.2 of my s42A report, and for the reasons outlined on p4 of my written response to a written question from the Panel in relation to paragraph 164 of my s42A report prior to the Hearing on 9 October 2023.
- 15 In addition, in their submission, Tūhaitara Trust [113.10] considered the limitation in Natural Open Space Zone (NOSZ) rule NOSZ-R11(2) of ‘a maximum permitted gross floor area (GFA) of all ancillary offices on a site of 250m² or 10% of the GFA of all buildings on a site, whichever is the lesser’, to be unduly restrictive and unreasonable in the context of Tūhaitara Coastal Park. Given Tūhaitara Coastal Park is approximately 700ha, as described in paragraph 176 of my s42A report, and is therefore very large, on reflection I agree with the submitter. Clause (2) also only relates to *“office ancillary to park management activities or conservation activities”*. The number of new such offices in the NOSZ is likely to be low, and given the limitations on other types of new

buildings under the other NOSZ rules, the number of new buildings in the NOSZ generally is also likely to be low.

16 Also, clause 2 in NOSZ-R11 is the same as clause 2 in Open Space Zone (OSZ) rule OSZ-R9. The limitation on cumulative building GFA is more appropriate in the OSZ than in the NOSZ, as sites in the OSZ are generally of a more discrete size and are more likely to be surrounded by built development on adjoining sites in other zones, so clause 2 has more relevance to protecting open space from cumulative building coverage in the OSZ.

“Do you remain of the view that the relief sought by the House Movers Section of the NZ Heavy Haulage Association [s221] that relocatable dwellings as an activity is addressed through TEMP-R6? The report author is requested to read through paragraphs 13 to 21, 26 and 28 of the full submission in responding to this question.”

17 I confirm I have read the paragraphs referred to in House Movers submission.

18 House Movers submission has arisen at least in part as they are unsure whether, in rules NOSZ-R2, OSZ-R2 and SARZ-R2, reference to ‘construction’ would include the establishment on a site of a dwelling relocated from elsewhere. In my view, if a relocatable dwelling was established on a site where none currently existed, that would constitute ‘construction’ and consequently under these rules the relocatable dwelling would be subject to compliance with the built form standards for the zone.

19 If a relocatable dwelling was proposed to be stored on a site **temporarily**, then I remain of the view that such a situation would more appropriately be dealt with under District-wide Temporary Activities rule TEMP-R6, which House Movers has also submitted on, as I indicated in paragraph 146 of my s42A report.

20 However, if a relocatable dwelling was proposed to be relocated to a site in an Open Space and Recreation Zone **permanently**, then in that situation I would remain opposed to the relief sought by House Movers in their submission points [221.19], [221.20] and [221.21], for the reasons described in paragraph 145 of my s42A report, and would still recommend these submission points be rejected as set out in paragraph 149 of my s42A report.

“Following the questions and discussion around grazing licences, do you consider that grazing on any land can be listed as a permitted activity, without any need to refer to a grazing licence

issued by the District Council? Is there scope to remove reference to a grazing licence if the Panel was of a mind to do this?"

21 I do not recommend amending Natural Open Space Zone rule NOSZ-R14 and Open Space Zone rule OSZ-R14 to permit grazing with no reference to it being subject to a grazing licence issued by the District Council.

22 As I indicated on p7 of my written response to a written question from the Panel prior to the Hearing on 9 October 2023 in relation to rules NOSZ-R14 and OSZ-R14, grazing already occurs in the Natural Open Space and Open Space zones. Therefore, grazing needs to be appropriately provided for under the zone rules, otherwise it will fall under the 'catch-all' rules for these zones, NOSZ-R22 and OSZ-R18, and be a discretionary activity, which in my view would be excessive.

23 Although grazing on District Council land is subject to a grazing licence issued by the District Council, outside the District Plan, not everyone may be aware of this. Therefore, if grazing was to be permitted under rules NOSZ-R14 and OSZ-R14 without being subject to any activity standard, the District Plan might send a signal to some that grazing in the Natural Open Space and Open Space zones was a 'free-for-all'.

24 This would be undesirable. While grazing is permitted in the Natural Open Space and Open Space zones under a licence issued by the District Council, this is not permitted to occur in all circumstances or locations. Open Space and Recreation Zones matter of control or discretion OSRZ-MCD14 outlines the matters considered by the District Council in determining whether the issue of a grazing licence is appropriate. These include:

- a. Location;
- b. Land area; and
- c. *"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".*

25 The proposed type and number of animals to be grazed and duration of the grazing would likely also be considered, and on reflection perhaps should also be added to OSRZ-MCD14 although I do not believe there is scope to do so as no submissions have sought this.

26 On this basis, I remain of the view that grazing in the Natural Open Space and Open Space zones should remain a permitted activity under rules NOSZ-R14 and OSZ-R14 subject to a grazing licence issued by the District Council.

27 In any case, I do not consider there is scope to delete from rules NOSZ-R14 and OSZ-R14 reference to grazing being subject to a grazing licence issued by the District Council, as no submissions have requested that.

RESPONSE TO MATTERS ARISING DURING THE HEARING

Fire and Emergency NZ

28 I note the letter of tabled evidence by Lydia Shirley (Beca) on behalf of Fire and Emergency NZ (FENZ) dated 28 September 2023 in support of submission points [303.75] and [303.76] in which FENZ seek restricted discretionary activity status (instead of discretionary activity) for emergency service facilities in the Natural Open Space and Sport and Active Recreation zones.

29 I remain opposed to this, for the reasons outlined in paragraphs 152 to 156 of my s42A report.

30 Furthermore, in paragraph 156 of my s42A report, I identified **eleven** other zones in the Proposed Plan where emergency service facilities are provided for as **permitted** activities. Consequently, I do not see a reason why an emergency service facility would need to instead be located in the Open Space and Recreation Zones, for the reasons outlined in paragraphs 152 to 156 of my s42A report.

Environment Canterbury

31 I note that Appendix 1 of the Statement of Evidence of Serena Orr on behalf of the Canterbury Regional Council (ECan) contains requested amendments (shown in red) to Natural Open Space Zone objective NOSZ-O1 clause (1), Natural Open Space Zone rule NOSZ-R13 clause (2)(g)(iii), and Open Space and Recreation Zones matter of control or discretion OSRZ-MCD7 clause (2)(e). I respond to these as follows:

- a. NOSZ-O1(1): I reiterate my opposition to the amendment sought, for the reasons outlined in paragraph 134 of my s42A report;
- b. NOSZ-R13(2)(g)(iii): I disagree with the requested deletion of the date of the Canterbury Regional Pest Management Plan. I appreciate that Ms Orr is concerned that the management plan may be updated and superseded. However, the management plan has an operative

date range of 20 years, while the Proposed Plan (once operative) would have a statutory life of 10 years, so on this basis it would seem more likely the district plan may be reviewed and replaced before the management plan. It is also important to show which version of the management plan is being referred to, which would be consistent with clauses (2)(g)(i) and (ii) of the rule, which also reference the version of the documents referred to; and

- c. OSRZ-MCD7(2)(e): I do not oppose the amendment sought. However, if the Panel choose to adopt it, I suggest a minor rewording to distinguish it from the other parts of the assessment matter, through the placement of a semi-colon after ‘natural values’, as follows (ECan amendment underlined, my suggested amendment in **bold**):

“e. adversely impact on natural values; **and** the amenity values of...”

KiwiRail Holdings Ltd

32 During the Stream 6 Hearing on 9 October 2023 a question arose regarding whether a fence would be subject to the 5m setbacks from the boundary of the rail corridor sought by KiwiRail in the Natural Open Space Zone and Open Space Zone in their submission points [373.93] and [373.94], respectively.

33 I note that paragraph 3.1 in the supplementary statement of evidence of Catherine Lynda Heppelthwaite on behalf of KiwiRail addresses this matter. Ms Heppelthwaite notes, in summary, that the setback sought by KiwiRail would apply to ‘buildings’, that the Proposed Plan adopts the National Planning Standard definition of ‘building’ which includes reference to a building being ‘partially or fully roofed’, and consequently as fences are not roofed the 5m setback would not apply to fences. I agree with this assessment.

34 A question also arose during the Hearing as to why KiwiRail did not also seek the same setback in the Sport and Active Recreation Zone.

35 I note that item 70 in the table attached to KiwiRail’s submission states (emphasis added):

*“The designated rail corridor adjoins the Rural Lifestyle, Mixed Use, **Natural Open Space and Open Space** zones in parts of the district.”*

36 This would appear to explain why KiwiRail sought the 5m setback in the Natural Open Space Zone and Open Space Zone but not the Sport and Active Recreation Zone.

RESPONSE TO MATTERS RELATING TO 'PRIMACY'

37 The Hearings Panel has requested this right of reply include an assessment of any potential implications that may arise in respect of the Open Space and Recreation Zones chapter objectives, should the objectives in the Strategic Directions (SD) chapter be given 'primacy', or not, and that this be carried out in accordance with the approach set out in Mr Buckley's memorandum dated 29 September 2023 (refer Minute 11, issued 2 October 2023, paragraphs 8 and 10).

38 I confirm I have read Mr Buckley's memo dated 29 September 2023, and I have also read the legal advice provided by Buddle Findlay relating to the primacy of Strategic Directions objectives dated 26 September 2023.

39 Paragraph 9 in Mr Buckley's memo states:

"As stated in Minute 10, Council report authors will undertake an evaluation of potential implications for each chapter's objectives within the Proposed Plan based upon the following different primacy approaches:

- (a) SD objectives have no "primacy" and sit on the same level as other objectives in the plan;*
- (b) SD objectives have "primacy" in one of the following different senses (dependent on how the district plan is crafted):*
 - (i) SD objectives inform objectives and policies contained in other chapters;*
 - (ii) Objectives and policies in other chapters must be expressed and achieved as being consistent with the SD objectives;*
 - (iii) SD objectives are used to resolve conflict with objectives and policies in other chapters; and*
 - (iv) SD objectives override all other objectives and policies in the plan."*

40 In the context of section 5(2) of the RMA, open space and recreation can be considered a 'strategic' matter, as it is important for the social and cultural wellbeing and health of people and communities and for protection of the natural environment. Strategic objectives SD-O1(4) and SD-O2(7) refer to open space and recreation areas in these contexts.

41 For the purposes of this assessment, it may also be useful to note that in my s42A report, and in my written responses to written questions posed by the Hearings Panel prior to the Hearing, I have not recommended any changes to the notified Open Space and Recreation Zones chapter objectives.

42 The Introduction to the Open Space and Recreation Zones chapter states:

“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”.

43 There is the same or a similar statement in every zone chapter, or other District-wide chapter.

44 In my opinion, this statement implies that the strategic objectives already have a degree of primacy over the chapter provisions, as the latter have been developed to be consistent with and give effect to the former. In this context the strategic objectives already have primacy in the sense conveyed in paragraphs 9 b. i. and ii. set out in Mr Buckley’s memo.

45 This reflects the way the Proposed Plan was developed. In my view, objectives represent intended outcomes, and policies should guide and direct assessments and decision makers in how to best achieve the intended outcomes. In this context, the strategic objectives are a ‘snapshot’ of the outcomes intended by the Proposed Plan as a whole, for the District as a whole, and set the basis for more detailed directions in the chapter objectives and policies that follow, with the latter developed to be consistent with and give effect to the strategic objectives. This is consistent with paragraphs 9 b. i. and ii. set out in Mr Buckley’s memo.

46 On this basis, the situation described in paragraph 9 a. in Mr Buckley’s memo would not apply.

47 It is difficult to envisage how resolution of competing outcomes would be achievable through a strategic objective/s (as per paragraph 9 b. iii. in Mr Buckley’s memo). In my view, resolution of competing outcomes would be achieved during an assessment of a proposal, and would depend on what is being assessed and where it is proposed to take place, ideally guided by policies. Guidance on how to resolve conflicts between competing outcomes may be better achieved in a policy context; Energy and Infrastructure policy EI-P5 is an example of a management ‘cascade’ that sets out in a chapter policy context how energy and Infrastructure should be managed in different situations.

48 I also do not consider the current Proposed Plan strategic objectives would be suitable for achieving the situation set out in paragraph 9 b. iv. of Mr Buckley's memo. For the most part, the strategic objectives, as they are currently framed, are less directive than the chapter objectives and policies. This reflects the way the Proposed Plan was developed, as I outlined in paragraph 45 above. The exception to this are the Urban Form and Development objectives and policies, however this is because they were crafted specifically to give effect to the NPSUD.

Date: 31/10/2023

A handwritten signature in black ink, appearing to read "Neil Sten".

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APPENDIX 1 – LIST OF RELEVANT MATERIALS PROVIDED BY SUBMITTERS

Letter of tabled evidence by Lydia Shirley (Beca) on behalf of Fire and Emergency NZ dated 28 September 2023 (sub # 303)

Statement of evidence of Serena Orr on behalf of the Canterbury Regional Council (sub # 316)

Supplementary statement of evidence of Catherine Lynda Heppelthwaite for KiwiRail Holdings Ltd (sub # 373)

APPENDIX 2 – RECOMMENDED AMENDMENTS TO PROPOSED PLAN PROVISIONS

In order to distinguish between the recommendations made in the s42A report and the recommendations that arise from this report:

- s42A recommendations are shown in black text (with underline and ~~strike-out~~ as appropriate); and
- Recommendations from this report in response to evidence are shown in blue text (with underline and ~~strike-out~~ as appropriate).

<p>CONSERVATION ACTIVITIES</p>	<p>means the management, maintenance and enhancement of <u>intrinsic values of natural resources, including</u>^{1 2} <u>ecological values of</u>^{3 4} parks and reserves, beach areas and open space and recreation zones. This includes:</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.
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<p>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 <u>and whether a charge is made for admission or participation or not</u>⁵, and may include (but is not necessarily limited to):</p> <ul style="list-style-type: none"> a. pony clubs; b. clubroom; c. exercise areas, riding courses, <u>dressage arenas</u>⁶ and jumps; d. providing horse riding lessons for a tariff; e. <u>short term grazing of horses prior to an event</u>⁷; and f. associated outdoor storage areas; <p>but excludes:</p> <ul style="list-style-type: none"> g. major sports facility; h. the grazing of horses on District Council land <u>(other than in e. above)</u>⁸; 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 <u>(other than in a. to f. and h. above)</u>⁹.
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<p>MAJOR SPORTS FACILITY</p>	<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>
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¹ Horticulture NZ [295.19]

² Department of Conservation [419.9]

³ Horticulture NZ [295.19]

⁴ Department of Conservation [419.9]

⁵ Oxford A&P Association [146.2]

⁶ Oxford A&P Association [146.2]

⁷ Oxford A&P Association [146.2]

⁸ Oxford A&P Association [146.2]

⁹ 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 grounds¹⁰, 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 <u>public</u>¹¹ land, <u>and</u>¹² buildings or other structures <u>on that land</u>¹³ 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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¹⁰ Oxford A&P Association [146.2]

¹¹ ~~Federated Farmers of NZ Inc. [414.15]~~ Preliminary response to written questions from Panel 4/10/23 p3

¹² ~~Federated Farmers of NZ Inc. [414.15]~~ Preliminary response to written questions from Panel 4/10/23 p3

¹³ ~~Federated Farmers of NZ Inc. [414.15]~~ Preliminary response to written questions from Panel 4/10/23 p3

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-O1	<p>Purpose of Open Space and Recreation Zones 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-O2	<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</p> <p>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</p> <p>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;

	<ul style="list-style-type: none">• 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;• 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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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	Activities and structures in the Natural Open Space Zone 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 NOSZ-O1.

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 <i>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-R20¹⁴.</i>	
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;	Activity status when compliance not achieved: DIS

¹⁴ Te Kohaka o Tūhaitara Trust [113.7]

<ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. 	
<p>Advisory Note</p> <ul style="list-style-type: none"> • 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. 	
<p>NOSZ-R10 Public amenities</p>	
<p>Activity status: PER</p>	<p>Activity status when compliance not achieved: N/A</p>
<p>NOSZ-R11 Office ancillary to park management activities or conservation activities</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 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.¹⁵ 	<p>Activity status when compliance not achieved: DIS</p>
<p>NOSZ-R12 Residential activity ancillary to park management activities or conservation 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: 	<p>Activity status when compliance not achieved: DIS</p>

¹⁵ Te Kohaka o Tūhaitara Trust [113.8]

<ul 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. 	
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; ¹⁶ 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 (32 ¹⁷) 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 control ¹⁸; e. natural hazard mitigation; ¹⁹ f. planting for the purposes of screening public amenities and parking areas, or for shelter purposes, or for maintaining the character of an existing cultural or historical site; and g. shall exclude: <ol style="list-style-type: none"> i. all plants listed in the National Pest Plant Accord (reprinted with minor 	<p>Activity status when compliance not achieved: DIS</p>

¹⁶ Te Kohaka o Tūhaitara Trust [113.9]

¹⁷ Te Kohaka o Tūhaitara Trust [113.9]

¹⁸ Canterbury Regional Council [316.178]

¹⁹ Canterbury Regional Council [316.178]

<p>amendments February 2020);</p> <p>ii. all non-indigenous plants listed in the DoC Consolidated List of Environmental Weeds in NZ (May 2008); and</p> <p>iii. all organisms classified as pests and all Organisms of Interest listed in the Canterbury Regional Pest Management Plan 2018-2038.</p>	
<p>NOSZ-R14 Grazing <u>on District Council land</u> ²⁰</p>	
<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> 1. grazing is carried out <u>on District Council land</u> ²¹ 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>	

²⁰ Federated Farmers of NZ Inc. [414.40] Preliminary response to written questions from Panel 4/10/23 p7

²¹ Federated Farmers of NZ Inc. [414.40] Preliminary response to written questions from Panel 4/10/23 p7

Activity status: PER Where: 1. the activity shall be limited to: a. existing tramping huts; b. the use of existing buildings on a site; and c. the use of tents.	Activity status when compliance not achieved: DIS
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 ²²	
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

²² Te Kohaka o Tūhaitara Trust [113.7]

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, t The maximum GFA of any building shall be 75150m² . ²³	Activity status when compliance not achieved: DIS
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	
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	Activity status when compliance not achieved: DIS

²³ Te Kohaka o Tūhaitara Trust [113.10]

<p>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>NOSZ-BFS4 Internal boundary setback</p>	
<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>	<p>Activity status when compliance not achieved: DIS</p>

<ul 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. 	
NOSZ-BFS5 Road boundary setback	
<ul style="list-style-type: none"> 1. The minimum building setback from a road boundary shall be as follows: <ul style="list-style-type: none"> a. all sites, except as specified in (b) below: <ul 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: <ul 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	
<ul 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
<u>NOSZ-XXXX Rail boundary setback</u> ²⁴	
<ul style="list-style-type: none"> 1. <u>All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.</u> 	<u>Activity status when compliance not achieved: DIS</u>

²⁴ KiwiRail Holdings Ltd [373.93]

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	
<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
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"> 1. recreation facilities do not involve a new building; and 2. 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"> a. one parking area per site; and b. 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"> 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 site shall cumulatively occupy a maximum of 250m² or 10% of the GFA of all buildings on the same site, whichever is the lesser. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> OSRZ-MCD7 - Scale and nature of the activity or facility OSRZ-MCD8 - Coverage OSRZ-MCD9 - Traffic generation and access
OSZ-R10 Residential activity ancillary to park management activities	
Activity status: PER Where: <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. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> OSRZ-MCD6 - Residential activity OSRZ-MCD8 - Coverage

OSZ-R11 Community facility	
<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>
OSZ-R12 Cultural facility	
<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. Rangiora Museum, Good St Reserve; b. Kaiapoi Railway Station building; and c. unless otherwise specified in (a) or (b) above, an existing building on a site with a minimum net area of 1ha. 	<p>Activity status when compliance not achieved: DIS</p>
OSZ-R13 Equestrian and ancillary activities and facilities	
<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>

OSZ-R14 Grazing <u>on District Council land</u> ²⁵	
Activity status: PER Where: 1. grazing is carried out <u>on District Council land</u> ²⁶ under a grazing licence issued by the District Council.	Activity status when compliance not achieved: RDIS Matters of discretion restricted to: OSRZ-MCD14 - Grazing
OSZ-R15 Cemetery	
Activity status: PER Where: 1. the activity is on an existing District Council owned cemetery within the Open Space Zone; 2. there shall be only one building on a cemetery; 3. any single building shall have a maximum GFA of 100m ² ; 4. for closed cemeteries: any building shall have a maximum GFA of 40m ² , except that one residential unit that has a maximum GFA of 100m ² may be erected on any site for custodial or management purposes.	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
OSZ-R16 Community garden	
Activity status: RDIS Matters of discretion are restricted to: OSRZ-MCD13 - Community garden	Activity status when compliance not achieved: N/A
OSZ-R17 Emergency service facility	
Activity status: DIS	Activity status when compliance not achieved: N/A
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	

²⁵ Federated Farmers of NZ Inc. [414.40] Preliminary response to written questions from Panel 4/10/23 p7

²⁶ Federated Farmers of NZ Inc. [414.40] Preliminary response to written questions from Panel 4/10/23 p7

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> <ul style="list-style-type: none"> a. GFA of a single building; b. percentage of a site covered by all buildings; and c. 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>	Activity status when compliance not achieved: DIS

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			
<ol style="list-style-type: none"> 1. All sites, except as specified in (2) below: <ol style="list-style-type: none"> a. maximum building height above ground level: 8m; b. maximum height of any pole or structure for flood or training lighting: 30m; 2. Cemetery: <ol 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. 		<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: OSRZ-MCD2 - Height OSRZ-MCD11 - Cemetery – building height, setback from neighbours and height in relation to boundary</p>	
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: <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; 		<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: OSRZ-MCD5 - Height in relation to boundary</p>	

<p>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</p> <p>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> <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>OSZ-BFS4 Internal boundary setback</p>	
<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>
<p>OSZ-BFS5 Road boundary setback</p>	

<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. 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. State Highway: 20m; and ii. all other roads: 3m. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> OSRZ-MCD1 - Boundary setbacks OSRZ-MCD4 - Public amenities
<p>OSZ-BFS6 Outdoor storage</p>	
<ol style="list-style-type: none"> 1. Outdoor storage areas shall not be located within the setbacks specified in OSZ-BFS4 and OSZ-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 at the time of planting of 1m above ground level and be capable of achieving a height at maturity of at least 1.8m above ground level. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> OSRZ-MCD3 - Outdoor storage
<p>OSZ-XXXX Rail boundary setback ²⁷</p>	
<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: RDIS</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p style="text-align: center;"><u>XXXX-MDXX - Rail boundary setback</u></p> <p><u>Notification</u></p>

²⁷ KiwiRail Holdings Ltd [373.94]

	<p><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>
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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-01	<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: 1. the activity complies with all applicable activity standards and built form standards in the General Residential Zone; and 2. 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: 1. 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: 1. 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	
Activity status: PER Where: <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. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> OSRZ-MCD7 - Scale and nature of the activity or facility OSRZ-MCD8 - Coverage OSRZ-MCD9 - Traffic generation and access
SARZ-R10 Residential activity ancillary to park management activities	
Activity status: PER Where: <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. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> OSRZ-MCD6 - Residential activity OSRZ-MCD8 - Coverage

SARZ-R11 Community facility or cultural facility	
<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>
SARZ-R12 Major sports facility	
<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; 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 2. in all other areas, the activity shall be limited to sites with a minimum net area of 1ha. 	<p>Activity status when compliance not achieved: DIS</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	
Activity status: PER Where: <ol 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>	
Activity status: PER Where: <ol 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	
Activity status: PER Where: <ol style="list-style-type: none"> 1. the activity shall be limited to conference facility and other function facilities ancillary to recreation facilities or major sports facility on the same site. 	Activity status when compliance not achieved: DIS
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: <ol style="list-style-type: none"> percentage of a site covered by all buildings; and percentage of a site covered by impervious surface (excluding walk ways, tracks, cycle ways, 	Activity status when compliance not achieved: DIS

<p>hard/artificial playing and safety surfaces); shall be as specified in Table SARZ-1 below.</p>	
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Table SARZ-1: Coverage

Site	All Buildings	Impervious Surface
All sites	20%	30%
SARZ-BFS2 Height		
<ol style="list-style-type: none"> 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		
<ol style="list-style-type: none"> 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: <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 	Activity status when compliance not achieved: DIS	

<p>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> <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>SARZ-BFS4 Internal boundary setback</p>	
<p>1. The minimum setback from an internal boundary with Residential Zones, Rural Zones,²⁸ Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration), or other Open Space and Recreation Zones shall be as follows:</p> <p>a. all sites, except as specified in (b) below:</p> <p>i. buildings: 20m;</p> <p>ii. poles or structures for flood or training lighting: 10m;</p> <p>b. any stand-alone building containing toilets or changing rooms: 10m.</p>	<p>Activity status when compliance not achieved: DIS</p>
<p>SARZ-BFS5 Road boundary setback</p>	
<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. a State Highway: 20m; and</p> <p>ii. all other roads: 10m;</p>	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: OSRZ-MCD1 - Boundary setbacks OSRZ-MCD4 - Public amenities</p>

²⁸ [Horticulture NZ \[295.204\]](#). See preliminary response to written questions from Panel 4/10/23 p6

<p>b. any stand-alone building containing toilets or changing rooms:</p> <ul style="list-style-type: none"> i. a State Highway: 20m; and ii. all other roads: 3m. 	
<p>SARZ-BFS6 Outdoor storage</p>	
<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>

Matters of Control or²⁹ Discretion for all Open Space and Recreation Zones

<p>OSRZ- MC³⁰D1</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- MC³¹D2</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.

²⁹ Te Kohaka o Tūhaitara Trust [113.7]

³⁰ Te Kohaka o Tūhaitara Trust [113.7]

³¹ Te Kohaka o Tūhaitara Trust [113.7]

<p>OSRZ- MC³²D3</p>	<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.
<p>OSRZ- MC³³D4</p>	<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.
<p>OSRZ- MC³⁴D5</p>	<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.

³² Te Kohaka o Tūhaitara Trust [113.7]

³³ Te Kohaka o Tūhaitara Trust [113.7]

³⁴ Te Kohaka o Tūhaitara Trust [113.7]

<p>OSRZ- MC³⁵D6</p>	<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.
<p>OSRZ- MC³⁶D7</p>	<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 natural values; and³⁷ 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.

³⁵ Te Kohaka o Tūhaitara Trust [113.7]

³⁶ Te Kohaka o Tūhaitara Trust [113.7]

³⁷ See Right of Reply to Panel 24/10/23, p6 paragraph 31 c.

<p>OSRZ- MC³⁸D8</p>	<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. 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.
<p>OSRZ- MC³⁹D9</p>	<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.

³⁸ Te Kohaka o Tūhaitara Trust [113.7]

³⁹ Te Kohaka o Tūhaitara Trust [113.7]

OSRZ- MC ⁴⁰ D10	<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. 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- MC ⁴¹ D11	<p>Cemetery – building height, setback from neighbours and height in relation to boundary</p> <ol style="list-style-type: none"> 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	<p>Removal of buildings or other structures⁴²</p> <ol style="list-style-type: none"> 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- MC ⁴³ D13	<p>Community garden</p> <ol style="list-style-type: none"> 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- MC ⁴⁴ D14	<p>Grazing on District Council land⁴⁵</p> <ol style="list-style-type: none"> 1. Whether the proposed grazing on District Council land⁴⁶ 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.

⁴⁰ Te Kohaka o Tūhaitara Trust [113.7]

⁴¹ Te Kohaka o Tūhaitara Trust [113.7]

⁴² Te Kohaka o Tūhaitara Trust [113.7]

⁴³ Te Kohaka o Tūhaitara Trust [113.7]

⁴⁴ Te Kohaka o Tūhaitara Trust [113.7]

⁴⁵ [Federated Farmers of NZ Inc. \[414.40\]](#) Preliminary response to written questions from Panel 4/10/23 p7

⁴⁶ [Federated Farmers of NZ Inc. \[414.40\]](#) Preliminary response to written questions from Panel 4/10/23 p7

<p><u>OSRZ-</u> <u>MDXX</u></p>	<p><u>Rail boundary setback</u> ⁴⁷</p> <p><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></p>
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⁴⁷ KiwiRail Holdings Ltd [373.97]

APPENDIX 3 – RECOMMENDED RESPONSES TO SUBMISSIONS AND FURTHER SUBMISSIONS

In order to distinguish between the recommended responses in the s42A report; and recommended responses that arise from this report, hearing evidence and questions from the Panel:

- Recommendations from this report in response to evidence and questions from the Panel are shown in **blue text** (with underline and ~~strike-out~~ as appropriate).

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

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> <p>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."</p>				
FS 45	NZ Agricultural Aviation Association		<p><i>Oppose. For clarity the definition should include specific activities including weed and pest control for conservation purposes. Disallow.</i></p>	3.2.1	Accept in part	See relevant section of report.	No
FS 78	Royal Forest and Bird Protection Society NZ		<p><i>Support. In accordance with the requirements of the RMA.</i></p>	3.2.1	Accept in part	See relevant section of report.	No
FS 83	Federated Farmers of NZ Inc.		<p><i>Oppose. The list is useful and is not exclusive. Disallow.</i></p>	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>	3.2.2	Accept in part	See relevant section of report.	Yes

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>f. <u>short term grazing of horses (horses arrive for shows 2-3 days prior to an event)</u></p> <p>e.h. <u>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.</u></p> <p>but excludes:</p> <p>f. <u>major sports facility; (any event that can be accommodated should be allowed on private property)</u></p> <p>g. <u>the grazing of horses on District Council land;</u></p> <p>h.f. <u>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)"</u></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	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 75m ² 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.	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

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?
FS 110	Waka Kotahi NZ Transport Agency		<i>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 the public, we consider they also comply with the notified definition of a 'public amenity'.</i>	3.2.4	Accept	See relevant section of report.	No
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</u> land <u>and</u> buildings or other structures <u>on that land</u> used to provide amenity and assist the public. ..."	3.2.4	Accept Reject	See relevant section of report. See preliminary response to written questions from Panel 4/10/23 p3	Yes No

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		<i>Oppose submission points 160.1 to 160.22 by Rolleston Industrial Developments Ltd in their entirety.</i>	3.3	Reject	See relevant section of report.	No
FS 84	Ohoka Residents Association		<i>Oppose submission points 160.1 to 160.22 by Rolleston Industrial Developments Ltd in their entirety. Disallow.</i>	3.3	Reject	See relevant section of report.	No
FS 130	David and Elaine Brady		<i>Oppose development proposed at Ohoka by Rolleston Industrial Developments Ltd.</i>	3.3	Reject	See relevant section of report.	No
FS 132	Jan Hadfield		<i>Oppose development proposed at Ohoka by Rolleston Industrial Developments Ltd. Disallow.</i>	3.3	Reject	See relevant section of report.	No
FS 136	Emma Wood		<i>Oppose submission #160 in its entirety.</i>	3.3	Reject	See relevant section of report.	No

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?
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
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

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:	3.1.2	N/A	See relevant section of report.	N/A

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?
			<u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities."</u>				
FS 99	KiwiRail Holdings Ltd		<i>KiwiRail supports the inclusion of new zone objectives which seek to avoid reverse sensitivity effects on infrastructure. Allow.</i>	3.1.2	N/A	<i>See relevant section of report.</i>	N/A
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.		<i>Support. In accordance with the requirements of the RMA.</i>	3.4.1	Accept	<i>See relevant section of report.</i>	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: <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities."</u>	3.1.2	N/A	See relevant section of report.	N/A
FS 99	KiwiRail Holdings Ltd		<i>KiwiRail supports the inclusion of new zone objectives which seek to avoid reverse sensitivity effects on infrastructure. Allow.</i>	3.1.2	N/A	<i>See relevant section of report.</i>	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: <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities."</u>	3.1.2	N/A	See relevant section of report.	N/A
FS 99	KiwiRail Holdings Ltd		<i>KiwiRail supports the inclusion of new zone objectives which seek to avoid reverse sensitivity effects on infrastructure. Allow.</i>	3.1.2	N/A	<i>See relevant section of report.</i>	N/A

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
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	Insert new policy to support new corridor protection rules for electricity distribution lines within the Natural Open Space Zone. Insert the following new policy: " <u>Policy - Separation of incompatible activities</u> <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> "	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	Insert new policy to support new corridor protection rules for electricity distribution lines within the Open Space Zone. Insert the following new policy: " <u>Policy - Separation of incompatible activities</u>	3.1.2	N/A	See relevant section of report.	N/A

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?
			<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>				
FS 99	KiwiRail Holdings Ltd		<i>KiwiRail supports the inclusion of new zone policies which seek to avoid reverse sensitivity effects on infrastructure. Allow.</i>	3.1.2	N/A	See relevant section of report.	N/A
SARZ Policies							
249.136	Mainpower NZ Ltd	New policy	Insert new policy to support new corridor protection rules for electricity distribution lines within the Sport and Active Recreation Zone. Insert the following new policy: <u>"Policy - Separation of incompatible activities</u> <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>	3.1.2	N/A	See relevant section of report.	N/A
FS 99	KiwiRail Holdings Ltd		<i>KiwiRail supports the inclusion of new zone policies which seek to avoid reverse sensitivity effects on infrastructure. Allow.</i>	3.1.2	N/A	See relevant section of report.	N/A

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	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	3.1.2	N/A	See relevant section of report.	N/A

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>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></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>				

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>- earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</p> <p>- 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);</p> <p>- 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> <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><u>Activity status: PER</u></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><u>Activity status when compliance not achieved: NC</u></p> <p>Advisory Note</p> <p>- Major electricity distribution lines are shown on the planning map."</p>				

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>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><u>1. activities and development adjacent to a major electricity distribution line involve the following:</u></p> <p><u>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</u></p> <p><u>b. 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>Advisory Notes</u></p> <p><u>- Major electricity distribution lines are shown on the planning map.</u></p> <p><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></p> <p><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><u>Activity status: NC</u></p>				

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. 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> <p>4. 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>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>Where:</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>	3.1.2	N/A	See relevant section of report.	N/A

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>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> <p>Activity status when compliance not achieved: N/A"</p>				
FS 88	Kāinga Ora Homes and Communities		<p><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></p>	3.1.2	N/A	See relevant section of the report.	N/A

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?
221.19	House Movers Section of New Zealand Heavy Haulage Association	NOSZ-R1	Amend NOSZ-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
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 NOSZ-BFS1, 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	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. Delete NOSZ-R13(1). Insert new rule as follows:	3.5.4	Accept in part	See relevant section of report.	Yes

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>"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. <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

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?
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	Amend activity status of a new emergency service facility in the Natural Open Space Zone from discretionary to restricted discretionary. Amend NOSZ-R21: "NOSZ-R21 Emergency Service Facility Activity status: DIS RDIS <u>Matters of Discretion Restricted to:</u> <u>OSRZ-MCD1 – Boundary Setbacks</u> <u>OSRZ-MCD2 – Height</u> <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>	3.5.2	Reject	See relevant section of report.	No
OSZ Rules							
249.131	Mainpower NZ Ltd	New rule	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. Insert the following new rule: <u>"Earthworks adjacent to major electricity distribution line</u> <u>Activity Status: PER</u> <u>Where:</u>	3.1.2	N/A	See relevant section of report.	N/A

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. 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>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; 				

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> <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><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>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><u>Where:</u></p> <p>1. activities and development adjacent to a major electricity distribution line involve the following:</p>				

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>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><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>Advisory Notes</u></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><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>				

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>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 10 days of receipt). An updated plan shall be provided to the Waimakariri District Council if the activity expands.</u></p> <p><u>Activity status when compliance not achieved: RDIS</u></p> <p><u>Matters of discretion:</u></p> <p><u>MD[xx] – Bird strike risk</u></p> <p><u>Notification:</u></p> <p><u>any application arising from this rule will be notified to Christchurch International Airport Limited."</u></p> <p><u>"Activity status: RDIS</u></p> <p><u>Where:</u></p>	3.1.2	N/A	See relevant section of report.	N/A

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
221.20	House Movers Section of New Zealand Heavy Haulage Association	OSZ-R1	<p>Amend OSZ-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

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."				
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	<p>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.</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></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>	3.1.2	N/A	See relevant section of report.	N/A

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>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; <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 				

Recommended responses to submissions and further submissions - Rules							
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			<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>“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> <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><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> <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></p> <p>b. <u>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</u></p>				

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>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></p> <p>- <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></p> <p>- <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><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></p> <p><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></p> <p><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>				

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?
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> <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>	3.1.2	N/A	See relevant section of report.	N/A

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>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> <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 reinstatement works shall be completed within the specified [12] month period."</p>	3.5.1	Reject	See relevant section of report.	No

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?
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: <u>OSRZ-MCD1 – Boundary Setbacks</u> <u>OSRZ-MCD2 – Height</u> <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></p>	3.5.2	Reject	See relevant section of report.	No

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> <u>All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.</u> <u>Activity status when compliance not achieved: RDIS</u> <u>Matters of discretion are restricted to: XXXX-MDXX - Rail boundary setback</u> <u>Rail boundary setback</u> <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> <u>Notification</u></p>	3.6.1	Accept in part	See relevant section of report.	Yes

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?
			<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>				
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	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. 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.	3.6.2	Reject	See relevant section of report.	No
OSZ Built Form Standards							
373.94	KiwiRail Holdings Ltd	New Built Form Standard	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: "Rail boundary setback <u>All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.</u> <u>Activity status when compliance not achieved: RDIS</u> <u>Matters of discretion are restricted to: XXXX-MDXX - Rail boundary setback</u> <u>Rail boundary setback</u> <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> <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>	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. 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	3.6.3	Reject Accept	See relevant section of report. See preliminary response to written questions from Panel 4/10/23 p6	No Yes

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?
			and Kairaki Regeneration), or other Open Space and Recreation Zones shall be as follows: ..."				

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 <u>The extent to which the proposed activity will be designed, operated and managed to avoid attracting bird species which constitute a hazard to aircraft.</u> "	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> <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> "	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 Reject	See relevant section of report. See preliminary response to written questions from Panel 4/10/23 p7	Yes No

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