

In the Environment Court of New Zealand
At Christchurch

I mua i te Kōti Taiao o Aotearoa
I te rohe o Ōtautahi

ENV-2025-CHC-

under: the Resource Management Act 1991 (Act)

in the matter of: an appeal under clause 14 of Schedule 1 of the
Resource Management Act 1991

between: **MainPower New Zealand Limited**
Appellant

and: **Waimakariri District Council**
Respondent

Notice of appeal by MainPower New Zealand Limited against
Waimakariri District Council's decision on the proposed
Waimakariri District Plan

Dated: 22 August 2025

Reference: J M Appleyard (jo.appleyard@chapmantripp.com) / (jo.appleyard@al.nz)
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**NOTICE OF APPEAL BY MAINPOWER NEW ZEALAND LIMITED
AGAINST WAIMAKARIRI DISTRICT COUNCIL'S DECISION ON THE
PROPOSED WAIMAKARIRI DISTRICT PLAN**

Clause 14(1) of Schedule 1, Resource Management Act 1991

To The Registrar
Environment Court
Christchurch

Introduction

- 1 MainPower New Zealand Limited (*MainPower*) appeals against parts of the decision of the Independent Hearings Panel (*Panel*), adopted by the Waimakariri District Council (*Council*) on the Proposed Waimakariri District Plan (*Proposed Plan*) (*Decision*).

MainPower's interest in these proceedings

- 2 MainPower made a submission and further submissions on the Proposed Plan.
- 3 MainPower is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (*RMA*).
- 4 MainPower received notice of the Decision on 12 July 2025. The notice directed that appeals must be lodged within 30 working days.
- 5 The parts of the Decision that MainPower appeals are decisions on:
 - 5.1 SD-O4;
 - 5.2 EW-R8;
 - 5.3 EW-S2;
 - 5.4 EI-P6; and
 - 5.5 EI-R12.

- 6 The reasons for MainPower's appeal are set out below.

Reasons for the Appeal

- 7 MainPower generally supports the Decision on the Proposed Plan and considers that it largely reflects matters raised in it's submission, evidence and discussions with the Hearings Panel and other submitters.
- 8 However, MainPower considers further refinement of the Proposed Plan is appropriate to ensure it is consistent with higher order planning documents and meets the purpose and requirements of the RMA.

- 9 The reasons for the appeal of the provisions referred to above are that:
- 9.1 Parts of the Decision do not accord with the relevant requirements of the RMA, and are contrary to Part 2 of the RMA.
- 9.2 In particular, those parts of the Decision:
- (a) Do not promote the sustainable management of natural and physical resources;
 - (b) Do not appropriately enable social, economic and cultural well-being, meet the reasonably foreseeable needs of future generations, or safeguard the life-supporting capacity of water and ecosystems;
 - (c) Do not promote the efficient use and development of natural and physical resources,;
 - (d) Do not result in the most appropriate plan provisions in terms of section 32 of the RMA;
 - (e) Do not implement Council's functions under section 31 of the RMA; and
 - (f) Are contrary to best resource management practice.
- 10 Without limiting the generality of the reasons above, MainPower's specific reasons for its appeal points are set out below. MainPower seeks that the Proposed Plan be amended in accordance with this Notice of Appeal, or such further or other relief or other consequential or other amendments to these, or other provisions as considered appropriate and necessary to address MainPower's concerns.

Strategic Directions

- 11 The Strategic Directions chapter is critical for guiding the interpretation and application of all other provisions of the Proposed Plan. MainPower's original submission generally supported the Strategic Directions chapter insofar as it relates to the electricity distribution network. MainPower sought amendments to ensure appropriate recognition of reverse sensitivity effects and the significance of important infrastructure to the Waimakariri District, including Major Electricity Distribution Lines. It is important that it is established at a high level in the Strategic Directions chapter given the importance of the chapter in providing direction to the interpretation of the rest of the Proposed Plan.

SD-03 (now SD-04 in the Proposed Plan)

- 12 MainPower's original submissions sought to amend SD-03 (now SD-04 in the Proposed Plan) to simplify the terminology for plan users. It also sought further amendments to recognise the need to manage reverse sensitivity effects and conflict between incompatible activities on infrastructure and to avoid adverse effects on the electricity distribution network and major electricity distribution lines, including by identifying a buffer corridor within which buildings, excavations and sensitive activities will generally not be provided for.
- 13 While MainPower is generally supportive of the intent and wording in SD-04, it seeks amendment to SD-04(2)(b)(ii) so that adverse effects of other activities on infrastructure, including reverse sensitivity effects, are required to be avoided rather than managed.
- 14 The Decision adopts the recommendations and reasons of the section 42A Report author, who preferred the term "manage" over "avoid." The reasoning given was that requiring "avoidance" would necessitate a major rewrite of the Energy and Infrastructure chapter as it may not give effect to the objective if the policy only required management of effects rather than avoidance.¹ The section 42A Report author also considered that retaining "manage" in EI-P6 enables a broader range of responses to adverse effects, rather than the more directive "avoid".
- 15 MainPower does not agree with the Decision and maintains that the amendments sought are necessary to properly recognise the significance of important infrastructure, including ensuring its protection from incompatible activities and reverse sensitivity effects. For completeness, it is noted that MainPower also appeals the Decision on EI-P6 and requests that the term "avoid" is also adopted in EI-P6.
- 16 MainPower's relief gives effect to the higher order planning framework,² provides the overarching direction that is necessary to support objectives and policies relating to important infrastructure throughout the Proposed Plan.

¹ Council reply on Strategic Directions – Planner Mark Buckley on behalf of Waimakariri District Council (16 June 2023).

² Including the Canterbury Regional Policy Statement which directs territorial authorities to avoid reverse sensitivity effects and incompatible land uses in proximity to regionally significant infrastructure through Objective 5.2.2, (Wider Region), Policy 5.3.2 (Wider Region), Policy 5.3.9 (Wider Region), and Objective 6.2.1 (Greater Christchurch).

- 17 MainPower seeks the following amendments to SD-O4:

SD-O4 Energy and infrastructure

Across the District:

1. improved accessibility and multi-modal connectivity is provided through a safe and efficient transport network that is able to respond to technology changes and contributes to the well-being and liveability of people and communities;
2. infrastructure, including strategic infrastructure, critical infrastructure and regionally significant infrastructure:
 - a. is able to operate efficiently and effectively; and
 - b. is enabled, while:
 - i. managing adverse effects on the surrounding environment, having regard to the social, cultural and economic benefit, functional need and operational need of the infrastructure; and
 - ii. ~~managing-avoiding~~ the adverse effects of other activities on infrastructure, including ~~managing~~ reverse sensitivity ~~effects~~;
3. the importance of locally-sourced aggregate supply for infrastructure development is recognised and provided for in appropriate circumstances;
4. the nature, timing and sequencing of new development and new infrastructure is integrated and coordinated; and
5. encourage more environmentally sustainable outcomes as part of subdivision and development, including though the use of energy efficient buildings, green infrastructure and renewable electricity generation.

Earthworks

- 18 MainPower's submission sought a range of amendments to the Earthworks chapter to ensure that the policies, objectives, and rules relating to network utility operators are appropriate, clear, and fit

for purpose. It essential that plan users are able to readily identify which rules apply to network utility operators and which do not.

EW-R8

- 19 MainPower’s submission generally supported EI-R54 as notified in the Proposed Plan but sought amendments to ensure the rule provided sufficient protection against earthworks activities that could adversely affect the support structures and associated foundations of major Electricity Distribution Lines.
- 20 MainPower’s submission also sought the inclusion of a new rule specifically addressing earthworks undertaken adjacent to major electricity distribution lines, to further safeguard the integrity and operational reliability of this critical infrastructure.
- 21 The wording of EI-R54 was agreed during expert conferencing and recorded in a Joint Witness Statement (*JWS*).³ The JWS, together with the final right of reply from the author of the section 42A Report, confirmed that the activity status for non-compliance with EI-P54 is non-complying (as set out in the Right of Reply Report).⁴
- 22 The Decision adopts the recommendations of the Proposed District Plan Hearings Panel (*the Panel*). The Panel accepted the final position reached by the section 42A Report author regarding EI-R54 (and EI-R56), but notes that these rules are intended to apply to activities other than infrastructure itself - specifically, to activities that may have effects on infrastructure. Accordingly, the Panel recommended relocating EI-R54 to the Earthworks chapter and EI-R56 to the rules for ‘all zones’.⁵
- 23 MainPower’s appeal point in relation to this rule is confined to where the Decision diverges from what was agreed in the JWS. While MainPower supports the Decision in so far as it reflects the matters agreed at expert conferencing and supports relocation of the rule to the Earthworks chapter, it remains of the view that a non-complying activity status is appropriate to ensure adequate protection for major electricity distribution lines.
- 24 Accordingly, MainPower seeks the following amendments to EW-R8:

³ Joint Witness Statement – Energy EI - Pūngao me te hanganga hapori - Energy and Infrastructure (Integration) (dated 28 November 2023).

⁴ Council reply on Pūngao me te hanganga hapori - Energy and Infrastructure (EI) – Andrew MacLennan on behalf of Waimakariri District Council (dated 30 November 2023).

⁵ PDP Hearings Panel Recommendation Report 17 Hearing Stream 5 Part 2: District-wide matters – EI – Energy and Infrastructure at [83].

EW-R8	Earthworks adjacent to a major electricity distribution line	
All Zones	Activity status: PER Where: 1. earthworks are setback at least 6m from the centreline of a major electricity distribution line as shown on the planning map; or 2. [...]	~~Activity status when compliance with EW-R78 (1) not achieved: RDIS~~ ~~Matters of discretion are restricted to:~~ ~~EI-MCD1—Historic heritage, cultural values and the natural environment~~ ~~EI-MCD12—National Grid~~ Activity status when compliance ~~with EW-R78 (2) to (5)~~ not achieved: NC Notification An application for resource consent under this rule is precluded from being publicly notified, but may be limited notified only to <u>the relevant electricity distribution line operator</u> ~~Transpower NZ Ltd~~ where the consent authority considers this is required, absent its written approval.

EW-S2 General Setbacks

- 25 MainPower's submission supported EW-S1 to EW-S7 on the basis that infrastructure will not be required to comply with those standards.
- 26 In relation to EW-S2, the Decision adopts the recommendations of the Hearings Panel, which provide a full exemption from EW-S2

where there is an application for a building consent or where a building consent has been granted. MainPower supports this exemption, as it appropriately recognises the overlap between earthworks and building consent processes, and avoids unnecessary duplication of regulatory controls.⁶

- 27 The Decision’s version of the Proposed Plan now also provides a further exemption for earthworks associated with linear infrastructure works within roads, provided any open trenches do not exceed 1 metre in width.
- 28 MainPower maintains that all infrastructure, not just that within roads, should be exempt from the Earthworks standards. This is important to ensure that infrastructure works can be carried out efficiently, without being unduly constrained by earthworks standards.
- 29 MainPower seeks that EW-S2 is amended to clarify that all earthworks associated with linear infrastructure works are exempt from the earthworks standards, provided any open trenches do not exceed 1 metre in width, as opposed to the exemption being limited only to infrastructure located within roads.
- 30 MainPower seeks the following relief:

EW-S2 General setbacks	
This standard does not apply to:	
1. Earthworks associated with linear infrastructure works ~~within roads~~, provided any open trenches do not exceed 1m in width; or 2. Earthworks which are or will be subject to building consent.	
1. Earthworks more than 300mm in height or depth shall be set back a minimum of 2m from any boundary of a site in different ownership.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: [...]

⁶ Recommendations of the PDP Hearings Panel: Hearing Stream 5 Part 2: District-wide matters – EW – Earthworks at [40].

Energy and Infrastructure

- 31 MainPower sought a number of amendments to the Energy and Infrastructure chapter to improve rule clarity and interpretation, and to better reflect the manner in which rules address the various elements of the MainPower's network.

EI-P6

- 32 MainPower's submission supported EI-P6 but sought to replace the requirement to 'manage' adverse effects on infrastructure with the requirement to 'avoid' adverse effects on infrastructure.
- 33 The Decision adopts the recommendations and reasoning of the section 42A Report author, who considered that the reference to 'manage' in the chapeau of the policy, rather than 'avoid', allows for a greater range of management responses. The author also noted that clauses (1)–(3) within the policy to explain how this management approach is to be applied.⁷
- 34 MainPower does not agree with this assessment. Clear and directive policy guidance is essential in the Energy and Infrastructure chapter to ensure the effective protection of important infrastructure and to provide certainty for plan users. The policy must also give effect to the higher order planning framework and the requirements of the Resource Management Act 1991.
- 35 MainPower is otherwise supportive of the wording of EI-P6, subject to amendment sought below.
- 36 MainPower seeks the following relief:

EI-P6 Effects of other activities and development on energy and infrastructure

~~Manage~~ Avoid adverse effects, including reverse sensitivity effects, of incompatible other activities and development on energy and infrastructure, including by the following:

1. ensuring such effects do not compromise or constrain access to or the safe, effective and efficient operation, maintenance, repair, upgrading and development of energy and infrastructure; and
2. with regards to major electricity distribution lines, in addition to (1) above, by ensuring that:
 - a. [...]

⁷ Council reply on Pūngao me te hanganga hapori - Energy and Infrastructure (EI) – Andrew MacLennan on behalf of Waimakariri District Council (dated 30 November 2023) at [98].

EI-R12

- 37 MainPower's submission supported EI-R12 but sought amendments to provide more flexibility. This flexibility is important because when towers and poles are replaced, the replacement structures will often be taller than the original pole or tower in order to comply with modern design standards, network requirements and safety requirements.
- 38 The Decision adopts the recommendations and reasoning of the section 42A Report author, who supported the inclusion of a rule permitting a gradual increase in the height, width, or footprint of poles and towers. However, the author considered the extent of the additional height allowance sought by MainPower to be excessive, noting that the rule applies to all poles and towers, not solely electrical infrastructure. The section 42A Report author considered the additional height allowance requested by Transpower (an increase of 15%) to be more appropriate.⁸
- 39 MainPower maintains that the relief sought in its submission is appropriate and seeks an amendment to EI-R12(2) to allow for a 40% increase in height. MainPower is otherwise generally supportive of the wording and intent of EI-R12.
- 40 MainPower seeks the following relief:

⁸ Proposed Waimakariri District Plan: Pūngao me te hanganga hapori - Energy and Infrastructure (EI) (dated 21 July 2023) at [251].

EI-R12	Replacement of a pole or tower	
All Zones	Activity status: PER Where: - a pole shall not be replaced with a tower; - a replacement pole or tower shall not exceed the height in relation to infrastructure of the replaced pole or tower by more than ~~40~~15% as of the date the District Plan was made operative [...]	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment EI-MCD3 - Operational considerations EI-MCD13 - Extent of effects

Documents

- 41 The following documents are attached to this notice:
- 41.1 A copy of the MainPower's submission (**Annexure A**);
 - 41.2 A copy of MainPower's further submissions (**Annexure B**);
 - 41.3 A copy of the relevant parts of the Decision (**Annexure C**)
other parts of the Decision are available at:
<https://www.waimakariri.govt.nz/council/district-development/district-plan-review>; and
 - 41.4 A list of names and addresses of persons to be served with a copy of this notice (**Annexure D**).

Signed for and on behalf of MainPower New Zealand Limited by its solicitors and authorised agents Chapman Tripp



Jo Appleyard
Partner
22 August 2025

Address for service of MainPower New Zealand Limited before 29 August 2025:

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Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must, -

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

How to obtain copies of documents relating to appeal

If the copy of this notice served on you does not attach a copy of the appellant's submission (or or) the decision (or part of the decision) appealed. These documents may be obtained, on request, from the appellant.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

SUBMISSION ON THE PROPOSED WAIMAKARIRI DISTRICT PLAN

(Clause 6 First Schedule Resource Management Act 1991)

TO:	District Plan Submissions Waimakariri District Council Private Bag 1005 Rangiora 7440 <i>Submission lodged by email – developmentplanning@wmk.govt.nz</i>
SUBMISSION ON:	The proposed Waimakariri District Plan
SUBMISSION BY:	MainPower New Zealand Limited
TRADE COMPETITION STATEMENT:	MainPower New Zealand Limited could not gain an advantage in trade competition through this submission.
SUBMITTER ADDRESS:	MainPower New Zealand Limited PO Box 346 Rangiora 7440 Attention: Sarah Barnes <i><u>Please note the different address for service below.</u></i>

INTRODUCTION

1. These submissions are made by MainPower New Zealand Limited (MainPower).
2. MainPower makes submissions in support and in opposition to elements of the proposed Waimakariri District Plan (the District Plan).

STATEMENT OF INTEREST AND BACKGROUND

3. MainPower New Zealand Limited own and operate the electricity distribution network in the North Canterbury and Kaikoura regions. The network covers an area of some 11,180 square kilometres (covering the Waimakariri, Hurunui and Kaikoura districts) and supplies line services to approximately 40,000 customers.
4. The distribution network is used to convey electricity from the national grid (owned and operated by Transpower New Zealand Limited) to property boundaries, from which

electricity retailers provide electricity to individual properties. Their distribution assets include:

- a. 66kV sub-transmission overhead lines and cables
 - b. 33kV sub-transmission overhead lines and cables
 - c. 22kV sub-transmission overhead lines and cables
 - d. 11kV sub-transmission overhead lines and cables
 - e. Substations/transformers/switching stations/kiosks
 - f. Electricity structures (poles/pylons, earth rods and associated buildings)
 - g. Access tracks
5. The electricity sub-transmission network is identified as critical infrastructure, regionally significant infrastructure and is an essential lifeline service. Its significance is recognised in various planning documents, including the Regional Policy Statement (2013).

SUBMISSION SUMMARY

6. MainPower's overarching goal through the District Plan process is the development of a District Plan which ensures it can build, operate, maintain and upgrade its critical network infrastructure in a safe, efficient and effective manner. MainPower wishes to assist in the facilitation of the transition to a decarbonized economy, and therefore, it is essential that it is able to build and maintain its network.
7. MainPower wishes to acknowledge the collaborative approach of the Council during the pre-notification consultation period. During that time, MainPower and Council officers were able to work together on issue identification and resolution. While it was not always possible to reach agreement on all matters, it allowed many areas of potential contention to be addressed and has, as a result, narrowed the scope of submissions that MainPower is making. That said, however, a number of provisions that MainPower understood were agreed with the Council during pre-notification consultation have not been carried over to the notified version of the District Plan.
8. MainPower's submissions are founded on a desire to protect its network and keep the community safe by simplifying rules and, where applicable, reducing reliance on resource consenting as a means of achieving environmental outcomes. MainPower seeks additions, amendments and deletions to various District Plan provisions to ensure the rules are effective, and provide greater clarity and certainty around the application and interpretation of the proposed provisions. The submissions, including the specific relief sought, are included in the tables attached as **Appendix One**.
9. MainPower is submitting on the Planning Maps and the following chapters of the District Plan:
- Definitions
 - Designations
 - Earthworks
 - Ecosystems and indigenous biodiversity
 - Energy, infrastructure and transport
 - Historic heritage
 - Natural character of freshwater bodies
 - Natural hazards

- Noise
- Notable trees
- Sites and areas of significance to Māori
- Strategic directions
- Subdivision
- The following zone chapters in relation to inserting corridor protection provisions:
 - General residential zone
 - Large lot residential zone
 - General rural zone
 - Rural lifestyle zone
 - General industrial zone
 - Open space zone
 - Settlement zone
 - Sport and active recreation zone
 - Natural open space zone

10. While MainPower's submissions in **Appendix One** cover a broad range of topics, some key issues are highlighted below:

- The Strategic Directions (SD) Chapter
MainPower is supportive of the SD Chapter, insofar as it relates to the electricity distribution network. It is considered, however, that amendments are required to recognise the issue of reverse sensitivity effects on MainPower's Significant Electricity Distribution Lines ('SEDL' as defined in the District Plan) and to properly recognise the significant role of important infrastructure in the district. MainPower's submission proposes an amendment to Strategic Objective SD-O3 to address this issue.
- Significant Electricity Distribution Line Corridor Protection
In the notified Plan, rules relating to corridor protection are located within the Energy and Infrastructure Chapter. MainPower's strongly held view is that such rules should be located within the relevant zone chapters, as this will ensure they are accessible, recognisable and will reduce the likelihood of the provisions being missed when development proposals are considered. In essence, the corridor protection provisions manage the use, development and protection of resources in each relevant zone and apply directly to the land use activities that are regulated in the zone. The corridor protection provisions should not be considered as being any different from any other zone rule that impacts on building/structure form or location. In addition to this general point, a number of rule amendments are also proposed in MainPower's submission.
- The Energy and Infrastructure (EI) Chapter
Amendments are proposed to improve rule clarity and interpretation, and to better reflect the manner in which rules address the various elements of the MainPower's network.
- The relationship between the EI Chapter and other District Plan Chapters
MainPower holds a general concern that the Plan lacks clarity as to the rule relationships between the EI Chapter and other Chapters. To resolve this concern, MainPower's submission proposes that the Council insert cross-referencing and

notes into all relevant rules in the various district-wide chapters to confirm that, with regard to network utilities, the rules in the EI Chapter apply. Alternatively, to directly cross-reference to any rule requirements or rules which are outside of the EI Chapter, but which apply to network utilities. MainPower considers that all rules which apply to regulate the activities of network utility operators should be contained in the EI Chapter, or clearly signalled and explicitly cross-referenced if they are to be located in other parts of the plan.

RELIEF

11. MainPower seeks the following decision from the Council:
 - a. grant the relief as set out above and in **Appendix One** below; and/or
 - b. grant any other consequential or similar relief that is necessary to deal with MainPower's concerns and the issues raised in this submission.

HEARING

12. MainPower wishes to be heard in support of its submissions.
13. If others make a similar submission, MainPower will consider presenting a joint case with them at the hearing.

Submission signed for and on behalf of MainPower New Zealand Limited



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Resource Management Group Limited

26 November 2021

Address for Service:

MainPower New Zealand Limited
C/- Resource Management Group Ltd
PO Box 908, Christchurch Box Lobby
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Attention: Melanie Foote

ATTACHMENTS:

Appendix One: Submissions on Plan Provisions

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~striketrough~~

Table 1 – Part 2 District Wide Matters – Coastal Environment

General Submission	Submission	Relief Sought
Plan Structure	MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant coastal environment provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the coastal environment chapter. This is to ensure that plan users can navigate to the relevant parts of the coastal environment chapter with ease. As currently structured network utility operators and other plan users are required to	Insert appropriate hyperlinks from the EI chapter to the relevant coastal environment rules contained in the coastal environment chapter.

General Submission	Submission	Relief Sought
	read the whole coastal hazard chapter to determine what rules are applicable or not.	

CE – Objectives	Submission	Relief Sought
CE-04 Activities in the coastal environment	MainPower supports the objective as it appropriately recognises that not all use and development compromises values in the coastal environment.	Adopt CE-O4 as notified.

CE – Policies	Submission	Relief Sought
CE-P2 Preservation of natural character	MainPower supports this policy. It is important to protect natural character in the coastal environment. However, MainPower seeks clarity as to what is meant by “areas adjoining the CMA” in clause 1. Does this refer to land covered by the Coastal Environment Overlay? And if not, what extent of land is intended to be covered by that phrase? The policy wording also go further than the wording provided for under the New Zealand	Amend CE-P2 to clarify the matters raised in this submission.

CE – Policies	Submission	Relief Sought
	Coastal Policy Statement by using the words 'avoid'.	
CE-P7 Infrastructure in the coastal environment	MainPower supports the policy as it appropriately recognises that infrastructure and other physical works occur in the coastal environment. However, MainPower seeks clarification about the final part of this policy, which as drafted does not allow for <i>any</i> adverse effects on coastal natural character areas. This does not appear to match with the hierarchy set out in Policy P2, which sets out areas in which all effects are to be avoided, and areas where significant adverse effects are to be avoided, and other adverse effects may be avoided, remedied or mitigated. It is possible that the continued operation, maintenance, upgrade or development of critical infrastructure in the coastal environment may necessitate some adverse effects in situations where those effects are less than minor, or where they do not occur in areas of outstanding natural character.	Amend CE-P7 to better align with the hierarchy set out in P2.

CE - Proposed Plan Reference	Submission	Relief Sought
CE-R3 Any building or structure	MainPower supports the rule as notified.	Adopt CE-R3 as notified.

CE – Matters of discretion	Submission	Relief Sought
CE-MD1 Buildings and structures	MainPower supports the matter of discretion however seeks to add an additional clause to recognise the functional or operational need of critical infrastructure to locate in the coastal environment.	Amend ECO-MD1 as follows: Buildings and structures 1. The extent of indigenous vegetation clearance. 2. Measures to minimise any adverse effects on sensitive habitats such as dunes, rivers, lakes or wetlands. 3. The extent to which the proposal will integrate into, and be sympathetic to the landscape, including the scale, form, design and finish (materials) proposed and mitigation measures such as planting. 4. Mitigation measures to minimise the tsunami risk to people and property. 5. The extent to which the proposal would compromise existing public access to the CMA. 6. The use of natural elements such as landforms and vegetation within the site to mitigate the visibility of the proposal. 7. Where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation. 8. <u>Where there is a functional or operational need to locate critical infrastructure, or carry out maintenance, repair and upgrade of existing critical infrastructure, within the coastal environment.</u>

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~striketrough~~

Table 1 – Part 1 Introduction and General Provisions - Definitions

Term	Submission	Relief Sought
Ancillary infrastructure equipment	MainPower supports the definition of ‘ancillary infrastructure equipment’ however seeks to include ‘telemetry equipment’ as part of the definition.	Amend the definition of ‘ancillary infrastructure equipment’ as follows: means equipment that must be installed with the main components of infrastructure to enable its operation, including (but not limited to): <u>telemetry equipment</u> , valves, fittings, meters, pipework, power distribution units, microwave units, DC and surge arrestors, cable trays, cables, mounts, fibre access terminals, ducting, cable loops, combiner/junction boxes, remote radio units, pole- or tower-mounted amplifiers, lightning surge units, filters, or similar types of equipment required to support its operation, but excluding antennas, self-contained power units or generators.
‘Critical infrastructure’, ‘Regionally Significant Infrastructure’,	MainPower opposes the use of the multiple terms used for infrastructure in the plan i.e. ‘infrastructure’, ‘regionally significant infrastructure’, ‘critical infrastructure’ and	Replace the terms Critical infrastructure’, ‘Regionally Significant Infrastructure’, and ‘Strategic Infrastructure’ with a new defined term ‘Important Infrastructure’. This will require consequential changes throughout the plan.

Term	Submission	Relief Sought
'Infrastructure' and 'Strategic Infrastructure'	strategic infrastructure'. MainPower prefers to rationalise the terms use and proposes that the term 'important infrastructure' be used in the Proposed Waimakariri District Plan. This rationalisation simplifies and streamlines the terminology for plan users.	
Insert a new definition: Important Infrastructure	MainPower proposes a new definition 'important infrastructure' to rationalise the terms 'critical infrastructure, 'regionally significant infrastructure' and 'strategic infrastructure'.	Insert the following new definition: <u>Important Infrastructure</u> <u>Those necessary facilities, services, and installations which are critical or of significance to either New Zealand, Canterbury, or Waimakariri. This may include but are not limited to:</u> a. <u>Strategic transport network</u> b. <u>Christchurch International Airport</u> c. <u>Telecommunication networks</u> d. <u>National, regional and local electricity generation activities undertaken by a Electricity Operator as defined by the Electricity Act 1992</u> e. <u>Electricity distribution networks</u> f. <u>Electricity transmission networks</u> g. <u>Public and community wastewater collection, treatment and disposal networks</u> h. <u>Public and community land drainage infrastructure</u> i. <u>Public and community stormwater infrastructure</u> j. <u>Public and community potable water and fire fighting supply systems</u> k. <u>Public and community-scale irrigation and stockwater infrastructure</u>

Term	Submission	Relief Sought
		l. <u>Gas storage and distribution infrastructure</u> m. <u>Bulk fuel supply infrastructure including terminals, and pipelines</u> n. <u>Ports including inland ports</u> o. <u>New Zealand Defence Force facilities</u> p. <u>Emergency Services facilities</u> q. <u>Public healthcare institutions</u>
Insert a new definition: “Electricity Cabinets and Kiosks”	MainPower proposes a new definition of electricity cabinets and kiosks. This equipment is small-scale and is necessary to operate the distribution network. But it has several specific features (including the fact that the equipment is not always enclosed in a casing) which make a separate definition more appropriate than the proposed generic ‘infrastructure cabinet’ definition, which does not capture all relevant MainPower distribution assets.	Insert the following new definition: <u>Electricity Cabinets and Kiosks</u> <u>In relation to electricity distribution, means equipment affixed to, or within, the ground that is necessary to operate part of a utility or infrastructure network, including any casing.</u>
Electricity Distribution	MainPower supports this definition, however, seeks to amend the definition to provide further clarity.	Amend the definition of ‘electricity distribution’ as follows: means the conveyance of electricity via electricity distribution lines, cables, <u>support structures</u> ~~poles, pi-poles, towers~~, substations, transformers, switching stations, kiosks, cabinets, and ancillary buildings and structures, including communication equipment, by a network utility operator. <u>This includes MainPower New Zealand Limited assets shown on the planning maps.</u>
Electricity Distribution Line	MainPower supports this definition however seeks to add a further clause to provide clarity.	Amend the definition of ‘Electricity Distribution Line’ as follows:

Term	Submission	Relief Sought
		means the lines and associated ~~support structures poles, pi-poles and towers~~ utilised by a network utility operator to distribute electricity. <u>This includes MainPower New Zealand's Limited assets shown on the planning maps.</u>
High Flood Hazard Areas	MainPower supports the definition of 'high flood hazard as this replicates part of the definition provided in the Canterbury Regional Policy Statement.	Adopt the definition of high flood hazard as notified.
Height in relation to infrastructure	MainPower supports this definition.	Adopt the definition of 'height in relation to infrastructure' as notified.
Infrastructure Building	MainPower supports this definition.	Adopt the definition of 'infrastructure building' as notified.
Infrastructure Cabinet	MainPower seeks to amend the definition of 'infrastructure cabinet to exclude electricity cabinets and kiosks.	Amend the definition of Infrastructure cabinet as follows: means a casing around equipment that is necessary to operate part of infrastructure, but is not an infrastructure building, <u>electricity cabinet or kiosk.</u>
Non- critical infrastructure	MainPower supports the definition of 'non-critical infrastructure'.	Adopt the definition of 'non-critical infrastructure as notified.
Pi-pole	MainPower supports this definition.	Adopt the definition of 'pi-pole' as notified.
Poles	MainPower supports this definition.	Adopt the definition of 'poles' as notified.
Temporary Infrastructure	MainPower supports this definition.	Adopt the definition of 'temporary infrastructure' as notified.
Towers	MainPower supports this definition.	Adopt the definition of 'tower' as notified.

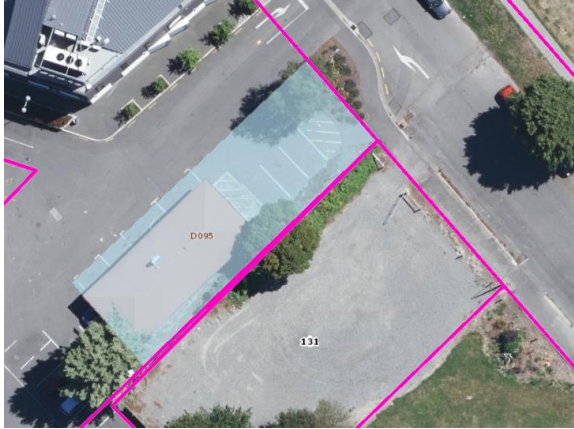
Term	Submission	Relief Sought
Upgrading	MainPower supports this definition in relation to the application to the Natural Hazards chapter but consider they may be scope for a wider application of the definition across the plan given the term is widely used in the EI chapter for example.	Adopt the definition of upgrading as notified.

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions strikethrough

Table 3 – Part 3 – Designations and Planning Maps

Reference	Submission	Relief Sought
MPNZ-4 Kaiapoi Substation	MainPower supports the inclusion of the Kaiapoi Substation designation in the proposed Plan, but opposes the spatial extent of the designation shown on the planning maps. MainPower lodged a notice for the existing Kaiapoi substation designation to be rolled over from the operative District Plan to the proposed Plan, without modification. The spatial extent of the designation in the operative Plan planning maps is shown in blue in Image 1 below.  Image 1 – Operative District Plan	Correct the boundaries of the designation for the Kaiapoi substation to align with Image 1 provided.

Reference	Submission	Relief Sought
	The Council has incorrectly plotted the boundaries of the designation on the <u>proposed</u> Plan planning maps, as shown in blue in Image 2 below. This needs to be corrected.  Image 2 – Proposed District Plan	

Reference	Submission	Relief Sought
MPNZ – 9 Rangiora North Zone Substation	MainPower supports the inclusion of the Rangiora North Zone Substation designation in the proposed Plan, but opposes the spatial extent of the designation boundaries shown on the planning maps, as they are incorrect. Image 3 below shows the boundaries of the designation as marked on the proposed Plan planning maps. The plan attached as Annexure 1 illustrates the correct boundaries. Image 3 Proposed District Plan	Correct the boundaries of the designation for the Rangiora North Zone Substation to align with the plan attached as Annexure 1.

Annexure 1 Rangiora North Substation Designation Plan



Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are **underlined** and deletions **~~strikethrough~~**

Table 4 – Part 2 District Wide Matters – Earthworks

General Submission	Submission	Relief Sought
Plan Structure	MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant earthworks provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the earthworks chapter. This is to ensure that plan users can navigate to the relevant parts of the earthworks chapter with ease. As currently structured network utility operators and other plan users are required to read the whole earthworks chapter to determine what rules are applicable or not.	Insert appropriate hyperlinks from the EI chapter to relevant earthworks rules contained in the earthworks chapter.

General Submission	Submission	Relief Sought						
New Rule: Exemption for works subject to a building consent	MainPower proposes a new rule to allow for earthworks subject to a building consent within 2m of the outer wall of a building.	Insert a new Rule as follows: <table> <tr> <td>EW-RX</td><td colspan="2">Earthworks subject to a Building Consent</td></tr> <tr> <td>All Zones</td><td> Activity status: PER 1. <u>Earthworks that are or will be subject to a building consent.</u> Where: a. <u>It occurs within 2m of the outer edge of the exterior wall of the building.</u> </td><td> Activity status when compliance not achieved: <u>Refer to activity rules to determine activity status and matters of discretion.</u> </td></tr> </table>	EW-RX	Earthworks subject to a Building Consent		All Zones	Activity status: PER 1. <u>Earthworks that are or will be subject to a building consent.</u> Where: a. <u>It occurs within 2m of the outer edge of the exterior wall of the building.</u>	Activity status when compliance not achieved: <u>Refer to activity rules to determine activity status and matters of discretion.</u>
EW-RX	Earthworks subject to a Building Consent							
All Zones	Activity status: PER 1. <u>Earthworks that are or will be subject to a building consent.</u> Where: a. <u>It occurs within 2m of the outer edge of the exterior wall of the building.</u>	Activity status when compliance not achieved: <u>Refer to activity rules to determine activity status and matters of discretion.</u>						
New: Rule Earthworks adjacent to a major electricity distribution line	MainPower seeks to insert corridor protection rules relating to Electricity Distribution Lines into the General Residential Zone chapter rules as lines are located within or immediately adjacent to that zone.	Insert the following new rule: <table> <tr> <td colspan="3">Earthworks adjacent to a major electricity distribution line</td></tr> <tr> <td></td><td> Activity Status: PER <u>Where:</u> 1. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> </td><td> Activity status when compliance not achieved: NC Notification <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</u> </td></tr> </table>	Earthworks adjacent to a major electricity distribution line				Activity Status: PER <u>Where:</u> 1. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u>	Activity status when compliance not achieved: NC Notification <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</u>
Earthworks adjacent to a major electricity distribution line								
	Activity Status: PER <u>Where:</u> 1. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u>	Activity status when compliance not achieved: NC Notification <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</u>						

General Submission	Submission	Relief Sought	
		2. <u>Meet the following requirements:</u> a. <u>be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u> b. <u>be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> c. <u>earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> d. <u>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> <u>Exemptions</u> <u>This rule does not apply to:</u>	<u>operator where the consent authority considers this is required, absent its written approval.</u>

General Submission	Submission	Relief Sought
		• <u>earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u> • <u>earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u> • <u>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;</u> <u>Advisory Notes</u> • <u>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.</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>

EW-Objective	Submission	Relief Sought
EW-O1 Earthworks	MainPower supports the objective as it recognises earthworks adjacent to electricity infrastructure is a risk to the safety of people and has the potential to undermine the stability of support structures.	Retain EW-O1 as notified.

EW – Policies	Submission	Relief Sought
EW-P1 Enabling earthworks	MainPower supports the policy as it recognises that earthworks adjacent to infrastructure has the potential to destabilise support structures and compromise operational function.	Retain EW-P1 as notified.
EW-P2 Earthworks within Flood Assessment Overlays	MainPower supports the policy but notes it does not provide for earthworks associated with the maintenance, repair or upgrade of existing infrastructure or the operational or functional need for new infrastructure.	Amend EW-P2 as follows: Allow earthworks within the Urban Flood Assessment Overlay and Non-Urban Flood Assessment Overlay where: 1. the earthworks do not increase the flooding risk to the site or neighbouring sites through the displacement of flood waters; 2. the earthworks associated with proposed subdivision, development or use do not increase the risk to life or property; and 3. the ability to convey flood waters is not impeded as a result of the earthworks. 4. <u>the earthworks are associated with development, maintenance, repair, upgrade of critical infrastructure and have an operational or functional need to locate within a Flood Assessment Overlay.</u>

EW – Proposed plan provisions	Submission	Relief Sought					
EW-R8 Earthworks for underground infrastructure	MainPower supports this rule but seeks to amend the rule to include all permitted infrastructure in the EI chapter. MainPower undertakes earthworks as a general function of their daily activities e.g., trenching of underground cables, installation of new or replacement of existing poles, access track formation and maintenance and installation or replacement of cabinets. The majority of those earthworks are undertaken within road corridors and such activities should be permitted without a consenting burden.	Amend Rule EW-R8 as follows: EW-R8 Earthworks for ~~underground~~ infrastructure <i>This rule does not apply to any treatment plants, pump stations, canals, infiltration basins, open raw water storage ponds/lakes and treated water reservoirs provided for under EW-R11.</i> <table> <tr> <td data-bbox="1014 592 1149 1319" rowspan="2">All Zones</td> <td data-bbox="1149 592 1487 890"> Activity status: PER </td> <td data-bbox="1487 592 2033 751"> Activity status when compliance not achieved: RDIS </td> </tr> <tr> <td data-bbox="1149 890 1487 1319"> Where: - the activity is a permitted <u>activity</u> in the <u>EI Chapter</u>. under EI-R10. </td> <td data-bbox="1487 751 2033 1319"> Matters of discretion are restricted to: - EW-MD1 - Activity operation, scale, form and location - EW-MD6 - Coastal environment and hazards - EW-MD7 - Water bodies, vegetation and fauna - TREE-MD1 - Pruning, root protection area, trunk and crown, removal - TREE-MD2 - Extent of benefit or need for the activity or works EI-MD3 Operational considerations </td> </tr> </table>	All Zones	Activity status: PER	Activity status when compliance not achieved: RDIS	Where: the activity is a permitted <u>activity</u> in the <u>EI Chapter</u>. under EI-R10.	Matters of discretion are restricted to: - EW-MD1 - Activity operation, scale, form and location - EW-MD6 - Coastal environment and hazards - EW-MD7 - Water bodies, vegetation and fauna - TREE-MD1 - Pruning, root protection area, trunk and crown, removal - TREE-MD2 - Extent of benefit or need for the activity or works EI-MD3 Operational considerations
All Zones	Activity status: PER	Activity status when compliance not achieved: RDIS					
	Where: the activity is a permitted <u>activity</u> in the <u>EI Chapter</u>. under EI-R10.	Matters of discretion are restricted to: - EW-MD1 - Activity operation, scale, form and location - EW-MD6 - Coastal environment and hazards - EW-MD7 - Water bodies, vegetation and fauna - TREE-MD1 - Pruning, root protection area, trunk and crown, removal - TREE-MD2 - Extent of benefit or need for the activity or works EI-MD3 Operational considerations					

EW – Proposed plan provisions	Submission	Relief Sought
EI-R11 Earthworks not subject to Rules EW-R1 to EW-R10	MainPower supports EI-R11 on the basis that amended EW-R8 activities (as per relief sought above) are not required to comply with EW-S1 to s7.	Retain EW-R11 as notified.

Earthworks Standards	Submission	Relief Sought
EW-S1- EW-S7	MainPower supports EW-S1-EW-S7 on the basis that infrastructure will not be required to comply with EW-S1-S7.	Retain EW-S1-S7 as notified.

EW-Matters of Discretion	Submission	Relief Sought
EW-MD1 Activity operation, scale, form and location	MainPower supports EW-MD1 however seek to amend clause 12 to include reference to 'the electricity distribution network.	Amend EW-MD1 as follows: Activity operation, scale, form and location EW-MD1 1. Location, volume and area of earthworks. 2. The operational need or functional need for the earthworks in the location.

EW-Matters of Discretion	Submission	Relief Sought
		3. Any effects on the natural character and amenity values of the site and surrounding area. 4. Any effects on archaeological sites, heritage values or the heritage setting of the site or within the surrounding area. 5. Any disturbance of culturally significant sites and any proposed mitigation measures. 6. Any effects on the health and structural integrity of any notable tree and any effects on the values that have been identified for the notable tree. 7. Public health and safety including contingency provisions for emergency response. 8. Mitigation including fencing, planting and landscaping. 9. Effects on soil quality. 10. Final contour and ground level resulting from excavation or filling. 11. Vehicle movements associated with earthworks. 12. Any effects on the operation, maintenance, upgrade and development of the National Grid <u>and the electricity distribution network</u>. 13. Any constraint on the future development potential of the site or surrounding sites.
EW-MD6 Natural hazards	MainPower supports EW0MD6 as notified.	Retain EW-MD6 as notified.
EW-MD6	MainPower supports EW-MD6 but seeks to amend the assessment matter to include a	Amend EW-MD6 as follows:

EW-Matters of Discretion	Submission	Relief Sought
Coastal environment and hazards	clause recognising the operational and functional need of infrastructure.	Coastal environment and hazards 1. Any increase in sedimentation in the coastal environment. 2. The extent to which the proposal will maintain, preserve or enhance the natural character attributes of the coastal environment. 3. Any effects from the clearance of vegetation, or disturbance of habitat in the coastal environment. 4. Any effects on the nature, form and resilience of the sandy beach, dunes or rocky shoreline including the protection they provide from coastal inundation. 5. Any effects on the functioning of coastal processes. 6. Any positive or adverse effects on risk to life, property and the environment posed by coastal hazards. 7. The extent to which earthworks would remedy or mitigate coastal hazard or be compatible with existing coastal hazard mitigation works or structures. 8. The extent to which the earthworks will restrict or enable public access and enjoyment of the coastal environment. 9. The extent to which earthworks restrict public access to and along the CMA and water bodies with high values. 10. The extent to which the earthworks will be supervised by either a Chartered Professional Engineer with experience in coastal processes or a professional Engineering Geologist (IPENZ registered). 11. Any effects on culturally significant sites. 12. <u>The operational need or functional need for earthworks in the location.</u> EW-MD6

EW-Matters of Discretion	Submission	Relief Sought
EW-MD7 Waterbodies, vegetation and fauna	MainPower supports EW-MD7 but seeks to amend the assessment matter to include a clause recognising the operational and functional need of infrastructure.	Amend EW-MD6 as follows: Water bodies, vegetation and fauna 1. The extent to which the disturbance of the soil, including disturbance of contaminated land, adversely affects areas of significant indigenous vegetation and significant habitats of indigenous fauna. 2. Any removal of, or disturbance to, indigenous vegetation. 3. Any effects on the natural character and water quality of any water body. 4. The extent to which the earthworks will restrict public access and enjoyment of the margin of any water body. 5. The extent to which the habitat of trout, salmon, and indigenous aquatic species, may be adversely affected by any disturbance on the margin of the water body. 6. Fencing, planting and landscaping. 7. The extent to which the land use will adversely affect wahi taonga and mahinga kai. 8. For ngā wai, the matters specified in SASM-MD3 Nga Wai. 9. <u>The operational need or functional need for earthworks in the location.</u> EW-MD7
EW-MD8 Outstanding natural features and landscapes	MainPower supports EW-MD8 as notified.	Retain EW-MD8 as notified.

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~strikethrough~~

Table 5 – Part 2 District Wide Matters – Ecosystems and indigenous biodiversity

ECO – General Submission		Submission	Relief Sought
Plan Structure		MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant ecosystems and indigenous biodiversity provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the ecosystems and indigenous biodiversity chapter. This is to ensure that plan users can navigate to the relevant parts of the ecosystems and indigenous biodiversity chapter with ease. As currently structured network utility operators and other plan users are required to read the whole ecosystems and indigenous biodiversity chapter to determine what rules are applicable or not.	Insert appropriate hyperlinks from the EI chapter to the relevant ecosystems and indigenous biodiversity rules.

ECO – Policies	Submission	Relief Sought
ECO – New Policy	MainPower seek to insert two new policies to support small scale indigenous vegetation clearance activities provided for in ECO-R1.	Insert two new policies into ECO-Policies as follows: <u>ECO-Policy A</u> <u>Provide for small scale, low impact indigenous vegetation clearance where it will enable the continued use and the maintenance of existing critical infrastructure.</u> <u>ECO-Policy B</u> <u>Recognise that locational, operational and technical requirements for new, or upgrades to, critical infrastructure operated by network utilities operators may necessitate the removal of indigenous vegetation and habitats of indigenous fauna within ECO overlay areas.</u>
ECO-P2 Protection and restoration of SNAs	MainPower supports ECO-P2 as notified.	Adopt ECO-P2 as notified.
ECO-P5 Offsetting residual effects	MainPower supports ECO-P5 as notified.	Adopt ECO-P5 as notified.
ECO-P7 Indigenous biodiversity in the coastal environment	MainPower supports the policy in principle but notes there is no acknowledgement of the need to maintain, repair or upgrade existing infrastructure or any operational or functional requirements for new infrastructure.	Amend ECO-P7 as follows: Indigenous biodiversity in the coastal environment 1. Avoid adverse effects of activities on: a. indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;

ECO – Policies	Submission	Relief Sought
		b. taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened; c. indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare; d. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare; e. areas containing nationally significant examples of indigenous community types; and f. areas set aside for full or partial protection of indigenous biological diversity under other legislation; and g. <u>Ensure the siting of new critical infrastructure protects the ecological and indigenous values within coastal areas, taking into account the functional and operational need for the siting of critical infrastructure while also recognising and providing for the maintenance, repair and upgrade of existing critical infrastructure.</u> 2. Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on: a. areas of predominantly indigenous vegetation in the coastal environment; b. habitats in the coastal environment that are important during the vulnerable life stages of indigenous species; c. indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, eelgrass and saltmarsh;

ECO – Policies	Submission	Relief Sought
		d. habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes; e. habitats, including areas and routes, important to migratory species; and f. ecological corridors, and areas important for linking or maintaining biological values identified under this policy. g. <u>Ensure the siting of new infrastructure protects the ecological and indigenous values within coastal areas, taking into account the functional and operational need for the siting of infrastructure while also recognising and providing for the maintenance, repair and upgrade of existing infrastructure.</u>

ECO - Proposed Plan Reference	Submission	Relief Sought
ECO-R1 Indigenous vegetation clearance within any mapped SNA or unmapped SNA	MainPower supports the rule in principle but has concerns regarding the references to unmapped SNA's. MainPower considers all SNA's should be appropriately mapped to provide certainty. In addition, there is no provision for the trimming / removal of indigenous vegetation as a permitted activity when required for the maintenance, repair, upgrade or operation of critical infrastructure which is otherwise provided for under the Electricity	Amend Rule ECO-R1 as follows: Indigenous vegetation clearance within any mapped SNA ~~or unmapped SNA~~ Activity status: PER Where: 1. within any mapped SNA ~~or unmapped SNA~~, the indigenous vegetation clearance is: a. required for maintenance, repair or replacement purposes and is: a. within an existing access track; or b. within 3m of an existing building; or

ECO - Proposed Plan Reference	Submission	Relief Sought
	(Hazards from Trees) Regulations. Within this context, it is also necessary that vegetation clearance adjacent to critical infrastructure needs to be increased to 3m (as opposed to 2m) to ensure adequate operational clearance.	c. within 2m of an existing fence, existing gate, existing fire pond, existing stock yard, existing trough, or existing water tank; d. within <u>23</u>m of existing critical infrastructure, regionally significant infrastructure, strategic infrastructure or lifeline utility. b. for the purpose of protecting, maintaining, restoring or accessing the SNA's ecological values where it involves: a. carrying out activities in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1987 or Queen Elizabeth the Second National Trust Act 1977; b. carrying out activities in accordance with a Reserve Management Plan approved under the Reserves Act 1977; c. carrying out activities by or on behalf of the Crown in accordance with a Conservation Management Plan prepared under the Conservation Act 1987; or d. erecting a fence; c. for biosecurity purposes and is undertaken by, or on behalf of, the District Council, the Regional Council or Crown, or their nominated agent; d. for the purpose of harvesting indigenous vegetation that was planted for the purpose of plantation forestry; e. for the purpose of customary harvesting; f. expressly authorised under the NESF; or

ECO - Proposed Plan Reference	Submission	Relief Sought
		g. for the purpose of forming a walking or cycling access track where: a. the track has a maximum width of 2m; and b. the area of indigenous vegetation clearance is a maximum of 1% of the total area of the SNA on that site, or a maximum of 50m² from the SNA on that site, whichever is lesser; and c. does not involve the clearance of any tree with a trunk greater than 15cm in diameter when measured 1.4m above ground.
ECO-R2 Indigenous vegetation clearance outside of any mapped SNA or unmapped SNA	MainPower supports the rule in principle but has concerns around the uncertainty relating to unmapped SNA's and proposes references to unmapped areas be deleted. Clause 1 is a repetition of the rule title and is unnecessary. Furthermore, Clauses 3 and 8 are overly complex and can be simplified to enable the removal of indigenous vegetation as a permitted activity when associated with the maintenance, repair, upgrade or replacement of critical infrastructure.	Adopt Rule ECO-R2 as follows: Indigenous vegetation clearance outside any mapped SNA or unmapped SNA Activity status: PER Lower Plains Ecological District; High Plains Ecological District Where: ~~1. the indigenous vegetation is not within any mapped SNA or unmapped SNA; and~~ 2. the indigenous vegetation clearance is not within 75m of a lake, 20m of the bank of a river, or 50m of any wetland, unless the clearance is expressly authorised under the NESF; and 3. the indigenous vegetation clearance is: a. required for maintenance, repair, <u>upgrade</u> or replacement purposes ~~and is of critical infrastructure~~:

ECO - Proposed Plan Reference	Submission	Relief Sought
		i. ~~within an existing access track; or~~ ii. ~~within 3m of an existing building; or~~ iii. ~~within 2m of an existing fence, existing gate, existing fire pond, existing stock yard, existing trough, or existing water tank;~~ b. for the purpose of protecting, maintaining, restoring, and accessing ecological values and involves: i. carrying out activities in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1987 or Queen Elizabeth the Second National Trust Act 1977; ii. carrying out activities in accordance with a Reserve Management Plan approved under the Reserves Act 1977; iii. carrying out activities by or on behalf of the Crown in accordance with a Conservation Management Plan prepared under the Conservation Act 1987; or iv. erecting a fence; c. is for the purpose of customary harvesting; d. for biosecurity purposes and is undertaken by, or on behalf of, the District Council, Regional Council or Crown, or their nominated agent; e. of indigenous vegetation which has been planted and/or is managed as part of a domestic garden or has been planted for amenity purposes or as a shelterbelt;

ECO - Proposed Plan Reference	Submission	Relief Sought
		f. for the maintenance, repair, or replacement of existing flood protection works administered by the Regional Council or District Council; g. for the purpose of harvesting indigenous vegetation that was planted for the purpose of plantation forestry; h. of the indigenous understorey to plantation forest, and is incidental to permitted or otherwise authorised plantation forest clearance; or i. required for the purpose of maintaining improved pasture. Oxford Ecological District; Torlesse Ecological District; Ashley Ecological District Where: 4. the indigenous vegetation is not within any mapped SNA ~~or unmapped SNA~~: and 5. the indigenous vegetation clearance is not within 75m of a lake, 20m of the bank of a river, or 50m of any wetland, unless the clearance is expressly authorised under the NESF; and 6. the indigenous vegetation clearance is not on land above 900m in altitude; and 7. the indigenous vegetation clearance of indigenous vegetation shall be a maximum of 100m² or 10% of the total area of the site, whichever is lesser, on any site in any continuous five year period and the indigenous vegetation does not comprise any species or habitats listed in ECO-SCHED3 that are naturally occurring; 8. the indigenous vegetation clearance is: a. required for maintenance, repair, <u>upgrade</u> or replacement purposes ~~which is of critical infrastructure:~~ i. ~~within an existing access track; or~~

ECO - Proposed Plan Reference	Submission	Relief Sought
		ii. ~~within 3m of an existing building; or~~ iii. ~~within 2m of an existing fence, existing gate, existing fire pond, existing stock yard, existing trough, or existing water tank;~~ b. required for the purpose of maintaining improved pasture; or c. for the maintenance, repair, or replacement of existing flood protection works administered by the Regional Council or District Council; d. for the purpose of protecting, maintaining, restoring, or accessing ecological values and involves: i. carrying out activities in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1987 or Queen Elizabeth the Second National Trust Act 1977; ii. carrying out activities in accordance with a Reserve Management Plan approved under the Reserves Act 1977; iii. carrying out activities by or on behalf of the Crown in accordance with a Conservation Management Plan prepared under the Conservation Act 1987; or iv. erecting a fence; e. for the purpose of customary harvesting; f. for biosecurity purposes and is undertaken by, or on behalf of, the District Council, the Regional Council or Crown, or their nominated agent; g. of indigenous vegetation which has been planted and/or is managed as part of a domestic garden or has been planted for amenity purposes or as a shelterbelt; h. for the purpose of harvesting indigenous vegetation that was planted for the purpose of plantation forestry; or

ECO - Proposed Plan Reference	Submission	Relief Sought
		i. of the indigenous understorey to plantation forest, and is incidental to permitted or otherwise authorised plantation forest clearance.

ECO – Matters of discretion	Submission	Relief Sought
ECO-MD1 Indigenous vegetation clearance	MainPower supports the matter of discretion however seeks an additional clause to recognise the technical or operational need for critical infrastructure to clear indigenous vegetation.	Amend ECO-MD1 as follows: Indigenous vegetation clearance 1. The extent to which the proposal adequately identifies indigenous biodiversity values including whether any naturally occurring species that are threatened, at risk, or reach their national or regional distribution limits in the District, or any naturally uncommon ecosystems listed in ECO-SCHED3 are present and if so, how they will be protected or managed. 2. The extent to which the proposal will achieve no net loss of indigenous biodiversity values identified as significant. 3. The actual or potential effects on indigenous biodiversity or ecological values, including intrinsic values, expected to occur as a result of the proposal, including those on ecosystem connectivity, function, and integrity and species diversity.

ECO – Matters of discretion	Submission	Relief Sought
		4. Any potential for avoiding, remedying, mitigating or otherwise offsetting or compensating for adverse effects on indigenous vegetation and habitats of indigenous fauna. 5. Any conditions to ensure obligations in respect of indigenous biodiversity endure, including beyond any changes of ownership (wholly or partially) of the landholding and review of conditions. 6. Where the clearance is within an ONL, ONF, SAL, ONC, VHNC, HNC, or any natural character of scheduled freshwater body setback, whether the indigenous vegetation proposed to be cleared contributes to the values of these areas and the degree to which the proposed clearance would adversely affect these values. 7. The relevance and quality of a Biodiversity Management Plan, if provided. 8. The extent of adverse effects on indigenous biodiversity in the coastal environment. 9. The extent to which, if any, the health of any indigenous vegetation and/or habitat of indigenous fauna is improved. 10. The extent to which, if any, the spatial extent of any indigenous vegetation and/or habitat of indigenous fauna is increased. 11. Adverse effects on Ngāi Tahu cultural values including mahinga kai and other customary uses, and access for these purposes. 12. <u>The functional or operational need for critical infrastructure to undertake vegetation clearance.</u>

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~striketrough~~

Table 1 – Part 2 District Wide Matters – Energy, Infrastructure

EI- General Submission	Submission	Relief Sought
Introduction and EI Chapter Structure	MainPower opposes the use of the multiple terms used for infrastructure in the plan i.e. ‘regionally significant infrastrastucture’, ‘critical infrastructure’ and strategic infrastructure’. MainPower prefers that the term ‘important infrastructure’ be used in the Proposed Waimakariri District Plan as this simplifies and streamlines the terminology for plan users.	<u>Amend</u> as required throughout the PDP to replace ‘critical infrastructure’, ‘regionally significant infrastructure’ and ‘strategic infrastructure’ with ‘important infrastructure.

El- General Submission	Submission	Relief Sought
	MainPower proposes a definition of 'Important Infrastructure' as per Mainpower's definitions submission Table 2.	
El Chapter Structure	MainPower seeks that a rule list be inserted into the El Chapter along with a hyperlink to each rule to make it easier for plan users to locate relevant rules.	Insert a rule list into the El Chapter along with a hyperlink to each rule.
Other potentially relevant District Plan provisions.	MainPower opposes how the El chapter links to the other district plan provisions. MainPower seeks that all relevant provisions applicable to the activities of Network Utility Operators be consolidated and located as far as possible in a single part of the plan. In addition, MainPower seeks that internal hyperlinks are placed into the El chapter of the eplan to ensure plan users are able to navigate to other parts of the plan mentioned with ease. This provides clarity and certainty for all plan	Insert/Amend as follows: <u>How this Chapter works and ~~o~~Other potentially relevant District Plan provisions.</u> <u>The Energy and Infrastructure chapter is designed to work in the following way:</u> <u>As required by the National Planning Standards unless relating specifically to a Special Purpose Zone, the 'Energy, Infrastructure and Transport' heading has been created to be self-contained for all energy, transport and infrastructure works and activities. Under the National Planning</u>

EI- General Submission	Submission	Relief Sought
	users as to which rules apply. The current approach of listing the chapters that may apply is inadequate. Rule EI-R2 contains hyperlinks to the earthworks chapter and is a good example of how this could apply throughout the EI Chapter. Reasons for Submission From a plan usability perspective network utility operators and other plan users should not be expected to review the whole plan to determine which rules are applicable to their activities. The National Planning Standards dictate the plan structure and require provisions relating to energy and infrastructure that are not specific to a Special Purpose zone chapter or section “<i>must be located in one or more chapters under the Energy, Infrastructure and Transport heading</i>”. The Planning standards go on to say this “<i>may</i>” include provisions relating to the management of reverse sensitivity effects between	<u>Standards, it is permitted to have more than one chapter covering these matters under the ‘Energy, Infrastructure and Transport’ heading. In this Plan, energy and infrastructure matters are contained in a separate chapter to transport matters.</u> <u>The Energy and Infrastructure chapter is designed to work in the following way:</u> 1. <u>Except where hyperlinked this chapter sets out all provisions for energy and infrastructure activities.</u> 2. <u>Where a rule from another chapter has been hyperlinked within this chapter, the relevant associated objectives and policies also apply when assessing an application for resource consent.</u> 3. <u>Where an activity is within an Overlay, the associated objectives and policies from the relevant chapter for that overlay also apply when assessing an application for resource consent.</u>

EI- General Submission	Submission	Relief Sought
	infrastructure and other activities. The current structure of the EI Chapter and the need to review most other plan provisions to determine what rules apply to the activities of network utility operators does not align with the planning standards directions.	As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to Energy and Infrastructure include: • ~~Transport: the Transport rules apply to all activities and activities are subject to compliance with all relevant Transport rules. The application of the transport provisions is discussed further in the Transport rules.~~ • ~~Natural Hazards: this chapter contains provisions that may be relevant to managing the risk to energy and infrastructure from natural hazards.~~ • ~~Historic Heritage: this chapter contains provisions relevant to protecting places with heritage values, such as historic heritage buildings or other structures or their heritage settings.~~ • ~~Notable Trees: this chapter contains provisions relevant to matters such as protecting the root protection area or the trimming or removal of notable trees.~~ • ~~Sites and Areas of Significance to Māori: this chapter contains provisions relevant to protecting SASM from adverse effects.~~ • ~~Ecosystems and Indigenous Biodiversity: this chapter contains provisions that control SNAs and the clearance of areas of indigenous vegetation across the District.~~

EI- General Submission	Submission	Relief Sought
		• ~~Natural Character of Freshwater Bodies: this chapter contains provisions regarding activities within natural character of scheduled freshwater bodies setbacks.~~ • ~~Natural Features and Landscapes: this chapter contains provisions for activities within ONL, ONF, and SAL.~~ • ~~Subdivision: this chapter contains provisions that may be relevant to subdivision for energy and infrastructure.~~ • ~~Earthworks: this chapter contains provisions that may be relevant to earthworks for energy and infrastructure such as volume, depth and location.~~ • ~~Any other District wide matter that may affect or relate to the site.~~ • ~~Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.~~
Corridor protection provisions Rule EI-R54, EI-R55 and EI-R56	MainPower seeks those provisions related to managing reverse sensitivity effects under EI-R54, EI-R55, EI-R56 and proposed new rule (structures near major electricity distribution lines) should be located in the relevant zone chapters where they will be easier for plan users	Primary Relief: Relocate EI-R54, EI-R55 and EI-R56 into the relevant zone chapters. The relevant zone chapters are: • General Residential zone • Large lot residential zone • General rural zone

EI- General Submission	Submission	Relief Sought
	to identify. That relief requires consequential amendments to the EI Chapter and all other relevant zone chapters for which major electricity distribution lines are located within. Submissions to this effect have been made on the relevant zone chapters. As an alternative relief to locating the corridor protection provisions within the relevant zone chapters MainPower may accept appropriate hyperlinks within the relevant zone chapters linking plan users back to the EI Chapter. However, it is noted that Mainpower's strong preference is to locate the corridor protection provisions within the relevant zone chapters. It is noted that MainPower is seeking changes to the corridor protection rules (EI-R54, EI-R55, EI-R56 and the new porposed rule relating to	• Rural lifestyle zone • General industrial zone • Open space zone • Settlement zone • Sport and active recreation zone • Natural open space zone Delete Rule EI-R54, EI-R55 and EI-R56 from the EI chapter. Alternative relief: Insert appropriate hyperlinks/rule into each of the applicable zone chapters to link back to the Rule EI-R54, EI-R55, EI-R56 and new proposed rule relating to structures near major electricity distribution lines.

El- General Submission	Submission	Relief Sought
	structures near major electricity distribution lines.	

El- Objectives and Policies	Submission	Relief Sought
EI-01 Provision of energy and infrastructure	MainPower supports Objective EI-01 but seeks to amend the objective to provide more clarity.	Reword Objective EI-01 as follows: Provision of energy and infrastructure Across the District: 1. <u>is efficient, effective, resilient, safe; and and-sustainable energy and infrastructure including critical infrastructure, strategic infrastructure and regionally significant infrastructure, is developed and maintained to benefit the social, economic, cultural and environmental well-being of the District, including in response to future needs such as increased sustainability and to recognise practical, technical and operational requirements. changing techniques and technology;</u> 2. there is increased renewable energy for national, regional and local use; and 3. there is greater renewable electricity generation, including small scale or community scale renewable electricity generation, with generation surplus able to be supplied to the electricity distribution network.
EI-02 Adverse effects of energy and infrastructure	MainPower supports Objective EI-02 but seeks to amend this objective to recognise practical, technical and operational requirements.	Amend Objective EI-02 as follows:. EI-02 Adverse effects of energy and infrastructure

EI- Objectives and Policies	Submission	Relief Sought
		Adverse effects of energy and infrastructure on the qualities and characteristics of surrounding environments and community well-being are avoided, remedied or mitigated. <u>while having regard to the social and economic benefits, technical and operational requirements of important infrastructure.</u>
EI-03 Effects of other activities and development on energy and infrastructure	MainPower supports Objective EI-03 however seeks to amend the wording to provide more clarity.	Amend Objective EI-03 as follows: Effects of other activities and development on energy and infrastructure The safe, efficient and effective operation, maintenance, repair, renewal, upgrading and development of energy and infrastructure is not constrained or compromised by activities and development, including by reverse sensitivity effects <u>and incompatible activities.</u>
EI-P1 Recognising the benefits of, and providing for, energy and infrastructure	MainPower supports Policy EI-P1 but seeks to add further clarity to recognise the functional and operational need of important infrastructure to locate in a particular area.	Amend EI-P1 as follows: Recognising the benefits of, and providing for, energy and infrastructure Recognise the local, regional or national benefits of energy and infrastructure through: EI-P1 1. enabling the operation, maintenance, repair, renewal, removal and minor upgrade of energy and infrastructure;

EI- Objectives and Policies	Submission	Relief Sought
		2. <u>acknowledging that important infrastructure can have a functional or operational need to locate in a particular area;</u> 3. providing for more than minor or significant upgrades to existing, and the development of new, energy and infrastructure; 4. providing for energy and infrastructure that serves as a lifeline utility during an emergency, including critical infrastructure, strategic infrastructure and regionally significant infrastructure; 5. providing for the effective, safe, secure and efficient electricity transmission, including on the National Grid, electricity distribution, and supply of fuel and energy; 6. providing for the effective, reliable and future-proofed communication networks and services; 7. providing for the effective, resilient, efficient and safe water supply, wastewater system and stormwater infrastructure; and community scale irrigation/stockwater; 8. enabling energy and infrastructure that has a particular focus on the utilisation of renewable resources and which contribute to sustainable use of natural and physical resources; 9. enabling feasibility investigations into renewable energy including for renewable electricity generation; 10. providing for renewable energy and renewable electricity generation including small scale or community scale renewable electricity generation; and 11. the provision of an adequate supply of water for firefighting in accordance with SNZ PAS 4509:2008 New

EI- Objectives and Policies	Submission	Relief Sought
		Zealand Fire Service Firefighting Water Supplies Code of Practice.
EI-P2 Availability, provision and adequacy or, and connection to, energy and infrastructure.	MainPower supports Policy EI-P2.	Retain EI-P2 as notified.
EI-P3 New Technologies and techniques	MainPower supports Policy EI-P3.	Retain EI-P3 as notified.
EI-P4 Environmentally sustainable outcomes	MainPower supports Policy EI-P4	Retain EI-P4 as notified.
EI-P5 Manage adverse effects of energy and infrastructure	MainPower supports Policy EI-P5. However notes than biodiversity offsets should not be applicable small scale network utility projects where there are no residual effects.	Retain EI-P5 as notified.

EI- Objectives and Policies	Submission	Relief Sought
EI-P6 Effects of other activities and development on energy and infrastructure	MainPower supports this Policy but seeks to amend the wording to provide further clarity.	Amend Policy EI-P6 as follows: <u>Avoid</u> ~~Manage~~ adverse effects of other activities and development on energy and infrastructure, including by the following: 1. ensuring such effects do not compromise or constrain access to or the safe, effective and efficient operation, maintenance, repair, <u>replacement</u>, upgrading and development of energy and infrastructure; and 2. with regards to the National Grid and major electricity distribution lines, in addition to (1) above, by ensuring that: a. safe buffer distances are identified in the District Plan for managing the effects of incompatible activities and development on the National Grid and major electricity distribution lines including support structures; b. sensitive activity and development that may compromise the National Grid and major electricity distribution lines, including those associated with intensive farming activities, are excluded from establishing within identified safe buffer distances; c. changes to existing activities within identified safe buffer distances do not further constrain or restrict the operation, maintenance, repair, upgrading and development of the National Grid and major electricity distribution lines; and 3. ensuring buildings, other structures and vegetation do not obstruct or otherwise adversely affect radiocommunication pathways, either individually or cumulatively, including for radiocommunication associated with critical infrastructure, strategic infrastructure, regionally significant infrastructure, a

El- Objectives and Policies	Submission	Relief Sought
		lifeline utility, and for emergency purposes and day to day operations of an emergency service.

El- Activity Rules – General	Submission	Relief Sought
EI- R1 Maintenance or removal of existing infrastructure and ancillary vehicle access tracks.	MainPower supports Policy EI-R1.	Retain EI-R1 as notified.
EI-R2 Construction of new, or widening or extension of existing, vehicle tracks ancillary to infrastructure	MainPower supports Rule EI-R2 as this provides a hyperlink to the relevant earthworks rules.	Retain EI-R2 as notified.
EI-R3 Ancillary infrastructure equipment	MainPower supports Rule EI-R3 but has sought to include telemetry equipment under the	Retain EI-R3 as notified.

El- Activity Rules – General	Submission	Relief Sought
	definition of ‘ancillary infrastructure equipment’ as part of the definition submission in Table X,	
EI-R4 Customer connection between a building, other structure, site, and infrastructure	MainPower supports Rule EI-R4.	Retain EI-R4 as notified.
EI-R5 Meteorological and environmental sensing and monitoring equipment, and navigational aid	MainPower supports this rule as notified.	Retain Rule EI-R5 as notified:
EI-R6 Trimming or removal of trees and vegetation	MainPower supports Rule EI-R6.	Retain EI-R6 as notified.
EI-R7	MainPower supports Rule EI-R7 on the	Retain EI-R7 as notified.

EI- Activity Rules – General	Submission	Relief Sought
Freestanding pole in the road corridor	understanding that this rule anticipates poles that are a part of a electricity distribution line.	
EI-R8 Installation of new infrastructure within an existing building	MainPower supports Rule EI-R8.	Retain EI-R8 as notified.
EI-R9 Use of temporary infrastructure	MainPower supports Rule EI-R9. MainPower understands that the rule, as worded, would allow temporary electricity generation equipment as well as temporary overhead lines, for example, to be permitted to operate for longer than 12 months if that were required. Further	Amend EI-R9 as follows: . EI-R9 Use of temporary and transportable infrastructure <i>This rule does not apply to new permanent emergency or back-up electricity generation provided for in EI-R36; or installation, maintenance, repair, upgrading or removal of new infrastructure for assessing a site or technology for suitability for renewable electricity generation provided for in EI-R39.</i> Activity status: PER Where: 1. the temporary infrastructure shall operate for a maximum of 12 months from the Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: • EI-MD4 - Health and safety • EI-MD3 – Operational considerations All Zones

EI- Activity Rules – General	Submission	Relief Sought	
	MainPower understands that this rule also relates to and permits temporary electricity generation activities that may be transportable.		commencement of the works or activity, or until the works or activity or a stage of the works or activity for which the temporary infrastructure is required is complete, whichever is greater, at which time the temporary infrastructure shall be removed from the site. • ~~EI-MD14 – Extent of effects~~
EI-R10 Installation of new infrastructure, or upgrading of existing infrastructure, underground	MainPower supports Rule EI-R10 as notified.	Retain EI-R10 as notified.	
EI-R11 Relocation of infrastructure	MainPower supports Rule EI-R11 as notified.	Retain EI-R11 as notified.	
EI-R12	MainPower supports Rule EI-R12 but seeks to amend	Amend EI-R12 as follows: EI-R12 Replacement of a pole or tower (except where provided for under EI-R7)	

EI- Activity Rules – General	Submission	Relief Sought		
Replacement of a pole or tower	the wording to provide more flexibility. When MainPower replace towers and poles the replacement structures will often be taller than the original pole or tower in order to comply with modern design standards and network requirements. These are often linked to safety requirements.	All Zones	Activity status: PER Where: 1. a pole shall not be replaced with a tower; 2. <u>a replacement pole or tower does not exceed the height of the original pole or tower by more than 40 percent, measured from the top of the foundation.</u> 3. ~~a replacement pole or tower shall not exceed the height in relation to infrastructure of the replaced pole or tower;~~ 4. the diameter or width of a replacement pole shall not exceed twice that of the replaced pole at its widest point; 5. a single pole may be replaced with a pi-pole <u>or H pole</u> for safety or structural reasons <u>and the width of of the Pi pole or H pole must not exceed three times that of the replaced pole at its widest point (including the cross-arm) ;</u>	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: • <u>EI-MD3 Operational considerations</u> • ~~EI-MD14 Extent of effects~~

El- Activity Rules – General	Submission	Relief Sought		
			6. the footprint of a replaced tower shall not exceed the width of the tower by more than 25%; and 7. a replaced pole or tower shall be removed once its replacement is in place and is operational.	
EI-R14 Replacement of an antenna	MainPower supports EI-R14	Retain EI-R14 as notified.		
EI-R13 Addition to pole or tower	MainPower supports Rule EI-R13 and the ability to mount equipment on support structures, however, proposes amendments to the rule to provide further clarity and provide more flexibility.	Amend EI-R13 as follows:		
		EI-R13 Addition of equipment to a pole or tower Activity status: PER Where: 1. <u>Equipment mounted on a support structure does not exceed a volume of 2m³.</u> 2. <u>the combined diameter or width of the existing pole or tower plus the addition (at its widest point) shall not exceed twice that of the existing pole or tower (at its widest point); and</u>	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: • <u>EI-MD2 Amenity values, location and design</u> • <u>EI-MD3 Operational Considerations</u> • ~~EI-MD14 – Extent of effects~~	

EI- Activity Rules – General	Submission	Relief Sought
		3. <u>Equipment mounted on a support structure does not exceed the height of the existing pole or tower.</u> 4. ~~the combined height in relation to infrastructure of the existing pole or tower plus the addition shall not exceed that of the existing pole or tower.~~
EI-R15 Replacement of an infrastructure cabinet or infrastructure building	MainPower supports this rule but seeks amendments to provide more clarity and flexibility to upgrade and replace existing infrastructure cabinets, kiosks and infrastructure buildings.	Amend EI-R15 as follows: EI-R15 <u>Replacement of an infrastructure cabinet, electricity cabinet and kiosk or infrastructure building unless provided for under new rule EI-X ‘Electricity Cabinets and kiosks’.</u>

EI- Activity Rules – General	Submission	Relief Sought
		Activity status: PER Where: - the replacement shall not increase the footprint <u>or the height</u> of the existing infrastructure cabinet, <u>electricity cabinet and kiosk</u> or infrastructure building by more than 30%; and <u>the replacement infrastructure cabinet, electricity cabinet or infrastructure building is within 5m of the location of the original structure.</u> ~~outside a road corridor, where an existing infrastructure building is located in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the replacement infrastructure building shall comply with the building internal boundary setback and where specified the height in relation to boundary for the zone or adjoining zone in accordance with Appendix APP3.~~ Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MD2 Amenity values, location and design</u> <u>EI-MD3 Operational considerations</u> ~~EI-MD14 Extent of effects~~
EI-R16	MainPower support this rule but seek wording be amended to provide	Amend EI-R16 as follows: EI-R16 Upgrading and <u>expansion of above-ground network utilities</u> ~~lines, ducts, cables and pipes~~

El- Activity Rules – General	Submission	Relief Sought	
Upgrading above-ground lines, ducts, cables and pipes	further clarity around the relationship with EI-R24 which deals with new overhead llines and supporting poles and towers. The word “addition” is defined but only references buildings. The definition should be amended so it applies to the context of this rule, or a different word should be chosen for this rule. Reason for submission: Where upgrading and expansion parameters in EI-R16 are not met the network infrastructure can no longer be said to	All Zones	Activity status: PER 1. <u>Upgrading or expansion of existing above ground network utilities, except where provided for under Rule EI-24</u> Where: 2. upgrading is by: a. ~~the addition of~~ adding wires, cables, circuits or conductors; b. the re-conductoring of the line with higher capacity conductors; c. the re-sagging of conductors; d. ~~the addition of~~ installing longer or more efficient insulators; e. ~~the addition of~~ adding cross arms; f. the bundling of lines (in the absence of cross arms); g. ~~the addition of~~ installing earth wires (which may contain telecommunication lines, earthpeaks and lightning rods); h. their replacement <u>of any of the above</u>; 3. the diameter of a replacement conductor or line shall not exceed the diameter of the existing conductor or line, or 50mm, whichever is greater; 4. additional conductors or lines: a. shall not increase the number of conductors or lines by more than 100%; and Activity status when compliance not achieved: ~~RDIS~~ CON Matters of discretion are restricted to: • <u>EI-MD3 Operational considerations</u> • ~~EI MD14~~ Extent of effects

EI- Activity Rules – General	Submission	Relief Sought
	be being upgraded. Rather, it is more appropriate to describe the asset as ‘new’. This should be reflected in the activity status that the asset is subjected to hence a controlled activity status has been proposed. As notified, the plan may create anomalous outcomes where a RDIS consent is required to upgrade a network asset, while a brand new asset in the same location would be a permitted activity. By treating upgrades that that do not comply with EI-R16 as “new activities”	b. shall each have a maximum diameter of 50mm; 5. additional cross arms shall not exceed the length of an existing cross arm by more than 100%, up to a maximum of 4m; 6. the bundling of lines (in the absence of cross arms) shall not exceed 100mm in total; and 7. the diameter of a replacement above-ground duct or pipe shall not exceed the diameter of the existing above-ground duct or pipe by more than 300mm.

EI- Activity Rules – General	Submission	Relief Sought						
	anomalies of this kind can be avoided.							
EI-17 Installation of new mid-span poles	MainPower supports Rule EI-R17.	Retain EI-R17 as notified.						
EI-R18 Attachment of pipes, cables, conductors or lines, to bridges, tunnels or culverts	MainPower supports Rule EI-R18 on the basis that MainPower can have as many clusters of earth peaks, conduits, ducts or pipes as required, as long as the clusters do not include more than two conduits, ducts or pipes.	Retain EI-R18 as notified.						
EI-R19 New infrastructure cabinet	MainPower <u>supports</u> this rule on the proviso that electricity cabinets and kiosks are separated out	Amend EI-R19 as follows: <table><tr><td colspan="2">EI-R19 New infrastructure cabinet</td></tr><tr><td>All Zones</td><td>Activity status: PER</td></tr><tr><td></td><td>Activity status when compliance achieved: RDIS</td></tr></table>	EI-R19 New infrastructure cabinet		All Zones	Activity status: PER		Activity status when compliance achieved: RDIS
EI-R19 New infrastructure cabinet								
All Zones	Activity status: PER							
	Activity status when compliance achieved: RDIS							

EI- Activity Rules – General	Submission	Relief Sought
	to a separate more permissive rule.	<u>1. New infrastructure cabinet, except where provided for under Rule EI-XX.</u> Where: <u>2.</u> a new infrastructure cabinet is located underground; or <u>3.</u> a new above-ground infrastructure cabinet shall not exceed the following: a. when located in the road corridor adjoining: i. Residential Zones: 1. maximum height in relation to infrastructure: 1.8m; and 2. maximum floor area (excluding plinths or foundations): 1.4m²; ii. all other zones: 1. maximum height in relation to infrastructure: 2m; and 2. maximum floor area (excluding plinths or foundations): 2m²; b. when located outside the road corridor in: i. Residential Zones: 1. maximum height in relation to infrastructure: 2m; and Matters of discretion are restricted to: • EI-MD1 - Historic heritage and the natural environment • EI-MD2 - Amenity values, location and design • EI-MD3 - Operational consideration

EI- Activity Rules – General	Submission	Relief Sought						
		2. maximum floor area (excluding plinths or foundations): 2.5m²; ii. all other zones: 1. maximum height in relation to infrastructure: 2.5m; and 2. maximum floor area (excluding plinths or foundations): 5m²; and 4. a new infrastructure cabinet shall not be located in the following areas (except where located in a road corridor): a. the root protection area of a notable tree; and b. SNAs.						
New EI Rule Activity Rules – Electricity transmission and electricity distribution. Electricity Cabinets and kiosks	MainPower seeks to insert a new rule relating to electricity distribution cabinets and kiosks. An area of 13m² is sought as, typically, Mainpower’s easements for such	Insert a new rule as follows: <table border="1"> <thead> <tr> <th data-bbox="902 1034 987 1066"><u>EI-RXX</u></th><th data-bbox="1048 1034 1422 1066"><u>Electricity cabinets and kiosks</u></th><th data-bbox="1619 1077 2018 1141"><u>Activity status when compliance not achieved: CON</u></th></tr> </thead> <tbody> <tr> <td data-bbox="902 1152 1016 1184"><u>All Zones</u></td><td data-bbox="1048 1077 1619 1369"> <u>Activity status: PER</u> <u>Where:</u> - The electricity cabinet and kiosk does <u>not exceed:</u> <u>2m in height</u> <u>13m² in area</u> </td><td data-bbox="1619 1257 1924 1329"><u>Matters of discretion are restricted to:</u></td></tr> </tbody> </table>	<u>EI-RXX</u>	<u>Electricity cabinets and kiosks</u>	<u>Activity status when compliance not achieved: CON</u>	<u>All Zones</u>	<u>Activity status: PER</u> <u>Where:</u> - The electricity cabinet and kiosk does <u>not exceed:</u> <u>2m in height</u> <u>13m² in area</u>	<u>Matters of discretion are restricted to:</u>
<u>EI-RXX</u>	<u>Electricity cabinets and kiosks</u>	<u>Activity status when compliance not achieved: CON</u>						
<u>All Zones</u>	<u>Activity status: PER</u> <u>Where:</u> - The electricity cabinet and kiosk does <u>not exceed:</u> <u>2m in height</u> <u>13m² in area</u>	<u>Matters of discretion are restricted to:</u>						

EI- Activity Rules – General	Submission	Relief Sought					
	equipment are 13m ² in area so MainPower seek flexibility to install equipment to the full extent of the easement. Although typically, such equipment ranges in size from 3m ² to 10m ² in area to allow for a walkaround area for serving and maintnence of the equipment. MainPower would like to retain flexibility without having a consenting burden for such equipment.		2. <u>The electricity cabinet and kiosk is not located in the following areas (except where located in a road corridor):</u> a. <u>The root protection area of a notable tree; and</u> b. <u>SNA's</u> • <u>EI-MD1 - Historic heritage and the natural environment</u> • <u>EI-MD2 - Amenity values, location and design</u> • <u>EI-MD3 - Operational consideration</u>				
EI-R20 New infrastructure building	MainPower seek to amend EI-R20 such that this rule does not apply to equipment covered under the proposed new rule	Amend EI-R20 as follows: <table><tr><td>EI-R20</td><td>New infrastructure building</td></tr><tr><td>All Zones</td><td> Activity status: PER Activity status when compliance not achieved: RDIS </td></tr></table>		EI-R20	New infrastructure building	All Zones	Activity status: PER Activity status when compliance not achieved: RDIS
EI-R20	New infrastructure building						
All Zones	Activity status: PER Activity status when compliance not achieved: RDIS						

EI- Activity Rules – General	Submission	Relief Sought
	above or EI-R25. Amendments to the rule are proposed to reflect this.	1. <u>New infrastructure building (except where covered by Rule EI-XX and Rule EI-R25)</u> Where: 2. a new infrastructure building located in the road corridor shall comply with the following: a. maximum floor area (excluding plinths or foundations): 10m²; and b. maximum height in relation to infrastructure: 3m; 3. a new infrastructure building located outside the road corridor shall comply with the following: a. maximum height in relation to infrastructure: 5.5m; b. maximum floor area (excluding plinths or foundations): 30m²; c. in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in relation to boundary and internal boundary Matters of discretion are restricted to: • EI-MD1 - Historic heritage and the natural environment • EI-MD2 - Amenity values, location and design • EI-MD3 - Operational considerations

EI- Activity Rules – General	Submission	Relief Sought
		setbacks for the zone or adjoining zone; and 4. a new infrastructure building shall not be located in the following areas (except where located in a road corridor): a. the root protection area of a notable tree; b. SASM; c. SNAs; d. ONF, ONL and SAL; and e. areas of ONC, VHNC and HNC.
EI-R22 Activities that generate electric and magnetic fields	MainPower supports EI-R22.	Retain EI-R22 as notified.
EI-R23 Construction of new vehicle access tracks ancillary to infrastructure which are located in specified sensitive environments	MainPower supports EI-R23	Retain EI-R22 as notified.

EI – Activity Rules – Electricity generation and electricity distribution	Submission	Relief Sought			
EI- R24 New overhead transmission lines and electricity distribution lines and supporting poles and to wers	MainPower supports EI- R23	Retain EI-R22 as notified.			
EI-R25 Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)	MainPower supports EI- R25 however seeks to amend the rule to provide more clarity. As per Mainpower’s general submission linkages are required from the EI chapter to any other relevant chapter rules applicable to the activities under this rule.	Amend EI-R25 as follows: EI-R25 Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building) <i>This rule does not include new permanent emergency or back-up electricity generation provided for in EI-R36.</i> <table border="1" data-bbox="902 1182 2033 1369"> <tr> <td data-bbox="902 1182 1048 1369">All Zones</td><td data-bbox="1048 1182 1585 1369"> Activity status: PER 1. <u>The establishment of a new, or expansion of any existing substation, switching station or energy storage</u> </td><td data-bbox="1585 1182 2033 1369"> Activity status when compliance not achieved: RDIS </td></tr> </table>	All Zones	Activity status: PER 1. <u>The establishment of a new, or expansion of any existing substation, switching station or energy storage</u>	Activity status when compliance not achieved: RDIS
All Zones	Activity status: PER 1. <u>The establishment of a new, or expansion of any existing substation, switching station or energy storage</u>	Activity status when compliance not achieved: RDIS			

EI – Activity Rules – Electricity generation and electricity distribution	Submission	Relief Sought		
	MainPower notes that ‘transformers’ are referred to in multiple rules. While transformers can be installed as part of both electricity cabinets and kiosks as well within substations the rules could be rationalised to improve plan usability.		<u>batteries (not enclosed within a building).</u> Where: 2. <u>The activity does not exceed an area of:</u> <u>300m² in the General Rural Zone</u> <u>40m² in any other zone.</u> ~~3. new transformers, substations, switching stations, and energy storage batteries are ancillary to electricity transmission and electricity distribution;~~ ~~4. the activity shall comply with the following when located in the road corridor:~~ ~~maximum floor area (excluding plinths or foundations): 10m²;~~ ~~maximum height in relation to infrastructure: 3m;~~ ~~5. the activity shall comply with the following when located outside the road corridor:~~ ~~maximum height in relation to infrastructure: 5.5m;~~	Matters of discretion are restricted to: • EI-MD1 - Historic heritage and the natural environment • EI-MD2 - Amenity values, location and design • EI-MD3 - Operational considerations

EI – Activity Rules – Electricity generation and electricity distribution	Submission	Relief Sought
		b. ~~maximum floor area (excluding plinths or foundations): 30m²;~~ c. ~~in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in relation to boundary and internal boundary setbacks for the zone or adjoining zone; and~~ 6. the activity shall not be located in the following areas (except where located in a road corridor): a. the root protection area of a notable tree;  b. SASM;  c. SNAs;  d. ONF, ONL and SAL; e. areas of ONC, VHNC and HNC; f. natural character of scheduled freshwater bodies setbacks;   and g. places adjoining the coastal marine area. 

EI – Activity Rules – Electricity generation and electricity distribution	Submission	Relief Sought
EI-R27 New radiocommunication and telecommunication facilities attached to buildings	MainPower supports EI- R27.	Retain Rule EI-R27 as notified.
EI-R35 Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)	MainPower opposes EI- R35 as it is a direct duplication of EI-R25.	Delete Rule EI- R35
EI-R36 New permanent emergency or back-up electricity generation	MainPower supports Rule EI-R36 but seeks amendments to the matters of discretion.	Amend EI-R36 as follows: EI-R36 New permanent emergency or back-up electricity generation <i>This rule does not apply to temporary portable or transportable electricity generation provided for in EI-R9.</i> All Zones Activity status: PER Activity status when compliance not achieved: RDIS

EI – Activity Rules – Electricity generation and electricity distribution	Submission	Relief Sought
		Where: 1. new permanent emergency or back-up electricity generation (including any associated energy storage batteries): a. is not the primary electricity supply to the site; and b. shall comply with the built form standards for the relevant zone or overlay. Matters of discretion are restricted to: • EI-MD3- Operational considerations • ~~EI-MD14 – Extent of effects~~
EI- R39 New infrastructure for assessing a site or technology for suitability for renewable energy	MainPower supports Rule EI-R39 as notified.	Retain EI-R39 as notified.

EI – Activity Rules – Electricity generation and electricity distribution	Submission	Relief Sought								
including renewable electricity generation										
EI-R40 New solar cell(s) for small scale or community scale renewable electricity generation	MainPower supports this Rule EI-R40.	Retain EI-R40 as notified.								
EI-R48 Requirement to provide water supply for firefighting	MainPower support Rule EI-R48 but seek clarification as to whether the rule applies to network utility infrastructure which meet the definition of a building. MainPower seeks appropriate exemptions	Amend EI-R48 as follows: <table border="1" data-bbox="898 906 2033 1386"> <tr> <th data-bbox="898 906 1048 948">EI-R48</th><th colspan="2" data-bbox="1048 906 2033 948">Requirement to provide water supply for firefighting</th></tr> <tr> <td data-bbox="898 948 1048 1386" rowspan="2">All Zones</td><td data-bbox="1048 948 1599 1018">Activity status: PER</td><td data-bbox="1599 948 2033 1018">Activity status when compliance not achieved: RDIS</td></tr> <tr> <td data-bbox="1048 1018 1599 1386"> Where: 1. provision for sufficient water supply and access to water supplies for firefighting is available to all buildings (excluding accessory buildings and <u>infrastructure buildings</u> that are not habitable buildings) via the District Council’s reticulated water supply (where available) in accordance with </td><td data-bbox="1599 1018 2033 1386"> Matters of discretion are restricted to: EI-MD11 - Requirement to provide water supply for firefighting </td></tr> </table>	EI-R48	Requirement to provide water supply for firefighting		All Zones	Activity status: PER	Activity status when compliance not achieved: RDIS	Where: 1. provision for sufficient water supply and access to water supplies for firefighting is available to all buildings (excluding accessory buildings and <u>infrastructure buildings</u> that are not habitable buildings) via the District Council’s reticulated water supply (where available) in accordance with	Matters of discretion are restricted to: EI-MD11 - Requirement to provide water supply for firefighting
EI-R48	Requirement to provide water supply for firefighting									
All Zones	Activity status: PER	Activity status when compliance not achieved: RDIS								
	Where: 1. provision for sufficient water supply and access to water supplies for firefighting is available to all buildings (excluding accessory buildings and <u>infrastructure buildings</u> that are not habitable buildings) via the District Council’s reticulated water supply (where available) in accordance with	Matters of discretion are restricted to: EI-MD11 - Requirement to provide water supply for firefighting								

EI – Activity Rules – Electricity generation and electricity distribution	Submission	Relief Sought	
	to provide clarity as to which network utility infrastructure is intended to be captured by this rule.		the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice; or 2. where a reticulated water supply compliant with SNZ PAS 4509:2008 is not available, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS 4509:2008, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008. Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Fire and Emergency New Zealand where the consent authority considers this is required, absent its written approval.

Activity Rules- Managing effects of activities and development on major electricity distribution lines.	Submission	Relief Sought						
EI-R54 Earthworks adjacent to a 66kV or 33kV electricity distribution line	MainPower support this rule as it ensures the major electricity distribution lines are protected from earthworks and land disturbance activities within the vicinity of these lines. The 66kv and 33kv electricity lines are mapped on the planning maps and collectively referred to as 'major electricity distribution lines'. This terminology	Amend EI-R54 as follows: <table border="1"> <tr> <th data-bbox="898 592 1048 632">EI-R54</th><th colspan="2" data-bbox="1048 592 2033 632">Earthworks adjacent to a <u>major 66kV or 33kV</u> electricity distribution line</th></tr> <tr> <td data-bbox="898 632 1048 1358">All Zones</td><td data-bbox="1048 632 1424 1358"> Activity Status: PER Where: 1. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 2. <u>Meet the following requirements:</u> a. <u>be no deeper than 300mm within 2.2m of the foundation of the major electricity</u> </td><td data-bbox="1424 632 2033 1358"> Activity status when compliance not achieved: ~~RDIS~~ NC ~~Matters of discretion are restricted to:~~ ~~• EI MD13 – Major electricity distribution lines~~ Notification An application for a non-complying ~~restricted discretionary~~ 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. </td></tr> </table>	EI-R54	Earthworks adjacent to a <u>major 66kV or 33kV</u> electricity distribution line		All Zones	Activity Status: PER Where: 1. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 2. <u>Meet the following requirements:</u> a. <u>be no deeper than 300mm within 2.2m of the foundation of the major electricity</u>	Activity status when compliance not achieved: ~~RDIS~~ NC ~~Matters of discretion are restricted to:~~ ~~• EI MD13 – Major electricity distribution lines~~ Notification An application for a non-complying ~~restricted discretionary~~ 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.
EI-R54	Earthworks adjacent to a <u>major 66kV or 33kV</u> electricity distribution line							
All Zones	Activity Status: PER Where: 1. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 2. <u>Meet the following requirements:</u> a. <u>be no deeper than 300mm within 2.2m of the foundation of the major electricity</u>	Activity status when compliance not achieved: ~~RDIS~~ NC ~~Matters of discretion are restricted to:~~ ~~• EI MD13 – Major electricity distribution lines~~ Notification An application for a non-complying ~~restricted discretionary~~ 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.						

Activity Rules- Managing effects of activities and development on major electricity distribution lines.	Submission	Relief Sought	
	should also be used within the rules for consistency. Reasons for Submission: It is acknowledged that these rules generally are consistent with the New Zealand Electrical Code of Practice (NZECP 34: 2001) for Electrical Safe Distances ('the code of practice') however the code of practice does not provide sufficient protection from earthworks activities adversely interfering with		<u>distribution line support structure; and</u> b. <u>be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> ~~3. earthworks shall not exceed 3m in depth between 6m and 10m from the visible outer edge of a foundation of a 66kV or 33kV electricity distribution line pole or tower;~~ c. earthworks shall not destabilise a <u>major 66kV or 33kV</u> electricity

Activity Rules- Managing effects of activities and development on major electricity distribution lines.	Submission	Relief Sought	
	the support structures and associated foundations of Major Electricity Distribution Lines. By duplicating the requirements of the code of Practice in the Proposed District Plan Rules, MainPower and Council are able to improve safety and avoid significant costs, time and effort associated with remedial works required or rectifying damage that has occurred.		distribution line pole or tower; and a. 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. Exemptions This rule does not apply to:

Activity Rules- Managing effects of activities and development on major electricity distribution lines.	Submission	Relief Sought
	MainPower are seeking the same consistent approach as adopted in the Christchurch and Hurunui District Plans and proposed in the Selwyn District Plan for Orion and MainPower.	• 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 <u>or their approved contractor on behalf of the network utility operator</u> (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes); • earthworks for which ~~a dispensation~~ <u>prior written consent</u> 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; • ~~vertical holes not exceeding 500mm in diameter provided they:~~ ○ ~~are more than 1.5m from the visible outer edge of a pole or stay wire; or~~ ○ ~~are a post hole for a farm fence or horticultural structure more than 6m from the visible outer edge of a tower.~~ Advisory Notes • ~~66kV/33kV~~ 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

Activity Rules- Managing effects of activities and development on major electricity distribution lines.	Submission	Relief Sought											
			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.										
EI-R55 Network utilities within 10m of the centre line of a 66kV or 33kV electricity distribution line	MainPower supports EI-R55 but seeks a minor amendment to provide consistency with terminology used.	Amend EI-R55 as follows: <table><tr><td>EI-R55</td><td>Network utilities within 10m of the centre line of a <u>major 66kV or 33kV</u> electricity distribution line</td></tr><tr><td></td><td>Activity status: PER</td></tr><tr><td></td><td>Where: 1. the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</td></tr><tr><td>All Zones</td><td>Activity status when compliance not achieved: NC</td></tr><tr><td colspan="2">Advisory Note</td></tr></table>		EI-R55	Network utilities within 10m of the centre line of a <u>major 66kV or 33kV</u> electricity distribution line		Activity status: PER		Where: 1. the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.	All Zones	Activity status when compliance not achieved: NC	Advisory Note	
EI-R55	Network utilities within 10m of the centre line of a <u>major 66kV or 33kV</u> electricity distribution line												
	Activity status: PER												
	Where: 1. the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.												
All Zones	Activity status when compliance not achieved: NC												
Advisory Note													

Activity Rules- Managing effects of activities and development on major electricity distribution lines.	Submission	Relief Sought
		66kV/33kV major electricity distribution lines are shown on the planning map.
EI-R56 Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV electricity distribution line	MainPower supports RI-R56 but seeks to amend the rule to provide further clarity	Amend EI-R56 as follows: EI-R56 Activities and development (other than earthworks or network utilities) adjacent to a ~~66kV or 33kV~~ major electricity distribution line Activity status: NC All Zones Where: 1. activities and development adjacent to a <u>major</u> ~~66kV or 33kV~~ electricity distribution line involve the following: a. new sensitive activity and new buildings (excluding accessory buildings) within <u>6</u> ~~10~~m of the centreline of a ~~66kV or 33kV~~ Activity status when compliance not achieved: N/A

Activity Rules- Managing effects of activities and development on major electricity distribution lines.	Submission	Relief Sought	
			<u>major electricity distribution line or within 106m of the foundation of a support structure visible outer edge of a foundation of an associated pole or tower; or</u> b. <u>complies with the requirements of NZECP34:2001.</u> c. <u>new fences more than 2.5m high and within 5m of the visible outer edge of a foundation for a 66kV or 33kV electricity distribution line, pole or tower.</u> Notification An application under this rule is precluded from being publicly notified, but may be limited notified

Activity Rules- Managing effects of activities and development on major electricity distribution lines.	Submission	Relief Sought						
		only to the relevant electricity distribution line operator where the consent authority considers this is required, absent its written approval. Advisory Notes • ~~66kV/33kV~~ <u>major</u> electricity distribution lines are shown on the planning map. • Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003. • The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.						
New rule for insertion in to relevant zone chapters:	MainPower seek a new rule be inserted into the relevant zone chapters to	Insert a new EI Rule EI-XX as follows: <table><tr><td><u>EI-RXX</u></td><td colspan="2"><u>Structures near a ~~66kV or 33kV~~ major electricity distribution line</u></td></tr><tr><td><u>All Zones</u></td><td><u>Activity status: NC</u></td><td><u>Activity status when compliance not achieved: NC</u></td></tr></table>	<u>EI-RXX</u>	<u>Structures near a ~~66kV or 33kV~~ major electricity distribution line</u>		<u>All Zones</u>	<u>Activity status: NC</u>	<u>Activity status when compliance not achieved: NC</u>
<u>EI-RXX</u>	<u>Structures near a ~~66kV or 33kV~~ major electricity distribution line</u>							
<u>All Zones</u>	<u>Activity status: NC</u>	<u>Activity status when compliance not achieved: NC</u>						

Activity Rules- Managing effects of activities and development on major electricity distribution lines.	Submission	Relief Sought	
Structures near major electricity distribution lines	address structures near major electricity distribution lines.		1. <u>The establishment of a new, or expansion of an existing structure:</u> <u>Where:</u> 2. <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> 3. <u>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> 4. <u>Complies with the requirements of NZECP34:2001</u>

Activity Rules- Managing effects of activities and development on major electricity distribution lines.	Submission	Relief Sought
		Notification <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>

Matters of Discretion	Submission	Relief Sought
EI-MD1 Historic heritage, cultural values and the natural environment	MainPower supports EI-MD1.	Retain EI-MD1 as notified.
EI-MD2	MainPower supports EI-M21 however seek to add	Amend EI-MD2 to include a new clause as follows:

Matters of Discretion	Submission	Relief Sought
Amenity values, location and design	and additional clause to align with EI—MD1 (2)	<u>The extent to which infrastructure has a functional need or operational need for its location, the practicality of avoidance, and the viability of alternative locations, routes, sites, structures and construction methods.</u>
EI-MD3 Operational considerations	Mainpower supports EI-MD3.	Amend EI-MD3 as follows: Operational considerations 1. The extent to which the location and scale of structures proposed are necessary to meet the operational need or functional need of the infrastructure and the customers infrastructure serves. 2. The extent to which placing infrastructure underground is ~~unreasonable~~ <u>possible</u> in terms of technical constraints, additional costs or environmental effects. 3. The extent to which there is any risk to, and effects on, the operation, maintenance, upgrading and development of the infrastructure. 4. The extent to which buildings, other structures or vegetation obstruct or otherwise adversely affect radiocommunication pathways, either individually or cumulatively, and the extent to which such adverse effects can be avoided, remedied or mitigated.
EI-MD5 Electricity generation	MainPower supports this assessment matter but seeks to add an additional clause to acknowledge the locational constraints faced by infrastructure.	Amend EI-MD5 to include a new clause as follows: <u>The extent to which infrastructure has a, locational, functional or operational need for its location, the practicality of avoidance, and the viability of alternative locations, routes, sites, structures and construction methods.</u>

Matters of Discretion	Submission	Relief Sought
EI-MD6 Electricity transmission and electricity distribution	MainPower supports this assessment matter.	Retain EI-MD6 as notified.
EI-MD9 Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure	MainPower supports this assessment matter.	Retain EI-MD6 as notified.
EI-MD10 Relocation of existing infrastructure	MainPower supports this assessment matter.	Retain EI-MD6 as notified.
EI-MD13 Major electricity distribution lines	MainPower seeks that the activity status for rules linking to this matters of discretion be a non-complying activity. Therefore this matter of	Delete EI-MD13

Matters of Discretion	Submission	Relief Sought
	discretion ought to be deleted.	
EI-MD14 Extent of effects	MainPower object to this catch all assessment matter as it provides no certainty to plan users as to what Council's discretion relates to.	Delete EI-MD14 Extent of effects EI-MD14 1. The extent of compliance with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects.

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~striketrough~~

Table 7 – Part 2 District Wide Matters – Historic Heritage

General Submission	Submission	Relief Sought
Plan Structure	MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant historic heritage provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the historic heritage chapter. This is to ensure that plan users can navigate to the relevant parts of the historic heritage chapter with ease. As currently structured network utility operators and other plan users are required to read the whole historic heritage chapter to determine what rules are applicable or not.	Insert appropriate hyperlinks from the EI chapter to the relevant historic heritage rules contained in the historic heritage chapter.

HH - Objective	Submission	Relief Sought
HH-O1 Contribution to the District	MainPower recognises the importance of historic values to the community and supports the objective as notified.	Adopt Objective HH-O1 as notified

HH – Policies	Submission	Relief Sought
HH-P7 Siting of Infrastructure	MainPower supports the objective as notified but seeks an amendment to recognise and provide for the continued operation of existing infrastructure as well as upgrading, maintenance and repair.	Amend HH-P7 as follows: Siting of infrastructure Ensure the siting of new infrastructure protects the heritage values of historic heritage listed in HH-SCHED2, taking into account the functional need or operational need for the siting of the infrastructure <u>while also recognising and providing for the maintenance, repair and upgrade of existing infrastructure.</u>

HH- Activity Rules	Submission	Relief Sought
HH-R3 Construction of a structure, building or addition to a building within any historic heritage setting listed	MainPower supports the rule in principle but notes there is no provision to provide for customer connections to electricity.	Amend Rule HH-R3 as follows: Activity status: PER Where: 1. any structure or building or addition to a building is less than 10m² in GFA and 2m in height;

in HH-SCHED2.		2. the activity is necessary for the maintenance, repair and replacement of an existing car park, accessway, driveway or paved area <u>or installation of a customer electricity connection and associated infrastructure.</u>
HH-R5 Alteration of or addition to historic heritage item listed in HH-SCHED2	MainPower supports the rule as notified, in particular identifying any non-compliance as a restricted discretionary activity, and any notification being limited to HNZPT in respect to sites on the New Zealand Heritage List where the consent authority considers this is required, absent of its written approval.	Adopt Rule HH-R5 as notified.

HH – Matters of discretion	Submission	Relief sought
HH-MD1 Adverse effects on heritage values	MainPower supports the matter of discretion as notified as it recognises the functional and operational need of infrastructure.	Adopt HH-MD1 as notified.

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~striketrough~~.

Table 8 – Mapping

District Plan Mapping	Submission	Relief Sought
Major electricity distribution lines setbacks	MainPower seek that the Major Electricity Distribution setback corridor be deleted from the planning maps and to rely on the mapping of the actual Major Electricity Distributions Lines only. MainPower are concerned that the GIS mapping of the setback corridor may not be accurate. If the mapping is inaccurate, then this may be confusing and misleading for plan users. What is more, the setback varies depending on the activity at issue, and so it is not simply a matter of drawing a generic corridor over the mapped lines. It is preferable to state the relevant setback distances clearly	Delete the major electricity distribution setback corridor from the planning maps,

District Plan Mapping	Submission	Relief Sought
	and specifically in the Plan rules and allow landowners to measure the setbacks accurately in respect of their own property, rather than purport to show the setback on the maps. This approach is consistent with The Christchurch District Plan and Proposed Selwyn District Plan where just the lines are mapped.	
Major electricity distribution lines mapping	MainPower seek that a more distinct colour be used to map the Major Electricity Distribution Lines as currently the lines are mapped with a pale grey colour which is not clear for plan users to identify easily.	Amend the planning map layer illustrating the Major Electricity Distribution Lines to a more conspicuous colour.
Major electricity distribution lines mapping	MainPower support the mapping of the Major Electricity Distribution Lines on the Planning Maps.	Adopt the Major Electricity Distribution Lines Planning Map layer.

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~strikethrough~~

Table 1 – Area Specific Matters – GRZ General Residential Zone

General Submission	Submission	Relief Sought
General Residential Zone	MainPower seeks to insert a new objective and policy to support the introduction of new corridor protection rules for electricity distribution lines operated by MainPower within the General Residential Zone.	Insert the following new objective and policy: <u>Objective:</u> <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities.</u> <u>Policy - Separation of incompatible activities</u>

General Submission	Submission	Relief Sought				
		<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>				
General Residential zone	MainPower seeks to insert corridor protection rules relating to Electricity Distribution Lines into the General Residential Zone chapter rules as lines are located within or immediately adjacent to that zone. Provisions relating to corridor protection for MainPower’s Electricity Distribution Lines do not fall easily into the National Planning Standards framework because while they relate to infrastructure, they restrict land use activities and subdivision, and apply to specific zones. MainPower have a strong preference that corridor protection rules be located appropriately within the	Insert the following new rule: <table><tr><th colspan="2"><u>Earthworks adjacent to a major electricity distribution line</u></th></tr><tr><td> <u>Activity Status: PER</u> <u>Where:</u> 1. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 2. <u>Meet the following requirements:</u> <u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u> </td><td> <u>Activity status when compliance not achieved: NC</u> <u>Notification</u> <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> </td></tr></table>	<u>Earthworks adjacent to a major electricity distribution line</u>		<u>Activity Status: PER</u> <u>Where:</u> 1. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 2. <u>Meet the following requirements:</u> <u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u>	<u>Activity status when compliance not achieved: NC</u> <u>Notification</u> <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>
<u>Earthworks adjacent to a major electricity distribution line</u>						
<u>Activity Status: PER</u> <u>Where:</u> 1. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 2. <u>Meet the following requirements:</u> <u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u>	<u>Activity status when compliance not achieved: NC</u> <u>Notification</u> <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>					

General Submission	Submission	Relief Sought
	relevant zone chapters. From a usability perspective, it is most logical to include land use constraints associated with Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners who may check the plan to determine rules affecting their property. In addition to the above, MainPower is of the view the width of the corridor protection is excessive and can be reduced to 6m.	<u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> <u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> <u>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.</u> <u>Exemptions</u> <u>This rule does not apply to:</u> <u>earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u> <u>earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator</u>

General Submission	Submission	Relief Sought
		<u>Where:</u> - the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. <u>Advisory Note</u> - Major electricity distribution lines are shown on the planning map. Insert the following new rule: <u>Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u> <u>Activity status: NC</u> <u>Where:</u> - activities and development adjacent to a major electricity distribution line involve the following: - 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 - complies with the requirements of NZECP34:2001. <u>Activity status when compliance not achieved: N/A</u> <u>Notification</u>

General Submission	Submission	Relief Sought						
		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. Advisory Notes - Major electricity distribution lines are shown on the planning map. - Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003. - The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. Insert the following new rule: <table><tr><th colspan="2">Structures near a major electricity distribution line</th></tr><tr><th>Activity status: NC</th><th>Activity status</th></tr><tr><td>1. The establishment of a new, or expansion of an existing structure:</td><td>when compliance not achieved: NC</td></tr></table>	Structures near a major electricity distribution line		Activity status: NC	Activity status	1. The establishment of a new, or expansion of an existing structure:	when compliance not achieved: NC
Structures near a major electricity distribution line								
Activity status: NC	Activity status							
1. The establishment of a new, or expansion of an existing structure:	when compliance not achieved: NC							

General Submission	Submission	Relief Sought
		<u>Where:</u> 2. <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> 3. <u>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> 4. <u>Complies with the requirements of NZECP34:2001</u> <u>Notification</u> <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>

Table 2 – Area Specific Matters – LLRZ Large Lot Residential Zone

General Submission	Submission	Relief Sought						
Large Lot Residential Zone	MainPower seeks to insert a new objective and policy to support the introduction of new corridor protection rules for electricity distribution lines operated by MainPower within the Large Lot Residential Zone.	Insert the following new objective and policy: <u>Objective:</u> <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities.</u> <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>						
Large Lot Residential Zone	MainPower seeks to insert corridor protection rules relating to Electricity Distribution Lines into the General	Insert the following new rule: <table><tr><td colspan="2"><u>Earthworks adjacent to major electricity distribution line</u></td></tr><tr><td><u>Activity Status: PER</u></td><td><u>Activity status when compliance not achieved: NC</u></td></tr><tr><td><u>Where:</u></td><td></td></tr></table>	<u>Earthworks adjacent to major electricity distribution line</u>		<u>Activity Status: PER</u>	<u>Activity status when compliance not achieved: NC</u>	<u>Where:</u>	
<u>Earthworks adjacent to major electricity distribution line</u>								
<u>Activity Status: PER</u>	<u>Activity status when compliance not achieved: NC</u>							
<u>Where:</u>								

General Submission	Submission	Relief Sought	
	Residential Zone chapter rules as lines are located within or immediately adjacent to that zone. Provisions relating to corridor protection for MainPower's Electricity Distribution Lines do not fall easily into the National Planning Standards framework because while they relate to infrastructure, they restrict land use activities and subdivision, and apply to specific zones. MainPower have a strong preference that corridor protection rules be located appropriately within the relevant zone chapters. From a usability perspective, it is most logical to include land use constraints associated with Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners who may check the plan to determine rules affecting their property.	3. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 4. <u>Meet the following requirements:</u> a. <u>be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u> b. <u>be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> c. <u>earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> d. <u>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,</u>	<u>Notification</u> <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>

General Submission	Submission	Relief Sought
	In addition to the above, MainPower is of the view the width of the corridor protection is excessive and can be reduced to 6m.	<u>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> Exemptions <u>This rule does not apply to:</u> • <u>earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u> • <u>earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u> • <u>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;</u> Advisory Notes • <u>Major electricity distribution lines are shown on the planning maps.</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</u>

General Submission	Submission	Relief Sought
		<u>comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u> Insert the following new rule: <u>Network utilities within 6 of the centre line of a major electricity distribution line</u> <u>Activity status: PER</u> - <u>Where:</u> 2. <u>the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u> <u>Advisory Note</u> <u>Major electricity distribution lines are shown on the planning map.</u> <u>Activity status when compliance not achieved: NC</u> Insert the following new rule: <u>Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u> <u>Activity status: NC</u> <u>Where:</u> <u>Activity status when compliance not achieved: N/A</u>

General Submission	Submission	Relief Sought
		2. <u>activities and development adjacent to a major electricity distribution line involve the following:</u> 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> <u>Notification</u> <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> <u>Advisory Notes</u> • <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>

General Submission	Submission	Relief Sought
		Insert the following new rule: <u>Structures near a major electricity distribution line</u> <u>Activity status: NC</u> <u>The establishment of a new, or expansion of an existing structure:</u> <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> <u>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>Complies with the requirements of NZECP34:2001</u> <u>Activity status</u> <u>when</u> <u>compliance not</u> <u>achieved: NC</u>

General Submission	Submission	Relief Sought
		<u>Notification</u> <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>

Table 3 – Area Specific Matters – GRUZ General Rural Zone

General Submission	Submission	Relief Sought
General Rural Zone	MainPower seeks to insert a new objective and policy to support the introduction of new corridor protection rules for electricity distribution lines operated by MainPower within the General Rural Zone.	Insert the following new objective and policy: <u>Objective:</u> <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities.</u>

General Submission	Submission	Relief Sought				
		<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>				
General Rural Zone	MainPower seeks to insert corridor protection rules relating to Electricity Distribution Lines into the General Residential Zone chapter rules as lines are located within or immediately adjacent to that zone. Provisions relating to corridor protection for MainPower’s Electricity Distribution Lines do not fall easily into the National Planning Standards framework because while they relate to infrastructure, they restrict land use activities and subdivision, and apply to specific zones.	Insert the following new rule: <table><tr><th colspan="2"><u>Earthworks adjacent to major electricity distribution line</u></th></tr><tr><td> <u>Activity Status: PER</u> <u>Where:</u> 5. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 6. <u>Meet the following requirements:</u> </td><td> <u>Activity status when compliance not achieved: NC</u> <u>Notification</u> <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</u> </td></tr></table>	<u>Earthworks adjacent to major electricity distribution line</u>		<u>Activity Status: PER</u> <u>Where:</u> 5. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 6. <u>Meet the following requirements:</u>	<u>Activity status when compliance not achieved: NC</u> <u>Notification</u> <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</u>
<u>Earthworks adjacent to major electricity distribution line</u>						
<u>Activity Status: PER</u> <u>Where:</u> 5. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 6. <u>Meet the following requirements:</u>	<u>Activity status when compliance not achieved: NC</u> <u>Notification</u> <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</u>					

General Submission	Submission	Relief Sought
	MainPower have a strong preference that corridor protection rules be located appropriately within the relevant zone chapters. From a usability perspective, it is most logical to include land use constraints associated with Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners who may check the plan to determine rules affecting their property. In addition to the above, MainPower is of the view the width of the corridor protection is excessive and can be reduced to 6m.	<u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u> <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> <u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> <u>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.</u> <u>Exemptions</u> <u>This rule does not apply to:</u> <u>required, absent its written approval.</u>

General Submission	Submission	Relief Sought
		• <u>earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u> • <u>earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u> • <u>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;</u> <u>Advisory Notes</u> • <u>Major electricity distribution lines are shown on the planning maps.</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> Insert the following new rule: <u>Network utilities within 6 of the centre line of a major electricity distribution line</u>

General Submission	Submission	Relief Sought
		<u>Activity status: PER</u> <u>Where:</u> 3. <u>the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u> <u>Activity status when compliance not achieved: NC</u> <u>Advisory Note</u> Major electricity distribution lines are shown on the planning map. Insert the following new rule: <u>Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u> <u>Activity status: NC</u> <u>Where:</u> 3. <u>activities and development adjacent to a major electricity distribution line involve the following:</u> 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> <u>Activity status when compliance not achieved: N/A</u>

General Submission	Submission	Relief Sought
		<u>Where:</u> 2. <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> 3. <u>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> 4. <u>Complies with the requirements of NZECP34:2001</u> <u>Notification</u> <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>

General Submission	Submission	Relief Sought

Table 4 – Area Specific Matters – RLZ Rural Lifestyle Zone

General Submission	Submission	Relief Sought
Rural Lifestyle Zone	MainPower seeks to insert a new objective and policy to support the introduction of new corridor protection rules for electricity distribution lines operated by MainPower within the Rural Lifestyle Zone.	Insert the following new objective and policy: <u>Objective:</u> <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities.</u>

General Submission	Submission	Relief Sought												
		<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>												
Rural Lifestyle Zone	MainPower seeks to insert corridor protection rules relating to Electricity Distribution Lines into the General Residential Zone chapter rules as lines are located within or immediately adjacent to that zone. Provisions relating to corridor protection for MainPower’s Electricity Distribution Lines do not fall easily into the National Planning Standards framework because while they relate to infrastructure, they restrict land use activities and subdivision, and apply to specific zones.	Insert the following new rule: <table><tr><th colspan="2"><u>Earthworks adjacent to major electricity distribution line</u></th></tr><tr><td><u>Activity Status: PER</u></td><td><u>Activity status when compliance not achieved: NC</u></td></tr><tr><td><u>Where:</u></td><td><u>Notification</u></td></tr><tr><td>7. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u></td><td><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></td></tr><tr><td>8. <u>Meet the following requirements:</u></td><td></td></tr><tr><td><u>a. be no deeper than 300mm within 2.2m of the foundation of the major</u></td><td></td></tr></table>	<u>Earthworks adjacent to major electricity distribution line</u>		<u>Activity Status: PER</u>	<u>Activity status when compliance not achieved: NC</u>	<u>Where:</u>	<u>Notification</u>	7. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u>	<u>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>	8. <u>Meet the following requirements:</u>		<u>a. be no deeper than 300mm within 2.2m of the foundation of the major</u>	
<u>Earthworks adjacent to major electricity distribution line</u>														
<u>Activity Status: PER</u>	<u>Activity status when compliance not achieved: NC</u>													
<u>Where:</u>	<u>Notification</u>													
7. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u>	<u>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>													
8. <u>Meet the following requirements:</u>														
<u>a. be no deeper than 300mm within 2.2m of the foundation of the major</u>														

General Submission	Submission	Relief Sought
	MainPower have a strong preference that corridor protection rules be located appropriately within the relevant zone chapters. From a usability perspective, it is most logical to include land use constraints associated with Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners who may check the plan to determine rules affecting their property. In addition to the above, MainPower is of the view the width of the corridor protection is excessive and can be reduced to 6m.	<u>electricity distribution line support structure; and</u> <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> <u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> <u>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.</u> <u>Exemptions</u> <u>This rule does not apply to:</u> <u>earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u>

General Submission	Submission	Relief Sought				
		• <u>earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u> • <u>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;</u> <u>Advisory Notes</u> • <u>Major electricity distribution lines are shown on the planning maps.</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> Insert the following new rule: <table><tr><td colspan="2"><u>Network utilities within 6 of the centre line of a major electricity distribution line</u></td></tr><tr><td><u>Activity status: PER</u></td><td><u>Activity status when compliance not achieved: NC</u></td></tr></table>	<u>Network utilities within 6 of the centre line of a major electricity distribution line</u>		<u>Activity status: PER</u>	<u>Activity status when compliance not achieved: NC</u>
<u>Network utilities within 6 of the centre line of a major electricity distribution line</u>						
<u>Activity status: PER</u>	<u>Activity status when compliance not achieved: NC</u>					

General Submission	Submission	Relief Sought
		<u>Where:</u> 4. <u>the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u> <u>Advisory Note</u> Major electricity distribution lines are shown on the planning map. Insert the following new rule: <u>Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u> <u>Activity status: NC</u> <u>Where:</u> 4. <u>activities and development adjacent to a major electricity distribution line involve the following:</u> 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> <u>Notification</u> <u>Activity status when compliance not achieved: N/A</u>

General Submission	Submission	Relief Sought
		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. Advisory Notes • Major electricity distribution lines are shown on the planning map. • Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003. • The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. Insert the following new rule: Structures near a major electricity distribution line Activity status: NC 1. The establishment of a new, or expansion of an existing structure: Activity status when compliance not achieved: NC

General Submission	Submission	Relief Sought
		<u>Where:</u> 2. <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> 3. <u>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> 4. <u>Complies with the requirements of NZECP34:2001</u> <u>Notification</u> <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>

General Submission	Submission	Relief Sought

Table 5 – Area Specific Matters – GIZ General Industrial Zone

General Submission	Submission	Relief Sought
General Industrial Zone	MainPower seeks to insert a new objective and policy to support the introduction of new corridor protection rules for electricity distribution lines operated by MainPower within the General Industrial Zone.	Insert the following new objective and policy: <u>Objective:</u> <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities.</u> <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,</u>

General Submission	Submission	Relief Sought
		<u>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>
General Industrial Zone	MainPower seeks to insert corridor protection rules relating to Electricity Distribution Lines into the General Residential Zone chapter rules as lines are located within or immediately adjacent to that zone. Provisions relating to corridor protection for MainPower's Electricity Distribution Lines do not fall easily into the National Planning Standards framework because while they relate to infrastructure, they restrict land use activities and subdivision, and apply to specific zones. MainPower have a strong preference that corridor protection rules be located appropriately within the relevant zone chapters. From a usability perspective, it is most logical to include land use constraints associated with Electricity Distribution Lines in the	Insert the following new rule: <u>Earthworks adjacent to major electricity distribution line</u> <u>Activity Status: PER</u> <u>Where:</u> 9. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 10. <u>Meet the following requirements:</u> a. <u>be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u> b. <u>be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> <u>Activity status when compliance not achieved: NC</u> <u>Notification</u> <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>

General Submission	Submission	Relief Sought
	applicable zone chapters where they are clearly visible to land owners who may check the plan to determine rules affecting their property. In addition to the above, MainPower is of the view the width of the corridor protection is excessive and can be reduced to 6m.	<u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> <u>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.</u> <u>Exemptions</u> <u>This rule does not apply to:</u> • <u>earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u> • <u>earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u> • <u>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;</u>

General Submission	Submission	Relief Sought
		Major electricity distribution lines are shown on the planning map. Insert the following new rule: <u>Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u> <u>Activity status: NC</u> <u>Where:</u> 5. <u>activities and development adjacent to a major electricity distribution line involve the following:</u> 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> <u>Notification</u> <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> <u>Advisory Notes</u> <u>Activity status when compliance not achieved: N/A</u>

General Submission	Submission	Relief Sought
		• <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> Insert the following new rule: <u>Structures near a major electricity distribution line</u> <u>Activity status: NC</u> 1. <u>The establishment of a new, or expansion of an existing structure:</u> <u>Where:</u> 2. <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> <u>Activity status</u> <u>when</u> <u>compliance not</u> <u>achieved: NC</u>

General Submission	Submission	Relief Sought
		3. <u>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> 4. <u>Complies with the requirements of NZECP34:2001</u> <u>Notification</u> <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>

Table 6 – Area Specific Matters – OSZ Open Space Zone

General Submission	Submission	Relief Sought								
Open Space Zone	MainPower seeks to insert a new objective and policy to support the introduction of new corridor protection rules for electricity distribution lines operated by MainPower within the Open Space Zone.	Insert the following new objective and policy: <u>Objective:</u> <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities.</u> <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>								
Open Space Zone	MainPower seeks to insert corridor protection rules relating to Electricity Distribution Lines into the General Residential Zone chapter rules as lines are located within or immediately adjacent to that zone.	Insert the following new rule: <table><tr><td colspan="2"><u>Earthworks adjacent to major electricity distribution line</u></td></tr><tr><td><u>Activity Status: PER</u></td><td><u>Activity status when compliance not achieved: NC</u></td></tr><tr><td><u>Where:</u></td><td><u>Notification</u></td></tr><tr><td>11. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u></td><td><u>An application for a non-complying activity under this rule is precluded from being publicly</u></td></tr></table>	<u>Earthworks adjacent to major electricity distribution line</u>		<u>Activity Status: PER</u>	<u>Activity status when compliance not achieved: NC</u>	<u>Where:</u>	<u>Notification</u>	11. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u>	<u>An application for a non-complying activity under this rule is precluded from being publicly</u>
<u>Earthworks adjacent to major electricity distribution line</u>										
<u>Activity Status: PER</u>	<u>Activity status when compliance not achieved: NC</u>									
<u>Where:</u>	<u>Notification</u>									
11. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u>	<u>An application for a non-complying activity under this rule is precluded from being publicly</u>									
	Provisions relating to corridor protection for MainPower’s Electricity Distribution Lines do not fall									

General Submission	Submission	Relief Sought
	easily into the National Planning Standards framework because while they relate to infrastructure, they restrict land use activities and subdivision, and apply to specific zones. MainPower have a strong preference that corridor protection rules be located appropriately within the relevant zone chapters. From a usability perspective, it is most logical to include land use constraints associated with Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners who may check the plan to determine rules affecting their property. In addition to the above, MainPower is of the view the width of the corridor protection is excessive and can be reduced to 6m.	12. <u>Meet the following requirements:</u> <u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u> <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> <u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> <u>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.</u> <u>Exemptions</u> <u>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>

General Submission	Submission	Relief Sought
		<u>This rule does not apply to:</u> • <u>earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u> • <u>earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u> • <u>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;</u> <u>Advisory Notes</u> • <u>Major electricity distribution lines are shown on the planning maps.</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>

General Submission	Submission	Relief Sought
		Insert the following new rule: <u>Network utilities within 6 of the centre line of a major electricity distribution line</u> <u>Activity status: PER</u> - <u>Where:</u> 6. <u>the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u> <u>Advisory Note</u> Major electricity distribution lines are shown on the planning map. Activity status when compliance not achieved: NC Insert the following new rule: <u>Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u> <u>Activity status: NC</u> <u>Where:</u> 6. <u>activities and development adjacent to a major electricity distribution line involve the following:</u> Activity status when compliance not achieved: N/A

General Submission	Submission	Relief Sought
		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> <u>Notification</u> <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> <u>Advisory Notes</u> • <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> Insert the following new rule:

General Submission	Submission	Relief Sought
		<u>Structures near a major electricity distribution line</u> <u>Activity status: NC</u> 1. <u>The establishment of a new, or expansion of an existing structure:</u> <u>Where:</u> 2. <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> 3. <u>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> 4. <u>Complies with the requirements of NZECP34:2001</u> <u>Notification</u> <u>Activity status when compliance not achieved: NC</u>

General Submission	Submission	Relief Sought
		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.

Table 7 – Area Specific Matters – STEZ Settlement Zone

General Submission	Submission	Relief Sought
Settlement Zone	MainPower seeks to insert a new objective and policy to support the introduction of new corridor protection rules for electricity distribution lines operated by MainPower within the Settlement Zone.	Insert the following new objective and policy: <u>Objective:</u> <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities.</u>

General Submission	Submission	Relief Sought												
		<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>												
Settlement Zone	MainPower seeks to insert corridor protection rules relating to Electricity Distribution Lines into the General Residential Zone chapter rules as lines are located within or immediately adjacent to that zone. Provisions relating to corridor protection for MainPower’s Electricity Distribution Lines do not fall easily into the National Planning Standards framework because while they relate to infrastructure, they restrict land use activities and subdivision, and apply to specific zones.	Insert the following new rule: <table><tr><th colspan="2"><u>Earthworks adjacent to major electricity distribution line</u></th></tr><tr><td><u>Activity Status: PER</u></td><td><u>Activity status when compliance not achieved: NC</u></td></tr><tr><td><u>Where:</u></td><td><u>Notification</u></td></tr><tr><td>13.<u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u></td><td><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></td></tr><tr><td>14.<u>Meet the following requirements:</u></td><td></td></tr><tr><td><u>a. be no deeper than 300mm within 2.2m of the foundation of the major</u></td><td></td></tr></table>	<u>Earthworks adjacent to major electricity distribution line</u>		<u>Activity Status: PER</u>	<u>Activity status when compliance not achieved: NC</u>	<u>Where:</u>	<u>Notification</u>	13. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u>	<u>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>	14. <u>Meet the following requirements:</u>		<u>a. be no deeper than 300mm within 2.2m of the foundation of the major</u>	
<u>Earthworks adjacent to major electricity distribution line</u>														
<u>Activity Status: PER</u>	<u>Activity status when compliance not achieved: NC</u>													
<u>Where:</u>	<u>Notification</u>													
13. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u>	<u>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>													
14. <u>Meet the following requirements:</u>														
<u>a. be no deeper than 300mm within 2.2m of the foundation of the major</u>														

General Submission	Submission	Relief Sought
	MainPower have a strong preference that corridor protection rules be located appropriately within the relevant zone chapters. From a usability perspective, it is most logical to include land use constraints associated with Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners who may check the plan to determine rules affecting their property. In addition to the above, MainPower is of the view the width of the corridor protection is excessive and can be reduced to 6m.	<u>electricity distribution line support structure; and</u> <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> <u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> <u>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met.</u> <u>Exemptions</u> <u>This rule does not apply to:</u> <u>earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u>

General Submission	Submission	Relief Sought				
		• <u>earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u> • <u>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;</u> <u>Advisory Notes</u> • <u>Major electricity distribution lines are shown on the planning maps.</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> Insert the following new rule: <table><tr><td colspan="2"><u>Network utilities within 6 of the centre line of a major electricity distribution line</u></td></tr><tr><td><u>Activity status: PER</u></td><td><u>Activity status when compliance not achieved: NC</u></td></tr></table>	<u>Network utilities within 6 of the centre line of a major electricity distribution line</u>		<u>Activity status: PER</u>	<u>Activity status when compliance not achieved: NC</u>
<u>Network utilities within 6 of the centre line of a major electricity distribution line</u>						
<u>Activity status: PER</u>	<u>Activity status when compliance not achieved: NC</u>					

General Submission	Submission	Relief Sought
		<u>Where:</u> 7. <u>the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u> <u>Advisory Note</u> Major electricity distribution lines are shown on the planning map. Insert the following new rule: <u>Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u> <u>Activity status: NC</u> <u>Where:</u> 7. <u>activities and development adjacent to a major electricity distribution line involve the following:</u> 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> <u>Notification</u> <u>Activity status when compliance not achieved: N/A</u>

General Submission	Submission	Relief Sought
		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. Advisory Notes • <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> Insert the following new rule: Structures near a major electricity distribution line Activity status: NC 1. <u>The establishment of a new, or expansion of an existing structure:</u> Activity status when compliance not achieved: NC

General Submission	Submission	Relief Sought
		<u>Where:</u> 2. <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> 3. <u>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> 4. <u>Complies with the requirements of NZECP34:2001</u> <u>Notification</u> <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>

Table 8 – Area Specific Matters – SARZ Sport and Active Recreation Zone

General Submission	Submission	Relief Sought
Sport and Active Recreation Zone	MainPower seeks to insert a new objective and policy to support the introduction of new corridor protection rules for electricity distribution lines operated by MainPower within the Sport and Active Recreation Zone.	Insert the following new objective and policy: <u>Objective:</u> The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities. <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>

General Submission	Submission	Relief Sought
Sport and Active Recreation Zone	MainPower seeks to insert corridor protection rules relating to Electricity Distribution Lines into the General Residential Zone chapter rules as lines are located within or immediately adjacent to that zone. Provisions relating to corridor protection for MainPower's Electricity Distribution Lines do not fall easily into the National Planning Standards framework because while they relate to infrastructure, they restrict land use activities and subdivision, and apply to specific zones. MainPower have a strong preference that corridor protection rules be located appropriately within the relevant zone chapters. From a usability perspective, it is most logical to include land use constraints associated with Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners who may check the plan to determine rules affecting their property.	Insert the following new rule: <u>Earthworks adjacent to major electricity distribution line</u> <u>Activity Status: PER</u> <u>Where:</u> 15. <u>Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> 16. <u>Meet the following requirements:</u> <u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u> <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> <u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> <u>Activity status when compliance not achieved: NC</u> <u>Notification</u> <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>

General Submission	Submission	Relief Sought
	In addition to the above, MainPower is of the view the width of the corridor protection is excessive and can be reduced to 6m.	<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> <u>Exemptions</u> <u>This rule does not apply to:</u> • <u>earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u> • <u>earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u> • <u>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;</u> <u>Advisory Notes</u>

General Submission	Submission	Relief Sought

General Submission	Submission	Relief Sought
		Insert the following new rule: <u>Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u> <u>Activity status: NC</u> <u>Where:</u> 8. <u>activities and development adjacent to a major electricity distribution line involve the following:</u> 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> <u>Notification</u> <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> <u>Advisory Notes</u> • <u>Major electricity distribution lines are shown on the planning map.</u> <u>Activity status when compliance not achieved: N/A</u>

General Submission	Submission	Relief Sought
		3. <u>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> 4. <u>Complies with the requirements of NZECP34:2001</u> <u>Notification</u> <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>

Table 9 – Area Specific Matters – NOSZ Natural Open Space Zone

General Submission	Submission	Relief Sought						
Natural Open Space Zone	MainPower seeks to insert a new objective and policy to support the introduction of new corridor protection rules for electricity distribution lines operated by MainPower within the Natural Open Space Zone.	Insert the following new objective and policy: <u>Objective:</u> <u>The operation and security of critical infrastructure, strategic infrastructure and regionally significant infrastructure is not compromised by other activities.</u> <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>						
Natural Open Space Zone	MainPower seeks to insert corridor protection rules relating to Electricity Distribution Lines into the General Residential Zone chapter rules as lines are located within or immediately adjacent to that zone.	Insert the following new rule: <table><tr><td colspan="2"><u>Earthworks adjacent to major electricity distribution line</u></td></tr><tr><td><u>Activity Status: PER</u></td><td><u>Activity status when compliance not achieved: NC</u></td></tr><tr><td><u>Where:</u></td><td></td></tr></table>	<u>Earthworks adjacent to major electricity distribution line</u>		<u>Activity Status: PER</u>	<u>Activity status when compliance not achieved: NC</u>	<u>Where:</u>	
<u>Earthworks adjacent to major electricity distribution line</u>								
<u>Activity Status: PER</u>	<u>Activity status when compliance not achieved: NC</u>							
<u>Where:</u>								

General Submission	Submission	Relief Sought
	Provisions relating to corridor protection for MainPower's Electricity Distribution Lines do not fall easily into the National Planning Standards framework because while they relate to infrastructure, they restrict land use activities and subdivision, and apply to specific zones. MainPower have a strong preference that corridor protection rules be located appropriately within the relevant zone chapters. From a usability perspective, it is most logical to include land use constraints associated with Electricity Distribution Lines in the applicable zone chapters where they are clearly visible to land owners who may check the plan to determine rules affecting their property. In addition to the above, MainPower is of the view the width of the corridor protection is excessive and can be reduced to 6m.	<u>17. Earthworks shall be setback at least 6m from the centreline of the Major Electricity Distribution Line as shown on the planning maps or;</u> <u>18. Meet the following requirements:</u> <u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line support structure; and</u> <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line support structure; and</u> <u>c. earthworks shall not destabilise a major 66kV or 33kV electricity distribution line pole or tower; and</u> <u>d. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances,</u> <u>Notification</u> <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>

General Submission	Submission	Relief Sought
		<u>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> <u>Exemptions</u> <u>This rule does not apply to:</u> • <u>earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or vehicle access track;</u> • <u>earthworks that are undertaken by a network utility operator or their approved contractor on behalf of the network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);</u> • <u>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;</u> <u>Advisory Notes</u> • <u>Major electricity distribution lines are shown on the planning maps.</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</u>

General Submission	Submission	Relief Sought
		<u>comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u> Insert the following new rule: <u>Network utilities within 6 of the centre line of a major electricity distribution line</u> <u>Activity status: PER</u> - <u>Where:</u> 9. <u>the network utility complies with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u> <u>Advisory Note</u> <u>Major electricity distribution lines are shown on the planning map.</u> <u>Activity status when compliance not achieved: NC</u> Insert the following new rule: <u>Activities and development (other than earthworks or network utilities) adjacent to a major electricity distribution line</u> <u>Activity status: NC</u> <u>Where:</u> <u>Activity status when compliance not achieved: N/A</u>

General Submission	Submission	Relief Sought
		9. <u>activities and development adjacent to a major electricity distribution line involve the following:</u> 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> <u>Notification</u> <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> <u>Advisory Notes</u> • <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>

General Submission	Submission	Relief Sought
		Insert the following new rule: <u>Structures near a major electricity distribution line</u> <u>Activity status: NC</u> <u>The establishment of a new, or expansion of an existing structure:</u> <u>The structure is within 6m of the centreline of a major electricity distribution line as shown on the planning maps; or</u> <u>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>Complies with the requirements of NZECP34:2001</u> <u>Activity status</u> <u>when</u> <u>compliance not</u> <u>achieved: NC</u>

General Submission	Submission	Relief Sought
		<u>Notification</u> <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>

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~striketrough~~

Table 10 – Part 2 District Wide Matters – Natural character of freshwater bodies

General Submission	Submission	Relief Sought
Plan Structure	MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant natural character of freshwater bodies provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the natural character of freshwater bodies provisions chapter. This is to ensure that plan users can navigate to the relevant parts of the natural character of freshwater bodies chapter with ease. As currently structured network utility operators and other plan users are required to read the whole natural character of freshwater bodies chapter to determine what rules are applicable or not.	Insert appropriate hyperlinks from the EI chapter to the relevant natural character of freshwater bodies rules.

Objective	Submission	Relief Sought
NATC-01, 02 and 03	MainPower supports objectives 01, 02 and 03 as notified.	Adopt NATC-01, 02, and 03 as notified.

NATC – Policies	Submission	Relief Sought
NATC-P5 Structures within surface freshwater body setbacks	MainPower supports the policy but seeks further clarity.	Amend NATC-P5 as follows: Enable activities <u>(including the maintenance, repair, upgrade, development and operation of critical infrastructure)</u> that have a functional need or operational need to be located within the freshwater body setbacks, provided that adverse effects on natural character values are avoided, remedied or mitigated.
NATC-P6 New and existing structures within and over freshwater bodies	MainPower supports the policy but seeks further clarity.	Amend NATC-P6 as follows: Provide for new structures, and upgrades to existing structures, on the surface of freshwater where: 1. public access to, and along, the freshwater body is maintained; 2. the structure, <u>or any critical infrastructure</u>, has a functional need or operational need to be located on the surface of freshwater; 3. the structure does not compromise the use of the surface of freshwater for existing users; 4. the structure does not disturb the habitat of indigenous species or hinder passage of migratory fish species; 5. the structure avoids creating new, or exacerbating existing natural hazards, or river or stream bank erosion; and 6. any adverse effects to the natural character and cultural values, associated with freshwater bodies are avoided, remedied or mitigated in order to preserve those values.

NATC - Proposed Plan Reference	Submission	Relief Sought
NATC-R7 Addition to an existing building or structure	MainPower supports the rule as notified.	Adopt Rule NATC-R7 as notified.
NATC-R8 New structures within and over freshwater bodies	MainPower supports this rule and the requirement for a RDIS consent.	Adopt NATC-R8 as notified.
NATC-R9 New building or structure	MainPower supports this rule as notified.	Adopt NATC-R8 as notified.

Activity Standards	Submission	Relief Sought
NATC-S1 Setback standards for the natural character of freshwater bodies	MainPower supports NATC-S1 as notified.	Adopt NATC-S1 as notified.
NATC-S2 Building and structure reflectivity	MainPower supports NATC-S2 as notified.	Adopt NATC-S2 as notified.

NATC – Matters of discretion	Submission	Relief Sought
NATC-MD2 Maintaining and enhancing public access	MainPower supports NATC-MD2	Adopt NATC-MD2 as notified.
NATC-MD4 Buildings, structures and impervious surfaces within freshwater body setbacks	MainPower supports this matter of discretion as notified in principle. MainPower, however, seeks to provide further clarity by adding a further matter of discretion around the functional and operational need to locate in the setback and the ability to carry out maintenance, repair, upgrade and development of critical infrastructure.	Adopt NATC-MD4 as follows: 1. <u>The functional and operational need of critical infrastructure to locate within setbacks or for a network utility to carry out maintenance, replacement, repair and upgrade.</u>
NATC-MD5 Structures within and over freshwater bodies	MainPower supports the matter of discretion, however, seeks an additional clause to ensure consideration is given to the functional an operational need of critical infrastructure to locate over freshwater bodies.	Amend NATC-MD5 as follows: Structures within and over freshwater bodies 1. The extent to which the location and size of the structure will impede flood waters or restrict navigation. 2. The extent to which the structure compromises amenity values, ecological, cultural, or recreational values, including any natural character values associated with the surface of water, including: a. minimisation of the footprint; b. visual appearance of the structure and whether design features are sympathetic with the surrounding landscape; and

NATC – Matters of discretion	Submission	Relief Sought
		c. any impacts upon īnanga spawning locations. 3. The extent to which the structure would create new, or exacerbate existing flood risk, or stream bank erosion. 4. The extent to which the structure would compromise public access to, or along the freshwater body. 5. The technical, functional or operational need for the structure to be located within or over the freshwater body. 6. Where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation. 7. <u>For critical infrastructure, any functional or operational need to locate over a freshwater body.</u>

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~striketrough~~

Table 11 – Part 2 District Wide Matters – Natural features and landscapes

General Submission	Submission	Relief Sought
Plan Structure	MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant natural features and landscape provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the natural features and landscapes chapter. This is to ensure that plan users can navigate to the relevant parts of the natural features and landscapes chapter with ease. As currently structured network utility operators and other plan users are required to read the whole	Insert appropriate hyperlinks from the EI chapter to the relevant natural features and landscapes rules contained in the natural features and landscapes chapter.

General Submission	Submission	Relief Sought
	natural features and landscapes chapter to determine what rules are applicable or not.	

NFL – Policies	Submission	Relief Sought
NFL-P1 Protect Outstanding Natural Features	MainPower supports this policy, but while the policy seeks to recognise and protect identified outstanding natural features and landscapes, it does not acknowledge instances where it is necessary to both locate important infrastructure within those areas as a result of functional or operational need or to also undertake maintenance and repair of infrastructure. Therefore, MainPower seek to amend this policy to recognise this.	Amend NFL-P1 as follows: Recognise the values of the outstanding natural features identified in NFL-APP1 and protect them from the adverse effects of activities and development by: 1. avoiding use and development that detracts from the very high biophysical values and high sensory and associative values identified in NFL-APP1 for the Waimakariri River; 2. avoiding use and development that detracts from the very high biophysical and sensory values, and high associative values of the Ashley River/Rakahuri Saltwater Creek Estuary identified in NFL-APP1, including on: a. coastal physical processes; b. ecological habitat and indigenous biodiversity; and c. the experience of the elements and processes of (a) and (b); 3. enabling community scale erosion and flood control structures where adverse impacts on the values are mitigated; 4. avoiding any significant loss of indigenous vegetation;

NFL – Policies	Submission	Relief Sought
		5. avoiding activities such as plantation forestry, woodlots, shelterbelts, mining and quarrying activities and large buildings or groups of buildings or other structures which create adverse effects on the identified values; 6. providing for existing rural production where this does not detract from the identified values; and 7. enabling conservation activities and non-motorised recreation activities;<u>;</u> <u>and</u> 8. <u>recognise that, due to locational, operational and technical requirements, network utilities may need to be located within areas with natural environment values.</u>
NFL-P3 Protect Outstanding Natural Landscapes	MainPower supports this policy, but while the policy seeks to recognise and protect identified outstanding natural features and landscapes, it does not acknowledge instances where it is necessary to both locate important infrastructure within those areas as a result of functional or operational need or to also undertake maintenance and repair of infrastructure. Therefore, MainPower seek to amend this policy to recognise this.	Amend NFL-P3 as follows: Recognise the values of the outstanding natural landscapes identified in NFL-APP1 and protect them from the adverse effects of activities and development by: 1. avoiding use and development that detracts from the very high biophysical values and high sensory and associative values of the Puketeraki Range and Oxford Foothills identified in NFL-APP1, in particular on the: a. exposed alpine environments; b. sheltered densely forested slopes and gullies of the Oxford Hills; c. indigenous vegetation; and d. recreational values;

NFL – Policies	Submission	Relief Sought
		2. avoiding use and development in areas which have no capacity to absorb change, including near ridgelines, and mitigating adverse effects through bulk, location and design controls in other areas; 3. avoiding any significant loss of indigenous vegetation; 4. avoiding activities such as plantation forestry, shelterbelts, mining and quarrying activities which create adverse effects on the identified values; 5. providing for existing rural production where this does not detract from the identified values; and 6. enabling conservation activities and non-motorised recreation activities; <u>and</u> 7. <u>recognise that, due to locational, operational and technical requirements, network utilities may need to be located within areas with natural environment values.</u>
NFL-P4 Maintain Significant Amenity Landscapes	MainPower supports this policy, but while the policy seeks to recognise and protect identified outstanding natural features and landscapes, it does not acknowledge instances where it is necessary to both locate important infrastructure within those areas as a result of functional or operational need or to also undertake maintenance and repair of infrastructure. Therefore, MainPower seek to amend this policy to recognise this.	Amend NFL-P4 as follows: Recognise the values of the significant amenity landscapes identified in NFL-APP1 and maintain them by: 1. managing adverse effects of use and development on the moderate-high biophysical values and high sensory and associative values of the Ashley River/Rakahuri identified in NFL-APP1, in particular on the: a. braided river system; b. indigenous fauna and vegetation; c. the wilderness and natural environment; and d. recreational values;

NFL – Policies	Submission	Relief Sought
		2. enabling community scale erosion and flood control structures where adverse impacts on the values are mitigated; 3. avoiding any significant loss of indigenous vegetation; 4. avoiding incompatible activities, including plantation forestry, shelterbelts, mining and quarrying activities, and large buildings or groups of buildings or other structures which create unacceptable adverse effects on the identified values; 5. mitigating through bulk, location and design controls the adverse effects of other uses and development in areas which have no capacity to absorb change; 6. providing for non-motorised recreation activities and conservation activities; and 7. providing for existing rural production where this does not detract from the identified values-; <u>and</u> 8. <u>recognise that, due to locational, operational and technical requirements, network utilities may need to be located within areas with natural environment values.</u>

NFL - Proposed Plan Reference	Submission	Relief Sought
NFL-R5 Structures and buildings	MainPower supports the rule however seeks an amendment to provide for the replacement, maintenance and repair, and realignment of existing utility poles as a permitted activity.	Amend Rule NFL-R5 as follows: NFL-R5 Structures and buildings

NFL - Proposed Plan Reference	Submission	Relief Sought
		<i>This rule does not apply to structures and buildings provided for under NFL-R1 to NFL-R4, NFL-R8, or natural hazards mitigation structures for flooding.</i> Activity status: PER Waimakariri River ONF Where: Puketeraki Range & Oxford Foothills ONL Ashley River / Rakahuri SAL Activity status when compliance not achieved in the Puketeraki Range and Oxford Foothills ONL: RDIS Matters of discretion are restricted to: NFL-MD1 - New buildings and structures, additions to buildings and access tracks Activity status when compliance not achieved in the Waimakariri River ONF and Ashley River / Rakahuri SAL: NC

NFL - Proposed Plan Reference	Submission	Relief Sought		
			repaired or upgraded. Ashley River / Rakahuri Saltwater Creek Estuary ONF Activity status: NC	Activity status when compliance not achieved: N/A
NFL-R6 Access tracks and parking areas	MainPower notes that EI-R2 covers construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure in all zones. On this basis it is understood that Rule NFL-R6 would not be applicable to network utilities as this would be a duplication.	MainPower seeks clarification be provided that this rule is not applicable as the matter is covered by EI-R2.		

NFL – Matters of discretion	Submission	Relief Sought		
NFL-MD1 New buildings and structures, additions to buildings and access tracks	MainPower supports the matter of discretion as notified as this provides for consideration of the functional and operational need for the location of infrastructure.	Adopt NFL-MD1 as notified.		

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are **underlined** and deletions **~~strikethrough~~**

Table X – Part 2 District Wide Matters – Natural Hazards

General Submission	Submission	Relief Sought
Plan Structure	MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant natural hazards provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the natural hazards chapter. This is to ensure that plan users can navigate to the relevant parts of the natural hazards chapter with ease. As currently structured network utility operators and other plan users are required to read the whole	Insert appropriate hyperlinks from the EI chapter to relevant natural hazards rules contained in the natural hazards chapter.

General Submission	Submission	Relief Sought
	natural hazards chapter to determine what rules are applicable or not to network utilities.	

NH - Objective	Submission	Relief Sought
NH-01 Risk from natural hazards	MainPower supports Objective NH-01 as notified.	Retain NH-01 as notified.
NH-02 Infrastructure in natural hazard overlays	MainPower supports the objective as clause 3 provides the ability to locate critical infrastructure in a high flood hazard area if there is a functional or operational need. MainPower also strongly supports the objective enabling existing infrastructure to be upgraded, maintained and replaced.	Retain NH-02 as notified: Infrastructure in natural hazard overlays For infrastructure within natural hazard overlays: - existing infrastructure can be upgraded, maintained and replaced; - new non-critical infrastructure _does not increase the risk to life or property from natural hazard, including coastal hazard, events and is designed to maintain its integrity and ongoing function during and after natural hazard events, or is easily replaced; - critical infrastructure is avoided in high flood hazard areas and high coastal flood hazard areas, unless there is a functional need or operational need for the location or route.

NH - Objective	Submission	Relief Sought
NH-O3 Natural hazard mitigation	MainPower supports the objective as adverse effects on infrastructure will be avoided or mitigated.	Retain NH-O3 as notified.
NH-O4 Natural defences	MainPower supports the objective as notified	Retain NH-O4 as notified:

NH- Policies	Submission	Relief Sought
NH-P1 Identification of natural hazards and a risk-based approach	MainPower supports this NH-P1.	Retain NH-P1 as notified.
NH-P10 Maintenance and operation of existing infrastructure	MainPower supports policy NH-P10 as notified.	Retain NH-P10 as notified
NH-P11 New below ground infrastructure and upgrading of infrastructure	MainPower supports the policy as notified.	Retain NH-P11 as notified.

NH- Policies	Submission	Relief Sought
outside of high hazard areas		
NH-P12 New below ground infrastructure and upgrading of infrastructure within high flood hazard areas	MainPower supports the policy as notified.	Retain NH-P12 as notified.
NH-P13 New above ground critical infrastructure and upgrading of critical infrastructure within high flood hazard areas	MainPower supports the policy as notified.	Retain NH-P13 as notified.
NH-P14 New infrastructure and upgrading of infrastructure within fault overlays	MainPower supports the policy in principle but seeks amendments to specifically recognise the operational and functional need of critical infrastructure to locate in identified fault avoidance areas.	Amend NH-P14 as follows: New infrastructure and upgrading of infrastructure within fault overlays Within the fault overlays: 1. provide for new and upgrading of existing ~~not~~ non critical infrastructure below and above ground in the Ashley Fault Avoidance Overlay where: a. it does not increase the risk to life or property from a natural hazard event; and

NH- Policies	Submission	Relief Sought
		b. it does not result in a reduction in the ability of people and communities to recover from a natural hazard event; 2. avoid new and upgrading of existing critical infrastructure below and above ground in the Ashley Fault Avoidance Overlay unless there is no reasonable alternative <u>or there is an operational need or functional need</u>, in which case the infrastructure must be designed to: a. maintain, as far as practicable, its integrity and ongoing operation during and after natural hazard events; or b. be able to be reinstated in a timely manner; 3. enable small scale critical infrastructure and other infrastructure in the Fault Awareness Overlay, while ensuring that larger critical infrastructure does not increase the risk to life or property from natural hazard events unless: a. there is no reasonable alternative <u>or there is an operational or functional need</u>, in which case the infrastructure must be designed to maintain, as far as practicable, its integrity and ongoing operation during and after natural hazard events; or b. be able to be reinstated in a timely manner.
NH-P19 Other Natural Hazards	MainPower supports Policy NH-P19 as notified.	Retain NH-P19 as notified.

NH – Proposed Plan Reference	Submission	Relief Sought
NH-R4 Below ground infrastructure and critical infrastructure	MainPower supports the rule as notified.	Retain Rule NH-R4 as notified.
NH-R6 Above ground critical infrastructure	MainPower supports the rule in principle but has concerns there will be a consenting burden in relation to above ground linear infrastructure. As such MainPower are of the view that there should be a permitted activity pathway for both new overhead electricity distribution lines and support structures. On this basis a new rule has been proposed below to separate out above ground linear critical infrastructure. Amendments are proposed to NH-R6 to ensure the permitted footprint area in clause 'c' reflects the size of the typical easement area for Mainpower's cabinets and kiosks. MainPower are also concerned that a FFL certificate may be required for all infrastructure when this is not necessary for poles or towers etc.	Amend NH-R6 as follows: Above ground critical infrastructure <u>(not covered by new rule Rule NH-RX)</u> Activity status: PER Where: 1. if located <u>within</u> the Fault Awareness Overlay, new critical infrastructure or an extension to existing infrastructure has a footprint of less than 100m²; and 2. if located within a Flood Assessment Overlay or the Kaiapoi Fixed Minimum Finished Floor Level Overlay: a. the profile, contour or height of the land is not permanently raised by more than 0.25m when compared to natural ground level; and b. the infrastructure is located on a site outside of high flood hazard area as stated in a Flood Assessment Certificate issued in accordance with NH-S1; or c. new infrastructure or an extension to existing infrastructure: i. has a footprint of less than ~~10~~13m²; or

NH – Proposed Plan Reference	Submission	Relief Sought	
	cannot be avoided, equipment is designed and reinforced to reflect the particular environment. For example, a more heavy duty pole is used.	<u>Kaiapoi Fixed Minimum Finished Floor Level Overlay</u> <u>Non-Urban Flood Assessment Overlay</u>	
NH-R14 New and upgrading of above ground and below ground critical infrastructure	MainPower supports the rule in principle but considers it is overly restrictive where it applies to the linear above and below ground infrastructure and associated support structures. MainPower may have a functional and operational need to locate in the Ashley Fault Avoidance Overlay where there may be a customer connection required for example. In the event of an earthquake, the aforementioned assets can be readily re-established during an emergency event. This was illustrated during the Canterbury Earthquake sequence of 2010-11.	Amend NH-R14 as follows: Activity status: DIS Where: 1. the critical infrastructure involves any of the following: a. electricity substations, ~~networks~~, and transmission and distribution installations, including the National Grid ~~and the electricity distribution network~~; b. supply and treatment of water for public supply; c. stormwater and sewage treatment and disposal systems; d. radiocommunication and telecommunication installations and networks; e. strategic road and rail networks; petroleum storage and supply facilities;	

NH – Proposed Plan Reference	Submission	Relief Sought
NH-R17 Above ground critical infrastructure	MainPower supports the rule in principle but seeks the footprint to be increased to 13m² so that the typical cabinet and kiosk used by MainPower can be accommodated without the burden of requiring a resource consent. MainPower have specific design criteria that are followed when constructing infrastructure in areas subject to flooding therefore the assets are always constructed at a height to minimise the impact of flooding.	Amend Rule NH-R17 as follows: Activity status: PER Where: 1. the profile, contour or height of the land is not permanently raised by more than 0.25m when compared to natural ground level; and a. new infrastructure or an extension to existing infrastructure has a footprint of less than 1013m²; or b. any new building that is identified as being subject to 0.29m or less of coastal flooding as stated in a Coastal Flood Assessment Certificate and has finished floor level equal to or higher than the minimum finished floor level as stated in a Coastal Flood Assessment Certificate issued in accordance with NH-S2; or c. if not a building, new infrastructure, excluding any support base, towers or poles, is located above ground level at an elevation higher than the minimum floor level as stated in a Coastal Flood Assessment Certificate issued in accordance with NH-S2. Activity status where compliance is not achieved: for NH-R17 (1), NH-R17 (1)(a) and NH-R17 (1)(c): RDIS Matters of discretion are restricted to: • NH-MD3 - Natural hazards and infrastructure

NH – Proposed Plan Reference	Submission	Relief Sought
		<u>EI-MD3</u> Activity status where compliance is not achieved for NH-R17 (1)(b): RDIS (see NH-R17 (2))
NH-R18 Below ground infrastructure and critical infrastructure	MainPower supports the rule as notified.	Adopt the rule as notified.

NH – Proposed Natural Hazard Standard	Submission	Relief Sought
NH-S1 Flood Assessment Certificate	MainPower supports NH-S1 and the requirement for a flood hazard certificate. However, the drafting of the rule is unclear and results in confusion as to how the need for a flood assessment certificate will be determined and applied to network utilities.	Adopt NH-S1 as notified.

NH – Proposed Natural Hazard Standard	Submission	Relief Sought
	Main Power seeks that any process requiring a flood hazard certificate is efficient and costs are transparent.	
NH-S2 Coastal Flood Assessment Certificate	MainPower supports this NH standard however seeks to ensure the CFAC will not be required for infrastructure such as poles and towers and the like.	Adopt NH-S1 as notified subject to further clarification sought.

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~striketrough~~

Table 13 – Part 2 District Wide Matters – Notable Trees

General Submission	Submission	Relief Sought
Plan Structure	MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant notable tree provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the notable trees chapter. This is to ensure that plan users can navigate to the relevant parts of the notable trees chapter with ease. As currently structured network utility operators and other plan users are required to	Insert appropriate hyperlinks from the EI chapter to the relevant notable tree rules contained in the notable trees chapter.

General Submission	Submission	Relief Sought
	read the whole notable trees chapter to determine what rules are applicable or not.	

TREE – Policy	Submission	Relief Sought
TREE-P4 Maintenance of notable trees	MainPower supports Policy TREE P4 as notified particularly clause 3 which recognises it may be necessary to mitigate adverse effects of a notable tree on critical infrastructure.	Retain Policy Tree P4 as notified.
TREE-P5 Removal of notable trees	MainPower supports the policy as notified, particularly clause 4 which recognises the need to avoid adverse effects on the ongoing provision of infrastructure.	Retain TREE-P5 as notified.
Insert a new policy	MainPower proposes a new policy to provide for limited physical works to and around notable trees for cultivation, maintenance, safety purposes, or network utilities.	Insert a new policy as follows: <u>TREE- P6</u> <u>Provide for limited physical works to and around trees listed in TREE-SCHED1, for cultivation, maintenance, safety purposes, or network utilities where those works are required due to locational, technical or operational requirements.</u>

TREE – Proposed Plan Reference	Submission	Relief Sought
TREE-R2 Gardening or earthworks within any root protection area of any Notable Tree	MainPower supports the rule on the basis that it provides for the use of trenchless methods.	Adopt TREE-R2 as notified.
TREE-R3 Overhead lines work or maintenance to any Notable Tree	MainPower supports the rule as notified. It is essential to provide for maintenance or works to trees to maintain public safety and security of electricity supply.	Adopt TREE-R3 as notified.
TREE-R6 Removal of any Notable Tree that is unsafe	MainPower supports in part the rule as notified, particularly provision to remove a damaged tree that poses a significant risk to critical infrastructure. It is, however, unclear what constitutes a ‘severe event’ as set out in clause 2. This term needs to be further clarified for plan users.	Clarify the term / use of ‘severe event’ at clause 2, but otherwise, Adopt TREE-R6 as notified.

TREE – Matters of discretion	Submission	Relief Sought
TREE-MD1 Pruning, root protection area,	MainPower supports the matter of discretion in principle but notes there are no assessment	Amend NFL-MD1 as follows: 1. The character and degree of modification, damage, or destruction of the values of the tree, including the cultural significance of taonga species.

TREE – Matters of discretion	Submission	Relief Sought
trunk and crown, removal	matters relating to the maintenance, repair, upgrade or installation of new network utilities.	2. The extent to which the activity will or may adversely affect the health or structural integrity or visual appearance of the tree. 3. The extent to which the activity will be undertaken in a manner consistent with accepted arboricultural standards, practices and procedures. 4. The duration and frequency of the activity and the effect on the tree. 5. The resilience of the tree, in relation to structural soundness and health and any irreversible effect on the tree. 6. The scope for the tree to recover from, or compensate for, any effects from pruning, work in the root protection area or modification of the trunk and crown. 7. In relation to a listed group of trees, the extent to which the activity will or may adversely affect the health or structural integrity of the wider group or undermine its unity, setting or other collective significance. 8. The extent to which any proposed compensation for the removal of the tree mitigates the loss of the tree and its values. 9. <u>The need for the activity to undertake any maintenance, repair, upgrade of existing network utilities or the operational and functional need of network utilities.</u>
TREE-MD2 Extent of benefit or need for the activity or works	MainPower supports the matter of discretion but notes there are no assessments matters relating to the maintenance, repair, upgrade or installation of new network utilities.	Amend TREE-MD2 as follows: 1. The need for the activity to deal with an emergency situation, or to avoid significant risk of effects on human health and safety, or adverse effects on infrastructure, including critical infrastructure. 2. The extent of benefits associated with the use and development of the site for activities anticipated by the zoning for the site. 3. The extent of benefits associated with the infrastructure, whether there is a functional need or operational need for that location and whether there are any practical alternatives.

TREE – Matters of discretion	Submission	Relief Sought
		4. The extent to which the activity will or will not enhance amenity values beyond that achievable by arboricultural or property management alternatives. 5. The significance of the tree and extent of loss of notable tree values and amenity values within and beyond the site. 6. <u>The need for the activity to undertake any maintenance, repair, upgrade of existing network utilities or the operational and functional need of network utilities.</u>

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~strikethrough~~

Table X – Part 2 District Wide Matters – Sites and Areas of Significance to Māori

General Submission	Submission	Relief Sought
Plan Structure	MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant Sites and Areas of Significance to Māori provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the Sites and Areas of Significance to Māori chapter. This is to ensure that plan users can navigate to the relevant parts of the Sites and Areas of Significance to Māori chapter with ease. As currently structured network utility operators and other plan users are required to read the whole Sites and Areas of Significance to Māori chapter to determine what rules are applicable or not.	Insert appropriate hyperlinks from the EI chapter to the relevant sites and areas of significance to Māori rules contained in the sites and areas of significance to Māori chapter.

SASM – Proposed Plan Reference	Submission	Relief Sought
Insert a new Policy	MainPower seeks to include a new policy which recognises the operational and functional need to locate critical or important infrastructure within Site and Areas of Significance to Māori where there is no other reasonable alternative.	Insert a new policy as follows: <u>Recognise that critical infrastructure may have an operational and functional need to locate within areas and site of significance to Māori where there are no other reasonable alternatives.</u>
SASM-R4 Earthworks and land disturbance associated with other activities	MainPower supports this rule on the basis that clause 'f' would allow MainPower to undertake earthworks (to land previously disturbed and to the depth already disturbed) associated with the maintenance, repair, upgrade or operation of existing infrastructure. MainPower also supports clause 'h', which enables works for customer connections pursuant to EI-R4. MainPower support the need for a RDIS consent for earthworks within the cultural overlay areas where such activities fall outside the permitted activity standards.	Adopt Rule SASM-R4 as notified.

SASM – Matters of discretion	Submission	Relief sought
SASM-MD1 Wahi tapu and wahi taonga	MainPower supports the matter of discretion as notified in that it recognises the functional and operational need of infrastructure.	Adopt SASM-MD1 as notified
SASM-MD2	MainPower supports the matter of discretion as notified in that it recognises the functional and operational need of infrastructure.	Adopt SASM-MD2 as notified

Nga turanga tupuna		
SASM-MD3 Nga wai	MainPower supports the matter of discretion as notified in that it recognises the functional and operational need of infrastructure.	Adopt SASM-MD2 as notified

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~strikethrough~~

Table 15 – Part 2 District wide matters – SD – Rautaki ahunga -Strategic Directions

Section/subsection/Provision	Submission	Relief Sought
Interpretation and application of this chapter	MainPower opposes this section in part. The interpretative notes for this chapter state that (<u>our emphasis</u>): For the purpose of District Plan implementation, including the determination of resource consent applications: the SD <u>may</u> provide guidance for related objectives and policies in other chapters; and	<u>Amend</u> as follows: <i>the SD ~~may~~ <u>provides</u> guidance for related objectives and policies in other chapters; and</i> <i>the relevant objectives and policies of the DP, including SD in this chapter, are to be considered together, <u>with the SD having primacy over other objectives and policies of the District Plan.</u> ~~and no hierarchy exists between them.~~</i>

Section/subsection/Provision	Submission	Relief Sought
	2. the relevant objectives and policies of the DP, including SD in this chapter, are to be considered together and <u>no hierarchy</u> exists between them. MainPower seeks changes to clarify the relationship between the SD Chapter and other chapters in the proposed Plan. In MainPower's view the Strategic Directions Chapter should have primacy over the other objectives and policies in other chapters of the Plan.	
SD-01 Natural environment	MainPower supports this objective.	Retain Objective SD-01 as notified.
SD-02 Urban Development	MainPower supports this objective.	Retain Objective SD-02 as notified.
SD-03 Energy and infrastructure	MainPower supports this objective however seeks to amend SD-03 to provide more clarity and prescription. MainPower opposes the use of the multiple terms used for infrastructure in the plan i.e. 'infrastructure', 'regionally	Amend Objective SD-03 as notified: SD-03 Energy and infrastructure

Section/subsection/Provision	Submission	Relief Sought
	significant infrastructure', 'critical infrastructure' and strategic infrastructure'. MainPower prefers that the term 'important infrastructure' be used in the Proposed Waimakariri District Plan as this simplifies and streamlines the terminology for plan users. MainPower proposes a definition of 'Important Infrastructure' as per Mainpower's definitions submission Table X.	Across the District: 1. improved accessibility and multi-modal connectivity is provided through a safe and efficient transport network that is able to respond to technology changes and contributes to the well-being and liveability of people and communities; 2. <u>the infrastructure needs of the community are fulfilled recognising the social, economic, environmental and cultural benefits that infrastructure provides.</u> 3. ~~Infrastructure: including strategic infrastructure, critical infrastructure~~ a. is able to operate efficiently and effectively; and b. is enabled, while: i. managing adverse effects on the surrounding environment, having regard to the social, cultural and economic benefit, functional need and operational need of the infrastructure; and ii. <u>managing reverse sensitivity effects and conflict between incompatible activities, including avoiding development which would limit the</u>

Section/subsection/Provision	Submission	Relief Sought
		<u>operation or development of existing and/or consented important infrastructure, regionally significant infrastructure and critical infrastructure.</u> the adverse effects of other activities on infrastructure, including managing reverse sensitivity. iii. <u>avoiding adverse effects on the electricity distribution network and major electricity distribution lines, including by identifying a buffer corridor within which buildings, excavations and sensitive activities will generally not be provided for.</u> 4. the nature, timing and sequencing of new development and new infrastructure is integrated and coordinated; and 5. encourage more environmentally sustainable outcomes as part of subdivision and development, including though the use of energy efficient buildings, green infrastructure and renewable electricity generation.
SD-04 Rural land	MainPower supports this objective.	Retain Objective SD-04 as notified.

Section/subsection/Provision	Submission	Relief Sought
SD-06 Natural hazards and resilience	MainPower supports this objective however seeks additional text to recognise that important infrastructure in some instance have a technical and operational need to locate in areas subject to natural hazards.	Retain Objective SD-06 as notified. Natural hazards and resilience The District responds to natural hazard risk, including increased risk as a result of climate change, through: 1. avoiding subdivision, use and development where the risk is unacceptable; and 2. mitigating other natural hazard risks. 3. <u>Ensuring important infrastructure is only located within areas of significant natural hazard risk where there is no reasonable alternative and the important infrastructure is designed so as not to exacerbate natural hazard risk to people and property.</u>

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~strikethrough~~

Table X – Part 2 District Wide Matters – Subdivision

General Submission	Submission	Relief Sought
Plan Structure	MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant subdivision provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the subdivision chapter. This is to ensure that plan users can navigate to the relevant parts of the subdivision chapter with ease. As currently structured network utility operators and other plan users are required to read the whole subdivision chapter to determine what rules are applicable or not.	Insert appropriate hyperlinks from the EI chapter to the relevant subdivision rules contained in the subdivision chapter.

Objective	Submission	Relief Sought
SUB-O2 Infrastructure and transport	MainPower supports the objective as notified as it encourages the	Amend SUB-O2 as follows:

Objective	Submission	Relief Sought
	efficient and sustainable provision of infrastructure.	<u>Subdivision is designed and located in a way that supports the</u> Efficient and sustainable provision, use and maintenance of infrastructure; and a legible, accessible, well connected transport system for all transport modes.

Policies	Submission	Relief Sought
SUB-P1 Design and amenity	MainPower supports SUB-P1 as clause 2 seeks to minimise reverse sensitivity effects on infrastructure.	Adopt SUB-P1 as notified.
SUB-P3 Sustainable design	MainPower supports SUB-P3 as it recognises the need to maintain the design capacity of infrastructure. Further clarity is proposed to ensure that subdivision design recognises the need to integrate with the electricity network.	Amend SUB-P3 as follows: Ensure that subdivision design: 1. maximises solar gain, including through: a. road and block layout; and b. allotment size, dimension, layout and orientation; 2. in Residential Zones, Commercial and Mixed Use Zones, and Open Space and Recreation Zones, supports walking, cycling and public transport; and 3. promotes: a. water conservation, b. on-site collection of rainwater for non-potable use, c. water sensitive design, and d. the treatment and/or attenuation of stormwater prior to discharge, and 4. recognises the need to maintain the design capacity of infrastructure within the public network and avoid causing flooding of downstream properties. 5. <u>Recognises the need to integrate with electricity distribution network infrastructure to ensure new development is adequately serviced.</u>

Policies	Submission	Relief Sought
SUB-P6	MainPower supports Policy SUB-P6 as notified.	Adopt SUB-P6 as notified.
SUB-P8 Infrastructure	MainPower supports the policy as notified.	Adopt SUB-P8 as notified.

SUB – Activity Rules	Submission	Relief Sought
SUB-R2 Subdivision	MainPower supports SUB-R1 as it provides for an exemption for unstaffed infrastructure allotments. MainPower understands this rule to exempt unstaffed infrastructure sites from complying with S2-S18.	Adopt SUB-R1 as notified.
New Rule SUB-RX Subdivision and Major Electricity Distribution Lines	MainPower seeks the insertion of a new corridor protection rule relating to subdivision in the vicinity of major electricity distribution lines.	Insert a new rule as follows: SUB-RXSubdivision and Major Electricity Distribution Lines Activity status: RDIS - Where: All zones 1. the subdivision is within 24m of the centreline of the major electricity distribution lines as shown on the planning maps and: Activity status when compliance with SUB-RX not achieved: NC

SUB – Activity Rules	Submission	Relief Sought
		a. <u>A building square for the principal building(s) and any building(s) for sensitive activities, is positioned at least 6m from the:</u> i. <u>Centreline of the major electricity distribution lines as shown on the planning maps;</u> <u>and</u> ii. <u>Foundation of any support structure of any major electricity distribution line as shown on the planning maps.</u> <u>Matters of discretion are restricted to:</u> • <u>Matters of control listed in SUB-MCDX – Effects on Major Electricity Distribution Lines</u>

SUB – Activity Rules	Submission	Relief Sought
		<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 MainPower New Zealand Limited, where the consent authority considers this is required, absent its written approval.</u>

SUB – Subdivision standards	Submission	Relief Sought
SUB-S1 Allotment sizes and dimensions	MainPower supports SUB-S1 as allotments for unstaffed infrastructure are exempt from the minimum allotment site sizes.	Adopt SUB-S1 as notified.
SUB-S14 Structures and buildings	MainPower supports the rule in its notified form as it ensures any new allotment will be provided with an appropriate electricity supply and connection.	Adopt SUB-S14 as notified.

SUB – Subdivision standards	Submission	Relief Sought
SUB-S2-S18 Subdivision standards	MainPower seeks appropriate exemptions for network utility sites as required under these subdivision standards.	Insert appropriate exemptions to SUB-S2-S18 as required.

SUB – Matters of discretion	Submission	Relief Sought
SUB-MCD1 Allotment area and dimensions	MainPower supports the matter of control and discretion as notified.	Adopt SUB-MCD1 as notified.
SUB-MCD2 Subdivision design	MainPower supports the matter of control and discretion as notified, particularly clause 4 requiring consideration of how design will minimise reverse sensitivity effects on infrastructure.	Adopt SUB-MCD2 as notified.
SUB-MCD6 Infrastructure	MainPower supports the matters of discretion as notified however seeks an additional clause around the need for future subdivisions to identify on survey plans all existing electricity distribution lines and cables.	Amend SUB-MCD6 as follows: Infrastructure SUB-MCD6 1. The quantity, security and potability of the water and means, location and design of supply, including; a. for fire-fighting purposes; and b. the location, scale, construction and environmental, including public health, effects of water supply infrastructure and the adequacy of existing supply systems outside the subdivision.

SUB – Matters of discretion	Submission	Relief Sought
		2. The means, design, scale, construction and standard of stormwater infrastructure (including soakage areas and the means and location of any outfall). 3. The effectiveness and effects of any measures proposed for mitigating the effects of stormwater runoff, including the control of water-borne contaminants, litter and sediments. 4. The location, scale, construction and environmental effects of stormwater infrastructure, and whether or not the proposal requires on-site or area wide stormwater detention (either individually or collectively) to achieve stormwater neutrality or to meet any condition of regional network discharge consents. 5. Capacity of the stormwater drainage network. 6. The effect of the subdivision on water quality. 7. The extent to which the design of the stormwater infrastructure necessitates specific landscape treatment to mitigate any adverse effects on amenity values. 8. The means, design and standard of sewage treatment and disposal where a public reticulated wastewater system is not available. 9. The location, scale, construction, maintenance and environmental effects of the proposed wastewater system. 10. The adequacy and standard of electricity supply and connectivity to communication infrastructure including phone, internet and broadband. 11. <u>The integration of existing electricity infrastructure (including electricity distribution lines and cables), including whether that existing infrastructure will be adequately identified on approved survey plans and protected by necessary easements as required.</u>
New matters of control and	MainPower seeks to insert new of matters of control and discretion in	Insert new matters of control and discretion as follows:

SUB – Matters of discretion	Submission	Relief Sought
discretion in relation to major electricity distribution lines.	relation to the proposed new rule relating to effects on major electricity distribution lines.	<u>SUB-MCDX</u> <u>Effects on major electricity distribution lines</u> 1. <u>The nature of the consent notice or other mechanism proposed to ensure that sensitive activities are established at a distance or in a position that does not adversely affect the existing major electricity distribution lines.</u> 2. <u>The extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.</u> 3. <u>The degree to which the subdivision design, including the location of roads and reserves, recognises and provides for existing electricity distribution lines so that reasonable access to the lines is maintained.</u>

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~strikethrough~~

Table 1 – Part 2 District wide matters – UFD – Urban Form and Development

Objectives	Submission	Relief Sought
UFD-O1 Feasible development capacity for residential activities	MainPower supports Policy UFD-O1 as notified.	Retain UFD-O1 as notified.
UFD-O2 Feasible development capacity for commercial	MainPower supports Policy UFD-O2 as notified.	Retain UFD-O2 as notified.

Objectives	Submission	Relief Sought
activities and industrial activities		

Policies	Submission	Relief Sought
UFD-P1 Density of residential development	MainPower supports Policy UFD-P1 as notified.	Retain UFD-P1 as notified.
UFD-P2 Identification/location of New Residential Development Areas	MainPower supports Policy UFD-P2 but seeks an additional clause that is applicable to both clause 1 and 2 to ensure infrastructure delivery is aligned with development.	Amend UFD-P2 to include the following new clause: <u>‘provides for development of new residential development areas in a manner aligned with the delivery of infrastructure, including upgrades to infrastructure, to avoid adverse effects on the capacity and efficiency of infrastructure serving these areas’</u>
UFD- P3 Identification/location and extension of Large Lot Residential Zone areas	MainPower supports Policy UFD-P3 but seeks an additional clause that is applicable to both clause 1 and 2 to ensure	Amend UFD-P3 to include the following new clause: <u>‘provides for development of new large lot residential zone areas in a manner aligned with the delivery of infrastructure, including upgrades to infrastructure, to avoid adverse effects on the capacity and efficiency of infrastructure serving these areas’</u>

Policies	Submission	Relief Sought
	infrastructure is delivery is aligned with development.	
UFD-P4 Identification/location and extension of Town Centre Zones	MainPower supports Policy UFD-P4 but seeks an additional clause to ensure infrastructure delivery is aligned with development.	Amend UFD-P4 to include the following additional clause: Identification/location and extension of Town Centre Zones Provide for the extension of existing Town Centres and locate and develop new commercial activities to implement the urban form identified in the Future Development Strategy, WDDS or Town Centre Plans, <u>in a manner aligned with the delivery of infrastructure, including upgrades to infrastructure, to avoid adverse effects on the capacity and efficiency of infrastructure serving these areas.</u> UFD-P4
UFD-P5 Identification/location and extension of Industrial Zones	MainPower supports Policy UFD-P5 but seeks an additional clause to ensure infrastructure is aligned with development.	Amend UFD-P5 to include the following additional clause: Identification/location and extension of Industrial Zones Provide for the extension of existing Industrial Zones and locate and develop new industrial activities to implement the urban form identified in the Future Development Strategy or WDDS, <u>whilst providing for the development of industrial zones in a manner aligned with the delivery of infrastructure, including upgrades to infrastructure, to avoid adverse effects on the capacity and efficiency of infrastructure serving these areas.</u> UFD-P5
UFD-P6	MainPower supports Policy UFD-P6 but seeks an additional clause to ensure	Amend UFD-P6 to include the following additional clause: Mechanism to release Residential Development Areas UFD-P6

Policies	Submission	Relief Sought
Mechanism to release Residential Development Areas	infrastructure is aligned with development.	The release of land within the identified new development areas of Kaiapoi, North East Rangiora and South East Rangiora occurs in an efficient and timely manner via a certification process to enable residential activity to meet short to medium-term feasible development capacity and achievement of housing bottom lines, <u>whilst providing for development of residential development areas in a manner aligned with the delivery of infrastructure, including upgrades to infrastructure, to avoid adverse effects on the capacity and efficiency of infrastructure serving these areas</u>
UFD-P7 Mechanism to provide additional Commercial and Mixed Use Zones	MainPower supports Policy UFD-P7 but seeks an additional clause to ensure infrastructure is aligned with development.	Amend UFD-P7 to include the following additional clause: Mechanism to provide additional Commercial and Mixed Use Zones If proposed, ensure any plan change to create new, or expanded existing Commercial and Mixed Use Zones: 1. improve commercial self-sufficiency within the town and the Waimakariri District; 2. are commensurate to the population growth forecast for the town subject to the plan change; 3. consider and address any adverse effects that might undermine other town centres and local centres in the District; and 4. address any development capacity shortfall as identified in the Future Development Strategy or WDDS. 5. is informed through the development of an ODP. 6. <u>provides for development in a manner aligned with the delivery of infrastructure, including upgrades to infrastructure, to avoid adverse effects on the capacity and efficiency of infrastructure serving these areas.</u> UFD-P7

Policies	Submission	Relief Sought
UFD-P8 Mechanism to provide additional Industrial Zones	MainPower supports Policy UFD-P8 but seeks an additional clause to ensure infrastructure is aligned with development.	Amend UFD-P8 to include a new additional clause. UFD-P8 Mechanism to provide additional Industrial Zones If proposed, ensure any plan change to create new, or expanded existing Industrial Zones: 1. manages adverse effects at the interface between Industrial Zones and arterial roads, Rural Zones, Residential Zones and Open Space and Recreation Zones, through methods such as building setbacks and landscaping; 2. provides for development of greenfield areas in a manner aligned with the delivery of infrastructure, including upgrades to infrastructure, to avoid adverse effects on the capacity and efficiency of infrastructure serving these areas; and 3. locates new Industrial Zones in locations adjacent to existing urban environments where it can be efficiently serviced by infrastructure. 4. is informed through the development of an ODP. 5. <u>provides for development of industrial zones in a manner aligned with the delivery of infrastructure, including upgrades to infrastructure, to avoid adverse effects on the capacity and efficiency of infrastructure serving these areas'</u>
UFD-P9 Unique purpose and character of the Special	MainPower supports Policy UFD-P9 but seeks an additional clause to ensure	Amend UFD-P9 to include an additional clause as follows: UFD-P9 Unique purpose and character of the Special Purpose Zone (Kāinga Nohoanga)

Policies	Submission	Relief Sought
Purpose Zone (Kainga Nohoanga)	infrastructure is aligned with development.	Support a mix of development on Māori Land within the Special Purpose Zone (Kāinga Nohoanga) that: 1. enables Te Ngāi Tūāhuriri Rūnanga to fully occupy and use land in accordance with the principles and purposes for which the land was originally set aside; 2. will occur over generations and take place in different parts of the zone, and occur at different times; and 3. connects to reticulated infrastructure where available, but recognises that as public reticulated infrastructure is not available to all parts of the zone, alternative forms of onsite independent individual and communal infrastructure will be required. 4. <u>provides for development of Special Purpose Zone (Kainga Nohoanga) zones in a manner aligned with the delivery of infrastructure, including upgrades to infrastructure, to avoid adverse effects on the capacity and efficiency of infrastructure serving these areas'</u>
UFD-P10 Managing reverse sensitivity effects from new development	MainPower supports Policy UFD-P10 as notified however seeks to amend the policy to provide further clarity.	Amend UFD-P10 as follows: Managing reverse sensitivity effects from new development Within Residential Zones and new development areas in Rangiora and Kaiapoi: 1. avoid residential activity <u>and development</u> that has the potential to limit the efficient and effective operation, <u>maintenance, repair, development</u> and upgrade of ~~critical infrastructure, strategic infrastructure, and regionally significant infrastructure,~~ <u>important infrastructure</u> including avoiding noise sensitive activities within the Christchurch Airport Noise Contour, unless within an existing Residential Zone;

Policies	Submission	Relief Sought
		2. minimise reverse sensitivity effects on primary production from activities within new development areas through setbacks and screening, without compromising the efficient delivery of new development areas.

Appendix One – Submission Details

General Relief Sought
MainPower seeks the amendments to the Proposed Waimakariri District Plan as detailed in the tables that follow, and including any alternate and/or consequential amendments to the issues, objectives, policies, rules, maps and other methods required to give effect to the relief sought.

Note: Proposed additions are underlined and deletions ~~striketrough~~

Table 19 – Part 2 District Wide Matters – Noise

General Submission	Submission	Relief Sought
Plan Structure	MainPower, as part of the EI Chapter submission, opposes how the EI Chapter links to the other district plan provisions. MainPower seeks that all relevant noise provisions applicable to the activities of network utility operators be appropriately hyperlinked from the EI Chapter back to the noise chapter. This is to ensure that plan users can navigate to the relevant parts of the noise chapter with ease. As currently structured network utility operators and other plan users are required to read the whole noise chapter to determine what rules are applicable or not.	Insert appropriate hyperlinks from the EI chapter to the relevant noise rules contained in the noise chapter.

NOISE – Objective	Submission	Relief Sought
NOISE-O2 Reverse sensitivity	MainPower supports the objective as notified.	Adopt Noise-O2 as notified.

NOISE – Policy	Submission	Relief Sought
NOISE-P2 Limited duration noise effects	MainPower supports the objective as notified as it provides for temporary noise effects for a limited duration, including the use of generators during emergency situations.	Adopt NOISE-P2 as notified.

NOISE – Proposed Plan Reference	Submission	Relief Sought
NOISE-R9 Temporary activities	MainPower supports rule NOISE-R9	Adopt NOISE R9 as notified.
NOISE-R11 Use of generators for emergency purposes	MainPower supports rule NOISE-R11 as notified and understands that both generators and mobile equipment to supply electricity for emergency purposes are covered by this rule.	Adopt NOISE-R11 as notified.

NOISE – Matters of discretion	Submission	Relief Sought
NOISE-MD1 Noise	MainPower supports NOISE MD1 as notified.	Adopt NOISE-MD1 as notified.

FURTHER SUBMISSION ON THE PROPOSED WAIMAKARIRI DISTRICT PLAN

TO: District Plan Further Submissions
Waimakariri District Council
Free Post 1005,
Rangiora 7440

Further submission lodged by email:
developmentplanning@wmk.govt.nz

FURTHER SUBMISSION BY: MainPower New Zealand Limited (Submitter ID: 249)

SUBMITTER ADDRESS: MainPower New Zealand Limited
PO Box 346
Rangiora 7440
Please note the different address for service below

INTRODUCTION

1. These further submissions (Appendix One) are made by MainPower New Zealand Limited (MainPower).
2. MainPower makes further submissions in support and opposition to submissions (in whole and in part) made to the proposed Waimakariri District Plan (pWDP). MainPower makes these further submissions as it has interests in the proposal greater than that of general public, for the reasons outlined in its original submission. In particular:
 - MainPower owns and operates the electricity distribution network which services the Waimakariri District. This network is spatially extensive and traverses multiple zones; and
 - MainPower lodged extensive submissions on the pWDP seeking amendments which will achieve improved environmental outcomes and more efficient planning processes for the maintenance, operation, upgrading and development of its network.
3. The further submissions contained in Appendix One have a direct relationship to the maintenance, operation, upgrading and development of the network.

FURTHER SUBMISSIONS

4. MainPower's further submissions are detailed in the table attached as Appendix One, and seek to simplify and clarify the application of pWDP provisions while maintaining appropriate environmental outcomes. The further submissions cover a range of provisions across the pWDP.

5. A copy of the further submissions will be served on the original submitters within 5 working days of it being served on the Council.

HEARING

6. MainPower wishes to be heard in support of its further submissions. If others make similar submissions MainPower may consider presenting a joint case with them at any hearing.

Submission signed for and on behalf of **MainPower New Zealand Limited**:



Melanie Foote
Principal Consultant
Resource Management Group Ltd
Dated: 21 November 2022

Address for service of submitter:

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c/- Resource Management Group Ltd
PO Box 908
Christchurch Box Lobby
Christchurch 8140

Attn: Melanie Foote
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ATTACHMENTS:

Appendix One: Further submission table

Appendix One

Waimakariri District Plan Review_ Proposed Waimakariri District Plan

MainPower New Zealand Limited – Further Submission – 21 November 2022

Further Submissions			
Submitter	Plan Provision	MainPower's Position	Further Submission
Chorus New Zealand Limited PO Box 632 Wellington Spark New Zealand Trading Limited Private Bag 92028 Auckland 1010 Vodafone New Zealand Limited Private Bag 92161 Auckland 1142 #62 Point: none allocated, page 11 of submission.	EI-R55 Network Utilities within 10m of the centre line of a 66kV or 33kV electricity distribution Line.	Oppose	Chorus, Spark and Vodafone are opposed to EI-R55 and sought to amend the rule such that, where safe distances in NZECP:34:2001 are not met but provided written approval has been given by the lines distribution company then a resource consent is not required. MainPower consider that network utilities should still go through the resource consent process for activities that do not meet NZECP:34:2001 to ensure appropriate safety and mitigation measures are in place.
Horticulture New Zealand Rachel McClung Environmental Policy Advisor – South Island PO Box 10-232	EI-13 Addition to a pole or tower	Oppose	Horticulture New Zealand seek an additional clause to ensure there are no increased compliance requirements with NZECP34.2001. MainPower oppose this amendment and wish to seek the ability to make an addition to a pole or tower without a consenting burden.

Further Submissions			
Submitter	Plan Provision	MainPower's Position	Further Submission
Wellington # 294 Point: 77			
Horticulture New Zealand Rachel McClung Environmental Policy Advisor – South Island PO Box 10-232 Wellington # 294 Point: 78	EI-R16 Upgrading of above ground lines, ducts, cables, and pipes.	Oppose	Horticulture New Zealand oppose this rule and consider the voltage should not be increased above that of its original design as a permitted activity as this would increase compliance with NZECP34:2001. MainPower opposes the proposed amendment sought. It is not appropriate that increases in voltage are controlled, and this will significantly constrain the ability of MainPower to plan, operate and manage the network. This type of constraint would have significant adverse effects (both financial and temporal) on customers seeking increased supply.
Horticulture New Zealand Rachel McClung Environmental Policy Advisor – South Island PO Box 10-232 Wellington # 294 Point: 82	EI-MD14 Extent of Effects	Oppose	MainPower opposes the amendment sought by Horticulture New Zealand and maintains a view that EI-MD14 should be deleted in its entirety. MainPower considers this 'catch all' assessment matter provides no certainty to plan users as to what Council's discretion relates to and, as per MainPower's original submission, it seeks that this matter of discretion be deleted.
Kāinga Ora Attn: Brendon Liggett	EI-03 Effects of other activities and development	Oppose	Kāinga Ora propose to amend EI-03 to remove the reference to reverse sensitivity effects. MainPower oppose the request to remove

Further Submissions			
Submitter	Plan Provision	MainPower's Position	Further Submission
Development Planning Team Kāinga Ora – Homes and Communities PO Box 64598 Auckland 1546 #295 Point: 21	on energy and infrastructure.		consideration of reverse sensitivity effects as the whole premise of this objective is to address effects of other activities and development on energy and infrastructure.
Kāinga Ora Attn: Brendon Liggett Development Planning Team Kāinga Ora – Homes and Communities PO Box 64598 Auckland 1546 #295 Point: 22	El- P1 Recognising the benefits of, and providing for, energy and infrastructure.	Oppose	Kāinga Ora propose to amend El-P1 clause 4 to just refer to 'major electricity distribution lines' rather than 'electricity distributions lines'. MainPower opposes the proposed amendments as this policy is intended to apply to all facets of energy and infrastructure including all electricity distribution lines.
Kāinga Ora Attn: Brendon Liggett Development Planning Team Kāinga Ora – Homes and Communities PO Box 64598	El-P6 Effects of other activities and development on energy and infrastructure.	Oppose	Kāinga Ora seek to amend this policy to remove reference to major electricity distributions lines. MainPower oppose this as this policy relates to the effects on both electricity transmission and distribution, not just to Transpower's electricity transmission network.

Further Submissions			
Submitter	Plan Provision	MainPower's Position	Further Submission
Auckland 1546 #295 Point: 27			
Kāinga Ora Attn: Brendon Liggett Development Planning Team Kainga Ora – Homes and Communities PO Box 64598 Auckland 1546 #295 Point:47	EI-R54	Oppose	Kāinga Ora seeks to delete this rule and seeks that the management of earthworks covered in this provision be addressed via a designation. MainPower oppose the deletion of this rule and considers that the rule will ensure major electricity distribution lines are protected from earthworks and land disturbance activities within the vicinity of these lines. It is further noted that while these rules are generally consistent with NZECP 34:2001, the code of practice does not provide sufficient protection from earthworks activities in the vicinity of support structures hence the need for this additional layer of protection in the District Plan. Further the extent of MainPower's assets is such that a designation is simply not a feasible or practical option
Belgrove Rangiora Ltd Aurecon NZ Ltd PO Box 1061 Christchurch 8140 Attn: Mark Allan, Director – Environment and Planning # 408 Point: 8	General - Mapping	Support	Belgrove Rangiora have stated that the mapped major electricity distributions lines through the site are to be removed/decommissioned on the site. MainPower confirm: • MainPower will remove this section of the line. • Removal is planned for the end of the financial year 2024 pending project approval and availability. • The Major Electricity Distribution Line notation can be removed from the site.

Further Submissions			
Submitter	Plan Provision	MainPower's Position	Further Submission
Federated Farmers Federated Farmers of NZ (Inc) Level 4, 117 Lambton Quay Wellington PO Box 715 WELLINGTON 6140 #414 Point:21	Definition of upgrading	Oppose	Federated Farmers seek to delete this definition as they consider it could be applied on an incremental basis, with negative effects on landowners. MainPower opposes deleting this definition as it provides a useful pathway without a consenting burden to upgrade infrastructure located in Natural Hazards areas under the applicable rules where this term is used.
Federated Farmers Federated Farmers of NZ (Inc) Level 4, 117 Lambton Quay Wellington PO Box 715 WELLINGTON 6140 #414 Point: 68	EI-03 Effects of other activities and development on energy and infrastructure.	Oppose	Federated Farmers oppose EI-03 and consider it inappropriate to protect the future upgrading and development of infrastructure. Further they consider the reference to reverse sensitivity is specific to the National Grid and does not apply to other infrastructure. MainPower opposes the proposed amendments to this policy as reverse sensitivity is applicable to other infrastructure and the whole premise of this objective is to ensure energy and infrastructure is not compromised by other activities and development.
Federated Farmers Federated Farmers of NZ (Inc) Level 4, 117 Lambton Quay Wellington PO Box 715 WELLINGTON 6140	EI-P6 Effects of other activities and development on energy and infrastructure.	Oppose	Federated Farmers seek to delete this policy as they believe it goes beyond the scope provided in the NPSET. Further the policy introduces additional stringency and is not clear why it is needed, given the EI-P5 manages adverse effects. MainPower opposes the deletion of this objective as Policy 5 explicitly deals with the effects of energy and infrastructure activities, whereas

Further Submissions			
Submitter	Plan Provision	MainPower's Position	Further Submission
#414 Point: 71			EI-P6 deals with the effects of other activities on energy and infrastructure activities. This policy is proposed to cover all energy and infrastructure activities and is not specific to NPSET activities.
Federated Farmers Federated Farmers of NZ (Inc) Level 4, 117 Lambton Quay Wellington PO Box 715 WELLINGTON 6140 #414 Point: 73 and 74	EI-R12, EI-R13 Replacement of a pole or tower and addition to a pole or tower.	Oppose	Federated Farmers support this rule in part and are concerned that additions to poles or towers often increases the line capacity or voltage, and as such, results in an increase in the corridor width adjacent to the line under NZECP34:2001. Further they are concerned that there is no limit on the number of times that upgrades can occur and thus a stealth increase in corridor width without landholder permission. The following addition is sought: <i>"This rule can only be used once per pole on any given transmission line. Further upgrades require consent".</i> It is assumed Federated Farmers intended to include distribution lines and not just transmission lines. MainPower oppose the inclusion of this clause above as both rules provide for the maintenance, repair and upgrade of poles and towers only. It is noted that Rule EI-16 covers the upgrade to lines so under these two rules an increase in voltage or capacity is not provided for. The rules contain specific limits to control the bulk and height of any replacement of poles/towers or additions. MainPower opposes amending EI-R12 and 13. It is not appropriate that replacement of poles, towers or additions to poles or towers triggers a consent requirement. Controlling such activities significantly constrains MainPower's ability to plan, operate and manage the network. These constraints have significant adverse effects (both

Further Submissions			
Submitter	Plan Provision	MainPower's Position	Further Submission
			financial and temporal) on customers (large and small, rural and urban) wishing to connect to the electricity network or who are seeking increased supply.
Federated Farmers Federated Farmers of NZ (Inc) Level 4, 117 Lambton Quay Wellington PO Box 715 WELLINGTON 6140 Point: 75	EI-R16 Upgrading of above ground lines, cable, ducts and pipes.	Oppose	Federated Farmers seek to remove the permitted activity status of this rule and replace it with a restricted discretionary activity status, and they consider this rule permits the doubling of the number of lines and other substantial upgrades without landowner consultation. MainPower opposes amending EI-R16. It is not appropriate that upgrading of existing lines triggers a consent requirement. Controlling increases in upgrades of lines significantly constrains MainPower's ability to plan, operate and manage the network. These constraints have significant adverse effects (both financial and temporal) on customers (large and small, rural and urban) wishing to connect to the electricity network or who are seeking increased supply.
Federated Farmers Federated Farmers of NZ (Inc) Level 4, 117 Lambton Quay Wellington PO Box 715 WELLINGTON 6140 #414 Point: 77	EI-R25 Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)	Oppose	Federated Farmers seek an additional matter of discretion to add a requirement for landholder consultation. MainPower note landowner consultation is an important part of the process undertaken prior to installing any new equipment as lease agreements and any easement requirements need to be agreed upon. On this basis MainPower are opposed to any additional matters of discretion.
Federated Farmers Federated Farmers of NZ (Inc)	EI-R54 Earthworks adjacent to a 66kV or 33kV electricity distribution line	Oppose	Federated Farmers seek the deletion of EI-R54, and they consider that electricity distribution lines do not have the same status as the National Grid and are not required to be protected from sensitive

Further Submissions			
Submitter	Plan Provision	MainPower's Position	Further Submission
Level 4, 117 Lambton Quay Wellington PO Box 715 WELLINGTON 6140 #414 Point: 84			activities under the NPSET. There is no need for further regulation in the District Plan. MainPower opposes the deletion of this rule as this rule ensures that major electricity distribution lines are protected from earthworks and other land disturbance activities within the vicinity of these lines. MainPower note this rule is sought primarily on a safety basis in relation to person undertaking works on the lines and for those undertaking work in close proximity, and also for ensuring the integrity of the lines.
Federated Farmers Federated Farmers of NZ (Inc) Level 4, 117 Lambton Quay Wellington PO Box 715 WELLINGTON 6140 #414 Point: 86	EI-MD6 – Electricity transmissions and electricity distribution	Oppose	Federated Farmers consider that local distribution lines do not enjoy the same status as the National Grid and, therefore, that EI-MD6 should not apply to electricity distribution lines. MainPower oppose the deletion of reference to electricity distribution along with the other deletion proposed. This assessment matter links to the specific rule EI-R24 relating to the installation of new transmission and electricity distribution lines and needs to remain.
Federated Farmers Federated Farmers of NZ (Inc) Level 4, 117 Lambton Quay Wellington PO Box 715	EI-MD13 Major Electricity Distribution Lines	Oppose	Federated Farmers are seeking that EI-MD13 be deleted and consider that local electricity distribution lines do not enjoy the same status as the National Grid and are not required to be protected from sensitive activities under the NPSET.

Further Submissions			
Submitter	Plan Provision	MainPower's Position	Further Submission
WELLINGTON 6140 #414 Point: 89			The proposed corridor provisions are the most appropriate way to give effect to the CRPS for MainPower's major electricity distribution assets. MainPower note reliance on the NZECP34:2001 alone does not provide the required degree of regulation and has resulted in a number of breaches of this instrument. Further MainPower note many developers, landowners and contractors are unaware of the NZECP34:2001. Corridor protection for MainPower's sub-transmission lines in the District Plan will assist with public and regulator awareness, the maintenance of public safety and the protection of infrastructure, as well as reducing subsequent compliance issues.

Waimakariri District Council

**Recommendations of the PDP Hearings
Panel**

Report 1

**Introduction, Procedural Matters,
Report Format, Approach to
Recommendations and Summary of
Overarching Recommendations**

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1. Introduction

Report outline and approach

1. This Overview Report has been prepared by the two Panels appointed to hear and make recommendations with respect to submissions on the PDP and Variations 1 and 2 to the PDP. It is a generic report that is common and relevant to all recommendation reports. It should be read in conjunction with each subsequent recommendation report.
2. The report:
 - (a) records several background and procedural matters of relevance to our recommendations
 - (b) describes the statutory framework for our consideration of the PDP and Variation 1 and 2 provisions and matters raised in submissions and our reporting thereon
 - (c) provides a guide to the format and approach adopted for each of the subsequent recommendation reports
 - (d) includes our recommendations on particular chapters of the PDP that are not covered in separate recommendation reports, in accordance with our approach discussed in this report
 - (e) records some preliminary comments from us about key issues we have identified that span across the PDP as a whole
 - (f) provides an overview of some of the overarching recommendations across the PDP¹ and Variation 1.
3. The material in this report is largely factual and provides context that each of the subsequent recommendation reports draw upon and does not contain any recommendations on submissions to the PDP or Variations 1 and 2. The intent of this report is to address matters that apply across all the reports and to avoid duplication of the same common material in the subsequent recommendation reports. To that same end, readers of the subsequent recommendation reports on each topic should also refer to this report. We formally released our recommendation reports to the Council on 12 June 2025.

2. Glossary

4. Throughout our Recommendation Reports, we have adopted several acronyms and abbreviations for the sake of brevity. **Table 1** below provides a list of these terms.

¹ Including Variation 2

Table 1: Glossary

Acronym / abbreviation	Meaning
Council	Waimakariri District Council
First Schedule / Schedule 1	Schedule 1 of the Resource Management Act 1991
Hearings Panel / Panel	Both the Proposed Waimakariri District Plan Hearings Panel and Independent Hearings Panel relating to Variation 1 of the Proposed Waimakariri District Plan
IHP	Independent Hearings Panel relating to Variation 1 of the Proposed Waimakariri District Plan
IMP	Mahaanui Iwi Management Plan 2013
IPI	Intensification Planning Instrument
ISPP	Intensification Streamlined Planning Process
MDRS	Medium Density Residential Standards
NES	National Environmental Standards
NES-CF	National Environmental Standards for Commercial Forestry 2023
NES-CS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NES-ETA	National Environmental Standards for electricity Transmission Activities 2009
NES-F	National Environmental Standards for Freshwater 2020
NES-GHG	National Environmental Standards for Greenhouse Gases from Industrial Process Heat 2023
NES-HW	National Environmental Standards for Sources of Human Drinking Water 2007
NES-PF	National Environmental Standards for Plantation Forestry 2018 (superseded by NES-CF)
NES-TF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement
NPS-ET	National Policy Statement on Electricity Transmission 2008
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-GHG	National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023
NPS-HPL	National Policy Statement for Highly Productive Land 2022
NPS-IB	National Policy Statement for Indigenous Biodiversity 2023
NPS-REG	National Policy Statement for Renewable Electricity Generation 2011
NPS-UD	National Policy Statement on Urban Development 2020
NZCPS	New Zealand Coastal Policy Statement 2010

ODP	Operative Waimakariri District Plan 2005
PDP	Proposed Waimakariri District Plan 2021
PDP Hearings Panel	Proposed Waimakariri District Plan Hearings Panel
Report author	The author of the s42A report for the relevant chapter or topic
RMA / the Act	Resource Management Act 1991
RMA-EHS	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021
RPS	Canterbury Regional Policy Statement 2012
s32	Section 32 - Requirements for preparing and publishing evaluation reports (Resource Management Act 1991)
s32AA	Section 32AA - Requirements for undertaking and publishing further evaluations (Resource Management Act 1991)
s42A	Section 42A (Resource Management Act 1991)

3. Procedural matters

Matters considered in this section

5. This section of the report addresses various matters of process and procedure leading up to the completion of the hearings. Specifically, the matters we address here are a description of:
 - (a) our role and the purpose of our reports
 - (b) the evolution of the PDP and Variations 1 and 2 inclusive of the submission process
 - (c) the hearing streams and the specific PDP topics or chapters they addressed
 - (d) procedural matters arising during the hearings.
6. Much of the information relating to submissions and further submissions is contained in the relevant s42A reports prepared by s42A report authors. Accordingly, we only provide a summary here of the submission process and rely on the s42A reports where the details of individual submissions and further submissions are concerned.

The Panel's role and the purpose of reports

7. The PDP Hearings Panel members were appointed by Council on 21 August 2021. Our delegation included all necessary powers under the RMA to hear the submissions made on the PDP and Variation 2 (Financial Contributions)² and to make recommendations to the Council on the provisions of the PDP on all matters raised in those submissions made to the PDP. The PDP Hearings Panel comprises six Commissioners: Gina Sweetman (Chair), Gary Rae, Allan Cubitt, Megen McKay, Niki Mealings, and Neville Atkinson, appointed to make recommendations on the PDP and Variation 2. However, not all Commissioners sat on all the PDP and Variation 2 hearings, due to matters such as the hearing topic and the need to manage conflicts of interest, as further addressed in this report under 'The Hearing Approach'.

² Variation 2 was notified on 13 August 2022 along with Variation 1.

8. In December 2021, approximately three months after the PDP was notified, the Government introduced the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS). The RMA-EHS required territorial authorities to notify an Intensification Planning Instrument (IPI) that incorporated the Medium Density Residential Standards (MDRS) into their plans via the Intensification Streamlined Planning Process (ISPP) which requires an Independent Hearings Panel (IHP). The Waimakariri District Council notified its IPI, via Variation 1 to the PDP, on 13 August 2022. The Council appointed a four-person Independent Hearings Panel (IHP) of Commissioners under Section 34A(1) and Clause 96 of Schedule 1 of the RMA to hear and make recommendations on the submissions lodged in relation to Variation 1 (Housing Intensification). The IHP comprises Gina Sweetman (Chair), Allan Cubitt, Gary Rae, and Megan McKay.
9. Through this report, we refer to the “Panel” which constitutes both the PDP and IHP Panels. There is distinction made between the two Panels where required. The Conflicts of Interest Register available on the Council’s website assisted to inform which Commissioners sat on which hearings. We set out who sat on which hearing later in this report.
10. The purpose of this report is to provide an overview of the Council’s various decision-making obligations and associated reporting requirements under the RMA, as well as outline how and when the hearings were conducted. Our subsequent reports set out our recommendations to the Council on whether submissions to the PDP and Variations 1 and 2 should be accepted, accepted in part, or rejected.

Evolution of the PDP

11. The PDP is a District Plan prepared under the RMA for the purposes of replacing the existing Operative District Plan (ODP). The ODP Plan became fully operative on 28 November 2005, and the Council is required by law to have commenced a review of each provision of its District Plan no later than 10 years after it was made operative. The Council undertook a rolling review of certain parts of the ODP initially, which included responding to Canterbury earthquake recovery matters.
12. The full review of the ODP started in 2016. A draft version of the PDP was sent to identified parties on 17 February 2021 for Schedule 1 (clause 3) consultation. Identified Schedule 1 parties had until 17 March 2021 to provide their feedback. The plan was then revised and publicly notified on 18 September 2021. The closing date for submissions was 26 November 2021. The Council received an additional 12 late submissions, of which 11 were accepted, and one rejected. A total of four hundred and eleven submissions were received on the PDP.
13. A summary of decisions requested by submitters, totalling 6,779 submission points, was notified on 5 November 2022. The period for making further submissions commenced on 5 November 2022 and closed on 21 November 2022. Two late further submissions were received, and both were accepted. A total of one hundred and thirty-seven further submissions were received.

Environment Court decision on immediate legal effect of rural subdivision rules

14. The Council applied to the Environment Court on 14 July 2021 for an order under s86D RMA seeking that certain subdivision rules in the General Rural Zone would have immediate legal effect upon notification of the PDP or issuing of the order. The ODP allows for 4ha minimum subdivisions within the Rural Zone as a controlled activity, whereas the PDP limits this to 20ha minimum in the General Rural Zone. The order was granted on 17 September 2021.
15. As such, the residential unit and minor residential unit provisions in the General Rural zone rules GRUZ-R41, GRUZ-R42, definitions for 'minor residential unit' and 'residential unit', and district-wide subdivision rule SUB-R10 have had immediate legal effect since 17 September 2021, one day before the PDP was publicly notified.

Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS)

16. The RMA-EHS came into effect on 20 December 2021. This Act amended the RMA by:
 - (a) Requiring Tier 1 territorial authorities to amend their district plans to include the Medium Density Residential Standards (MDRS) and to give effect to Policy 3 of the NPS-UD.
 - (b) Introducing a new planning process called the Intensification Streamlined Planning Process (ISPP) to give effect to Policy 3 of the NPS-UD and include the MDRS in their district plans. This is to be done through an Intensification Planning Instrument (IPI).
 - (c) Providing that some permitted activity rules which incorporate the MDRS have immediate legal effect on notification of the IPI.
 - (d) Allowing modification of the MDRS and Policy 3 of the NPS-UD requirements where there are qualifying matters that make higher density inappropriate.
 - (e) Requiring the IPI to be notified by 20 August 2022.
17. As the Council is a Tier 1 Council, it was required to change its district plan to include the MDRS and give effect to Policy 3 of the NPS-UD. The Minister for the Environment's Direction, gazetted on 27 April 2022, specifies that decisions on Council's IPI must be notified by 20 August 2023. On 20 March 2023, the Minister for the Environment approved an extension for the Council to notify its decisions on its IPI on or before 17 December 2024. The Ministers for the Environment and RMA Reform approved a further extension in February 2025

Variations 1 and 2

18. The Council notified Variation 1 (housing intensification) on 13 August 2022, using the new ISPP. On the same date, the Council also notified Variation 2 (Financial Contributions), using the standard Schedule 1 process. Submissions on the two Variations closed on 9 September 2022, with 81 submissions comprising 449 submission points being received on Variation 1 and 78 submissions comprising 137 submission points received on Variation 2. The Council notified its summary of Variation 1 and 2 submissions on 5 November 2022. The period for making further submissions commenced on 5 November 2022 and closed on 21 November 2022. Twenty-three

further submissions were received in relation to Variation 1, and five further submissions were received in relation to Variation 2.

Renotification for further submissions on PDP

19. In March 2023, 24 submission points to the PDP were found to have had errors in summarising and entering, including 13 submission points having not been entered and summarised at all, and 11 submission points having errors in how they were entered. These areas were discovered post completion of the further submissions period.
20. A public notice calling for further submissions to these 24 submission points was notified on 30 March 2023, with further submissions open until 14 April 2023. No further submissions were received on these errata submissions.

The Hearing Approach

21. Hearings on submissions and further submissions to the PDP were held between 15 May 2023 and 4 November 2024. The hearings were held in a streamed approach, with 12 main hearing streams, with Hearing Streams 7, 9, 10 and 11 being separated into two sub-streams each, and Hearing Stream 12 being separated into six sub-streams, all covering the 50 topics and chapters.
22. Particular care was taken with Panel composition to ensure that any actual or perceived conflicts were avoided, particularly for Commissioners Mealings and Atkinson who are also elected representatives for the Council. Neither Commissioner Mealing or Atkinson sat on hearings involving the Airport, Future Development Area provisions requiring Council certification or Council's own designations. Commissioner Mealing was also not involved in hearing evidence or deliberations relating to the UFD Chapter, Map A of the Regional Policy Statement, particular submissions in and around Ōhoka, and any rezonings requests relating to these.
23. **Table 2** provides a summary of the hearing streams, the dates each was conducted and the Panel composition for each hearing.

Table 2 Summary of hearing streams

Hearing Stream	Abbreviations	Topics and chapters	Panel composition	Hearing Stream
1		Part 1, General Matters, Cross Plan Issues, Overarching matters, Plan Introduction	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay Neville Atkinson	15 – 18 May 2023
	DEFINITIONS	Definitions (that relate to multiple chapters)		
	SD	Strategic Directions		

Hearing Stream	Abbreviations	Topics and chapters	Panel composition	Hearing Stream
	UFD	Urban Form and Development	Niki Mealings ³	
2	MW SASM KN	Mana whenua Sites and Areas of Significance to Māori Special Purpose Kainga Nohoanga	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay Neville Atkinson Niki Mealings	15 - 18 May 2023
4	CE	Coastal Environment	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay Neville Atkinson Niki Mealings	17 – 18 July 2023
	NATC	Natural Character of Freshwater bodies		
	NFL	Natural Features and Landscapes		
	PA	Public Access		
	ASW	Activities on the Surface of Water		
3	HS	Hazardous Substances	Gina Sweetman (Chair) Allan Cubitt Gary Rae Neville Atkinson Niki Mealings	25 - 26 July 2023
	CL	Contaminated Land		
	NH	Natural Hazards		
5	EW	Earthworks	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay Neville Atkinson Niki Mealings	21 August – 24 August 2023
	NOISE	Noise		
	SIGN	Signs		
	LIGHT	Light		
	HH	Historic Heritage		
	TREE	Notable Trees		
	EI	Energy and Infrastructure		
	TRAN	Transport		

³ Except in relation to UFD

Hearing Stream	Abbreviations	Topics and chapters	Panel composition	Hearing Stream
6	RURZ GRUZ RLZ RURZ OSRZ NOSZ OSZ OSRZ	Rural (including rezoning where technical evidence is unlikely) Open Space Zones	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay Neville Atkinson Niki Mealings	9 – 10 October 2023
9	CMUZ NCZ LCZ LFRZ MUZ TCZ	Commercial Zones	Gina Sweetman (Chair) Allan Cubitt Gary Rae Neville Atkinson	29 January 2024
10	SPZ- KR	Special Purpose Zones (Kaiapoi Regeneration)	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay Neville Atkinson Niki Mealings	19 February 2024
	PBKR	Pines Beach and Kairaki Regeneration		
	PR	Pegasus resort		
	MCC	Museum and conference		
	HOS	Hospital		
10A	FUDA Airport	Future Development Areas Noise Contour, Bird Strike and Growth policies	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay	19 - 21 February 2024
11	DESIGNATIONS	Designations • WDC – Waimakariri District Council	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay	15 April 2024
11A	DESIGNATIONS	Designations • KRH – KiwiRail Holdings Ltd	Gina Sweetman (Chair) Allan Cubitt Gary Rae	15 April 2024

Hearing Stream	Abbreviations	Topics and chapters	Panel composition	Hearing Stream
		- MEDU - Minister of Education - MPNZ - Mainpower New Zealand Ltd - MPOL - Minister of Police / NZ Police - NZTA – Waka Kotahi NZ Transport Agency	Megen McKay Neville Atkinson Niki Mealings	
	TEMP	Temporary Activities		
8	SUB	Subdivision (Rural and Urban)		
9A	INZ LIZ GIZ HIZ	Industrial Zones		
12A	MAPS	Commercial/Ind, Oxford and surrounds, Pegasus Resort	Gina Sweetman (Chair) Gary Rae Megen McKay Neville Atkinson Niki Mealings	4 – 5 June 2024
12B	MAPS	Rural Lifestyle Zone	Gina Sweetman (Chair) Allan Cubitt Neville Atkinson Niki Mealings	11 June 2024
12D	MAPS	Ōhoka – RIDL and CGPL	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay	1 - 3 July 2024, reconvened 4 November 2024

Hearing Stream	Abbreviations	Topics and chapters	Panel composition	Hearing Stream
12C	MAPS	Large Lot Residential Zone and Large Lot Residential Overlay	Gina Sweetman (Chair) Allan Cubitt Gary Rae Neville Atkinson	22 – 23 July 2024
12E(A)	MAPS	Rangiora, Kaiapoi, Woodend	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay Neville Atkinson Niki Mealings	19 – 22 August 2024
12E(B)	MAPS	Rangiora, Kaiapoi, Woodend, Var 1	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay	19 – 22 August 2024
12F	MAPS	Rangiora Airfield	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay	22 August 2024
7A	RESZ	Residential (which is not rezoning)	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay Neville Atkinson Niki Mealings	16 - 17 September 2024
	LLRZ	Large Lot Residential (which is not rezoning)		
	ECO	Ecosystems and Indigenous Biodiversity		
		Variation 2 Financial Contributions		
7B		Variation 1 Housing Intensification	Gina Sweetman (Chair) Allan Cubitt Gary Rae Megen McKay	16 – 17 September 2024

24. As we set out in further detail below, we have prepared recommendation reports for most of the topic or specific PDP chapters within each hearing stream. The hearing streams were organised to facilitate an efficient hearing process, whereas our recommendation reports are focused squarely on topics. In Section 4 of this report, we provide an outline of each recommendation report by topic (see Table 4).
25. Each recommendation report contains an 'Appendix 1', which comprise schedules of attendances for the hearing on the respective topic. We refer to those parties throughout the recommendation reports where relevant. Evidence tabled during the hearings is also referred to in the relevant recommendation report, where it is particularly relevant to our subsequent recommendations. All hearings were recorded and can also be accessed via the relevant webpage.
26. The Panel appreciated hearing the lived experience from submitters, particularly in relation to how they view the District and its environment. In our deliberations for all the hearing streams, we considered the evidence and submissions presented before and at the hearing, as well as the written information that all submitters provided as part of their submission or further submission.
27. As part of the management of the hearing process, the Panel has issued a series of procedural minutes, as set out in **Table 3** below. Each minute served a different purpose, but in broad terms, they:
 - (a) set out procedures to be followed by the parties in preparing their evidence and in readiness for their attendance at the hearings.
 - (b) sought advice from various parties on legal and/or other substantive matters relevant to a given hearing topic.
 - (c) commissioned further reports to assist our deliberations and reporting, established terms of reference for those reports, and provided procedures for parties to receive and respond to those reports.
 - (d) made provision for expert conferencing on various matters to narrow and articulate matters in contention, and to assist our deliberations and reporting.
 - (e) resolved various administrative matters arising over the course of proceedings, including (for example) the granting of waivers and time extensions for receiving information.

Table 3 Summary of procedural minutes

Minute	Purpose
Minute 1 (Version 10): Hearing Information and Procedures (Version 10 – 7 June 2024)	The purpose of Minute 1 was to: (a) Outline the procedures for the hearing of submissions on the PDP and Variation 1 (Housing Intensification) and Variation 2 (Financial Contributions) to the PDP, including: i. Overview of the different processes. ii. Membership and role of Hearings Panel. iii. Management of potential and actual conflicts of interest. Overarching hearing principles. iv. Council involvement in the hearings and timeframe.

Minute	Purpose
	v. Submitter involvement in the hearings and timeframes. vi. Pre-hearing meetings and expert conferencing / caucusing. vii. Site visits. viii. Hearing location, schedule, format, and attendance. ix. Scope of submissions and evidence. x. Cross examination for Variation 1. Ten versions of Minute 1 were issued during the hearing period, primarily to update the hearings schedule to accommodate delays.
Minute 2: Response to Procedural Issues Raised and Other Matters (13 April 2023)	The purpose of Minute 2 was to: (a) Confirm the appointment of the Independent Hearings Panel to hear submissions on Variation 1. (b) Respond to matters raised and to update Minute 1 – Procedural Issues. (c) Request the Council to provide information and legal advice regarding the scope of Variation 1 and the applicability of Clause 16B to Variation 1 and invite parties to respond. (d) Respond to the Council memorandum dated 6 April 2023 (appended to Minute 2) requesting the deferring of the hearing of the Ecosystem and Indigenous Biodiversity Chapter.
Minute 3: Change of timing for Hearing Stream 3 and Questions for Council Report Authors on Hearing Streams 1 and 2 (5 May 2023)	The purpose of Minute 3 was to: (a) Respond to the memorandum from the Council Hearing Stream 3 report authors dated 2 May 2023. (b) Put a series of questions to Council Hearing Streams 1 and 2 s42A report authors in advance of the hearings commencing.
Minute 4: Matters and Questions Arising from Hearing Streams 1 and 2 (23 May 2023)	The purpose of Minute 4 was to: (a) Respond to the Momentum Land Limited memorandum dated 4 May 2023 and formally request the Council to provide a memorandum to the Hearings Panel responding to the proposed approach to addressing submissions on the Airport Noise Contour and Bird Strike provisions. (b) Formally request the Council provide a memorandum to the Hearings Panel on its intended approach to giving effect to the National Policy Statement on Highly

Minute	Purpose
	Productive Land 2022, which was gazetted after the PDP was notified. (c) Put a series of questions to Council s42A report authors to respond to in preparing their Reply Reports to the Panel, due by Friday 16th June 2023. (d) Advise on updates to Minute 1 on procedural matters.
Minute 5: Variation 1, Momentum, Rezonings and NPS-HPL (4 July 2023)	The purpose of Minute 5 was to: (a) Set out next steps in response to: i. The submitters' memorandums (received on behalf of 199 Johns Rd Ltd, Caroline Homes Ltd, Carolina Rental Homes Ltd, Allan Downs Ltd, and Richard and Geoff Spark on 28 June 2023, Momentum Land Ltd on 30 June 2023) relating to Council's memorandum regarding Variation 1 dated 1 June 2023, and the memorandum of Chapman Tripp on behalf of various submitters dated 24 March 2023. ii. the Council memorandum dated 16 June 2023 and submitters memoranda (received on behalf of Canterbury Regional Council and Kainga Ora on 16 June 2023, Horticulture NZ on 30 May 2023, and Christchurch International Airport Ltd on 15 June 2023) on the Momentum Land Ltd memorandum dated 4 May 2023. (b) Formally request that the Council provides a memorandum to the Hearings Panel on its intended approach to submissions that sought more substantial rezonings. (c) Request that the Council answers a further question in respect to how it intends to address submissions relating to the NPS-HPL.
Minute 6: Matters and Questions Arising from Hearing Stream 4 and the New NPS-IB (21 July 2023)	The purpose of Minute 6 was to: (a) Formally request that the Council provides a memorandum to the Hearings Panel on its intended approach to giving effect to the National Policy Statement on Indigenous Biodiversity, which came into force on 4th August 2023. (b) Put a series of questions to Council s42A report authors to respond to in preparing their Reply Reports to the Panel, due by 11 August 2023. (c) Put further questions to Council's s42A report author on the Strategic Directions chapter. (d) Provide guidance and make requests to s42A report authors.
Minute 7: Matters and questions arising from	The purpose of Minute 7 was to: (a) Respond to the Council's updated memorandum on the National Policy Statement for Highly Productive Land dated

Minute	Purpose
Hearing Stream 3 and the NPS-HPL (28 July 2023)	22 July 2023 and to invite submitters' responses to the memorandum. (b) Respond to the Council's request (via Council memorandum dated 22 July 2023) for a consolidated response in respect to Variation 1, scheduling of hearing of submissions on Airport Noise Contour, bird strike and growth-related policies and substantive rezonings. (c) Put a series of questions to Council s42A report authors for Hearing Stream 3 to respond to in their Reply Reports.
Minute 8: Hearing Stream 3 Reply Report (18 August 2023)	The purpose of Minute 8 was to: (a) Respond to the memorandum from the s42A Reporting Officer for Natural Hazards dated 17 August 2023 seeking an extension for the Reply Report till 1 September 2023. (b) Approves the extension till the 1 September 2023 date requested.
Minute 9: Reply Reports, Transport Expert Report, Variation 1, Hearing Schedule and Conferencing (4 September 2023)	The purpose of Minute 9 was to: (a) Set out the Panel's response to s42A report authors memorandum dated 1 September 2023 seeking more time to complete Reply Reports for Hearing Streams 3 and 4. (b) Respond to the late evidence provided by the Council's Transport Engineer in respect to the Transport Chapter s42A report heard in Hearing Stream 5, and to set directions to address that late evidence. (c) Direct expert conferencing arising out of Hearing Streams 4 and 5. (d) Respond to Council's memorandum of 18 August 2023, regarding Variation 1, the hearing schedule and other matters, and invite submitters to respond to particular matters in that memorandum by Monday 18 September 2023. (e) Put a series of questions to Council Hearing Stream 5 s42A report authors to respond to in their Reply Reports.
Minute 10: Rezoning Requests and Strategic Directions (12 September 2023)	The purpose of Minute 10 was to: (a) Set out the Hearings Panel's final directions in respect to rezoning requests. (b) Respond to Council's memorandum of 8 September 2023 regarding strategic directions.
Minute 11: Updated Hearing Schedule and Conflict of Interest	The purpose of this Minute was to: (a) Provide parties with an updated hearing schedule, including details of Panel composition and hearing venue. (b) Alert parties to an updated conflict of interest register.

Minute	Purpose
Register, NPS-IB and Strategic Directions (2 October 2023)	(c) Respond to the Council memorandum on the National Policy Statement on Indigenous Biodiversity and set out next steps. (d) Respond to Council's memorandum of 29 September 2023 regarding strategic directions.
Minute 12: Matters and Questions Arising from Hearing Stream 6 and NES-CF (13 October 2023)	The purpose of Minute 12 was to: (a) Request that the Council provides a memorandum to the Hearings Panel on the impact of the new National Environmental Standard on Commercial Forestry, which came into effect from 3 November 2023. The memorandum was to be provided by Thursday 30 November 2023. (b) Put questions to the Council s42A Open Space and Recreation Zone report author to respond to in preparing their Reply Report to the Panel, due by Friday 3 November 2023. (c) Set out next steps for the Council s42A Rural Zone report author to finalise their response to the Panel's preliminary questions. (d) Respond to the McAlpines memorandum dated 6 October 2023, seeking leave to table further legal advice. (e) Reminder of hearing process for expert witnesses.
Minute 13: Matters and questions arising from Hearing Stream 6 and NES-CF (24 November 2023)	The purpose of Minute 13 was to: (a) Put questions to the Council s42A Rural Zone report author to respond to in their Reply Report.
Minute 14: Response to Spark Memo – FUDA and Rezonings (28 November 2023)	The purpose of Minute 14 was to: (a) Respond to the memorandum of Counsel for Richard and Geoff Spark dated 21 November 2023, regarding the timetabling of hearing of their submissions on DEV-SER-APP1. (b) Address Council's memorandum in response to the Spark memo, dated 24 November 2023.
Minute 15: Request to move INZ hearing	The purpose of Minute 15 was to: (a) Respond to the Council memorandum received on 1 December 2023 that sought to move the timing of hearing

Minute	Purpose
(4 December 2023)	of submissions on the Industrial Zone in Hearing Stream 9 to immediately after Hearing Stream 8.
Minute 16: Response to Council Memos on NES-CF and SD, Transport Matters (11 January 2024)	The purpose of Minute 16 was to: (a) Raise an issue in respect to TRAN-S1 and Tables TRAN-3 and TRAN-4 on road widths that the Hearings Panel has identified in its preliminary deliberations on the TRAN – Transport Chapter and set out the steps to address and resolve that issue. (b) Respond to the Council memorandum received on 8 December 2023 regarding Strategic Directions and set out next steps. (c) Respond to the Council memorandum received on 28 November 2023 regarding the NESCF and set out next steps.
Minute 17: Response to Carter Group Ltd & Rolleston Industrial Developments Ltd seeking Panel directions (24 January 2024)	The purpose of Minute 17 was to: (a) Respond to the memorandum of Counsel on behalf of Carter Group Limited and Rolleston Industrial Developments Limited, dated 22 January 2024, who sought that the IHP direct the Council to produce further information in respect to the “Waimakariri Residential Capacity and Demand Model – IPI 2023 Economic Assessment”. (b) Respond to the submitter’s request for direction for expert conferencing after the Council’s s42A report has been released.
Minute 18: Timing of HS7 and HS12, Provision of Evidence HS12 and Indication for Expert Conferencing (14 February 2024)	The purpose of Minute 18 was to: (a) Respond to the following memorandums: i. The memorandum from the Council, dated 9 February 2024, seeking that Hearing Stream 7 be relocated to August 2024. ii. The memorandum of Counsel, dated 9 February 2024, on behalf of the Waimakariri District Council and the Oxford-Ohoka Community Board, who seek clarification whether further submitter evidence is due at the same time as submitter evidence for Hearing Stream 12. iii. The memorandum of Counsel on behalf of Dexin Investments Ltd, dated 9 February 2024, who sought further details of the scheduling of Hearing Stream 12. (b) Set out the timing of the provision of s42A reports and submitter and further submitter evidence for Hearing Stream 12.

Minute	Purpose
	(c) Set out the IHP Panel's intention to direct expert conferencing following the hearing of evidence on Hearing Stream 10A.
Minute 19: Cross-examination for Hearing Stream 10A (16 February 2024)	The purpose of Minute 19 was to: (a) Confirm that there would be no cross-examination occurring during Hearing Stream 10A as the IHP had received no formal requests for leave to cross-examine expert witnesses in respect to the Variation 1 elements.
Minute 20: Questions Arising from Hearing Stream 10, Next Steps and Directions for Hearings Streams 10A and 12 (27 February 2024)	The purpose of Minute 20 was to: (a) Put a series of questions to Council s42A report authors for Hearing Streams 9A, 10 and 10A to respond to in preparing their Reply Reports to the Panel. (b) Respond to the memoranda received from submitters Andy Carr dated 21 February 2024, Momentum Land Limited, Mike Greer Homes NZ Limited, Bellgrove Rangiora Limited and Mark and Melissa Prosser dated 23 February 2024, and Doncaster Developments Limited dated 23 February 2024, in response to Minute 18 and the timing, sequencing and provision of evidence in respect of Hearing Stream 12. (c) Set out next steps and Panel directions and requests in respect of Hearing Streams 10A and 12, in particular relating to expert conferencing and the provision of Reply Reports for Hearing Stream 10A. (d) Provide clarification on the timetable for Hearing Stream 12 and sub-streams.
Minute 21: Requests for Extensions for Provision of Evidence and Expert Conferencing (6 March 2024)	The purpose of Minute 21 was to: (a) Formally record and respond to the requests for extensions to the provision of evidence for Hearing Stream 12, which required evidence by 5th March 2024. (b) Respond to the memorandum from Kāinga Ora, dated 5 March 2024, seeking to extend the economics expert conferencing requested through Minute 20 to include economics experts who will be involved in Hearing Stream 7.
Minute 22: Extension for Provision of Evidence and Expert Conferencing (15 March 2024)	The purpose of Minute 22 was to: (a) Formally record and respond to a further request for an extension to the provision of evidence for Hearing Stream 12. Evidence was due to be submitted no later than Tuesday 5th March 2024. (b) Respond to the memorandum of Counsel for Rolleston Industrial Developments Ltd and Carter Group Property Ltd, dated 12 March 2024, regarding expert conferencing.

Minute	Purpose
	(c) Respond to the memorandum from Council, dated 11 March 2024, seeking to further relocate the Ecosystems and Indigenous Biodiversity hearing to Hearing Stream 7.
Minute 23: Questions arising from Hearing Streams 8, 9A, 11, and 11A, Approach to Hearing Stream 12, Urban Design Expert Hearing Stream 12D (19 April 2024)	The purpose of Minute 23 was to: (a) Put a series of questions to Council s42A report authors for Hearing Streams 8, 9A, 11 and 11A to respond to in preparing their Reply Reports. (b) Request Council to provide advice to the Hearings Panel on how they propose to approach reporting on submissions for rezoning submissions to the PDP and Variation 1 that apply to the same site to the PDP Hearings Panel and the IHP. And, subsequently, invite submitters to respond to the Council advice. (c) Respond to the Council request, dated 11 April 2024, to excuse the Council Urban Design and Landscape expert from attending Hearing Stream 12D (Ohoka) and request the submitters to provide their views on this.
Minute 24: Response to Submitter Memorandum on Economic Conferencing (24 April 2024)	The purpose of Minute 24 was to: (a) Respond to the memorandum of Counsel received from Woodward Limited/ Carter Group Property Limited/Rolleston Industrial Developments Ltd/ Momentum Land Limited/Mike Greer Homes (Nz) Limited / Bellgrove Rangiora Limited / Ohoka Farms Limited / Doncaster Developments Limited, received by the Hearings Panel on 24th April 2024. (b) Requests conferencing to occur in advance of Hearing Stream 12 proceeding.
Minute 25: Hearing Stream 12D, 12E, 12F, Economist, Waiver Request (22 May 2024)	The purpose of Minute 25 was to: (a) Respond to Council's request for leave for Mr Nicholson from Hearing Stream 12D. (b) Respond to the Council's memorandum, dated 6 May 2024, regarding their approach to Hearing Stream 12E. (c) Respond to the Council's memorandum, dated 6 May 2024, regarding the requested new Hearing Stream 12F, and to seek the submitters' comment on the request for leave for Mr Nicholson by 7 June 2024. (d) Request Council to provide final Reply Reports for Hearing Stream 10A on airport noise and bird strike by 7 June 2024. (e) Comment on economist expert conferencing. (f) Address a request from Mandeville Village Partnership Limited, dated 17 May 2024, for leave under s37 RMA to file a late further submission in relation to Rolleston Industrial Developments Limited (RIDL) and seek comment

Minute	Purpose
	from RIDL and any interested person in respect of the requested leave by 31 May 2024.
Minute 26: Deferral of Hearing Stream 12C LLRZ and LLRZO (30 May 2024)	The purpose of Minute 26 was to: (a) Advise the Council and submitters to Hearing Stream 12C of the Hearing Panel's decision to defer the hearing until another date, to be determined.
Minute 27: Hearing Stream 12D, Late further submission, Hearing Streams 12C, 12E, 12F and 7 timetable, Hearing Stream 12 C question, Hearing Stream 12D and 12F expert attendance (7 June 2024)	The purpose of Minute 27 was to: (a) Remind submitters of the hearing procedures set out in Minute 1. (b) Advise of the IHP's determination in respect to the request from Mandeville Village Partnership Limited to file a late further submission. (c) Provide an updated timetable for Hearing Streams 12C, 12E, 12F and 7 and an updated Minute 1. (d) Set out the Hearing Panel's questions for the s42A reporting officer, to be responded to by 27 June 2024. (e) Set out the IHP's determination in respect to the attendance of Mr Nicholson at Hearing Stream 12F and respond to Mr Smith's memorandum seeking direction in respect to Mr McLeod's unavailability for Hearing Stream 12F. (f) Respond to the Council's memorandum, dated 5 June 2024, requesting leave for Mr Ford from attending Hearing Stream 12D.
Minute 28: Reply Report Questions for Hearing Streams 12A and B (13 June 2024)	The purpose of Minute 28 was to: (a) Set out the Hearing Panels' preliminary questions for the s42A report authors for Hearing Streams 12A and 12B and request that they be responded to by 5 July 2024.
Minute 29: Cross-examination for Hearing Stream 12D – Variation 1 (25 June 2024)	The purpose of Minute 29 was to: (a) Respond to the memorandum of Counsel for Rolleston Industrial Developments Limited, dated 24 June 2024, submitter 60 on Variation 1 to the Proposed Waimakariri District Plan.
Minute 30: Hearing Stream 12A Dexin, Hearing Stream 8 Missed Points and Evidence Post Hearing	The purpose of Minute 30 was to: (a) Respond to the Council's memorandum, dated 26 June 2024, requesting extra time for the Reply Report for Hearing Stream 12A and the subsequent memorandum from Counsel for Dexin, dated 27 June 2024. (b) Respond to the Council's memorandum, dated 5 July 2024, regarding further submissions that were not addressed in

Minute	Purpose
(9 July 2024)	Hearing Stream 8 Urban subdivision s42A report and request that any further submitters who wish to comment do so by 26 July 2024. (c) Remind all hearing participants about the provision of additional evidence post hearing.
Minute 31: Expert conferencing and next steps for Hearing Stream 12D (15 July 2024)	The purpose of Minute 31 was to: (a) Direct expert conferencing and set out next steps for Hearing Stream 12D.
Minute 32: Borcoskie Missed Submissions from hearing Streams 6 and 8 and Reminder to Planners (25 July 2024)	The purpose of Minute 32 was to: (a) Provide the opportunity for MJ and RM Borcoskie [s101] and the MJ Borcoskie Family Trust [s102] to respond to the Council reporting officer's recommendations on submission points that were omitted from the Hearing Streams 6 – Rural Zone and 8 – Rural Subdivision section 42A reports. (b) Remind expert planning witnesses representing submitters seeking rezonings to consider how what is being sought may need to be represented in a district plan.
Minute 33: Expert conferencing for Hearing Streams 12C and 12D, legal advice, and next steps for Hearing Stream 12C (29 July 2024)	The purpose of Minute 33 was to: (a) Direct expert conferencing of the wastewater, stormwater and transportation experts in respect of Hearing Streams 12C and 12D. (b) Request further legal advice from the Council's legal advisers. (c) Set out next steps for Hearing Stream 12C.
Minute 34: Directions Regarding Expert Conferencing for Hearing Stream 12D (30 July 2024)	The purpose of Minute 34 was to: (a) Respond to the memorandum to the IHP from Mr Yeoman, dated 24 July 2024, and the memorandum from Counsel for Carter Group Property Ltd and Rolleston Industrial Developments Ltd, dated 29 July 2024. (b) Direct Council to provide the IHP Panel with further information.
Minute 35: Request by Ōhoka Residents Association to file late technical evidence and to	The purpose of Minute 35 was to: (a) Respond to the memorandum of Counsel for the Ōhoka Residents Association to the IHP and the attached Kotahi Engineering Studio technical evidence, received by the panel on 31 July 2024.

Minute	Purpose
attend expert conferencing (31 July 2024)	
Minute 36: Response to Request by ORA to Submit Late Technical Evidence for Hearing Stream 12D (21 August 2024)	The purpose of Minute 36 was to: (a) Set out the IHP's decision to decline the request by the Ōhoka Residents Association for leave to provide additional material following the hearing of submissions and evidence on Hearing Stream 12D, in the form of engineering evidence in respect to flooding.
Minute 37: Conferencing and Reply Reports for Hearing Streams 12E and 12F, extensions to timing of Joint Witness Statements for Hearing Stream 12D and the updated Land Uptake Monitoring (LUMs) (30 August 2024)	The purpose of Minute 37 was to: (a) Direct expert conferencing between the submitters' planners and other experts and Council planners and experts for Hearing Stream 12E(A). (b) Direct the s42A Report author, Mr Wilson, to address certain matters in the Reply Reports for Hearing Stream 12E(A) and (B). (c) Direct expert conferencing between the planner for Daniel Smith, Mr Chrystal, and the s42A Report writer for Hearing Stream 12F, Mr Powell and matters to then be addressed in the Reply Report. (d) Record the granting of extensions of time for the completion of the LUMs and Planners' JWS for Hearing Stream 12D.
Minute 38: Evidence Received in Respect to the Airport Noise Contour (12 September 2024)	The purpose of minute 38 was to: (a) Set out the IHP's decision to decline the Christchurch International Airport Ltd (CIAL) and Momentum evidence relating to the Airport Noise Contour which was submitted in advance of Hearing Stream 7B.
Minute 39: Response to CIAL memorandum (13 September 2024)	The purpose of Minute 39 was to: (a) Respond to the memorandum of Counsel for the Christchurch International Airport Limited, dated 13 December 2024, received in response to Minute 38.

Minute	Purpose
Minute 40: Response to Council Memo on Hearing Stream 12C and Hearing Stream 12D Reconvened Date (19 September 2024)	The purpose of Minute 40 was to: (a) Respond to the Council memorandum from Mr Mark Buckley, dated 9 September 2024, and received by the Hearings Panel on 17 September 2024. This Council Memo seeks a time extension for transport expert conferencing, provides the Panel with a list of expert conferences proposed for Hearing Stream 12C, and seeks clarification of the scope of transport conferencing in respect to Hearing Streams 12C and 12D. (b) Grant leave for a time extension for transport conferencing to 11 October 2024. (c) Confirm that Hearing Stream 12D will be reconvened on 4 November 2024 and to set out the process to occur in advance of the reconvened hearing, including direction to the reporting officer to provide an addendum to the s42a report.
Minute 41: Reply Report questions for Hearing Streams 7A and 7B (24 September 2024)	The purpose of Minute 41 was to: (a) Set out the PDP and IHP Panel questions and timeframes for the Reply Reports for Hearing Streams 7A and 7B.
Minute 42: A Response to a request by CIAL to submit late technical evidence for Hearing Stream 7A & 7B and 10A (2 October 2024)	The purpose of Minute 42 was to: (a) Respond to the memorandum of Counsel for the Christchurch International Airport Limited, dated 30 September 2024, to the IHP and the attached technical evidence from Professor Charlotte Clark, seeking the evidence be accepted as late evidence for Hearing Stream 7. (b) Request other parties to Hearing Stream 10A to set out their positions as to whether the late evidence should be accepted, by 16th October 2024.
Minute 43: Response to the Christchurch International Airport Ltd request, Reply Report questions for Hearing Stream 12C	The purpose of Minute 43 was to: (a) Set out the IHP's decision to the memorandum of Counsel for the Christchurch International Airport Limited, dated 30 September 2024, seeking leave to provide additional material following the hearing of submissions and evidence on Hearing Stream 7. (b) Provide the PDP Panel's questions and timeframe for the Reply Report for Hearing Stream 12C. (c) Provide a list of questions and matters that the Hearing Panel request to be addressed in a final wrap-up reply

Minute	Purpose
(18 October 2024)	report from the section 42A reporting officers, as a whole or individually as relevant to the question/matter.
Minute 44: Response to Council Memorandum – Timeframes and Wrap Up Reply Reports (23 October 2024)	The purpose of Minute 44 was to: (a) Respond to the Council Reporting Officers’ memorandum dated 22 October 2024, on integration and ‘wrap-up’ matters. (b) Confirm the revised due dates for the Reply Reports for Hearing Streams 12E and 7 to 29 November 2024. (c) Confirm the date for the final recommendations and the ‘wrap-up’ Reply Report due 13 December 2024.
Minute 45: Response to Carter Group Property Ltd and Rolleston Industrial Developments Ltd concerns relating to Code of Conduct and potential evidence (30 October 2024)	The purpose of Minute 45 was to: (a) Respond to Carter Group Property Ltd and Rolleston Industrial Developments Ltd concerns relating to Code of Conduct as raised in the legal submissions for Hearing Stream 12D and potential new evidence as raised in the memorandum dated 29 October 2024.
Minute 46: Wrap Up Matters for Hearing Stream 12D (5 November 2024)	The purpose of Minute 46 was to: (a) Set out the final matters to be addressed following the conclusion of the reconvened Hearing Stream 12D. (b) Respond to Ms Appleyard’s request during the reconvened Hearing Stream 12D, to comment on the matters traversed in Minute 45 by requesting that any comments be provided to the panel by 12 November 2024.
Minute 47: Reply Report questions for Hearing Stream 12D (12 November 2024)	The purpose of Minute 47 was to: (a) Set out the IHP Panel questions for the Reply Report for Hearing Stream 12D.
Minute 48: Panel Response and Directions to Prosser and Fletcher Fawcett Road –	The purpose of Minute 48 was to: (a) Respond to the memorandums received from Counsel for Mark and Melissa Prosser dated 10 December 2024, and Mr Stewart Fletcher on behalf of submitters adjoining Fawcetts and Boundary Roads, dated 10 December 2024, regarding the engagement with the reporting officer for

Minute	Purpose
Memorandum HS 12C (12 December 2024)	Hearing Stream 12C around the Outline Development Plan and associated planning provisions. (b) Direct actions for the submitters and reporting officer to address the concerns raised.
Minute 49: Panel response to Carter Rolleston Industrial Developments Ltd memorandum regarding Hearing Stream 12D (13 December 2024)	The purpose of Minute 49 was to: (a) Respond to the memorandum received from Counsel for Carter Group Property Limited and Rolleston Industrial Developments Limited, dated 12 December 2024.

4. Statutory Context

Matters considered under this section

28. This section sets out the relevant statutory considerations for our recommendations.
29. The matters outlined below will not be repeated in subsequent reports but nonetheless have been the reference point for each of our evaluations in the topic-based recommendation reports.

Summary of statutory requirements

30. The statutory requirements for the preparation and consideration of the contents of a District Plan are set out in ss 31, 32, and 72-77D of the RMA. As the PDP was notified on 18 September 2021; it is the version of the RMA in force at that date that applies to our tasks.
31. In *Colonial Vineyard Ltd v Marlborough District Council*, the Environment Court updated the framework of matters to be evaluated when preparing a plan, albeit by reference to the version of the RMA that applied prior to 3 December 2013. The RMA has been amended several times since that date, the most relevant for our purposes being the substantial rewriting of s32 and the introduction of s32AA and the National Planning Standards. Other minor amendments to words and phrases have also been made.
32. In these circumstances we prefer to set out the statutory requirements that we consider apply specifically to the preparation and consideration of the PDP, drawing on *Colonial Vineyards*, where it is appropriate to do so, but supplementing as necessary where amendments have been made.

General requirements

- A. The district plan (change) should be designed to accord with and assist council to carry out its functions so as to achieve the purpose of the RMA (ss31, 72 and 74(1) RMA).
- B. When preparing its district plan, an evaluation report in accordance with s32 RMA must be prepared (s74(1)(d) RMA) and be given particular regard to (s74(1)(e) RMA).
- C. The district plan must be prepared in accordance with and give effect to national policy statements and the New Zealand Coastal Policy Statement (ss74(1)(ea) and 75(3) RMA).
- D. The district plan must be prepared in accordance with the National Planning Standards (s74(1)(ea) RMA).
- E. The district plan must give effect to any operative regional policy statement and not be inconsistent with a regional plan for any matter specified in s 30(1) RMA (ss 75(3)(c) and 75(4)(b) RMA).
- F. When preparing its district plan the council must also:
 - have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations (s74(2)(2)(b) RMA) to the extent that their content has a bearing on resource management issues of the district; and to consistency with plans and proposed plans of adjacent territorial authorities (s74(2)(c) RMA);
 - take into account any relevant planning document recognised by an iwi authority (s 74(2A) RMA); and
 - not have regard to trade competition or the effects of trade competition (s74(3) RMA).
- G. A district plan must state its objectives for the district, the policies to implement the objectives and the rules (if any) to implement the policies (s75(1) RMA) and may state other matters (s75(2) RMA).
- H. In making a rule for the purpose of carrying out its functions and achieving the objectives and policies of the district plan, the council must have regard to the actual or potential effect of activities on the environment, including, in particular, any adverse effect (s76(1) and (3) RMA).

Section 32 and 32AA evaluations

- A. The s32 evaluation report must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects anticipated from the implementation of the proposed district plan (s32(1)(c) RMA).

- B. Each proposed objective in a district plan (change) is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the RMA (s 32(1)(a)) RMA).
 - C. The policies and other provisions are to be examined to ascertain whether they are the most appropriate to achieve the objectives by (s32(1)(b) and (2) RMA):
 - identifying other reasonably practicable options for achieving the objectives and assessing their efficiency and effectiveness in doing so; and
 - identifying and assessing, and if practicable, quantifying, the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions; and
 - assessing the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.
 - D. A further evaluation in accordance with s32 RMA of any changes proposed to be made to the objectives and other provisions of the district plan since the first evaluation report was prepared must be prepared at a level of detail that corresponds to the scale and significance of the changes (s32AA(1) RMA).
33. We expand upon some aspects of these below.

Part 2 of the RMA

34. The Act's purpose and principles are set out in Part 2. Section 5 explains that the Act's purpose is to promote the sustainable management of natural and physical resources. In that context sustainable management means:
- ... managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*
35. In achieving the RMA's purpose, section 6 directs all persons exercising functions and powers under the Act to recognise and provide for matters of national importance, being:
- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
 - (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
 - (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
 - (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
 - (f) *the protection of historic heritage from inappropriate subdivision, use, and development:*
 - (g) *the protection of protected customary rights:*
 - (h) *the management of significant risks from natural hazards.*
36. Section 7 of the Act sets out matters that all persons must have particular regard to, and includes:
- (a) *kaitiakitanga:*
 - (aa) *the ethic of stewardship:*
 - (b) *the efficient use and development of natural and physical resources:*
 - (ba) *the efficiency of the end use of energy:*
 - (c) *the maintenance and enhancement of amenity values:*
 - (d) *intrinsic values of ecosystems:*
 - (e) *[Repealed]*
 - (f) *maintenance and enhancement of the quality of the environment:*
 - (g) *any finite characteristics of natural and physical resources:*
 - (h) *the protection of the habitat of trout and salmon:*
 - (i) *the effects of climate change:*
 - (j) *the benefits to be derived from the use and development of renewable energy.*
37. Section 8 of the Act requires all persons exercising functions and powers under the Act to take into account the principles of the Treaty of Waitangi.

Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.

38. We addressed the RMA-EHS earlier in this report.

Council's functions and purpose of the Proposed District Plan

39. The Council has extensive functions under s31 of the RMA for the purpose of giving effect to the Act's sustainable management purpose, as follows:
- (1) *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
 - (a) *the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
 - (aa) *the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*
 - (b) *the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
 - (i) *the avoidance or mitigation of natural hazards; and*
 - (ii) *[Repealed]*

- (iia) *the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
 - (iii) *the maintenance of indigenous biological diversity:*
- (b) *[Repealed]*
- (d) *the control of the emission of noise and the mitigation of the effects of noise:*
- (e) *the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*
- (f) *any other functions specified in this Act.*
- (2) *The methods used to carry out any functions under subsection (1) may include the control of subdivision.*

40. The purpose of the PDP is to assist the Council to carry out the above functions in order to achieve the purposes of the Act.

National Policy Statements

41. When the PDP was notified on 18 September 2021, the following National Policy Statements (NPSs) were in force:
- (a) NPS for Freshwater Management 2020 (NPS-FM).
 - (b) NPS on Urban Development Capacity 2020 (NPS-UD).
 - (c) NPS for Renewable Electricity Generation 2011 (NPS-REG).
 - (d) New Zealand Coastal Policy Statement 2010 (NZCPS).
 - (e) NPS on Electricity Transmission 2008 (NPS-ET).
42. By virtue of s75(3) of the RMA the PDP was required to give effect to the provisions of these documents, where relevant.
43. In the period between the close of submissions and the commencement of hearings in 2023, the following NPSs came into force:
- (a) The NPS on Highly Productive Land (NPS-HPL), September 2022.
 - (b) The NPS for Indigenous Biodiversity (NPS-IB), July 2023.
 - (c) The NPS for Greenhouse Gas Emissions from Industrial Process Heat (NPS-GHG), July 2023.
44. Despite this moving regulatory landscape over the course of considering the PDP and the submissions thereon, the obligation in s75(3) of the RMA remains and we are obliged to consider and give effect to the NPS-HPL and NPS-IB in their current form even though they were not in existence when the PDP was notified. We discuss the extent of that obligation and how it has been fulfilled in relation to these two new NPSs where relevant through our Recommendation Reports.
45. Section 3.1 of the NPS-GHG and sections 15 and 30 of the RMA are clear that the discharge of greenhouse gases are a regional council function. Accordingly, we have not considered this NPS in our evaluation and recommendations.

The Canterbury Regional Policy Statement

46. As with the NPSs, the RPS must be given effect to by the PDP. The RPS became operative on 15 January 2013. The RPS had a number of amendments since becoming operative, primarily in relation to earthquake recovery and development capacity matters. This included one formal plan change, Change 1, which focused on Chapter 6 (Recovery and Rebuilding of Greater Christchurch). It was notified in January 2021 and became operative in July 2021. Change 1 implemented the actions in *'Our Space 2018–2048: Greater Christchurch Settlement Pattern Update Whakahāngai O Te Hōrapa Nohoanga'* and gave effect to the NPS-UD, identifying Future Development Areas in Rolleston, Rangiora and Kaiapoi on Map A, and inserting associated policy provisions.
47. Accordingly, we refer to specific provisions of the operative RPS as relevant to each hearing topic in subsequent recommendation reports.

National Environmental Standards

48. There were nine National Environmental Standards (NESs) in force at the time of notification of the PDP:
- (a) NES for Marine Aquaculture 2020 (not relevant).
 - (b) NES for Plantation Forestry 2018 (NES-PF).
 - (c) NES for Telecommunication Facilities 2016 (NES-TF).
 - (d) NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS).
 - (e) NES for Electricity Transmission Activities 2009 (NES-ETA).
 - (f) NES for Sources of Human Drinking Water 2007 (NES-HW).
 - (g) NES for Air Quality 2004 (not relevant).
 - (h) NES for Storing Tyres Outdoors 2021.
 - (i) NES for Freshwater 2020 (NES-FW).
49. Subsequently, the NES on Greenhouse Gas Emissions from Industrial Process Heat (NES-GHG) came into force on 27 July 2023. The NES-PF was replaced by the NES-Commercial Forestry (NES-CF) on 3 November 2023⁴.
50. Each of these documents provide for nationally consistent management of the respective topics to which the standards relate and include technical standards and other methods. These standards will usually override provisions in a district or regional plan; however, the Act enables provisions in a plan or a resource consent to prevail in relation to certain uses and where expressly enabled by a particular NES. As with the NPS-GHG, the NES-GHG rests with the regional council and is not a relevant consideration for the PDP.

⁴ With the exception of regulations 13(2) and 44(3) which came into force on 3 April 2024 and the rest of regulation 44 came into force on 3 January 2024.

51. We address the substance of the relevant NESs in the respective recommendation reports where relevant.

Other statutory considerations

52. The requirement under s74 of the RMA to give regard to matters when preparing a plan extends beyond those documents referred to above to include:
- (a) national planning standards.
 - (b) management plans and strategies prepared under other Acts.
 - (c) relevant entries on the New Zealand Heritage List / Rārangi Kōrero.
 - (d) the plans or proposed plans of adjacent territorial authorities.
 - (e) iwi management plans.
53. The Council has demonstrated its regard to these matters in preparing the PDP and each report prepared by the Council under s42A of the RMA has specifically detailed relevant information relating to s74 matters, and the Panel has also had regard to the relevant matters to the extent relevant to our role.
54. The purpose of the first set of national planning standards that came into force in 2019 is to improve the efficiency and effectiveness of New Zealand's planning system by providing a nationally consistent structure, format, definitions, noise and vibration metrics and electronic functionality and accessibility for district and other RMA plans. We acknowledge that the Council went through a process of aligning the then draft PDP to ensure compliance with the National Planning Standards prior to notification.
55. We acknowledge the direction provided by the Mahaanui Iwi Management Plan 2013 (MIMP) and participation of mana whenua in the development of the District Plan. This engagement predominantly occurred during the pre-notification stages which we then received in evidence, and mostly focused on the Mana Whenua Chapter, Sites and Areas of Significance to Māori and the Special Purpose Zone for Kainga Nohoanga. Mana whenua input enabled us to better understand a local Māori World view and take account of that view in making recommendations on the Plan. *E mihi ana mō a koutou whakaaro me tō koutou wā.* Thank you for your thoughts and your time.

5. Report format and approach

Guide to report format

56. We have produced 37 Recommendation Reports on the PDP and Variations 1 and 2 in total. **Table 4** below provides the list of the Recommendation Report numbers and topics.

Table 4 Recommendation report numbers and topics

Recommendation Report Number	Hearing Stream	Topic
1	n/a	Overview
2	1	SD – Strategic Directions
3	1	UFD – Urban Form and Directions
4	2	SASM – Sites and Areas of Significance to Māori Chapter
5	3	HS - Hazardous Substances Chapter
6	3	CL - Contaminated Land Chapter
7	3	NH - Natural Hazards Chapter
8	4	CE - Coastal Environment Chapter
9	4	NATC - Natural Character of Freshwater Bodies Chapter
10	4	NFL - Natural Features and Landscapes Chapter
11	4	ASW - Activities on Surface Water Chapter
12	5	EW – Earthworks Chapter
13	5	NOISE – Noise Chapter
14	5	SIGN – Signs Chapter
15	5	HH - Historic Heritage Chapter
16	5	TREE - Notable Trees Chapter
17	5	EI - Energy and Infrastructure Chapter
18	5	TRAN - Transport
19	6	RURZ - Rural Zones Chapters
20	6	OSRZ - Open Space Zone and Recreation Zones Chapters
21	7	RESZ – Residential Zones Chapters
22	7	Variation 1 – Intensification Chapters and Rezoning Residential
23	7	Variation 2- Financial Contributions Chapter
24	7	ECO - Ecosystems and Indigenous Biodiversity Chapter
25	8	SUB – Subdivision Chapter
26	9	INZ – Industrial Zones Chapters
27	9	CMUZ - Commercial and Mixed Use Zones Chapters
28	10	SPZs- Special Purpose Zones (HOS – Hospital, KR – Kaiapoi Regeneration, PBKR – Pines Beach and Kairaki Regeneration, PR – Pegasus Resort, MCC – Museum and Conference Centre) Chapters
29	10	Christchurch International Airport Ltd – noise contour and bird strike submissions – PDP and Variation 1

Recommendation Report Number	Hearing Stream	Topic
30	11	Council Designations
31	11	Other Designations
32	11	TEMP - Temporary Activities Chapter
33	12	Rezoning – Oxford, Comm/Ind. Pegasus
34	12	Rezoning – Large Lot Residential Zone
35	12	Rezoning – Ōhoka – PDP and Variation 1
36	12	Rezoning – Residential
37	12	Rezoning – Rangiora Airfield

57. We did not prepare recommendation reports on the following topics and titles:
- (a) Part 1 – Overarching (including definitions)
 - (b) MW – Mana Whenua
 - (c) PA – Public Access
 - (d) LIGHT – Light
 - (e) SPZ-KN- Special Purpose Zone – Kainga Nohoanga
 - (f) DA – Development Areas
 - (g) Rezoning – Rural Lifestyle Zone (HS12B)
58. As we explain further in this Report, we have not prepared reports for the above topics and chapters as we have adopted and accepted the Council’s report author’s recommendations and reasoning contained in their section 42A report, preliminary responses to questions and reply reports, in respect of all the submission points received.
59. However, given the depth and breadth of conflicting evidence we heard for the Christchurch International Airport Ltd (Hearing Stream 10A) and Ōhoka rezoning request (Hearing Stream 12D) we considered it appropriate to release recommendation reports (29 and 35 respectively) to concisely address the key issues we considered in our evaluation of the evidence, even though we ultimately agreed with the s42A report authors’ recommendations.
60. The recommendation reports we have produced are essentially self-contained; however, where there are matters that require integration across multiple topics/hearing streams, the relevant reports record this.
61. The outcome of the PDP Panel’s recommendations are the annotated chapters of the PDP showing the final recommended amendments in ‘track change’ format to the provisions made since notification. The amended provisions are attached as ‘Appendix 2’ of our respective recommendation reports.
62. The majority of the IHP’s recommendations on Variation 1 are the annotated chapters of the PDP showing the final recommended amendments in ‘track change’ format to the provisions made since notification of the PDP and Variation 1, which are attached as ‘Appendix 2’ to Recommendation Report 22. These annotated chapters set out the IHP’s

recommended amendments to Variation 1, combined with the PDP Panel's recommended amendments to the PDP.

63. In some instances, the recommended Variation 1 amendments effectively supersede the PDP Panel's recommended PDP amendments. We recommend that submitters review both the PDP Panel's recommended amendments in the relevant PDP Chapters and the IHP's recommended amendments in the relevant Variation 1 Chapters.
64. Recommendation Report 29 sets out the IHP's recommendations relating to the PDP and Variation 1 in respect to matters relating to the Christchurch International Airport Ltd. Recommendation Report 35 contains the IHP's recommendations relating to the requested rezoning for land in and around Ōhoka by Rolleston Industrial Developments Ltd and Carter Group Ltd.
65. Appendix 1 to this Report contains the attendance list for those hearings where no recommendation report has been prepared (as outlined in paragraph 57 above) and Appendix 2A contains our recommended amendments to the Proposed Plan – Tracked from the notified version of the PDP for those same topics and titles listed in paragraph 57. Appendix 2B contains the list of Planning Map amendments arising from all recommendations.
66. In our recommendation reports we have not undertaken a wholesale renumbering of the PDP's provisions where amendments have been recommended. There are areas where we have been able to easily renumber provisions, but not in all cases.
67. The renumbered provisions appear in the decisions version of the ePlan.

Our overall approach in making recommendations

68. We have set out the requirements of s32 of the RMA earlier in this report.
69. With respect to our role as a Panel, s32AA of the RMA additionally requires that our evaluation to be focused on changes to the proposed provisions arising since the notification of the PDP and Variations 1 and 2 and their respective s32A reports.
70. The s42A Reports provide a comprehensive summary of submissions made on the PDP in respect of each hearing topic and the issues they raised in respect of the provisions of the PDP. The s42A Reports summarise the submission points and assess them under a series of headings that (following some introductory comments and background material) correspond to the key issues raised in submissions associated with the relevant chapter (or mapping content) of the PDP. To assist readers, we have generally structured our recommendation reports using that same format, unless we found it more appropriate to group issues or provisions together.
71. To avoid unnecessary repetition or duplication, we have adopted the approach of focusing our written analysis on those aspects of each s42A Report where:
 - (a) we disagreed with the reasoning and/or recommendations in the s42A Report.

- (b) material provided to us by submitters, either in the form of evidence or representations, called into question the reasoning/recommendations in the s42A Report and/or
 - (c) the s42A report author, having considered the evidence or representations of submitters, having participated in any expert conferencing and production of joint witness statements, and following questioning from the Panel, altered their initial recommendations to us, as set out in their Reply Report.
72. If we do not refer to an individual submission or group of submissions on a particular matter addressed during the relevant hearing, or discuss the reasons for our recommendations in relation to it, that is because, having reviewed the submissions alongside the written and oral evidence and representations from submitters, any joint witness statements produced through expert conferencing and the commentary, recommendations and reasoning in the relevant s42A Report and associated Reply Report, we have accepted (and accordingly adopted) the s42A report author's final recommendations to us. This means that our recommendation reports must be read in conjunction with each relevant s42A Report and Reply Report. Those s42A Reports and Reply Reports are part of the public record and are available on the Council website. We acknowledge the information provided in the submissions which was considered in the report authors' advice to us in their s42A and Reply Reports.
73. Our recommendation reports, accordingly, take the form of an 'exceptions' report.
74. It follows also that where we accept the recommendation in a s42A Report or Reply Report that provisions in the PDP should be amended, we accept and adopt the evaluation contained in the s42A Report or Reply Report for the purposes of s32AA of the RMA, unless otherwise stated.
75. Where we do not accept the recommendations of the s42A Report or Reply Report and consider that a provision in the PDP should be changed, our recommendations have been specifically considered in terms of the obligation arising under s32AA of the RMA to undertake a further evaluation of the amended provision. Our evaluation for this purpose is not contained in a separate evaluation document or tabulated evaluation within our reports. Rather the evaluation required by s32AA is contained within the discussion and reasoning leading to our conclusions and recommendations.

Amendments to the PDP

76. We have also made a variety of other changes to the PDP to improve its clarity, consistency and useability, as well as to correct syntactical, grammatical or spelling errors. Generally, we have relied upon the ability to recommend minor amendments or corrections under clause 16(2) of the RMA's Schedule 1, having first satisfied ourselves that the respective amendments are sufficiently inconsequential. Clause 16(2) enables local authorities to make amendments to proposed plans, with recourse to the Schedule 1 process, to alter any information, where such an alteration is of minor effect or may correct any minor errors. In some cases, we have relied upon the accepted ability to make minor or non-substantive amendments to wording that do not alter meaning or fact but merely improve understanding and thus application of the provisions.

77. All substantive amendments we have recommended are within the scope afforded by submissions in our assessment.

Amendments to Variation 1 of the PDP

78. Clause 99 of Part 6 of Schedule 1 of the RMA provides the IHP with the ability to make recommendations on the IPI that are not limited to being within the scope of submissions made on the IPI, where this is related to a matter identified by the IHP or any other person during the hearing. This clause therefore has provided us with greater scope to amend what was notified through Variation 1. This was of prominence with the submissions that sought rezoning through Variation 1, and rezoning requests that were made on the PDP. We discuss this issue later in this report and in the Variation 1 report itself.

Parties' assistance to us

79. We wish to acknowledge the efforts of all parties in assisting us in our role. Plan review processes are demanding for all parties involved and we are grateful for the professionalism, patience and helpfulness we have received through the process. Our recommendations to the Council ultimately considered all submissions made on the PDP and Variations 1 and 2, irrespective of whether the submitter attended the hearing or not.
80. The hearings were conducted in an excellent and constructive spirit and, as set out in our Hearings Procedures in Minute 1, in some instances where this was appropriate, we encouraged and facilitated further dialogue and narrowing of issues between the s42A report authors and their expert colleagues, and planners and experts representing submitters. This was either in the form of expert conferencing or further clarification discussions convened by the s42A report authors. In each case the outcomes of this further discussion and dialogue were recorded for to us to consider in either the relevant s42A Report or Reply Report. The formal joint witness statements that were prepared through the course of the hearing are available on the Council website.
81. We also sought legal submissions from counsel representing various parties' regarding a few matters and record our appreciation to them for this advice.

6. General comments by the Panel in respect to recommended amendments and matters of scope

82. In this final section of this report, we record some of our general observations about amendments and matters of scope.
83. We have recommended changes to the provisions of the PDP that differ from the provisions that were notified. Our power to do so is expressly contemplated by clause 10(2)(b) of Schedule 1 of the RMA which confirms that our decision on the provisions of the PDP and matters raised in submissions may include matters relating to any consequential alterations necessary to the PDP arising from submissions, as well as any other matter relevant to the PDP arising from submissions. This phrasing does not limit

our power to merely accepting or rejecting a submission, but to adapting the drafting of the PDP to deal with the realities of multiple and often conflicting submissions, including submissions prepared without professional help.

84. Except for Variation 1, as discussed earlier, our ability to recommend amendments to the PDP is not unlimited, however, as any amendment must be within scope, or otherwise permissible. In this regard, it is well established that a substantive modification to a proposed plan must be raised by and within the ambit of what was reasonably and fairly raised in submissions. This evaluation must be approached in a realistic workable fashion rather than from the perspective of legal nicety. This will usually be a question of degree to be judged by the terms of the proposed plan and the content of the submissions.
85. The limitations on the scope to modify a plan (or plan variation) after it has been notified are also designed to ensure that, procedurally, there is an opportunity for the matter to be addressed in a further s32 evaluation, and that there has been an opportunity for those potentially affected by the change to participate. The clarity of the summary of submissions required by cl7 of Schedule 1 plays an important role in this regard.
86. We have kept these principles in mind when considering and recommending substantive changes to the PDP. If recommended changes are not able to be identified as a specific form of relief in a submission it is because we have been satisfied that, when read as whole, the submission effectively raised the issue in substance, the proposed amendment to the PDP in response did not go beyond what was fairly and reasonably raised in the submissions, and no person would be prejudiced (in a procedural sense) by the amendment proposed.
87. Where we have been concerned that amendments sought by persons at the hearing of their submission went beyond the scope of their submission, or were otherwise impermissible, we have noted that in the respective recommendation reports. Similarly, where we have been concerned that amendments recommended by a 42A report author went beyond the scope of what was sought through a submission, we have also noted that in the respective recommendation reports.
88. Through our recommendation reports we have also included recommendations to the Council on matters where we consider there are improvements that could be made to the PDP or there are clear gaps in the policy that need to be addressed, but we had no scope provided through submissions to make these improvements or fill the gaps. We trust that this is of assistance to the Council going forward.

7. Summary of recommendations with overarching consequence

Overview

89. There are several matters raised in submissions of which our recommendations have overarching consequences for our subsequent recommendations on particular topics/chapters/submissions. These matters are:
- (a) The role and purpose of the Strategic Directions in the PDP
 - (b) The interpretation of Policy 6.3.5 of the Canterbury Regional Policy Statement (RPS) in respect to new development in Kaiapoi and residential greenfield priority areas identified in Map A, located within the Airport Noise Contour
 - (c) What constitutes an 'urban environment'
 - (d) Whether the NPS-UD requires a granular approach to providing sufficient development capacity
 - (e) Is the Large Lot Residential Zone an urban zone in respect to the application of the NPS-UD and the NPS-HPL
 - (f) Where rules that relate to setbacks from regionally significant infrastructure should be located within the Energy and Infrastructure Chapter or the relevant Zone Chapters.
 - (g) Whether the IHP has scope to recommend:
 - i. that submissions seeking rezoning of land through Variation 1 are accepted
 - ii. that the Variation 1 Medium Density Zone provisions apply to submissions seeking rezoning through the PDP where the submitter has not sought rezoning through Variation 1.
90. Table 5 below sets out the relevant recommendation report that discusses these matters and a summary of our findings in that report.

Table 5 Summary of relevant overarching recommendations

Topic	Report	Overview summary
Role of Strategic Directions	2	We agree with submitters and with the report authors as expressed in the final Reply Report on Wrap Up Matters with respect to the Strategic Directions objectives having primacy in terms of informing objectives and policies contained in other chapters, and with the objectives and policies in other chapters to be expressed and achieved as being consistent with the SD objectives. Where there is any conflict, we consider that this will be a practice matter, considered on a case-by-case basis.
Policy 6.3.5 RPS and Airport Noise Contour	10	We conclude, on the evidence, that the exception in Policy 6.3.5(4) of the RPS does apply to the FDUs on Map A for Kaiapoi. We also conclude that, irrespective, the responsive planning provisions of the NPS-UD enable us to

Topic	Report	Overview summary
		step aside from any limitations or restrictions imposed by the relevant planning documents when they have not been updated to account for the direction of that higher order document.
What is an 'urban environment'	3	We conclude that the entire Greater Christchurch Area (GCA) within Waimakariri is not intended to be an 'urban environment'. The shaded areas on Map A, shown as Existing Urban Areas, Future Development Areas and Greenfield Priority Areas, along with any other land that may be within the 'projected infrastructure boundary' will fall within the 'urban environment' of the GCA. This does not stop other areas becoming part of the urban environment 'it if is intended' under the responsive planning provisions, as the GCA meets the second part of the NPS-UD definition of 'urban environment'.
The need for a granular approach to providing sufficient development capacity	35	We find that the NPS-UD does not require the Council to provide sufficient development capacity for housing at the granular approach set out by some submitters.
Large Lot Residential Zone	3	We find that the Large Lot Residential Zone is an urban zone for the purposes of the NPS-UD and the NPS-HPL.
The location of rules that include setbacks to manage effects on regionally significant infrastructure	5	We recommend that these be located in the Zone Chapters.
Rezoning submissions and Variation 1	7	We recommend that a single new MRZ, amended as a result of Variation 1, be applied to those sites that we recommend be accepted under the PDP and Variation 1.

8. Conclusion

91. The Panel acknowledges all the submissions received, seeking amendments to the PDP and Variations 1 and 2. We appreciate the time, effort and detailed evidence that we received to support submissions, reflecting the importance of the recommendations we were appointed to make.
92. We also acknowledge the time, effort and detailed evidence that we received from the Council's report authors and the support given by the Hearings Administration staff through the hearings process.
93. Our recommendations are only that and will be considered in due course by the Council in making its final decisions on submissions.

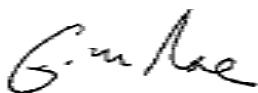
Signed by the Hearings Panel



Allan Cubitt



Gina Sweetman (Chair)



Gary Rae



Megen McKay



Neville Atkinson

Niki Mealings

Niki Mealings

Date: 12 June 2025

Appendix 1 – Submitter attendance and tabled evidence relating to Report 1 (Overarching)

Submitter attendance and tabled evidence for Special Purpose Zone (Kāinga Nohoanga) - Hearing Stream 1

Attendee	Speaker	Submitter No.
Planning Officer	Alan Matheson	N/A
Ngai Tuahuriri Runanga	Dr Te Marie Lau	142
Environment Canterbury	- Jo Mitten (Planning) - Lucy de Latour (Legal)	316
CIAL	- Jo Appleyard (Legal) - Darryl Millar (Planning) - Felicity Hayman - Natalie Hampson - Geoffrey Page	FS 80
Royal NZ Forest & Bird	Nicky Snoyink	FS 78
Tabled Evidence		
N/A	N/A	N/A

Submitter attendance and tabled evidence for Public Access - Hearing Stream 4

Attendee	Speaker	Submitter No.
Council reporting officer	Bryony Steven	N/A
North Canterbury Province of Federated Farmers of New Zealand	- Dr Lionel Hume - Karl Dean	414, FS 83
Canterbury Regional Council	Joanne Mitten	316
Department of Conservation	- Amy Young - Pene Williams	419, FS 77
Tabled Evidence		
N/A	N/A	N/A

Submitter attendance and tabled evidence for Light - Hearing Stream 5

Attendee	Speaker	Submitter No.
Council reporting officer	Jessica Manhire	N/A
Waka Kotahi	Stuart Pearson	275, FS 110
Tabled Evidence		
N/A	N/A	N/A

Submitter attendance and tabled evidence for Rural Rezone Requests - Hearing Stream 12B

Attendee	Speaker	Submitter No.
Council Reporting Officers	- Shelley Milosavljevic - Wendy Harris	N/A
Peter & Elizabeth Norgate	Justin Langlin	371
Matt & Amanda Richardson	Matt Richardson	26
John Waller	John Waller	89
Stan & Sue McGaffin	Stan McGaffin	37 & FS 131
Marie Bax (now represented by Matthew Walshe)	Matthew Walshe	305
Christchurch International Airport Limited	Jo Appleyard	FS 80
Nicky Watherston	- Gary Walton - Nicky Watherston	78
M & R Borcoskie	Vicki Borcoskie	101
MJ Borcoskie Family Trust	Vicki Borcoskie	102
Tabled Evidence		
Christchurch International Airport Limited	John Kyle	FS 80

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version
(provisions not consequentially renumbered)

Appendix 2: (1) PDP Mapping amendments recommendations summary

Appendix 2: (2) Planning Map Stream 12B Rural rezone

Appendix 2: (3) Purpose

Appendix 2: (4) Description of the District

Appendix 2: (5) Statutory Context

Appendix 2: (6) General Approach

Appendix 2: (7) Cross Boundary Matters

Appendix 2: (8) Relationships between Spatial layers

Appendix 2: (9) Definitions nesting Tables

Appendix 2: (9a) Definitions

Appendix 2: (10) Abbreviations

Appendix 2: (11) Glossary

Appendix 2: (12) National Policy Statements and New Zealand Coastal Policy Statement

Appendix 2: (13) National Environmental Standards

Appendix 2: (14) Regulations

Appendix 2: (15) Water Conservation Orders

Appendix 2: (16) Mana whenua

Appendix 2: (17) Public Access

Appendix 2: (18) Light

Appendix 2: (19) Special Purpose zone Kainga Nohoanga

Appendix 2: Mapping and figure amendments recommended by Proposed District Plan Panel and Independent Hearings Panel

The Proposed District Plan Panel (PDP Panel) and Independent Hearings Panel (IHP) recommends the following mapping and figure amendments are made as a result of recommendations of the PDP Panel and IHP Panel, including where it has adopted Reporting Officer' recommendations. Mapping recommendations follow the format of the relevant s42A reports, evidence, and/or rights of reply.¹

Amendments to the planning map can be viewed on the ePlan available online at www.waimakariri.govt.nz. Reference to the specific evidence relating to the mapping and figure amendments changes can be found, or referenced, within the relevant Reporting Officer s42A Report or Reply Report, or where the Panel have made an exceptions recommendation, within the relevant Panel report.

Table 1: Mapping amendments recommended by PDP Panel and IHP

¹ For residential rezoning we note that the relevant rezoning reports in some instances assessed existing zoning. For the benefit of clarity, we have kept these recommendations as reported to us.

Map layer	Recommended planning map amendments	IHP/PDP Panel
Zones	Amend the planning map to rezone a part of '22 Ellis Road, Rangiora from GIZ to LFRZ as set out in officer's recommendations.	PDP Panel
Zones	Amend the planning map to rezone 25 Tuhoe Avenue (Lot 90 DP 485790), 27 Tuhoe Avenue (Lot 89 DP 485790), 29 Tuhoe Avenue (Lot 88 DP 485790), 31 Tuhoe Avenue (Lot 87 DP 485790) and 35 Tuhoe Avenue (Lot 86 DP 485790), Kaiapoi from MRZ to NCZ.	PDP Panel
Zones	Amend the planning map to rezone 116 Williams Street (Lot 4 DP 431490), 118 Williams Street (Lot 3 DP 431490), 122 Williams Street (Lot 1 DP 431490) and 124 Williams Street (LOT 1 DP 81339), Kaiapoi from MRZ to LCZ.	PDP Panel
Zones	Amend the planning map to rezone 91 Hilton Street (Lot 1 DP 82441), Kaiapoi from GIZ to LFRZ.	PDP Panel
Zones	Amend the planning map to rezone 12 Neeves Road (Lot 2 DP 44992) and 20 Neeves Road (Lot 1 DP 44992), Kaiapoi from RLZ to GIZ. Amend the planning map to insert Map DEV-SK-APP1 South Kaiapoi Outline Development Plan across 12 and 20 Neeves Road, Kaiapoi.	PDP Panel
Zones	Amend the planning map to rezone 419 Whites Road (Lot 1 DP 59809), Ohoka from SETZ to NCZ.	PDP Panel
Zones	Amend the planning map to rezone 64 Pegasus Main Street (Lot 10 DP 517496), 66 Pegasus Main Street (Lot	PDP Panel

Map layer	Recommended planning map amendments	IHP/PDP Panel
	102 DP 517496), 70 Pegasus Main Street (Lot 101 DP 505068) from MRZ / MRZ Var 1 to LCZ.	
Zones Development Plan – North Woodend Outline Outline Development Plan – North Woodend Key Activity Centre	Amend the planning map to rezone Lot 2002 DP 585926 to OSZ, Lot 5004 DP 553428 to NOSZ and Lot 5003 DP 533428 to NOSZ. Amend the planning map to rezone the GRZ portion [in the notified PDP] of Lot 201 DP 512536 to GIZ. Add North Woodend Outline Development Plan. Add North Woodend Key Activity Centre Outline Development Plan. Update zoning in accordance with the North Woodend Outline Development Plan, noting that with this ODP, zoning is applied as per the ODP itself.	PDP Panel IHP
Zones	Amend the planning map to rezone 726 Main North Road (Lot 1 DP 342061), 732 Main North Road (Lot 1 DP 23217), 734 Main North Road (Lot 2 DP 342061), Kaiapoi from RLZ to LIZ.	PDP Panel
Zones	Amend the planning map to rezone 63 Harewood Road, Oxford (Pt RS 1917) from GRUZ to GRZ. Amend the Non-Urban Flood Assessment Overlay to exclude 63 Harewood Road, Oxford (Pt RS 1917), and include within the Urban Flood Assessment Overlay in accordance with recommendations on the Natural Hazards chapter. Add South Oxford Development Area Outline Development Plan.	PDP Panel
Zones	Amend planning map to rezone the GRUZ zoned hydro parcel land generally being the true left and true right branches of Coopers Creek above their confluence and	PDP Panel

Map layer	Recommended planning map amendments	IHP/PDP Panel
	located near 266 and 268 Mountain Road, Coopers Creek to NOSZ.	
Zones	Amend the planning map to rezone the land at 2 Chichester Street (Lot 123 DP 7292), The Pines Beach, from SPZ(PBKR) to NOSZ.	PDP Panel
Zones	Amend the planning map to rezone part of 1188 Main North Road (Lot 2 DP 80926) (20 Te Haunui Lane) from RLZ to SPZ(PR). Amend Pegasus Resort Outline Development Plan to include 1188 Main North Road (Lot 2 DP 80926) (20 Te Haunui Lane) as Activity Area 7.	PDP Panel
District Plan Road Hierarchy Overlay	Amend the following District Road Hierarchies from 'local road' to 'collector roads': a. Pegasus Main Street from Pegasus to Lakeside Drive. b. Te Kohanga Drive from Pegasus Main Street to Tiritiri Moana Drive. c. Infinity Drive from Pegasus Boulevard to Lakeside Drive. d. Blackett Street west of King Street. e. Lehmans Road and River Road from Future Road to West Belt f. Todds Road (all). g. Silverstream Boulevard from Island Road to Sneyd Street. h. Adderley Terrace from Sneyd Street to Fuller Street. Amend the planning map to change the following road locations from Collector Road to Local Road: a. Beatties Road (all). b. Huntington Drive north of Salisbury. c. Sandown Boulevard (all). d. Belmont Avenue (all). e. Eders Road (all). f. Petries Road south of Gladstone Road to Copper Beach Road.	PDP Panel

Map layer	Recommended planning map amendments	IHP/PDP Panel
	g. Copper Beach Road from Petries Road to Woodend Beach Road, Island Road from Cosgrove Road to Silverstream Boulevard. Amend the planning map to show all of Bob Robertson Drive as Collector Road.	
Liquefaction Overlay	Amend the Liquefaction Hazard Overlay to exclude the green coloured 'liquefaction damage is unlikely' area and delete areas outside of the District.	PDP Panel
Urban Flood Assessment Overlay and Non-Urban Flood Assessment Overlay	Amend the Urban and Non-Urban Flood Assessment Overlays with revised overlay. Delete the Kaiapoi Fixed Minimum Floor Level Overlay. Apply the Urban Flood Assessment Overlay, to those areas recommended to be rezoned from a Rural zone to an Urban zone (as set out in the relevant recommendations).	PDP Panel
Notable Trees Overlay	Amend the planning map to add Notable Tree points located at 100 Parsonage Road (Lot 600 DP 545059), Woodend.	PDP Panel
Notable Trees Overlay	Amend the planning map to add Notable Tree points located at 431 Tuahiwi Road (Lot 1 DP 20189), Tuahiwi.	PDP Panel
Notable Trees Overlay	Amend the planning map to delete the Notable Tree point located at 77 Hilton Street (FLAT Unit 1 DP 423305), Kaiapoi.	PDP Panel
SNA Overlay	Amend the boundary of the portion of SNA051 located at 117 Mounseys Road, View Hill (Pt RS 21355).	PDP Panel
SNA Overlay	Amend the boundary of the portion of SNA048 located at 670 Island Road, View Hill (RS 18120).	PDP Panel
Geographic Area (Ecological) Overlay	Delete the 'Geographic Area (Ecological)' Overlay from the planning map.	PDP Panel

Map layer	Recommended planning map amendments	IHP/PDP Panel
Natural Features and Landscapes Overlay	Amend the Waimakariri River Outstanding Natural Feature Overlay boundary at 1453 Thongcaster Road (RS 32897), 1135A Thongcaster Road (Lot 1 DP 44247), 1047 Thongcaster Road (Lot 2 DP 44248) and 369 Waimakariri Gorge Road (RS 19705), Oxford.	PDP Panel
Noise Control Contours Overlay	Amend the 'Noise Contour for: Timber Processing' to 'HIZ Processing Noise Contour'.	PDP Panel
Noise Control Contours Overlay	Amend the planning map to add the Timber Processing Noise Overlay.	PDP Panel
Noise Control Overlay	Amend the planning map to include a Road and Rail Noise Overlay: • Include the State Highway Noise Overlay provided by Waka Kotahi • For all other strategic and arterial roads: ○ 100-metre distance from 'edge of seal' for roads with speed limits of greater than or equal to 70km/hr; and ○ 50 metres distance from 'edge of seal' for roads with a posted speed limit of less than 70km/hr. ○ 100m from the centre of any rail line.	PDP Panel
Rail Vibration Alert Overlay	Amend the planning map to include a new Rail Vibration Alert Overlay which identifies a 60m buffer on each side of all railway designation boundaries.	PDP Panel
Designations	Amend the boundary of MPNZ – Kaiapoi Substation.	PDP Panel

Map layer	Recommended planning map amendments	IHP/PDP Panel
	Amend the boundary of MPNZ-9 – Rangiora North Zone Substation. Amend the boundaries of designation KRH-1 to KRH 23 – Kiwirail Holdings Ltd. Amend the boundaries of designation WDC5 – Refuse Transfer Station.	
Zones North Oxford Outline Development Plan	Amend the planning map to rezone 25 Ashley Gorge Road (RS 1391) and 650 Bay Road, Oxford (Part RS 1561) from GRUZ to LLRZ and remove the LLRZO overlay from these. Add DEV-NOD-APP1 North Oxford Outline Development Plan. Add DEV-NOD-APP1 North Oxford Outline Development Plan Water and Wastewater.	PDP Panel
Heritage Building or Item Overlay	Add new Heritage Item HH120 at 493 Mill Road (Lot 4 DP 1641), Ohoka.	PDP Panel
Heritage Building or Item Overlay	Delete Heritage Item HH098 at 1693 Cust Road (Pt RS 3669), Cust.	PDP Panel
National Grid Yard	Delete 'National Grid Yard' mapping layer (but retain National Grid lines).	PDP Panel
Major Electricity Lines Setback Corridor	Delete 'Major Electricity Lines setback corridor' mapping layer. Retain major electricity distribution lines symbology.	PDP Panel

Map layer	Recommended planning map amendments	IHP/PDP Panel
Christchurch Airport and Rangiora Airfield Noise Contours	Amend labelling and legend of Noise Contour overlays for Christchurch Airport and Rangiora Airfield to show 'dB Ldn'.	PDP Panel & IHP
Bird Strike Risk Management Overlay	Add new 'Bird Strike Risk Management' within 13km of Christchurch International Airport Runway Thresholds' layer.	PDP Panel
Zones Ashley Village Outline Development Plan	Amend the planning map to rezone the Ashley Village Outline Development Plan area (Lot 1 DP 394101) from RLZ to SETZ. Add new Ashley Village Outline Development Plan DEV-AVD-APP1.	PDP Panel
Zones Cones Road Outline Development Plan	Amend the planning map to rezone Cones Road Outline Development Plan area (Lot 3 DP 386430 and Lot 2 DP 594403) from RLZ to LLRZ. Add Cones Road Outline Development Plan DEV-CR-APP1. Remove the LLRZO Overlay.	PDP Panel
Zones Gladstone Road Outline Development Plan	Amend the planning map to rezone Gladstone Road Outline Development Plan area (Lot 1 DP 29099 and Lot 2 DP 29099) from RLZ to LLRZ. Add Gladstone Road Outline Development Plan DEV-GSR-APP1.	PDP Panel
Zones Parsonage Road Outline Development Plan	Amend the planning map to rezone 110 Parsonage Road Outline Development Plan area (Lot 1 DP 3598) from RLZ to LLRZ and MRZ. Add new Plan Parsonage Road Outline Development Plan DEV-PRD-APP1.	PDP Panel
Zones	Amend the planning map to rezone 207 Merton Road (LOT 1 DP 410643), 219 Merton Road (RS 38634),172	PDP Panel

Map layer	Recommended planning map amendments	IHP/PDP Panel
Outline Development Plan – Rangiora Airfield	Priors Road (LOT 5 DP 410643) and part of 339 Priors Road (RS 5655) from RLZ to SPZ (RA). Add new SPZ(RA)-APP1 Rangiora Airfield Outline Development Plan to the planning map.	
Qualifying Matter Airport Noise	Amend the planning map to delete 'Qualifying Matter Airport Noise' overlay.	IHP
Mill Road Outline Development Plan	Amend Mill Road Outline Development Plan to include Area C fast shown on the Operative District Plan Mill Road, Ohoka Outline Development Plan (Map 160) Change Area B to 2500m2, to remove the middle component of the Area A constraints, as per s42A report.	PDP Panel
Fawcetts Road Outline Development Plan	Amend the planning map to rezone 21, 49, 63, 65, 75 & 87 Fawcetts Road & 9, 17 & 25 Boundary Road Outline Development Plan area (Lots 2 & 1 DP75032, Lots 1 – 6 & 10 DP 29067) from RLZ to LLRZ. Add new Plan Fawcetts Road Outline Development Plan DEV-FR-APP1.	PDP
West Kaiapoi Outline Development Plan	Amend existing West Kaiapoi ODP to: • Replace Neighbourhood Road with Local Road • Amend Island Road between Cosgrove and Ohoka Roads as a Collector Road	PDP Panel
Southbrook Outline Development Plan	Amend Southbrook Outline Development Plan to include proposed stream diversion and overland drainage system from the Operative District Plan's Southbrook Outline Development Plan (Map 154).	PDP Panel
East Woodend Outline	Amend East Woodend Outline Development Plan to:	PDP Panel

Map layer	Recommended planning map amendments	IHP/PDP Panel
Development Plan	• Amend Eders Road from Collector Road to Local Road; • Align the intersection of the Local Road that runs north to south (from Gladstone Road to Parsonage Road) through Eders Road in order to improve intersection safety • Widen section of Eders Road that runs north to south located on the east of the ODP so it extends towards the west to become a width of 18m as per Local Road classification; and • Expand 'Outline Development Plan Area' layer outwards to encompass all roads affected by East Woodend ODP.	
North West Rangiora Outline Development Plan	Amend the planning map to rezone all land within the North West Rangiora Outline Development Plan [submitter supplied] from Res 4B to MRZ. Amend existing 'North West Rangiora Outline Development Plan' [Map 155] and update in accordance with submitter Doncaster Developments Limited supplied ODP, including for Parrott Road a note on the ODP that design recommendations as per submitter evidence for speed are 50km/hr.	PDP IHP
Pegasus Outline Development Plan	Amend Pegasus ODP to include residential and commercial zones	
Zones West Rangiora Outline Development Plan	Amend the planning map to rezone all land underneath the West Rangiora Outline Development Plan [as notified] from rural to MRZ, except: • 20 and 24 Angus Place (DP 495345, DP 538723, DP 604368, DP 495345, DP 497898, DP 538723), which are to be rezoned from rural to RLZ; and	PDP IHP

Map layer	Recommended planning map amendments	IHP/PDP Panel
	- The southern parts of RES852, Lot 2 DP341829, Lot 3 DP 341829, which are amended from rural to open space. Amend the West Rangiora ODP [as notified] as per recommendations in development area recommendations, as follows: - Amend the Planning maps to outline land use, following rezoning decisions. - Add a map reference of the Lehmans Road drain/swale - Identify the SWR development area to be identified as a separate area, with a black border. - Remove the land known as 20 and 24 Angus Place from the ODP. - Add Option A and Option B roading transport outlines to the North Block (Brick Kiln Lane. - Amend the primary road notation to be replaced with Collector roads. - Amend the secondary road notation to be replaced with local roads.	
Zones North Rangiora Outline Development Plan	Rezone land identified as Residential 4B (LLRZ within the notified plan) in North Rangiora (generally bounded between West Belt, River Road and the Rangiora Racecourse) to GRZ.	PDP
Zones North East Rangiora Outline Development Plan	Amend the planning map to rezone all land underneath the notified North East Rangiora Outline Development Plan from Rural to MRZ. Rezone Lot 2 DP 16884 and Pt RES 1054 from Rural to MRZ	PDP IHP

Map layer	Recommended planning map amendments	IHP/PDP Panel
	Amend the North East Rangiora Outline Development Plan as per recommendations in development area Rights of reply and in reference to the information within the joint witness statement between Mr Wilson and Ms Ruske-Anderson. Add Outline Development Plan for Lot 2, DP 16884 and Pt RES 1054 as per submitter evidence.	
Zones South East Rangiora Outline Development Plan	Amend the planning map to rezone all land underneath Block A and B Outline Development Plan as supplied by submitter Richard and Geoff Spark from Rural to MRZ. Amend the planning map to rezone all land underneath Sparks Block C Outline Development Plan from Rural to LIZ. • Rezone Lot 1 DP 80275 from Rural to MRZ. • Rezone Lot 1 DP 16043 from Rural to MRZ. • Rezone Lot 1 DP 452196 from Rural to MRZ. Amend the planning map to rezone all land underneath Bellgrove South ODP in Bellgrove Rangiora Limited submitter evidence from Rural to MRZ. Amend South East Rangiora ODPs [as notified] as per recommendations in development area recommendations, including adding the additional rezoning areas of Sparks Block B and C, and the land set out within the submission of Mr Kelley, into the South East Rangiora ODP. Amend Outline Development Plan to combine the land set out within the submission of Mr Kelley with the land within the South East Rangiora ODP.	PDP IHP

Map layer	Recommended planning map amendments	IHP/PDP Panel
	Add a PRECT overlays to Block C and the area of land centred on Lot 1 DP 418207 (known as “Rosburn Receptions”) as per development area right of reply and joint witness statements with Bellgrove Rangiora Limited and Richard and Geoff Spark.	
Zones Gressons Road Outline Development Plan	Amend the planning map to rezone all land underneath the Gressons Road development area ODP as per evidence and joint witness statement of submitter B & A Stokes from Rural to MRZ. Add Gressons Road ODP as per development area rights of reply and joint witness statement of Mr Wilson and Mr Clease. Add a PRECT overlay to show potential flooding constraint as per development area rights of reply. Add symbology to notate roading connections between B & A Stokes and North Woodend ODP as set out in the ODP in B & A Stokes evidence.	PDP IHP
Chinnerys Road	Amend the planning map to rezone all land that is Residential 4B (the land generally bounded by Chinnery’s Road and the Grange View Reserve) to GRZ.	PDP IHP
Zones South East Woodend Outline Development Plan	Amend the planning map to rezone all land underneath the South Woodend development area ODP as supplied by Woodwater Limited in evidence from Rural to MRZ. Add South East Woodend ODP as per development area rights of reply.	PDP IHP

Map layer	Recommended planning map amendments	IHP/PDP Panel
Zones Kaiapoi Outline Development Plan	Amend the planning map to rezone all land underneath the Kaiapoi Outline Development Plan [notified] from Rural to MRZ. Amend the Kaiapoi ODP as per development area rights of reply and submitter Momentum Land Limited evidence. Add a PRECT overlay to show potential transport constraint as per development chapter. • Amend the primary road notation to be replaced with collector roads. • Amend the secondary road notation to be replaced with local roads.	PDP IHP
Zones South Kaiapoi Development Area	Amend the planning map to rezone all land underneath the South Kaiapoi Outline Development Plan as per Mike Greer Homes evidence from Rural to MRZ. Add South Kaiapoi ODP as per development area rights of reply and Mike Greer Homes evidence.	PDP IHP
261 Giles Road	Retain notified RLZ zoning for Lot 1 DP 482329.	PDP
SPZ(KR)	Amend the planning map to insert a 20m OSZ buffer between the SPZ(KR) and surrounding MRZ zoning in South Kaiapoi, as per Figure 75 in s42A report on residential rezonings.	PDP

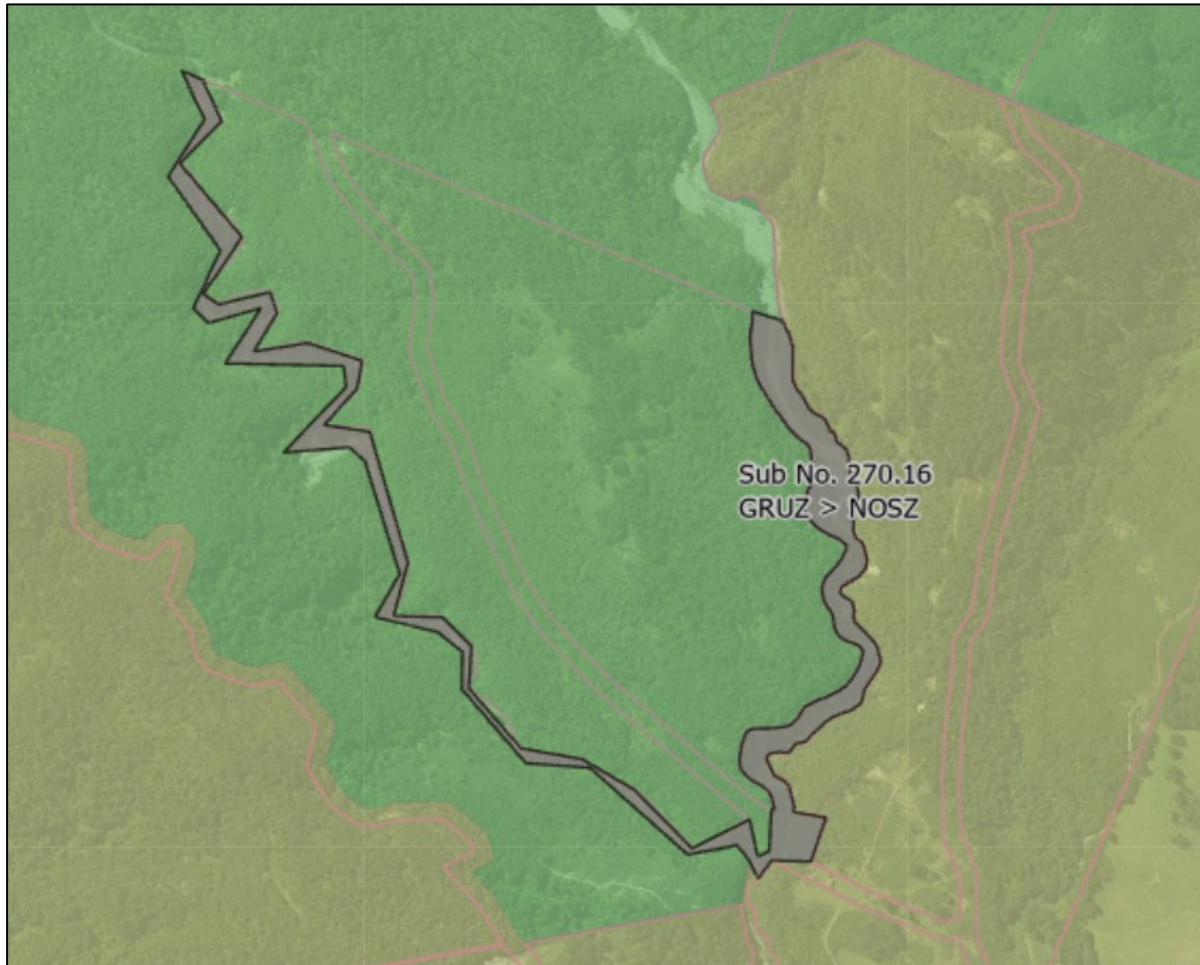
Table 2: PDP figure amendments recommended by Panel

Figure	Figure amendment	IHP/PDP

NATC-1	Amend Figure NATC-1 'Interpretation of banks of water bodies' with revised figure.	PDP Panel
TRAN-APP7	Amend TRAN-APP7 'Sight triangles for road/rail level crossing' with revised approach and restart sight triangles.	PDP Panel

Recommended amendments to PDP planning map from Hearing Stream 12B

Amend planning map to rezone true left and true right branches of Coopers Creek above their confluence and located near 266 and 268 Mountain Road, Coopers Creek from General Rural Zone to Natural Open Space Zone, as shown below in grey.¹



¹ George JasonSmith [270.16]

Purpose

The District Plan for the District is prepared under the requirements of the RMA. The District Plan will assist the District Council in achieving the purpose of the RMA, which is the sustainable management of natural and physical resources.

The District Council must have a District Plan and review it every 10 years. This is an RMA requirement. However, it is expected that the District Plan will be changed over time in recognition of community and environmental issues.

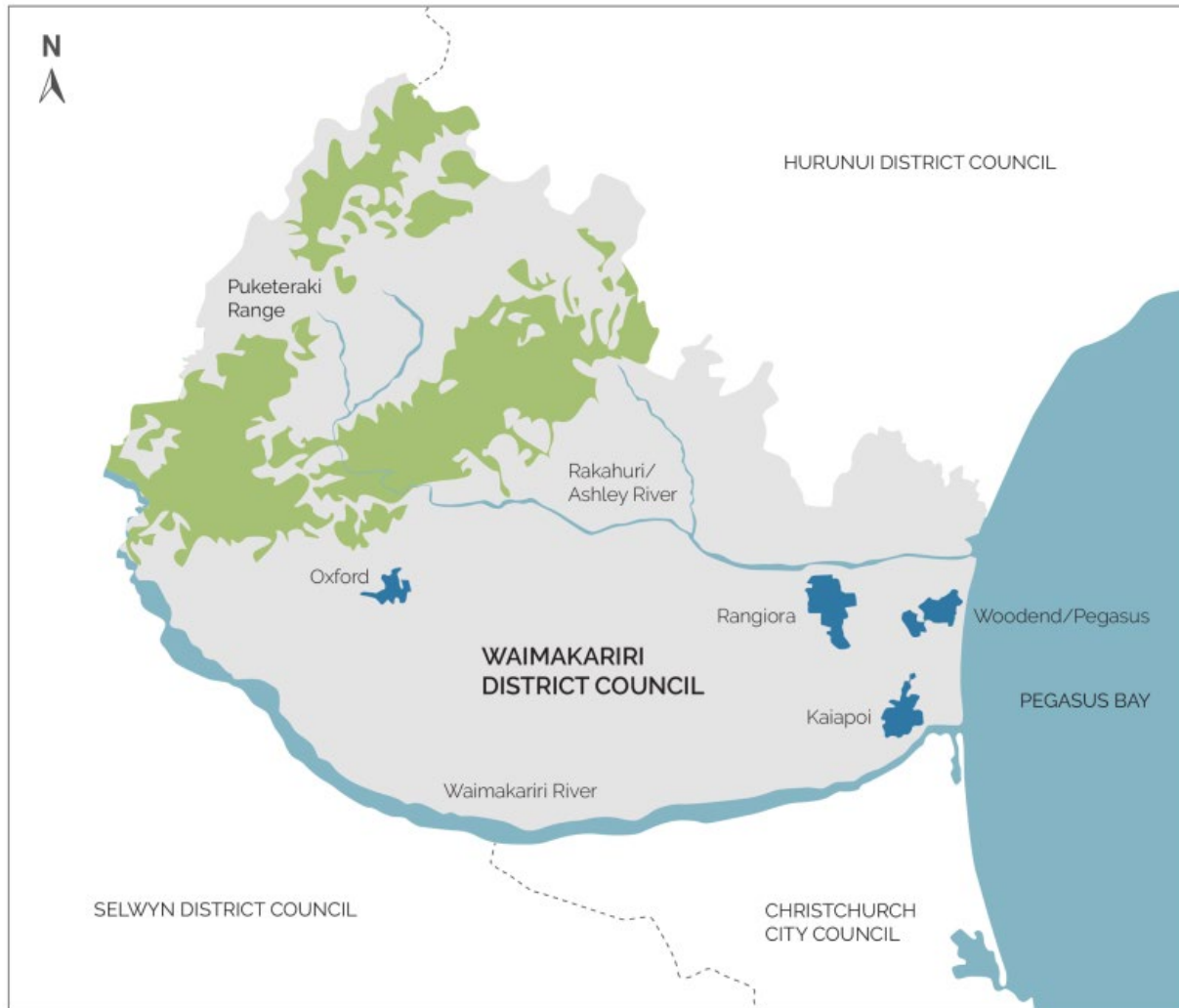
The District Plan has been prepared recognising and providing for the relationship of mana whenua with their culture and traditions with ancestral lands, water, sites, wāhi tapu, and other taonga. In administering the District Plan, the District Council is required to have particular regard to kaitiakitanga and take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The District Plan sets out a framework for the integrated and sustainable management of natural and physical resources. It includes objectives, policies and rules to manage the effects of land and resource use, the use of the surface of water and subdivision activities under the jurisdiction of the District Council. The District Plan utilises zones that apply objectives, policies and rules for activities within each zone or district wide objectives, policies and rules for activities that apply throughout the District or in specific locations.

The policies and rules provide the basis for monitoring the efficiency and effectiveness of the District Plan in achieving sustainable management of resources in the District.

Description of the District

The District Plan applies to the whole of the District's territorial boundary area. The District covers some 225,000ha that extends from the MHWS of Pegasus Bay in the east to the Puketeraki Range in the west. It is bounded to the north by the Hurunui District and from the middle of the Waimakariri River southwards by Christchurch District and Selwyn District.



The whole District sits within the takiwā (territory) of Ngāi Tūāhuriri. The District Council acknowledges Ngāi Tūāhuriri as mana whenua in the District and their history and values are outlined in the Tangata whenua/mana whenua chapter.

The close proximity of Christchurch District influences growth and development patterns in the District. A large portion of the District is flat land used for [farming primary production](#)¹. More recently, smaller rural properties have established for those wanting to live near Christchurch District but within a rural area. The north-western portion of the District is hill and high country including Mt Oxford, Mt Richardson and Mt Thomas. Much of the high country is conservation estate and is a dominant feature of the western landscape.

¹ Hort NZ [295.2].

Some 80% of the population is located in the eastern part of the District which contains the largest towns of Kaiapoi, Rangiora and Woodend/Pegasus. Oxford is the largest town in the west of the District. A number of smaller settlements are located within the District, including Cust, Sefton, and Ashley and the beach settlements of Waikuku Beach, Woodend Beach, The Pines Beach and Kairaki. Large lot residential development (formerly known as 'rural residential' and zoned Residential 4A or 4B) is mainly located in areas zoned for that purpose in locations including Mandeville North, Fernside, Ohoka, Clarkville, Swannanoa, Loburn, Waikuku, Waikuku Beach, Ashley, Waiora Lane, West Eyreton and the outskirts of Oxford.

A range of natural hazards affect the District, some of which may be exacerbated by the effects from climate change. These hazards include flooding, fault rupture, liquefaction and coastal inundation. Some areas are more susceptible than others to natural hazard events, and it is important to improve the District's resilience to natural hazards and mitigate or avoid exposure of people and communities, property and infrastructure to the risk of natural hazards.

Statutory Context

Resource Management Act 1991

The District Plan is part of a group of interrelated statutory documents that together seek to achieve integrated and sustainable management of natural and physical resources under the RMA. The Plan must give effect to, take into account, or not be inconsistent with these documents.

The District Council must have a district plan at all times (Section 73 of the RMA). The key provisions of the RMA are contained in Part 2 (sections 5, 6, 7 and 8) and sections 31, 72, 73, 74 and 75. Section 5 sets out the overriding purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Section 6 identifies the matters of national importance, Section 7 lists other matters for consideration, and Section 8 requires all persons exercising functions and powers under the RMA to take into account the principles of the Treaty of Waitangi.

Sections 74 and 75 list matters which the District Council must consider in preparing a district plan, including what it must give effect to. The District Plan must give effect to or observe the relevant national policy statements and environmental standards. Under section 75(3) a district plan must also give effect to a national planning standard. This District Plan has been prepared in accordance with National Planning Standards, which were introduced by the Resource Legislation Amendment Act 2017 to make plans and policy statements more usable and easier to prepare. The following documents are of particular relevance:

Canterbury Regional Policy Statement	The District Plan must give effect to the relevant RPS. The RPS enables the Regional Council to provide broad direction and a framework for resource management within its region, which includes the District. An RPS must give effect to or observe relevant national policy statements and environmental standards.
Canterbury Regional Plans	Regional plans focus on particular issues or areas to assist the Regional Council to carry out its functions under the RMA. A regional council must prepare a regional coastal plan (applying below the MHWS) and other regional plans are optional (subject to any directions in a national policy statement). Regional plans must give effect to or observe relevant national policy statements and environmental standards and the regional policy statement. The District Plan must not be inconsistent with relevant regional plans, including the Canterbury Land and Water Regional Plan and the Canterbury Regional Coastal Plan.
The Mahaanui Iwi Management Plan	The Mahaanui Iwi Management Plan (2013) is a mana whenua planning document that provides a policy framework for achieving outcomes that provide for the relationship of Ngāi Tahu to natural resources, including the protection of wāhi tapu and wāhi taonga. The issues, objectives and

	policies set out in the Plan enable mana whenua to express kaitiakitanga, in respect of all elements of the natural environment and a wide range of resource use and development. The policies also inform appropriate protection of taonga and the need for engagement to inform and be part of decision-making. The District Plan must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the District (section 74(2)(a) of the RMA).
Conservation Management Strategy	The Canterbury Conservation Management Strategy (2016) and conservation management plans are documents prepared under the Conservation Act 1987 and apply to natural and historic resources managed by the Department of Conservation. The District Plan must have regard to these plans, to the extent that their content has a bearing on resource management issues of the District (section 74(2)(b)(i) of the RMA).
Reserve Management Plans	Reserve management plans are in place for reserves within the District as provided for in the Reserves Act 1977. Under this Act, the Department of Conservation and the District Council prepare reserve management plans which manage use, maintenance and access of the public land. The District Plan must have regard to these plans, to the extent that their content has a bearing on resource management issues of the District (section 74(2)(b)(i) of the RMA).
New Zealand Heritage List Rārangī Kōrero	The New Zealand Heritage List Rārangī Kōrero is required by the Heritage New Zealand Pouhere Taonga Act 2014. It lists all buildings, places and sites that are of social or outstanding historical or cultural significance or value and is administered by the HNZPT. The District Plan must have regard to this list, to the extent that its content has a bearing on resource management issues of the District (section 74(2)(b)(iia) of the RMA).

Other relevant strategies, plans and policies

The WDDs provides a high-level thirty year strategic and spatial development guide for the District. The WDDs sets out an urban development framework to identify areas for future growth and a vision to protect agricultural land and natural and culturally significant landscapes from inappropriate subdivision and development. The WDDs is important as it informs other strategic planning processes such as the District LTP and Infrastructure Strategy.

The Development Contributions Policy focuses on development contributions required under the Local Government Act 2002. These contributions are paid by developers to fund new infrastructure, and can be important in relation to infrastructure required by the District Plan. Financial contributions may be imposed for the purpose of promoting the sustainable management of natural and physical resources. In general terms, financial contributions are required to cover the proportioned cost of the provision of infrastructure and/or to offset adverse effects of development that cannot be otherwise avoided, remedied or mitigated¹.

The ECOP sets out infrastructure standards designed to ensure that infrastructure will remain fit for purpose over its 'life'. The ECOP sets out guidelines that can assist with District Plan, bylaw, policy and resource consent compliance.

Structure Plans have been developed for Kaiapoi and Rangiora. These contain a framework for development and are incorporated in the District Plan in Part 3 – Development Areas, as an Outline Development Plan. These describe the key issues and expected outcomes for development and provide for co-ordinated development. They set out the vision for the layout of residential development and any commercial development, supporting infrastructure and open spaces in Rangiora and Kaiapoi.

Town Centre Plans are in place for Rangiora, Kaiapoi, Oxford and Woodend which address issues including growth, access and character. Individual implementation projects or actions are identified within these town centre plans. Projects or actions that are subject to the District Plan have been provided for in the relevant District Plan provisions.

The RRDS provides the locations and criteria for the future provision of land zoned for 'rural residential' purposes. The RRDS responds to the relevant provisions of the RPS and identifies locations for development to meet projected demand and to add to the choice of living opportunities within the District. The locations identified by the RRDS are implemented by the District Plan through the Large Lot Residential Zone provisions within various Residential Zones and Rural Zones.

Other relevant legislation and plans

The NTCSA enshrines in law the agreements of the Deed of Settlement between the Crown and Ngāi Tahu. It records the Crown's apology and acknowledges the injustices suffered by Ngāi Tahu. The NTCSA recognises Ngāi Tahu as holding rangatiratanga within the Ngāi Tahu takiwā and creates Statutory Acknowledgements as legal instruments to recognise the cultural, spiritual, historical and traditional associations of Ngāi Tahu to specified areas. The NTCSA requires the District Council to have regard to Statutory Acknowledgements within its district when considering who may be adversely affected by a resource consent. The District Council has established protocols to require engagement with Te Rūnanga o Ngāi Tahu in such circumstances.

Section 4 of the LGA states: *"In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making processes, Parts 2 and 6 provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes."*

The LGA requires the District Council to consult with their local communities to identify public goods and services that need to be provided. The District Council is required every three years to prepare a LTP that covers the next 10 year period. It also describes what the District Council is planning on doing and why, how much it will cost, and how it will be funded. A LTP does not override a district

¹ V2 as notified.

plan, nor is there any requirement that a district plan comply with the requirement of a LTP. However, because the LTP records outcomes identified by the community and describes how the District Council will contribute to these, there is an expectation that other plans and strategies will take these into account.

Every year the District Council is required to prepare an Annual Plan. The Annual Plan contains the proposed annual budget and provides opportunities for public participation in decision-making on costs and funding of Council activities. Like the LTP, an Annual Plan does not override the District Plan.

The 2010-2011 Canterbury earthquakes caused unprecedented damage. In Kaiapoi, the Pines Beach and Kairaki, about 100 hectares, over a fifth of the total residential area, was classified as 'residential red zone'. The CGRA supports the regeneration of greater Christchurch. The District Council was directed, under the CGRA, by the Minister supporting Greater Christchurch Regeneration to prepare the WRRZRP. The WRRZRP sets out the agreed long-term land uses for the five residential red zone areas in the District. These land uses include mixed use business, open space, rural, coastal park and infrastructure. The District Plan ~~must not be inconsistent with~~ shall have regard to² the WRRZRP, and includes provisions to enable the identified land uses.

The Building Act 2004 sets the framework for regulating building work and performance standards for buildings, amongst other matters. Compliance with this Act will be required in many instances, in addition to any requirements of the District Plan.

Compliance, enforcement and monitoring

The RMA sets out that no person may use land in a manner that contravenes a rule in a District Plan, unless they have existing use rights or a resource consent granted by Council. This also applies to the subdivision of land unless expressly allowed by a rule in the District Plan, an NES or a resource consent. In terms of an existing use right (sections 10 and 10A), the RMA provides for the existing and continued use of land and the surface of water in a manner which contravenes a rule in the District Plan, subject to a number of matters. The Waimakariri District Council website provides further information on existing use rights and how to apply for an existing use right certificate.

Enforcement is provided for under Part 12 of the RMA. Provisions within Part 12 enable Council to require a person to cease or not commence an activity under certain circumstances, as specified in the RMA.

The Council is responsible for gathering information, monitoring and maintaining records on resource management matters. This includes gathering information on the state of the environment within the District, the efficiency and effectiveness of District Plan provisions, and the exercise of resource consents granted by Council that have effect in the District. This monitoring allows Council to consider changes to the District Plan and enable the community to be informed about how the provisions are performing.

Legal effect of rules

Under the RMA, all objectives and policies are relevant from the time a proposed district plan is publicly notified. A rule in a proposed plan generally has legal effect once a decision on submissions relating to the rule has been made by a council and publicly notified. There are however a number of circumstances where a rule may have legal effect otherwise:

² Sch 1, cl 16 RMA.

1. A rule is treated as operative where:
 - a. no submissions in opposition have been made or no appeals have been lodged; or
 - b. all submissions in opposition and appeals have been determined; or
 - c. all submissions in opposition have been withdrawn and all appeals withdrawn or dismissed;
2. A rule in a proposed plan has immediate legal effect if the rule:
 - a. protects or relates to water, air, or soil (for soil conservation); or
 - b. protects areas of significant indigenous vegetation, significant habitats of indigenous fauna, or historic heritage; or
 - c. provides for or relates to aquaculture activities;
3. The Environment Court can order that a rule will have legal effect from a different date;
4. A local authority can resolve that a rule has legal effect only once the plan becomes operative.

Rules that are given immediate legal effect from when a proposed plan is publicly notified must be clearly identified in the proposed plan. A rule that has immediate legal effect must be complied with immediately. In the proposed District Plan, some rules have immediate legal effect because they relate to the subjects described in s86B(3) of the RMA and they relate to the following: historic heritage; notable trees; sites and areas of significance to Māori; ecosystems and indigenous biodiversity; natural character of freshwater body setbacks; places adjoining the coastal marine area. Council has endeavoured to identify all such rules using a red gavel icon . The rules relating to these matters that have legal effect are found in various chapters throughout the proposed District Plan. A red gavel icon  identifies a particular rule or a particular rule activity standard that has immediate legal effect. The gavel also identifies particular district wide standards and it applies to all items in a schedule where that schedule is identified by a gavel.

~~The proposed District Plan also includes rules that have immediate legal effect because of a Court Order under s86D. These rules are GRUZ R41, GRUZ R42 and SUB R10 (and associated definitions "minor residential unit", "residential unit"). These rules are also identified with a red gavel icon .~~³

³ Sch 1, cl 16 RMA.

General Approach

Overview

The District Plan has the following interrelated parts:

Part 1 - Introduction and general provisions	These chapters explain the context of the District Plan and how it works, and provides definitions that assist interpretation. They also provide context and process-related information in relation to mana whenua.
Part 2 - District wide matters	Strategic objectives: 1. The overall Strategic Directions objectives (including objectives and policies for Urban Form and Development) address significant district wide matters and provide strategic direction for decision making. 2. Other objectives and policies in the District Plan are to be achieved in a manner consistent with the relevant strategic objectives and policies. District wide matters: 1. These are provisions that apply District wide. District wide matters include overlays that relate to parts of the District. 2. An overlay spatially identifies values, risks or other factors that require management in a different manner from underlying zone provisions. 3. A number of overlays relate to matters of national importance under the RMA. 4. District wide matters also include specific activity or effects provisions that may occur throughout or in parts of the District, as set out within the specific chapter or other chapters of the District Plan.
Part 3 - Area-specific matters	The District Plan uses a range of spatial layers that are shown on the planning map including zones, precincts, development areas and designations.
Part 4 - Appendices	These contain technical information where not located within the specific chapter.
Part 5 - Planning map	Electronic planning map that spatially shows zones, overlays, contours and precincts referred to within the District Plan chapters. Although most rules apply spatially, there are some that do not.

Within Part 2: District wide matters (excluding the Strategic Directions, Contaminated Land and Public Access chapters, which only contains objectives and policies) and Part 3: Area-specific matters of the District Plan, each chapter contains objectives, policies, rules and activity standards to address resource management issues:

1. Objectives are a statement of what is to be achieved to resolve a particular resource management issue or to promote an opportunity/positive outcome;
2. Policies are the course of action to achieve the objectives;

3. Activity rules and any incorporated activity standards are tools used to implement or give effect to the policies. Other methods to implement the policies can include non-regulatory methods such as monitoring, advocacy and education;
4. Built form standards set out bulk and location rules that may apply to each activity within a zone and standards apply to various district wide matters;
5. Matters of control or discretion identify the matters that the District Council will assess in considering any resource consent application for activities over which the District Council has reserved its control or restricted the exercise of its discretion. These matters are also intended as a guide to what the District Council may consider in assessing applications for discretionary or non-complying activities, and for those activities discretion is unlimited; and
6. Advice notes may be provided to draw attention to other provisions, or other relevant information that is likely to be relevant to a provision. Advice notes, that are common across most of the chapters, are presented below, otherwise more specific advisory notes are located within the relevant chapters.

Zone names and descriptions

The National Planning Standards provide the District Council with a suite of zones from which to select a zone type that best reflects an area's environmental characteristics. In the circumstance where one of the zones provided does not reflect the land use, the District Council is able to develop a 'special purpose zone' for that area. The zones used in the District Plan and their intended purpose are as follows:

Rural Zones	
General Rural Zone	Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural Lifestyle Zone	Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General Rural Zone, while still enabling primary production to occur.
Residential Zones	
Large Lot Residential Zone	Areas used predominantly for residential activities and buildings such as detached houses on lots larger than those of the Medium Density Zone and General Residential Zone and where there are particular landscape characteristics, physical limitations or other constraints to more intensive development.
General Residential Zone	Areas used predominantly for residential activities with a mix of building types, and other compatible activities.
Medium Density Residential Zone	Areas used predominantly for residential activities with moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, and other compatible activities.
Settlement Zone	Areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.

Commercial and Mixed Use Zones	
Neighbourhood Centre Zone	Areas used predominantly for small-scale commercial and community activities that service the needs of the immediate residential neighbourhood.
Local Centre Zone	Areas used predominantly for a range of commercial and community activities that service the needs of the residential catchment.
Mixed Use Zone	Areas used predominantly for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities.
Town Centre Zone	Areas used predominantly for: • in smaller urban environments, a range of commercial, community, recreational and residential activities. • in larger urban environments, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.
Large Format Retail Zone	Areas used predominantly for commercial activities which require large floor or yard areas.
Industrial Zones	
Light Industrial Zone	Areas used predominantly for a range of industrial activities, and associated activities, with adverse effects (such as noise, odour, dust, fumes and smoke) that are reasonable to residential activities sensitive to these effects.
General Industrial Zone	Areas used predominantly for a range of industrial activities. The zone may also be used for activities that are compatible with the adverse effects generated from industrial activities.
Heavy Industrial Zone	Areas used predominantly for industrial activities that generate potentially significant adverse effects. The zone may also be used for associated activities that are compatible with the potentially significant adverse effects generated from industrial activities.
Open Space and Recreation Zones	
Natural Open Space Zone	Areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone.
Open Space Zone	Areas used predominantly for a range of passive and active recreational activities, along with limited associated facilities and structures.
Sport and Active Recreation Zone	Areas used predominantly for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures.

Special Purpose Zone names and descriptions

Hospital	Areas used predominantly for the operation and development of locally or regionally important medical, surgical or psychiatric care facilities, as well as health care services and facilities, administrative and commercial activities associated with these facilities.
Kāinga Nohoanga	Areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities covering Maori Reserve 873 and other areas of land held under Te Ture Whenua Maori Act 1993.
The Pines Beach and Kairaki Regeneration	Areas used predominantly for limited residential activity that were affected by the Canterbury Earthquakes of 2010/2011 and other activities that are complementary to and supports the ongoing use, and management of the Tūhaitara Coastal Park and adjoining Natural Open Space Zone, recognising natural hazard constraints.
Pegasus Resort	An area used predominantly for a unique mix of tourist, recreational, commercial, visitor accommodation, limited residential and resort related activities based around an existing golf course.
Museum and Conference Centre	An area used predominantly for a central museum, wedding venue, tavern and conference facility, with associated ancillary non-permanent accommodation and will not undermine the function, role and amenity of the Rangiora Town Centre.
Kaiapoi Regeneration	An area used predominantly to identify long term uses for land affected by the Canterbury Earthquakes of 2010/2011 and in response to the WRRZRP.

Zoning of roads, railways and rivers

All formed roads including state highways, railways and rivers are zoned. Roads, railways and rivers are generally zoned the same as the zoning of adjoining sites. Where a different zone applies on either side of the road, railway or river then the zoning will generally apply to the centreline of the road, railway or river. The application of zoning to the road and rail corridor is explained further in the Transport Chapter.

Resource consents and activity status

A resource consent is processed by a consent authority (the District Council) under the RMA for an activity or subdivision, and may be subject to conditions upon approval. Section 139 of the RMA also provides that a consent authority, on request, must issue a Certificate of Compliance if the activity can be carried out lawfully without resource consent.

The District Plan specifies the status of activities (see below), which determine whether a resource consent is required or not. If resource consent is required, the activity status may set out the matters that can be considered when processing and making a decision on the resource consent application. As a general approach, where a proposed activity requires consent under more than one rule, the highest activity status generated will apply.

A 'traffic light' colour coding approach has been used to give an indication as to the potential status of an activity. Green for permitted activities, yellow (and other colours) indicating where resource consent is required and red where the activity is prohibited in the District.

Description of Activity Status

Activity status abbreviations	Activity status	Is resource consent required?	What can Council consider?
PER	Permitted	No, where all relevant activity standards, built form standards or District wide matters are met.	N/A.
CON	Controlled	Yes, and consent must be granted subject to any conditions.	The matters over which control is reserved.
RDIS	Restricted discretionary	Yes, and consent may be granted or declined and may be subject to conditions.	The matters over which discretion is restricted.
DIS	Discretionary	Yes, and consent may be granted or declined and may be subject to conditions.	Any relevant matter.
NC	Non-complying	Yes, and consent may be granted or declined and may be subject to conditions.	Any relevant matter and consent can only be granted if the consent authority is satisfied that: - the adverse effects of the activity on the environment will be minor; or - the activity will not be contrary to the objectives and policies of the District Plan.
PR	Prohibited	No.	No resource consent can be applied for or granted, and the activity cannot be carried out.

For a resource consent application that requires consent under multiple rules, the overall activity status of a proposal will be determined on the basis of all rules which apply to the proposal. When a proposal involves several components that are subject to multiple rules with different activity statuses, and/or involves an activity/activities across multiple zones, precincts or overlays, and it is appropriate to bundle the activities, the proposal will be assessed on the basis of the most restrictive activity status.

The chapters within Part 2: District wide matters only include rules for certain types of activities. If your proposed activity is within an overlay shown on the planning map, but there are no overlay rules that are applicable to your activity, then the activity can be ~~can be~~¹ assessed under Part 3: Area-Specific chapters and/or Part 2: District wide matters chapters.

An application for resource consent for a proposal must address all rules under which consent is required for that proposal under the District Plan and all relevant matters, or must clearly set out the reason why the application is not in relation to all such matters.

Where a general activity is defined, that definition also applies to any component of that defined activity that is more specifically defined, unless the definition specifically provides otherwise. For example, the definition of 'retail activity' also applies to the definition of 'food and beverage outlet', and 'large format retail'. To determine the status of an activity, where a standard or rule for a specific activity (for example food and beverage outlet) is specified, this will apply, but where there is no standard or rule for a specific activity (such as food and beverage outlet) the standard or rule for a general activity (such as retail activity) will apply.

Application forms and detailed guidance on how to read the District Plan, make an application and the information that is to be submitted with an application are available on the District Council website.

Advice notes

The following advice notes are common to one or more chapters within the District Plan. Other advice notes exist within the various chapters that are specific to the chapter. These may appear either near the end of the chapter above the matters of discretion section, or in some cases within the rule for which it applies, as an advisory note.

GA-AN1	The Regional Council also has jurisdiction to manage including land uses on or in the bed of water bodies, including the Waimakariri River and Ashley River/Rakahuri and within the CMA.
GA-AN2	The District Council has jurisdiction over the northern half of the Waimakariri River. The Christchurch City Council and Selwyn District Council have jurisdiction over the southern half of the Waimakariri River.
GA-AN3	If any activity associated with a project, including earthworks, may modify, damage or destroy an archaeological site(s), an authority from HNZPT must be obtained for the work to proceed lawfully. The HNZPTA contains penalties for unauthorised site damage.
GA-AN4	The NES ~~PC~~ ² F are regulations made under the RMA that provide a nationally consistent set of standards to manage the environmental effects of ~~plantation~~ <u>commercial</u> ³ forestry activities. <u>The regulations apply to both plantation forestry and exotic continuous-cover forests (carbon forests) that are deliberately established for commercial purposes.</u> The eight ~~plantation~~ <u>core</u> ⁴ forestry activities regulated by the NES ~~PC~~ ⁵ F are: 1. Afforestation; 2. Pruning and thinning to waste; 3. Earthworks;

¹ Cl 16(1) sch 1 RMA.

² s44A(6) of RMA.

³ s44A(6) of RMA.

⁴ s44A(6) of RMA.

⁵ s44A(6) of RMA.

	4. River crossings; 5. Forestry quarrying; 6. Harvesting; 7. Mechanical land preparation; and 8. Replanting. The NES~~PC~~⁶F also regulates ancillary activities such as indigenous vegetation clearance and slash traps that may occur at any stage in the life cycle of a forest. Foresters who wish to undertake any of these plantation forestry activities will need to comply with the NES~~PC~~⁷F. The provisions of the Rural Zones do not apply to ~~plantation~~⁸ forestry greater than 1ha in area, refer to the NES~~PC~~⁹F.
<u>GA-AN5</u>	<u>Any onsite wastewater treatment systems must be permitted under the regional plan, or a resource consent is required by the Canterbury Regional Council for the discharge. A building consent from the District Council is also required for any onsite wastewater treatment system.</u>¹⁰

⁶ s44A(6) of RMA.

⁷ s44A(6) of RMA.

⁸ s44A(6) of RMA.

⁹ s44A(6) of RMA.

¹⁰ ECan [316.134].

Cross Boundary Matters

The District is located adjacent to Christchurch, Selwyn, and Hurunui Districts. Cross boundary matters apply when an activity takes place on, or near, a territorial boundary or where the effects of a particular activity impact on the territory of an adjacent authority, or that of the Regional Council.

Cross boundary issues may arise where:

1. Land use and subdivision activities and development give rise to effects in an adjacent authority, this may include activities on the surface of water, recreational activities, natural hazards management, landscape values, coastal environment management, housing and business supply and demand;
2. Roads and transportation matters, air pollution, drainage systems, water supplies and other infrastructure services, including critical infrastructure, regionally significant infrastructure, strategic infrastructure and lifeline utility, start in one territorial area and cross into another; or
3. Resource consent matters that are primarily the concern of the Regional Council may impinge on the territorial authority.

Through the Greater Christchurch Partnership, councils, government agencies and iwi have been collaborating on planning and managing the impacts of growth and development in the Greater Christchurch area. This includes the northern parts of Christchurch District and the eastern parts of Selwyn District and Waimakariri District.

In conjunction with the community of Greater Christchurch, the UDS was developed. This was refreshed, in response to the former NPS-UDC to include Our Space 2018-2048. Implementing the strategy through the District Plan and other legislative documents continues to be a core component of the planning framework as a cross boundary matter.

In considering cross boundary issues, the District Council is guided by the RPS and relevant regional plans. This is in addition to the objectives and policies of the District Plan and the provisions of the district plans of the adjoining territorial local authorities.

Cross boundary issues have been addressed through this District Plan, and will continue to be addressed when they arise by maintaining an ongoing dialogue with the Regional Council and neighbouring territorial authorities to ensure effective and integrated management of resource management issues at a district and regional level. The UDS and the partners that comprise the Greater Christchurch Partnership, provide the wider context, especially in relation to sub-regional growth management.

The procedure for resource consents that may give rise to cross boundary matters is as follows:

1. Establish whether any resource consents are required from other consent authorities. If so, the RMA sets out the procedures for joint hearings;
2. Encourage applicants for resource consent for activities which might have effects on an adjoining district to consult with the consent authority;
3. Include the consent authority as an affected party, where applicable; and
4. Notify the consent authority of proposals for which an application has been received where it is considered that a cross-boundary effect is likely.

Where a resource consent is identified as being a cross boundary matter, the District Council will seek to adopt the following process (subject to the particular circumstances, the approach adopted by the other consent authorities concerned, and any relevant matters relating to delegations):

1. Where the adjacent authority does not require a resource consent application for the proposed activity, the application will proceed as provided for in this District Plan;

2. Where both the District Council and the consent authority require a resource consent application, and that application is provided for as a non-notified application, the consent and any conditions be decided by the authorities with a single decision being issued;
3. Where at least one authority requires a resource consent to be notified, all authorities will notify the application and the consent and any conditions be decided by the authorities jointly with a single decision being issued. Wherever practicable, any application which requires the consent of two or more local authorities shall be heard jointly by an equal number of elected officials from both organisations and/or agreed commissioners at a mutually agreeable time and location. The District Council will encourage practices which enable resource consent applications to be considered in a similar manner.

Relationships Between Spatial Layers

The District Plan uses a range of spatial layers with different functions. These are shown on the planning map and include:

Spatial layer name	Function	Location of spatial layer provisions
Zones	A zone spatially identifies and manages an area with common environmental characteristics or where common environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.	Zone chapters
Overlays	An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.	District wide matters chapters
Precincts	A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).	If it applies to only one zone, it is included in the relevant zone chapter If it applies to multiple zones, it will be included in the relevant zone chapters
Specific controls	A specific control spatially identifies where a site or area has provisions that are different from other spatial layers or district wide provisions that apply to that site or area (for example where verandah requirements apply, or where a different maximum height on a particular site applies).	Relevant chapters
Development Areas	A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development	Development area chapters

	areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change.	
Designations	Spatially identifies where a designation is included under section 168 or section 168A or clause 4 of Schedule 1 of the RMA.	Designations chapter
Heritage orders	Spatially identifies heritage orders enabled under section 189 or section 189A of the RMA.	Historic heritage chapter. There are no heritage orders in the District Plan

Definitions Nesting Tables

The relationship between listed defined terms is shown below. Within the table, activities are listed with the more general on the left and the more specific on the right. For example, retail activities is the more general activity which includes food and beverage, large format retail and bars and taverns as more specific activities. Those more specific components may also include more specific activities. Where an activity table for an overlay, zone, district wide or precinct lists a general activity in a nesting table, that general activity includes all of the nested specific activities unless otherwise specified in that activity table.

Where an activity is included in a nesting table, the activity status of that activity in any activity table also applies to the nested activities set out to the right of that activity in the nesting table, unless an activity table expressly provides otherwise for a particular overlay, zone, district wide rule or precinct.

Commercial Activities

- Offices
- Retail
 - Food and Beverage
 - Bars and Taverns
 - Restaurants and Cafes
 - Drive through restaurant
 - Dairies
 - Large Format Retail
 - Department Stores
 - Supermarket
 - Service Station
 - Trade Supplier
 - Automotive and marine supplies
 - Building supplies
 - Garden and landscaping supplies
 - Farming and agricultural supplies
 - Hire services
 - Office Furniture, equipment and systems
- Commercial Services
 - Veterinary clinic
- Entertainment facilities

Industrial activity

- Freight Depot
 - Warehouse and Storage
- [Heavy Industry](#)¹
- [Light Industry](#)²
- Manufacturing
 - Light manufacturing and servicing
- Repair and maintenance services
- Storage and lockup facilities

¹ Daiken [145.10].

² Daiken [145.10].

- Wholesalers

Definitions

ACCESSIBLE	means the ability for all people, including people with disabilities, to reach a location without undue constraint.
ACCESSORY BUILDING	means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit. (National Planning Standard definition)
ACCESSWAY	means any area of land the primary purpose of which is to provide access, including vehicle access, between the body of any allotment(s) or site(s) and any vehicle crossing. Accessway includes any rights of way, private way, access lot, access leg or private road.
ACTIVE TRANSPORT	means transport involving modes of travel other than conventional motor vehicles and which rely primarily on human power, such as walking and cycling <u>and includes electric bikes, electric scooters, electric skateboards and other lightweight personally driven electric devices.</u> ¹
ADDITION	means, in the context of a building, any works undertaken to an existing building which has the effect of increasing the gross floor area or height of that building.
AFFORESTATION	has same meaning as in the NESPCF ² .
<u>AGRICULTURAL AVIATION ACTIVITIES</u>	<u>means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production activities, and; conservation activities for biosecurity, or biodiversity purposes; including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's).</u> ³
AGRICULTURE	means a land based activity having any one or combination of the following as the purpose of the use of land: a. arable land use being the use of land to grow crops for harvest; or b. horticultural land use being the use of land to grow food or beverage crops for human consumption (other than arable crops), or flowers for commercial supply; or c. pastoral land use being the use of land for the grazing of livestock; or d. ~~Plantation Forest or Woodlot being less than 1ha of continuous area of deliberately established tree species that has been planted, or has or will be, harvested or replanted.~~⁴
AIRCRAFT OPERATIONS	means: a. the landing and take-off of aircraft (including helicopters) at Rangiora Airfield; b. aircraft flying along any flight path associated with a landing or take-off at Rangiora Airfield.

¹ MoE [277.15].

²² s44A(6) RMA.

³ NZAAA [310.1] consequential amendment.

⁴ s44A of RMA.

<u>AIRFIELD ACTIVITY⁵</u>	<u>Means the following use of land and/or buildings related to or ancillary to the function and operation of the Rangiora Airfield:</u> <u>a. any activity associated with Aircraft Operation (excluding aircraft operation);</u> <u>b. runways, taxiways, aprons, and other aircraft movement areas;</u> <u>c. hangars and control towers;</u> <u>d. rescue, fire, police and medical facilities;</u> <u>e. aircraft fuel installations and aircraft fuel servicing facilities;</u> <u>f. navigation and safety aids, meteorological stations, lighting (other than runway lighting) and telecommunications facilities;</u> <u>g. commercial and industrial activities associated with the needs of pilots, visitors and employees and/or aircraft maintenance and airfield business;</u> <u>h. freight facilities;</u> <u>i. activities and facilities directly associated with servicing the needs of airfield visitors, pilots and employees;</u> <u>j. aviation related educational activities, including aircraft training facilities and accommodation facilities;</u> <u>k. aviation warehouses and aviation storage facilities;</u> <u>l. stormwater facilities, infrastructure, and utility activities;</u> <u>m. monitoring and site investigation activities;</u> <u>n. signs;</u> <u>o. administration and offices associated with any airfield activity;</u> <u>p. any ancillary activities, buildings and structures related to the above.</u>
ALL WEATHER STANDARD	means an unsealed surface comprising screened and graded aggregate mechanically compacted with a gradient that enables stormwater runoff and is usable by motor vehicles under all weather conditions <u>including a 2% AEP (1:50) flood event⁶</u>.
ALLOTMENT	has the same meaning as in section 218 of the RMA. 2. In this Act, the term allotment means— a. any parcel of land under the Land Transfer Act 2017 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not— i. the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or ii. a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or b. any parcel of land or building or part of a building that is shown or identified separately— i. on a survey plan; or ii. on a licence within the meaning of subpart 6 of Part 3 of the Land Transfer Act 2017; or c. any unit on a unit plan; or d. any parcel of land not subject to the Land Transfer Act 2017. 3. For the purposes of subsection (2), an allotment that is—

⁵ Daniel Smith [10.1]

⁶ WDC [367.25].

	a. subject to the Land Transfer Act 2017 and is comprised in 1 record of title or for which 1 record of title could be issued under that Act; or b. not subject to that Act and was acquired by its owner under 1 instrument of conveyance— shall be deemed to be a continuous area of land notwithstanding that part of it is physically separated from any other part by a road or in any other manner whatsoever, unless the division of the allotment into such parts has been allowed by a subdivision consent granted under this Act or by a subdivisional approval under any former enactment relating to the subdivision of land. 4. For the purposes of subsection (2), the balance of any land from which any allotment is being or has been subdivided is deemed to be an allotment. (National Planning Standard definition)
ALTERATION	in relation to historic heritage, means any modification which impacts on heritage fabric, involving: a. permanent modification of, adding of or permanent removal of, heritage fabric which is not decayed or damaged and includes partial demolition of historic heritage; b. physical change to the existing surface finish or materials; and c. permanent addition of fabric; but excludes: d. maintenance or repair; e. heritage investigative and temporary works; f. any addition.
AMATEUR RADIO CONFIGURATIONS	means the antennas, aerials, and associated <u>support structures</u>⁷ <u>including</u> poles which are owned and <u>used operated</u>⁸ by licensed amateur radio operators.
AMENITY VALUES	has the same meaning as in section 2 of the RMA. means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. (National Planning Standard definition)
ANCILLARY ACTIVITY	means an activity that supports and is subsidiary to a primary activity. (National Planning Standard definition)
ANCILLARY INFRASTRUCTURE EQUIPMENT	means equipment that must be installed with the main components of infrastructure to enable its operation, including (but not limited to): <u>telemetry equipment</u>⁹, valves, fittings, meters, pipework, power distribution units, microwave units, DC and surge arrestors, cable trays, cables, mounts, fibre access terminals, ducting, cable loops, combiner/junction boxes, remote radio units, pole- or tower-mounted amplifiers, lightning surge units, filters, or similar types of equipment required to support its operation, but excluding antennas, self-contained power units or generators.

⁷ NZ Association of Amateur Radio Transmitters, Inc. [157.1].

⁸ NZ Association of Amateur Radio Transmitters, Inc. [157.1].

⁹ Mainpower [249.7].

ANCILLARY SPORT AND RECREATION SERVICES	means services that are ancillary to the primary sport and active recreation use of the same site or to recreation facilities or major sports facility on the same site, such as (but not necessarily limited to): a. fitness training and coaching advice; b. sports medicine; c. physiotherapy; d. podiatry; e. sports massage; f. nutritional advice; g. mental conditioning.
ANTENNA	has the same meaning as in the NESTF and is a device that receives or transmits radiocommunication or telecommunication signals but is not a small cell unit.
AQUIFER	means a permeable geological formation, group of formations, or part of a formation, beneath the ground, capable of receiving, storing, transmitting and yielding water. (National Planning Standard definition)
ARCHAEOLOGICAL SITE	has the same meaning as in section 6 of the HNZPTA . ¹⁰
AREA OF SIGN	means the total area of any freestanding sign or any sign attached to a building that projects from the building façade, or any sign attached to a fence that projects from the fence. Where a sign is painted on, or integrated with, a building façade or fence, the area of a sign shall be measured as the area enclosing the text, symbols, and images. The area of any freestanding sign shall not include the support structure provided the structure does not form part of the sign's message. The area of a double-sided sign, or a V-shaped sign with an apex of less than 30°, shall be measured as the area of one side only, being the largest of any one side.
ARTERIAL ROAD	means any road identified as an arterial road in the District Plan road hierarchy, and are roads of major importance in the District serving significant populations and functioning as a prime access to centres inside and outside the District. They cater for trips of intermediate length and provide connections between strategic roads, other arterial roads, collector roads and major rural, suburban, industrial and commercial areas.
AUDIBLE BIRD SCARING DEVICE	means any device that generates audible sound waves used for the purpose of disturbing or scaring of birds such as a gas gun or avian distress alarm, and excludes firearms and vehicles used for that purpose.
BALCONY	means a structure, which is part of a building, which provides outdoor living space for a residential unit and is located above ground floor level, roofed or unroofed, and completely open to the weather on at least one side, except for a balustrade.
BED	has the same meaning as in section 2 of the RMA. means— a. in relation to any river—

¹⁰ Hyperlink to the Heritage New Zealand Pouhere Taonga Act 2014

	i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks; ii. in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and b. in relation to any lake, except a lake controlled by artificial means,— i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin; ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and c. in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and d. in relation to the sea, the submarine areas covered by the internal waters and the territorial sea. (National Planning Standard definition)
BEST PRACTICABLE OPTION	has the same meaning as in section 2 of the RMA. in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to— a. the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and b. the financial implications, and the effects on the environment, of that option when compared with other options; and c. the current state of technical knowledge and the likelihood that the option can be successfully applied. (National Planning Standard definition)
<u>BIODIVERSITY COMPENSATION</u>	<u>means a conservation outcome that meets the requirements in ECO-APP3 and results from actions that are intended to compensate for any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.</u>¹¹
BIODIVERSITY OFFSET	means a measurable conservation outcome <u>that meets the requirements resulting from actions that comply with the principles</u> in ECO-APP2 and <u>results from actions that are intended designed</u> to: a. <u>compensate redress any for</u> more than minor residual adverse <u>biodiversity effects on indigenous biodiversity arising from subdivision, use or development</u> after <u>all</u> appropriate avoidance, <u>minimisation, and</u> remediation <u>and mitigation</u> measures have been sequentially applied; and b. achieve a <u>net gain in type, amount, and condition of no net loss of and preferably a net gain to,</u> indigenous biodiversity <u>compared to that lost values.</u>¹²

¹¹ Forest and Bird [192.2] and DoC [419.14].

¹² Forest and Bird [192.2].

BIRD STRIKE RISK ACTIVITY¹³	<u>means the following activities:</u> (a) <u>waste management facilities;</u> (b) <u>composting facilities;</u> (c) <u>fish and commercial food processing activities with external food storage or waste areas accessible to birds;</u> (d) <u>abattoirs and freezing works; and</u> (e) <u>the treatment plants, canals, wetlands, lagoons, infiltration basins, and irrigated land of wastewater systems.</u>
BOARDING HOUSE	means one or more buildings used for paid lodgings or boarding, providing accommodation on a site where the aggregated total accommodation contains more than two boarding rooms and is occupied by six or more tenants.
BOARDING KENNELS	means land, structures or buildings used for commercial accommodation and care of dogs, but does not include the keeping of dogs ancillary to residential activity, veterinary facility or farming purposes on any site.
BOARDING ROOM	means accommodation in a boarding house that is used as sleeping quarters by one or more people and used only by a person or people whose tenancy agreement relates to that room.
BONUS ALLOTMENT	means a new allotment of between 1 and 2 ha, created as a result of subdivision that provides protection and enhancement of a SNA on the balance site.
BONUS RESIDENTIAL UNIT	means an additional residential unit on a site that already has one residential unit where protection and restoration of a SNA listed in ECO-SCHED1 which is located on the same site has been provided.
BORE	means any hole drilled or constructed in the ground that is used to— a. investigate or monitor conditions below the ground surface; or b. abstract gaseous or liquid substances from the ground; or c. discharge gaseous or liquid substances into the ground; but it excludes test pits, trenches, soak holes and soakage pits. (National Planning Standard definition)
BOUNDARY ADJUSTMENT	means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments. (National Planning Standard definition)
BROWNFIELD SITE	means abandoned or underutilised commercial or industrial land, or land no longer required by a requiring authority for a designated purpose.
BUILDING	means a temporary or permanent movable or immovable physical construction that is: a. partially or fully roofed; and b. is fixed or located on or in land; but excludes any motorised vehicle or other mode of transport that could be moved under its own power. (National Planning Standard definition)
BUILDING COVERAGE	means the percentage of the net site area covered by the building footprint. (National Planning Standard definition)

¹³ CIAL[254.4]

BUILDING DAMAGE FROM VIBRATION	means any permanent effect of vibration that reduces the serviceability of a structure or one of its components.
BUILDING FOOTPRINT	means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground. (National Planning Standard definition)
BUILDING SUPPLIER	means businesses and associated premises used for the display and sale of goods and materials used in the construction, repair, alteration and renovation of buildings, including plumbing, electrical and landscaping.
BURIAL	has the same meaning as 'interment'.
~~CARBON FOREST~~	~~means forest land, other than Production Forest that is for the purpose of carbon sequestration.~~ ¹⁴
CARE FACILITY	means a facility including land and buildings, providing rest home care within the meaning of the Health and Disability Services (Safety) Act 2001, or a home for the residential care of people with special needs, or any land or buildings used for the care during the day of elderly persons or people with special needs.
CARRIAGEWAY	means that part of a road corridor or road reserve containing the formed road used primarily by motor vehicles. As well as vehicle traffic lanes the carriageway may also include medians, marked on road cycle lanes, separated cycle lanes, and where kerbs are present may also include on road parking spaces, but excludes indented parking bays, footpaths and shared use paths.
CATTERY	means commercial accommodation and care of cats but does not include the keeping of cats ancillary to residential activity on any site or veterinary facility.
CEMETERY	has the same meaning as in section 2 of the Burial and Cremation Act 1964.
CERTIFICATION	means assessed by the relevant Council staff member (or independent consultant if required) acting in a technical certification capacity to determine whether the document or matter is consistent with or sufficient to meet the conditions of this consent. (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
CHILDCARE FACILITY	means land and/or buildings used for the paid care of more than four children that are not related to the resident of the site, or where the site is not run as a home business. It excludes rooms or land used for sports training.
CLEANFILL AREA	means an area used exclusively for the disposal of cleanfill material. (National Planning Standard definition)
CLEANFILL MATERIAL	means virgin excavated natural materials including clay, gravel, sand, soil and rock that are free of: a. combustible, putrescible, degradable or leachable components; b. hazardous substances and materials;

¹⁴ s44A RMA.

	c. products and materials derived from hazardous waste treatment, stabilisation or disposal practices; d. medical and veterinary wastes, asbestos, and radioactive substances; e. contaminated soil and other contaminated materials; and f. liquid wastes. (National Planning Standard definition)
CLOSED CEMETERY	has the same meaning as in section 2 of the Burial and Cremation Act 1964.
CLUBROOM	means any building or part thereof which is ancillary to recreation activities or recreation facilities on the same site and which is intended to be used by members of a sports club or recreation-related organisation for amenities, meetings and/or social events.
COASTAL ENVIRONMENT	means the area shown on the planning map as being located within the inland extent of the coastal environment, identified in accordance with Policy 1 of the NZCPS.
COASTAL HAZARD MITIGATION WORKS	<u>Any means work and or structure designed to prevent or mitigate coastal hazards, such as coastal erosion and seawater inundation. It includes soft engineering natural hazard mitigation beach re-nourishment, dune replacement, and sand fences, seawalls, groynes, gabions and revetments and hard engineering natural hazard mitigation¹⁵.</u>
COASTAL MARINE AREA	has the same meaning as in section 2 of the RMA.
COASTAL WATER	has the same meaning as in section 2 of the RMA. (National Planning Standard definition)
COLLECTOR ROAD	means any road identified as a collector road in the District Plan road hierarchy, and are roads that collect and distribute traffic between neighbourhoods and arterial roads, are a preferred route for travel within and between areas of population and activities, act as 'spine' roads, and provide a significant property access function.
COMMERCIAL ACTIVITY	means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices). (National Planning Standard definition)
COMMERCIAL AND MIXED USE ZONES	means any of the following: a. Large Format Retail Zone; b. Local Centre Zone; c. Mixed Use Zone; d. Neighbourhood Centre Zone; e. Town Centre Zone (Key Activity Centre as per the RPS).
COMMERCIAL GOLF RESORT ACTIVITY	means activities that support the tourism/resort activities in the zone, involving: a. cafes; b. restaurants; c. wine bar; d. superette;

¹⁵ 199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rental Homes Ltd, Allan Downs Ltd [266.177]. DOC [419.8].

	e. gift/souvenir shop <u>and any ancillary artisan workshops</u>¹⁶; f. hair and beauty salon; g. massage therapists;¹⁷ h. golfing supplies; and i. swimwear apparel and accessories.
COMMERCIAL MOTORISED ACTIVITIES	means land-based motorised recreation activities undertaken by a commercial operator and includes activities such as quad bike and 4x4 wheel drive tours for fee paying customers.
COMMERCIAL SERVICES	means a business providing personal, property, financial, household, or other retail services to the general public where a front counter service is provided to cater for anticipated walk-in customers, and is limited to: a. authorised betting shops; b. copy and quick print services; c. financial and banking facilities; d. postal services; e. counter insurance services; f. dry-cleaning and laundrette services; g. electrical goods repair services; h. footwear, leather goods and clothing repair and alteration services; i. hairdressing, beauty salons and barbers; j. internet cafes; k. computer, internet and phone services and repairs; l. key cutting services; m. real estate agents and valuers; n. travel agency, airline and entertainment booking services; o. optometrists and/or opticians; p. movie and game hire; q. veterinary facilities and/or animal grooming services; r. massage therapists; s. tattoo and piercing studios; and t. weight management services.
COMMUNICATION KIOSK	means any structure intended for public use to facilitate telecommunication or radiocommunication and includes (but is not necessarily limited to) boxes or booths for telephone, video or internet services but is not an infrastructure cabinet or infrastructure building.
COMMUNITY CORRECTIONS ACTIVITY	means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups. (National Planning Standard definition)
COMMUNITY FACILITY	means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility. (National Planning Standard definition)

¹⁶ S&E Corp [416.15].

¹⁷ Minor amendment.

COMMUNITY GARDEN	means the use of land for communal gardening (both at ground level or in raised beds) and includes marae gardens, shared gardening on private land, and other community-based initiatives to encourage home gardening.
COMMUNITY MARKET	means a regular and ongoing market with multiple vendors using moveable buildings or structures. It excludes retail activity ancillary to a permanent activity on the same site.
COMMUNITY SCALE NATURAL HAZARD MITIGATION WORKS	means <u>a</u> natural hazard mitigation <u>scheme works</u> that serves <u>s</u> multiple properties and <u>is are</u> constructed and administered by the District Council, the Crown, the Regional Council or their nominated contractor or agent. ¹⁸
COMMUNITY SIGN	means any sign associated with one or more of the following purposes: a. naming or interpretation of any listed historic heritage item either within its applicable historic heritage setting or affixed to the historic heritage item; b. providing information about the historic occupation or use of a site and area of significance to Māori and their associated values as wāhi tapu/wāhi taonga, ngā tūrangā tupuna or ngā wai; c. township identification; d. community group information noticeboard managed by Waimakariri District Council; e. international Symbol of Access; f. Council owned public parking locations or public amenities; g. hunter, angler access or recreational user access, <u>public park use or interpretation</u>¹⁹ managed by <u>Te Kōhaka o Tūhaitara Trust</u>,²⁰ Fish & Game New Zealand, Department of Conservation, Canterbury Regional Council or Waimakariri District Council; or h. customary access or relating to a rāhui.
COMPOSTING FACILITY	means buildings, grounds and equipment used for the receiving organic material, manufacture of compost, storage and disposal of composted material, but does not include domestic or farm-scale composting activities.
CONDUCTOR	means a wire or cable, or bundles of wires or cables, used for carrying electric current, including any associated hardware and insulation.
CONFERENCE FACILITY	means a formal meeting location where singular events such as business conferences and meetings are held, rather than events that occur regularly.
CONSERVATION ACTIVITIES	means the management, maintenance and enhancement of <u>the intrinsic values of natural resources, including</u> ^{21 22} ~~ecological values of~~ ^{23 24} parks and reserves, beach areas and open space and recreation zones. This includes: a. pest control; b. fencing; c. plant nurseries; d. conservation and restoration planting;

¹⁸ ECan [316.56].¹⁹ Tūhaitara Trust [113.4 & 113.5].²⁰ Tūhaitara Trust [113.4 & 113.5].²¹ Hort NZ [295.19].²² DoC [419.9].²³ Hort NZ [295.19].²⁴ DoC [419.9].

	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.
CONSERVATION VALUES ²⁵	<u>has the same meaning as in section 229(2) of the RMA.</u>
CONSTRUCTION WORK	has the same meaning as in NZS6803-1999: means any work in connection with the construction, erection, installation, carrying out, repair, maintenance, cleaning, painting, renewal, removal, alteration, dismantling, or demolition of: a. any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground level; b. any road, motorway, harbour or foreshore works, railway, cableway, tramway, canal, or aerodrome; c. any drainage, irrigation, or river control work; d. any electricity, water, gas, or telecommunications reticulation; e. any bridge, viaduct, dam, reservoir, earthworks, pipeline, aqueduct, culvert, drive, shaft, tunnel, or reclamation; or f. any scaffolding. g. any work in connection with any excavation, site preparation, or preparatory work, carried out for the purpose of any construction work; h. the use of any plant, tools, gear, or materials for the purpose of any construction work; i. any construction work carried out underwater, including work on ships, wrecks, buoys, rafts, and obstructions to navigation; and j. any inspection or other work carried out for the purpose of ascertaining whether construction work should be carried out. <u>for the avoidance of doubt, installation of a building includes the relocation and resitting of a building.</u>²⁶
CONSTRUCTION WORK	has the same meaning as in NZS6803-1999: means any work in connection with the construction, erection, installation, carrying out, repair, maintenance, cleaning, painting, renewal, removal, alteration/conversion, dismantling, or demolition of: a. any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground level; b. any road, motorway, harbour or foreshore works, railway, cableway, tramway, canal, or aerodrome; c. any drainage, irrigation, or river control work; d. any electricity, water, gas, or telecommunications reticulation; e. any bridge, viaduct, dam, reservoir, earthworks, pipeline, aqueduct, culvert, drive, shaft, tunnel, or reclamation; or f. any scaffolding. g. any work in connection with any excavation, site preparation, or preparatory work, carried out for the purpose of any construction work;

²⁵ Forest and Bird [192.79].

²⁶ House Movers Section of the New Zealand Heavy Haulage Association [221.5].

	h. the use of any plant, tools, gear, or materials for the purpose of any construction work; i. any construction work carried out underwater, including work on ships, wrecks, buoys, rafts, and obstructions to navigation; and j. any inspection or other work carried out for the purpose of ascertaining whether construction work should be carried out.
CONTAMINANT	has the same meaning as in section 2 of the RMA. includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat— a. when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or b. when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged. (National Planning Standard definition)
CONTAMINATED LAND	has the same meaning as in section 2 of the RMA. means land that has a hazardous substance in or on it that— a. has significant adverse effects on the environment; or b. is reasonably likely to have significant adverse effects on the environment. (National Planning Standard definition)
<u>CONVENIENCE ACTIVITY</u>	<u>Convenience activities means the use of land and/or buildings to provide readily accessible retail activities and commercial services required on a day to day basis. It excludes:</u> 1. <u>booking services for airlines, recreation activities and entertainment activities;</u> 2. <u>travel agency services;</u> 3. <u>real estate agents;</u> 4. <u>betting shops;</u> 5. <u>gymnasiums;</u> 6. <u>dry-cleaning and laundrette services (but not agencies for these services);</u> 7. <u>electrical goods repair services;</u> 8. <u>premises licensed to serve alcohol;</u> 9. <u>counter insurance services;</u> 10. <u>financial and banking facilities; and</u> 11. <u>copy and quick printing services.</u>²⁷
COVERAGE	means the percentage of the net site area covered by the footprint of structures as identified in the relevant rule.
CREMATORIUM	has the same meaning as in section 2 of the Burial and Cremation Act 1964.
CRITICAL INFRASTRUCTURE	means infrastructure necessary to provide services which, if interrupted, would have a serious effect on people and communities and which would require immediate reinstatement. This includes any structures that support, protect or form part of critical infrastructure. Critical infrastructure includes:

²⁷ Bellgrove Rangiora Ltd [408.55].

	a. regionally significant airports; b. regionally significant ports; c. gas storage and distribution facilities; d. electricity substations, networks, and transmission and distribution installations, including the National Grid and the electricity distribution network; e. supply and treatment of water for public supply; f. stormwater and sewage treatment and disposal systems; g. radiocommunication and telecommunication installations and networks; h. strategic road and rail networks; i. petroleum storage and supply facilities; j. public healthcare institutions including hospitals and medical centres; k. fire stations, police stations, ambulance stations, emergency coordination facilities; except that critical infrastructure excludes a service, facility or connection that does not have a public or community function.
CULTIVATION	means the alteration or disturbance of land (or any matter constituting the land including soil, clay, sand and rock) for the purpose of sowing, growing or harvesting of pasture or crops. (National Planning Standard definition)
CULTURAL FACILITY	means land or an existing building used for cultural activity. It includes, but is not necessarily limited to, museums, cultural centres, galleries, and ancillary workshops, offices, storage, and retail activity.
CUSTOMARY HARVESTING	means the harvesting of indigenous vegetation or indigenous fauna by mana whenua, in accordance with tikanga, for traditional uses, including food gathering, carving, weaving, and traditional medicine.
CUSTOMER CONNECTION	means part or all of any structure, pipe, equipment or cable that relates to radiocommunication or telecommunication; wastewater or stormwater treatment or disposal; or water, gas or electricity; and that serves a residential unit or other building and its occupants.
DELINEATED AREA	means an area of land within a site and shown by defined boundaries, legal or otherwise, which encompasses a proposed building platform for a Residential Unit or an existing Residential Unit.
DEMOLITION	in relation to historic heritage means, the destruction in whole or of a substantial part of listed historic heritage which results in the complete or significant loss of the heritage fabric and heritage values of the item, but excludes partial demolition necessary for undertaking alterations to historic heritage.
DESIGN STATEMENT	means, for the purpose of assessing multi-unit residential development and retirement villages, a report prepared by an expert suitably qualified and experienced person in resource management planning, which may include assessments from other professional experts such as architects, urban designers, landscape architects and transport planners. A design statement: a. outlines the design justification for the proposal; b. examines local character, site opportunities and constraints; and c. provides plans of the proposal within the context of surrounding sites, streets and public places (if any).

DIGITAL SIGN	means any sign that displays changeable electronic messages or images via LED, neon, or electronic projection.
DISASTER MANAGEMENT ACCOMMODATION	means the erection and use of tents or buildings in response to a disaster event, such as an earthquake, for the purpose of providing shelter or accommodation for people displaced or impacted by the event. The requirement for such facility will be determined by the Waimakariri District Council, Civil Defence or emergency organisations, or lawfully established organisation for the purpose of post disaster management. This definition includes: a. temporary accommodation for people required to work as part of the immediate disaster relief efforts or post disaster development team; b. temporary accommodation for people displaced by the disaster event; and c. temporary facilities for disaster event management d. temporary educational facility.
DISCHARGE	has the same meaning as in section 2 of the RMA. includes emit, deposit, and allow to escape. (National Planning Standard definition)
DOMESTIC ANIMAL KEEPING AND BREEDING	means the keeping or breeding of domestic animals for pets or domestic livestock as part of residential activity on any site.
DRAIN	means any artificial watercourse designed, constructed, or used for the drainage of surface or subsurface water, but excludes artificial watercourses used for the conveyance of water for electricity generation, irrigation, or water supply purposes. (National Planning Standard definition)
DRINKING WATER	means water intended to be used for human consumption; and includes water intended to be used for food preparation, utensil washing, and oral or other personal hygiene. (National Planning Standard definition)
DRIVE THROUGH	means an activity where goods or services are provided to customers who remain in their vehicle (excluding service stations).
DUST	means all non-combusted solid particulate matter that is suspended in the air, or has settled after being airborne. Dust may be derived from materials including rock, sand, cement, fertiliser, coal, soil, paint, animal products and wood. (National Planning Standard definition)
EARTHWORKS	means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts. (National Planning Standard definition)
ECOLOGICAL DISTRICT	means a local part of the region where topographical, geological, climatic, soil and biological features, including the broad cultural pattern, produce a characteristic landscape and range of biological communities. Ecological

	districts in the District are shown on the planning map, and are derived from the current ecological districts defined in 'McEwen, W. M. (ed.), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation'.
~~ECOLOGICAL ECOSYSTEM SERVICES~~ ²⁸	the benefits people obtain from ecosystems that support us by providing services on which our health, livelihoods, and well-being depend, ~~i.e. e.g.~~ ²⁹ , water purification and regulation; provision of food, medicine, ~~fiber-fibre~~ ³⁰ , and energy; and places for physical, cultural, spiritual and recreation.
~~EDGE EFFECTS~~ ³¹	~~means effects on ecosystems caused by adjacent or surrounding land uses.~~ ³²
EDUCATION PURPOSES	~~in the designated purpose of the Minister of Education designations, means to:~~ ~~a. enable the use of the facilities on the site by and for the educational benefit of any preschool and school age students (i.e. years 0 to 13) regardless of whether they are enrolled in the institution located on the site.~~ ~~b. enable the provision of supervised care and study opportunities for students outside school hours in school facilities.~~ ~~c. enable the provision of community education (e.g. night classes for adults) outside school hours in school facilities.~~ ~~d. include but not be limited to the provision of academic, sporting, social and cultural education including through:~~ ~~i. formal and informal recreational, sporting and outdoor activities and competitions whether carried out during or outside school hours;~~ ~~ii. formal and informal cultural activities and competitions whether carried out during or outside school hours;~~ ~~iii. the provision of specialist hubs and units (including language immersion units and teen parenting units) for children with particular educational requirements or special needs.~~ ~~e. enable the use of facilities for purposes associated with the education of students including school assemblies, functions, fairs and other gatherings whether carried out during or outside school hours.~~ ~~f. enable the provision of associated administrative services; carparking and vehicle manoeuvring; and health, social services and medical services (including dental clinics and sick bays).~~ ~~g. enable housing on site for staff members whose responsibilities require them to live on site (e.g. school caretaker) and their families.~~ ~~(Minister of Education Designations Definition)~~ <u>"Education Purposes" for the purposes of these designations shall, in the absence of specific conditions to the contrary:</u> <u>i. Enable the use of the facilities on the designated site by and for the educational benefit of any school age students (i.e.: years 0 to 13) and early childhood children regardless of whether they are enrolled at any institution located on that designated site.</u>

²⁸ DoC [419.10].

²⁹ Judith Roper-Lindsay [120.1].

³⁰ Correct spelling error via Clause 16 of Schedule 1 of the RMA.

³¹ Forest and Bird [192.7].

³² Forest and Bird [192.7].

	ii. <u>Enable the provision of supervised care and study opportunities for students outside school hours in school facilities</u> iii. <u>Enable the provision of community education (e.g.: night classes for adults) outside school hours in school facilities</u> iv. <u>Include but not be limited to the provision of academic, sporting, social and cultural education including through:</u> • <u>Formal and informal recreational, sporting and outdoor activities and competitions whether carried out during or outside school hours;</u> • <u>Formal and informal cultural activities and competitions whether carried out during or outside school hours;</u> • <u>The provision of specialist hubs and units (including language immersion units and teen parent units) for students with particular educational requirements or special needs;</u> v. <u>Enable the use of facilities for purposes associated with the education of students including school assemblies, functions, fairs and other gatherings whether carried out during or outside school hours.</u> vi. <u>Enable the provision of associated administrative services; carparking and vehicle manoeuvring; and health, social service and medical services (including dental clinics and sick bays).</u> vii. <u>Enable the housing on site for staff members whose responsibilities require them to live on site (e.g.: school caretaker) and their families.</u>³³
EDUCATIONAL FACILITY	means land or buildings used for teaching or training by childcare services, schools, or tertiary education services, including any ancillary activities. (National Planning Standard definition)
EFFECT	has the same meaning as in section 3 of the RMA. includes— a. any positive or adverse effect; and b. any temporary or permanent effect; and c. any past, present, or future effect; and d. any cumulative effect which arises over time or in combination with other effects— regardless of the scale, intensity, duration, or frequency of the effect, and also includes— e. any potential effect of high probability; and f. any potential effect of low probability which has a high potential impact. (National Planning Standard definition)
<u>ELECTRICITY CABINETS AND KIOSKS</u> ³⁴	<u>in relation to electricity distribution, means equipment affixed to, or within, the ground that is necessary to operate part of a utility or infrastructure network, including any casing.</u>
ELECTRICITY DISTRIBUTION	means the conveyance of electricity via electricity distribution lines, cables, poles, pi-poles, towers, substations, transformers, switching stations, kiosks,

³³ Minister of Education [277.1].

³⁴ Mainpower [249.9].

	cabinets, and ancillary buildings and structures, including communication equipment, by a network utility operator.
ELECTRICITY DISTRIBUTION LINE	means the lines and associated poles, pi-poles and towers <u>that are not part of the National Grid and are</u> ³⁵ utilised by a network utility operator to distribute electricity.
ELECTRICITY TRANSMISSION	has the same meaning as defined in the NPSET.
<u>ELEMENTS</u>	<u>in relation to sign content shall be calculated as follows:</u> <u>i. Each word, an email address, a website URL or phone number = 1 element each;</u> <u>ii. An image = 4 elements; and</u> <u>iii. A logo = 1 element.</u> ³⁶
EMERGENCY	means a situation that: a. is the result of any happening, whether natural or otherwise, including any accident, explosion, earthquake, eruption, tsunami, land movement, flood, storm, tornado, cyclone, fire, leakage or spillage of any dangerous gas or substance, technological failure, infestation, plague, epidemic, failure of or disruption to an emergency service or a lifeline utility, or actual or imminent attack or warlike act; and b. causes or may cause loss of life or injury or illness or distress or in any way endangers the safety of the public or property in New Zealand or any part of New Zealand.
EMERGENCY SERVICE	means an authority or service that is responsible for the safety and welfare of people and property in the community during times of emergency that include, but are not necessarily limited to, ~~fire service~~ ³⁷ <u>Fire and Emergency New Zealand</u> ³⁸ , ambulance, police, <u>New Zealand Defence Force</u> ³⁹ and emergency co-ordination authorities or services.
EMERGENCY SERVICE FACILITY	means the land, structures and activities of authorities that are responsible for the safety and welfare of people and property in the community during times of emergency (and the use of those facilities for these purposes). It includes (but is not necessarily limited to) fire stations, ambulance stations, police stations and emergency co-ordination facilities, and ancillary parking and loading and signs.
<u>EMERGENCY SERVICE TRAINING ACTIVITY</u> ⁴⁰	<u>Emergency service training activity' means the training activities, operational support and other non-emergency activities undertaken by the New Zealand Police, Fire and Emergency New Zealand, and hospital and health services.</u>
ENTERTAINMENT ACTIVITY	means the use of land or buildings principally for leisure and amusement activities other than sports, regardless of whether a charge is made for admission or not. It includes public performances, exhibitions, movie and live theatres, and ancillary workshops, storage, offices and retail activity.

³⁵ Transpower [195.5].³⁶ Waka Kotahi [275.62].³⁷ FENZ [303.1].³⁸ FENZ [303.3].³⁹ NZ Defence Force [166.1]⁴⁰ FENZ [303.49]

ENVIRONMENT	has the same meaning as in section 2 of the RMA. includes— - ecosystems and their constituent parts, including people and communities; and - all natural and physical resources; and - amenity values; and - the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters. (National Planning Standard definition)
EQUESTRIAN AND ANCILLARY ACTIVITIES AND FACILITIES	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>⁴¹, and may include (but is not necessarily limited to): - pony clubs; - clubroom; - exercise areas, riding courses, <u>dressage arenas</u>⁴² and jumps; - providing horse riding lessons for a tariff; <u>short term grazing of horses prior to an event</u>⁴³; and - associated outdoor storage areas; but excludes: - major sports facility; - the grazing of horses on District Council land <u>(other than in e. above)</u>⁴⁴; - 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>⁴⁵.
EQUIVALENT CAR MOVEMENTS	<u>means one equivalent car movement (ECM) = 1 car / light vehicle movement, 3 ECM = 1 heavy commercial vehicle movement, 5 ECM = 1 combination heavy commercial vehicle movement.</u>⁴⁶
ESPLANADE RESERVE	has the same meaning as in section 2 of the RMA. means a reserve within the meaning of the Reserves Act 1977- - which is either— - a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or - a reserve vested in the Crown or a regional council under section 237D; and - which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229. (National Planning Standard definition)
ESPLANADE STRIP	has the same meaning as in section 2 of the RMA. means a strip of land created by the registration of an instrument in

⁴¹ Oxford A&P Association [146.2].

⁴² Oxford A&P Association [146.2].

⁴³ Oxford A&P Association [146.2].

⁴⁴ Oxford A&P Association [146.2].

⁴⁵ Oxford A&P Association [146.2].

⁴⁶ Kainga Ora [325.83].

	accordance with section 232 for a purpose or purposes set out in section 229. (National Planning Standard definition)
<u>EXTENSIVE PIG FARMING</u>	<u>means the keeping of pigs outdoors on land at a stock density which ensures permanent vegetation cover is maintained and in accordance with any relevant industry codes of practice, and where no fixed buildings are used for the continuous housing of animals.</u>⁴⁷
FARM BUILDING	means a building integral to the use of a site for primary production, and excludes residential buildings.
FARM QUARRY	means the extraction of minerals taken for use ancillary to farming and horticulture, and only used within the property of extraction. It includes the extraction of material for farm and forestry tracks, accessways and hardstand areas on the property of origin. It does not include the exportation or removal of extracted material (including any aggregate) from the property of origin or retail or other sales of such material.
FARMERS' MARKET	means a market whereby vendors, or their representatives, involved in growing or producing food, plants or flowers sell these products directly to the public.
~~FARMING AND AGRICULTURAL SUPPLIERS~~	~~means businesses primarily selling goods for permanent exterior installation or planting and includes: landscaping suppliers; and suppliers of bark, compost, firewood, and paving and domestic paving aggregates.~~⁴⁸
FERTILISER	means a substance or biological compound or mix of substances or biological compounds in solid or liquid form, that is described as, or held out to be suitable for, sustaining or increasing the growth, productivity or quality of soils, plants or, indirectly, animals through the application to plants or soil of any of the following: a. nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or b. manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or c. fertiliser additives to facilitate the uptake and use of nutrients; or d. non-nutrient attributes of the materials used in fertiliser. It does not include livestock effluent, human effluent, substances containing pathogens, or substances that are plant growth regulators that modify the physiological functions of plants. (National Planning Standard definition)
FILLING	means the placing or disturbance of material upon the surface of the land above natural ground level, or upon land which has been excavated below natural ground level, or the placing or disturbance of material upon land below natural ground level where excavation has not taken place. This includes filling material from both on and off-site.
FLOOR LEVEL	for a concrete floor, means the top of the concrete slab, and for a wooden floor, the bottom of the joists supporting the floor.
FOOD AND BEVERAGE OUTLET	means the use of land, buildings, vessels or other structures primarily for the sale of food or beverages prepared for immediate consumption on or off

⁴⁷ NZ Pork [169.6].

⁴⁸ Hort NZ [295.33].

	the premises to the general public. It includes restaurants, bars, taverns, cafes and takeaway bars and drive through restaurants, but excludes supermarkets.
FOOTPRINT	means the total area of structures at ground floor level and the area of any section of any of those structures that protrudes directly above the ground.
FRANGIBLE VEGETATION	means any plant with a main stalk less than 100mm in diameter at maturity measured at a point 400mm above ground level.
<u>FREE RANGE POULTRY FARMING</u>	<u>The primary production of poultry for commercial purposes, where:</u> <u>a. All of the birds farmed have access to open air runs; and</u> <u>b. Permanent vegetation ground cover exists on the land where birds are permitted to range; and</u> <u>c. The stocking rate of the runs and weatherproof shelter to which the birds have access are appropriate for the relevant bird type.</u> ⁴⁹
FREESTANDING SIGN	means any sign which stands wholly on its own with its own support structure(s). It includes any sign affixed to a trailer or vehicle that has the primary purpose of advertising.
FREIGHT HANDLING FACILITIES	means the use of land, plant, equipment, buildings, infrastructure and structures for freight handling and distribution. It includes ancillary: a. storage areas and facilities, including warehouses; b. maintenance and repair facilities; c. parking areas; d. administration facilities.
FRESHWATER	has the same meaning as fresh water in section 2 of the RMA. means all water except coastal water and geothermal water. (National Planning Standard definition)
FRESHWATER BODY SETBACK	means an area of defined width running parallel to the bank of a water body as shown in Natural Character of Freshwater Bodies chapter, Figure 1.
FUNCTIONAL NEED	means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment. (National Planning Standard definition)
FUNERAL RELATED SERVICES AND FACILITY	means commercial services associated with the memorial, embalming or cremation of deceased person.
FUTURE DEVELOPMENT STRATEGY	means a strategy that sets the high-level vision for accommodating urban growth over the long term, and identifies strategic priorities to inform other development-related decisions, such as: a. district plan zoning and related plan changes; b. priority outcomes in long-term plans and infrastructure strategies, including decisions on funding and financing; c. priorities and decisions in regional land transport plans. Future Development Strategy is required under the NPSUD.

⁴⁹ EPFNZ and PIANZ [351.1].

GARDENING	means the small scale ⁵⁰ maintenance, preparation, digging, and replacing of soil for the planting of shrubs, flowers, ground cover, trees, and other plants; harvesting of produce; and the covering of the ground in lawn or bark where it does not permanently alter the profile, contour or height of the land, or leave soil exposed to erosion. It does not include the removal of soil off site, planting of trees within the root protection area of any notable tree or group of trees, or any other gardening activity that would cause damage or affect the growth of any notable tree or group of trees.
GAS DISTRIBUTION PIPELINE	means any pipeline with a pressure of 2,000 kilopascals gauge or less under the control of a gas distributor and used to distribute gas from the boundary of a gasworks or gate station or outlet flange supplying gas for distribution.
GOLF COUNTRY CLUB	means private membership clubrooms associated with the golf course designed to host social events for members and guests, including the provision of food and beverages and ancillary office.
GOLF EDUCATION FACILITY	means land and buildings used by a golf academy for teaching or training athletes or hosting educational seminars and includes ancillary office, temporary accommodation and golf related retail activity.
GRAVEL EXTRACTION	means the removal and stockpiling of topsoil and overburden on site; excavation, processing (including crushing, screening and washing) and stockpiling of gravel on site; movement of material on site; dust suppression; removal of material from the site including by truck; and the rehabilitation of the site.
<u>GREATER CHRISTCHURCH AREA</u>	<u>means that part of the Waimakariri District that is located within the boundary of 'Greater Christchurch' as shown on Map A of the Canterbury Regional Policy Statement 2013, July 2021 edition⁵¹</u>
GREEN INFRASTRUCTURE	means a natural or semi-natural area, feature or process, including engineered systems that mimic natural processes, which are planned or managed to: a. provide for aspects of ecosystem health or resilience, such as maintaining or improving the quality of water, air or soil, and habitats to promote biodiversity; and b. provide services to people and communities, such as stormwater or flood management or climate change adaptation. (National Planning Standard definition)
GREYWATER	means liquid waste from domestic sources including sinks, basins, baths, showers and similar fixtures, but does not include sewage, or industrial and trade waste. (National Planning Standard definition)
GROSS FLOOR AREA	means the sum of the total area of all floors of a building or buildings (including any void area in each of those floors, such as service shafts, liftwells or stairwells), measured: a. where there are exterior walls, from the exterior faces of those exterior walls

⁵⁰ Federated Farmers [414.5].

⁵¹ Consequential amendment: ECan [316.8] and CCC [360.9]

	b. where there are walls separating two buildings, from the centre lines of the walls separating the two buildings c. where a wall or walls are lacking (for example, a mezzanine floor) and the edge of the floor is discernible, from the edge of the floor. (National Planning Standard definition)
GROUND LEVEL	means: a. the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the record of title is created); b. if the ground level cannot be identified under paragraph (a), the existing surface level of the ground; c. if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or retaining structure where it intersects the boundary. (National Planning Standard definition)
GROUNDWATER	means water occupying openings, cavities, or spaces in soils or rocks beneath the surface of the ground. (National Planning Standard definition)
GYMNASIUM	means a building or room/s used for organised or instructed indoor exercise, including aerobics or weight/circuit training, and ancillary facilities such as health care services, spa/sauna, a small apparel sales area and cafeteria for patrons. Specialised facilities, such as squash courts, are considered ancillary to a gymnasium.
HABITABLE ROOM	means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room. (National Planning Standard definition)
HARD ENGINEERING NATURAL HAZARD MITIGATION	means the construction of, usually artificial, physical structures or resistant barriers, to avoid flood damage or slow down or prevent erosion or inundation of the coastline. Such structures include stop banks, seawalls, gabions, breakwaters and groynes.
HAZARDOUS FACILITY	means a facility or activity that involves the use, storage or disposal of any hazardous substance, but excludes: a. the incidental use and storage of hazardous substances in minimal domestic scale quantities; b. retail outlets for hazardous substances intended for domestic usage (e.g. supermarkets, hardware stores and pharmacies); c. the incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities; d. pipelines used for the transfer of hazardous substances such as gas, oil, trade waste and sewage; e. fuel in motor vehicles, boats, airplanes and small engines; f. the use, transportation, or storage of any hazardous substance for any temporary military training activity; g. the transportation of hazardous substances (e.g. in trucks or trains); or h. mixing and application of hazardous substances solely for the purpose of controlling plant and animal pests.

HAZARDOUS SUBSTANCE	has the same meaning as in section 2 of the RMA. includes, but is not limited to, any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance. The Hazardous Substances and New Organisms Act 1996 defines hazardous substances as meaning, unless expressly provided otherwise by regulations or an EPA notice, any substance— a. with 1 or more of the following intrinsic properties: i. explosiveness: ii. flammability: iii. a capacity to oxidise: iv. corrosiveness: v. toxicity (including chronic toxicity): vi. ecotoxicity, with or without bioaccumulation; or b. which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a). (National Planning Standard definition)
HEADFRAME	has the same meaning as in the NESTF and means a structure attached to a pole that enables more than 1 antenna to be attached to the pole and results in the notional envelope of the pole being larger than 0.7m in diameter.
HEALTH CARE FACILITY	means land or buildings used for the provision of physical and mental health services, or health-related welfare services, for people by registered health practitioners (approved under the Health Practitioners Competence Assurance Act 2003) including, but not necessarily limited to: a. medical practitioners; b. dentists and dental services; c. opticians; d. physiotherapists; e. medical social workers and counsellors; f. midwives; g. paramedical practitioners; and includes the following facilities: h. diagnostic laboratories; i. day care facility for the elderly and disabled; j. integrated family health centre; k. ancillary offices and retail activity; l. ancillary parking and loading and signs; m. the provision of physical fitness facilities, such as gymnasiums and pools where ancillary to a hospital or health care facility; but excludes facilities for: n. beauty clinics; and o. health care within retirement villages premises.
HEAVY INDUSTRY	means: a. blood or offal treating; bone boiling or crushing; dag crushing; fellmongering; fish cleaning or curing; gut scraping and treating; and tallow melting; b. flax pulping; flock manufacture or teasing of textile materials for any purpose; and wood pulping;

	c. storage and disposal of sewage, septic tank sludge or refuse; d. slaughtering of animals; storage, drying or preserving of bones, hides, hoofs or skins; tanning; and wool scouring; e. any other processes involving fuel-burning equipment, which individually or in combination with other equipment, have a fuel-burning rate of up to 1000 kg/hr; f. burning out of the residual content of metal containers used for the transport or storage of chemicals; g. the burning of municipal, commercial or industrial wastes, by the use of incinerators for disposal of waste; h. any industrial wood pulp process in which wood or other cellulose material is cooked with chemical solutions to dissolve lining, and the associated processes of bleaching and chemical and by-product recovery; i. crematoriums; and j. any industrial activity which <u>may require regional discharge consents; and</u> k. <u>ancillary activities to the industrial activity involves the discharge of odour or dust beyond the site boundary⁵².</u>
HEAVY VEHICLE	has the same meaning as "heavy motor vehicle" as defined in 'Land Transport Rule: Heavy Vehicles 2004 (as at 1 May 2021)', and means a motor vehicle that: a. is of Class MD3, MD4, ME, NB, NC, TC or TD; or b. has a gross vehicle mass that exceeds 3500kg and is not of a class specified in Table A: Vehicle classes.
HEIGHT	means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point. (National Planning Standard definition)
HEIGHT CALCULATIONS	means for the purpose of calculating building height, the following shall be excluded: a. lines and wires; b. radio and television aerials, provided that the maximum height is not exceeded by more than 2.5m; c. finials, parapets and similar architectural features on buildings, provided that the maximum height is not exceeded by more than 1.5m; d. lift and stair shafts, plant rooms, water tanks, air conditioning units, ventilation ducts, flagpoles; e. chimneys (not exceeding 1.1m in any direction); and f. the spires, steeples or towers of spiritual activities that exceed the maximum height by no more than 3m or 20% of the building height (whichever is greater). See also the definition for "height in relation to infrastructure".
HEIGHT IN RELATION TO BOUNDARY	means the height of a structure, building or feature, relative to its distance from either the boundary of: a. a site; or b. another specified reference point. (National Planning Standard definition)

⁵² Daiken [145.2].

HEIGHT IN RELATION TO INFRASTRUCTURE	means height measured vertically from either ground level or the top of a plinth or foundation at the centre of a structure to the highest point of the structure, including conductors, but excluding ancillary infrastructure equipment, antennas, lightning rods, earth peaks and GPS units.
HELICOPTER MOVEMENTS	means the take-off or landing of a helicopter. For example, when a helicopter lands and takes off, this constitutes two movements.
HERITAGE FABRIC	in relation to historic heritage, means any physical element, feature, material or finish which contributes to the heritage values in whole or in part of a structure, place, object, feature or site. Heritage fabric only includes any interior physical element, feature, material or finish where specifically identified in HH-SCHED2 - Historic Heritage Items. Original heritage fabric is any such physical element which was an integral part of the historic heritage. Subsequent changes to such physical heritage elements which contribute to the record of the historic development of the heritage resource are also part of the heritage fabric.
HERITAGE INVESTIGATIVE AND TEMPORARY WORKS	in relation to historic heritage, means temporary removal, recording, storage and reinstatement of undamaged heritage fabric where necessary for associated works to the historic heritage. It may include: a. temporary removal for investigation of building condition and determining the scope of works; and b. temporary removal of heritage fabric where it cannot be satisfactorily protected in situ; and c. core drilling; it includes the following activities: d. temporary lifting and/ or temporary moving off foundations; and e. temporary lifting and/or temporary moving of the historic heritage to allow for ground, foundation and retaining wall remediation.
HERITAGE SETTING	means an entry in HH-SCHED2 - Historic Heritage Items which, with the associated historic heritage, has met the significance threshold for listing. A heritage setting is the area surrounding and adjacent to historic heritage that is integral to its function, meaning and relationships and may include individually listed historic heritage. A heritage setting includes: a. buildings; b. structures or features, such as fences, walls and gates, bridges, monuments, gun emplacements, whale pots, lamp stands and public artworks; c. gardens, lawns, mature trees and landscaping water features, historic landforms; d. access, walkways and cycleways, circulation, paths and paving; e. open space; and f. spatial relationships.
HERITAGE VALUES	means those tangible and intangible values which contribute to the significance of historic heritage: a. historical and social value; b. cultural and spiritual value; c. architectural and aesthetic value; d. technological and craftsmanship value; e. contextual value; f. archaeological and scientific significance value.

HIGH COASTAL FLOOD HAZARD AREA	means: a. ~~land likely to be subject to coastal erosion, including the cumulative effects of sea level rise, over the next 100 years; and~~ b. ~~land subject to water depth of 1 metre or greater in a 1% AEP (1 in 100-year) storm surge event (excluding tsunami), concurrent with 5% AEP (1 in 20-year) river flow event with a median sea level rise projection over the next 100 years based on an RCP8.5 high emissions scenario.~~⁵³
HIGH FLOOD HAZARD AREA	means: a. ~~land where there is inundation by floodwater, and where the water depth (metres) x velocity (metres per second) is greater than or equal to 1, or where depths are greater than 1 metre, in a 0.2% Annual Exceedance Probability flood event.~~⁵⁴
HIGH HAZARD AREA	means: a. <u>land likely to be subject to coastal erosion; or</u>⁵⁵ b. <u>land where there is inundation by floodwater and where the water depth (metres) x velocity (metres per second) is greater than or equal to 1, or where depths are greater than 1 metre, in a 0.2% Annual Exceedance Probability flood event.</u> <u>When determining a. and b. above, the cumulative effects of climate change over the next 100 years (based on latest national guidance) and all sources of flooding (including fluvial, pluvial, and coastal) must be accounted for.</u>⁵⁶
HIGH TRAFFIC GENERATING ACTIVITIES	<u>means any activity generates an average daily traffic volume that exceeds the thresholds contained in Table TRAN-1.</u>⁵⁷
HISTORIC HERITAGE	has the same meaning as in section 2 of the RMA. a. means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities: i. archaeological; ii. architectural; iii. cultural; iv. historic; v. scientific; vi. technological; and b. includes— i. historic sites, structures, places, and areas; and ii. archaeological sites; and iii. sites of significance to Māori, including wāhi tapu; and iv. surroundings associated with the natural and physical resources. (National Planning Standard definition)

⁵³ ECan [316.54].

⁵⁴ ECan [316.54].

⁵⁵ ECan [316.54].

⁵⁶ ECan [316.54].

⁵⁷ Schedule 1 Clause 16(2).

HOME BUSINESS	means a commercial activity that is: a. undertaken or operated by at least one resident of the site; and b. incidental to the use of the site for a residential activity. (National Planning Standard definition)
HOSPITAL	means land or buildings used for the provision of medical or surgical treatment of, and health services for, people, including: a. helicopter landing and ambulance facilities; b. medical research and testing facilities; c. first aid and other health-related training facilities; d. rehabilitation facilities, including gymnasiums and pools; e. palliative facilities; f. supported residential care; g. hospital maintenance and service facilities; h. mortuaries; i. overnight accommodation for staff, patients and visitors; j. ancillary offices and retail activities, including pharmacies, food and beverage outlets and florists; k. ancillary commercial services, including banks and dry-cleaners; and l. ancillary parking and loading and signs; but excludes: m. hospitals within retirement villages.
HOTEL	means any building and associated land where ~~guest~~ visitor ⁵⁸ accommodation is provided, is not self catering, and which is the subject of an alcohol licence. It may include restaurants, bars, bottle stores, conference and other ancillary facilities as part of an integrated complex.
HOUSEBOAT	means any vessel that: a. is designed, fitted and used primarily for a residential purpose; and b. is navigable on a water body, either self-propelled or by towing.
IDENTIFIED BUILDING PLATFORM	means a delineated area on a subdivision plan: a. outside of which the location of structures on an allotment is not allowed; b. which is the subject of a condition of subdivision consent, to be complied with on a continuing basis; and c. is recorded and issued in a consent notice in accordance with s221 of the Resource Management Act 1991.
IMPERMEABLE SURFACE	means any surface through which water cannot drain, except for buildings.
IMPERVIOUS SURFACE	means a continuous surface of concrete, bitumen, paving or hardfill (excluding gravel or other loose stone surfaces that have not been mechanically compacted) that effectively puts a physical barrier on the surface of any part of a site, excluding shade tunnel or greenhouses that do not have solid floors.
IMPROVED PASTURE	means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production since 31 December 1999* and species composition and growth has been modified and is being managed for livestock grazing.

⁵⁸ Templeton Group [412.1] and [412.2].

	*The aerial map series on Canterbury Maps - Basemap Gallery - Imagery Basemap type 'Imagery 1995-1999' can be used to help determine this at https://canterburymaps.govt.nz/
INDIGENOUS BIODIVERSITY	means all plants, <u>fungi</u> ⁵⁹ and animals that occur naturally in New Zealand and have evolved without any assistance from humans and includes the variability among these organisms and the ecological complexes of which they are part. It includes diversity within species, between species, and of ecosystems, and includes their related indigenous biodiversity values.
~~INDIGENOUS BIODIVERSITY OFFSET~~	~~means a measurable conservation outcome resulting from actions designed to compensate for residual adverse biodiversity effects arising from development after all appropriate avoidance, remediation and mitigation measures have been taken. The goal of a biodiversity offset is to achieve no net loss.~~ ⁶⁰
INDIGENOUS FAUNA	means all animals that occur naturally in New Zealand and have evolved or arrived without any assistance from humans. It includes migratory species visiting New Zealand on a regular or irregular basis.
INDIGENOUS VEGETATION	means a community of vascular plants and non-vascular plants, that includes species native to the ecological district in which that area is located.
INDIGENOUS VEGETATION CLEARANCE	means the felling, clearing, <u>removal</u> , ⁶¹ damage or disturbance of indigenous vegetation by <u>activities including</u> ⁶² cutting, mob stocking, crushing, cultivation, irrigation, earthworks, chemical application, artificial drainage, stop banking, burning, <u>over sowing, trampling</u> ⁶³ or any other activity in or directly adjacent to an area of indigenous vegetation that destroys or directly results in extensive failure of an area of indigenous vegetation.
INDUSTRIAL ACTIVITY	means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity. (National Planning Standard definition)
INDUSTRIAL ANCILLARY TOURISM	means the use of land or buildings for the ancillary purpose of interpretation and demonstration of an industry activity on the site.
INDUSTRIAL WASTE AND TRADE WASTE	means liquid waste, with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial, industrial or trade process, but excludes sewage and greywater. (National Planning Standard definition)
INDUSTRIAL ZONES	means any of the following: a. Heavy Industrial Zone; b. General Industrial Zone; c. Light Industrial Zone.

⁵⁹ DoC [419.16].

⁶⁰ DoC [419.15], Fulton Hogan [41.6], and Forest and Bird [192.15].

⁶¹ Forest and Bird [192.18] and Fulton Hogan [41.7].

⁶² Fulton Hogan [41.7].

⁶³ DoC [419.17].

INFRASTRUCTURE	has the same meaning as in section 2 of the RMA <u>and also means includes defence facilities</u> ⁶⁴
INFRASTRUCTURE BUILDING	means a building that serves the same purpose as an infrastructure cabinet but is of a larger scale and is not a habitable building, <u>or an electricity cabinet and kiosk</u> ⁶⁵ .
INFRASTRUCTURE CABINET	means a casing around equipment that is necessary to operate part of infrastructure but is not an infrastructure building, <u>or an electricity cabinet or kiosk</u> ⁶⁶ .
INTEGRATED FAMILY HEALTH CENTRE	means a health care facility primarily serving the local community where multiple health care services are located within one building (or networked) and function together in an integrated manner to meet the needs of the consumer. It will contain general practice clinical staff and services and may include community nursing and medical specialists, a day surgery, a pharmacy, a blood collection centre and physiotherapy, midwifery and counselling services.
INTENSIVE INDOOR PRIMARY PRODUCTION	means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry. (National Planning Standard definition)
INTENSIVE OUTDOOR PRIMARY PRODUCTION	means primary production activities involving the keeping or rearing of livestock, or commercial aquaculture, where the regular feed source for the production of goods is substantially provided other than from the site concerned. The activity may be undertaken entirely outdoors or in a combination if indoors and outdoors, including within an outdoor enclosure. It includes: a. <u>free-range pig farming</u> ⁶⁷ ; ~~b. free-range poultry or game bird farming;~~ ⁶⁸ <u>be</u> intensive goat farming and; ~~cd~~ aquaculture; it excludes the following: ~~de~~ woolsheds; ~~ef~~ dairy sheds; ~~fg~~ calf pens or wintering accommodation for stock; ~~gh~~ pig production for domestic use which involves no more than 25 weaned pigs or six sows; <u>h. free-range poultry farming</u> ⁶⁹ ; and <u>i. game bird farming</u> ⁷⁰ . <u>j. extensive pig farming</u> ⁷¹
INTERMENT	means depositing a human body, or a container of ashes resulting from the cremation of a human body, within a grave or vault.

⁶⁴ Mainpower [249.14].

⁶⁵ Mainpower [249.14].

⁶⁶ Mainpower [249.15].

⁶⁷ NZ Pork [169.6].

⁶⁸ Egg Producers Federation of New Zealand and the Poultry Industry Association of New Zealand [351.3].

⁶⁹ Egg Producers Federation of New Zealand and the Poultry Industry Association of New Zealand [351.3].

⁷⁰ Egg Producers Federation of New Zealand and the Poultry Industry Association of New Zealand [351.3].

⁷¹ NZ Pork [169.6].

INTERNAL BOUNDARY	means any boundary of a site other than a road boundary.
INTERNALISED SIGN	means any sign affixed inside a building that is not affixed to the interior surface of any window or door in order to provide for external display visible from a public place for any of the purposes described in the definition of sign; or any sign that is not visible from any point outside of the site that it is located.
IWI AUTHORITY	has the same meaning as in section 2 of the RMA.
KAITIAKITANGA	has the same meaning as in section 2 of the RMA.
KEY ACTIVITY CENTRE	means the centres of Rangiora, Kaiapoi, North Woodend⁷² and Oxford which are focal points for employment, community activities and the transport network; and which are suitable for more intensive mixed-use development.
LA90	has the same meaning as the 'Background sound level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound. (National Planning Standard definition)
LAEQ	has the same meaning as 'time-average A-weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics -Measurement of Environmental Sound. (National Planning Standard definition)
LAF(MAX)	has the same meaning as the 'maximum A-frequency weighted, F-time weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement Of Environmental Sound. (National Planning Standard definition)
LAKE	has the same meaning as in section 2 of the RMA. means a body of fresh water which is entirely or nearly surrounded by land. (National Planning Standard definition)
LAND	has the same meaning as in section 2 of the RMA. a. includes land covered by water and the airspace above land; and b. in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and c. in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river. (National Planning Standard definition)
LAND DISTURBANCE	means the alteration or disturbance of land (or any matter constituting the land including soil, clay, sand and rock) that does not permanently alter the profile, contour or height of the land. (National Planning Standard definition)
LAND TRANSPORT INFRASTRUCTURE	means any infrastructure, building, other structure, equipment or devices that support the movement of people and goods by land, including: a. cycle facilities including cycleways and cycle parking;

⁷² Ravenswood [347.2].

	b. pedestrian facilities including footpaths and footbridges; c. railway tracks, bridges, tunnels, underpasses, signalling, access tracks and facilities; d. roads including carriageways, pavements, parking, bridges, tunnels, retaining walls, underpasses, overpasses, verge and berms; e. park and ride facilities; f. lighting, signals, signs, and control structures and devices associated with intelligent transport systems including vehicle detection systems (electronic vehicle identification, and infra-red vehicle occupancy counters), incident detection, emergency telephones, cables and ducting; g. safety devices including hand rails, bollards, cameras, road markings, rumble strips, barriers, fences, speed tables and speed cushions and traffic separators; h. other traffic control devices including traffic islands, rail crossings, pedestrian crossings, roundabouts and intersection controls, traffic and cycle monitoring devices; i. parking control devices; j. Site access including vehicle crossings, and off-street parking, manoeuvring and loading; k. street furniture and rail furniture, artworks, passenger shelters and ticketing and tolling facilities; l. ancillary equipment and structures associated with public transport systems including seats, shelters, real time information systems and ticketing facilities, bicycle storage and cabinets, and ancillary retail; m. noise attenuation bunds, walls or fences; and n. stormwater management systems and devices (including for stormwater collection and attenuation), ventilation structures, drainage devices and erosion control devices; o. ancillary structures such as poles; p. charging facilities for electric vehicles; but excludes: q. bus depots where buses are parked overnight, where these are not located on road reserve; r. new freight handling facilities within the road corridor.
LANDFILL	means an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas. (National Planning Standard definition)
LANDSCAPED PERMEABLE SURFACE	means any any surface that allows for stormwater to infiltrate into the underlying ground. For the purpose of calculating the landscaped permeable surface does not include: a. any area calculated as part of building coverage; b. any impermeable surface; c. any artificial grass area; d. compacted or loose metal driveways; or e. pools under 1m in height above ground level.
LANDSCAPING	means the provision of predominantly trees or shrubs. It may include some ancillary areas of lawn or other amenity features.

LARGE FORMAT RETAIL	means any individual retail tenancy with a minimum floor area of 450m ² , where the tenancy is created by freehold, leasehold, licence or any other arrangement to occupy and includes department stores and supermarkets.
LDN	has the same meaning as the 'Day night level, or day-night average sound level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound. (National Planning Standard definition)
LEVEL CROSSING	has the same meaning as defined in Section 4 of the Railways Act 2005.
LIFELINE UTILITY	means those entities listed in Part A or described in Part B of Schedule 1 of the Civil Defence Emergency Management Act 2002.
LIVING ROOF	is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.
LOADING	means the loading or unloading or fuelling of a vehicle, or the adjustment or covering or tying of its load or any part or parts of its load. Load, in relation to a vehicle, has a corresponding meaning.
LOADING AREA	means that part of a site on which all vehicle loading facilities are accommodated, and includes all loading spaces and manoeuvring areas.
LOADING SPACE	means that portion of a site clear of any road or service lane upon which a vehicle can stand while being loaded or unloaded, and shall have vehicle access to a road or service lane.
~~LOCAL ELECTION SIGN~~	~~means:~~ ~~a. any sign that has the purpose of encouraging or persuading voters to vote for a particular party or candidate for a local election; or~~ ~~b. any sign that has the purpose of increasing awareness of how, when or where people can participate in local elections.⁷³~~
LOCAL ROAD	means any road not identified as a strategic road, arterial road or collector road in the District Plan road hierarchy, and are roads that function almost entirely for property access and are not intended to act as through routes.
LPEAK	has the same meaning as 'Peak sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound. (National Planning Standard definition)
MAHINGA KAI	refers to Ngāi Tahu interests in traditional food and other natural resources and the places where those resources are obtained.
MAINTENANCE OR REPAIR	means in relation to identified historic heritage, works that will restore or keep heritage fabric in a sound condition by using the same or similar materials and retaining the existing form, proportions, finishes <u>including painting</u> ⁷⁴ and characteristics. It includes Building Act 2004 and Building Code upgrades necessary as part of the works or where to satisfy or increase compliance with Building Act 2004 and Building Code requirements including structural seismic upgrades, fire protection and provision of access.

⁷³ Waka Kotahi [275.64].

⁷⁴ WDC [367.22].

MAJOR ELECTRICITY DISTRIBUTION LINES⁷⁵	<u>means: an overhead electricity distribution line as shown on the planning maps that is built to operate at a voltage of 33kV or greater.</u>
MAJOR HAZARD FACILITY	means a facility or activity that has been designated by Worksafe as a lower tier major hazard facility or an upper tier major hazard facility under the Health and Safety at Work (Major Hazard Facilities) Regulations 2016.
MAJOR SPORTS FACILITY	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 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: 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 grounds~~⁷⁶, 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.
MANA WHENUA	has the same meaning as in section 2 of the RMA.
MANOEUVRING AREA	means that part of a site used by vehicles to move from the vehicle crossing to any parking space, garage or loading space. It includes all driveways and aisles, and may be part of an access. Parking areas and loading areas may be served in whole or in part by a common manoeuvring area.
MĀORI LAND	in relation to the Special Purpose Zone - Kāinga Nohoanga, means land: a. that has been gazetted or determined by an order of the Māori Land Court as having a particular land status as defined or provided for within Te Ture Whenua Maori Act 1993, which may apply to any form of ownership that is recognised or provided for under Te Ture Whenua Maori Act 1993; or b. where one or more owners of the land provide written confirmation from Te Runanga o Ngāi Tahu Whakapapa Unit that they are a direct descendant of the original grantees of the land.
MAPPED SNA	~~means an area of significant indigenous vegetation and/or significant habitat of indigenous fauna shown on the planning map and listed in ECO-SCHED1 that meets one or more of the ecological significance criteria listed in ECO-APP1.~~ ⁷⁷

⁷⁵ Mainpower [249.92]⁷⁶ Oxford A&P Association [146.2].⁷⁷ Federated Farmers [414.19] and DoC [419.92].

MARAE COMPLEX	means a specific area containing a complex of building and facilities used for the provision of a focal point for social, cultural and economic activity for Ngāi Tūāhuriri.
MEDIUM DENSITY RESIDENTIAL STANDARDS	<u>means</u> <u>the requirements, conditions, and permissions set out in Schedule 3A of the RMA.</u>
MINING	has the same meaning as in section 2 of the RMA and Crown Minerals Act 1991.
MINOR RESIDENTIAL UNIT	means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site. (National Planning Standard definition)
MOB STOCKING	means confining livestock in an area in which there is insufficient feed and in a way that results in the removal of all or most available vegetation.
MOBILE TRADING	means a moveable temporary trading activity from which goods or services, including food and beverage, are offered or displayed for sale, including, but not limited to food and beverage preparation and sale, but does not include produce stalls or portacoms.
MONUMENT	in the context of cemeteries, means any headstone, plaque, panel, memorial or associated concrete kerbing.
MOTORISED RECREATION ACTIVITY	means the use of motor vehicles (excluding electric scooters and electric bicycles) for recreation activities.
MOTORISED SPORTS FACILITY	means land or buildings, other than a major sports facility or recreation facilities, used for participating in or viewing motorised sports. It includes, but is not necessarily limited to, facilities such as car, truck, go-kart and motorbike racing tracks and ancillary facilities such as club rooms, viewing stands, lighting, workshops, and fuel storage and pumps.
MOTORISED VEHICLE EVENTS	means events for competition, recreation or entertainment involving motor vehicle movement, such as car shows, and motor vehicle racing, but does not include modelled or scaled-down versions of vehicles operated through remote control.
MULTI-UNIT RESIDENTIAL DEVELOPMENT	means development involving more than one residential unit (but excluding any minor residential unit or residential unit in a retirement village) undertaken comprehensively over one or more sites, and may include zero lot development, townhouses, apartments or terrace housing.
MULTI-UNIT RESIDENTIAL DEVELOPMENT	means development involving more than ~~one~~ three residential unit (but excluding any minor residential unit or residential unit in a retirement village) undertaken comprehensively over one or more sites, and may include zero lot development, townhouses, apartments or terrace housing.
NATIONAL GRID	has the same meaning as in the NPSET.

<u>NATIONAL GRID SUBDIVISION CORRIDOR</u> ⁷⁸	<u>means</u> a. <u>the area 32m either side of the centreline of an above ground 66kV transmission line on towers (including tubular steel towers where these replace steel lattice towers);</u> b. <u>the area 37m either side of the centreline of an above ground 220kV transmission line;</u> c. <u>the area 39m either side of the centreline of an above ground 350kV transmission line.</u>
NATIONAL GRID SUPPORT STRUCTURE	means any pole, pi-pole, tower or other support structure ancillary to National Grid transmission lines.
NATIONAL GRID YARD	means: a. the area located 12m in any direction from the outer <u>visible</u> ⁷⁹ edge of a <u>foundation of a</u> ⁸⁰ <u>220kV or a 350kV</u> ⁸¹ National Grid <u>transmission line</u> ⁸² support structure; <u>or</u> b. <u>the area located 10m in any direction from the outer edge of a 66kV National Grid transmission line support structure; and</u> ⁸³ c. the area located 10m either side of the centreline of an overhead 66kV National Grid transmission line; <u>on towers (including tubular steel towers where these replace lattice steel towers); or</u> ⁸⁴ d. the area located 12m either side of the centreline of any overhead 220kV or 350kV National Grid transmission line <u>on towers (including tubular steel towers where these replace lattice steel towers).</u> ⁸⁵
NATURAL AND PHYSICAL RESOURCES	has the same meaning as in section 2 of the RMA. Includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures. (National Planning Standard definition)
<u>NATURAL FEATURE</u>	<u>In relation to the Natural Hazards Chapter, means:</u> <u>natural ponding areas, wetlands, water body margins and riparian margins, terraces, dunes, and beaches. It excludes artificial water races and drainage infrastructure such as swales and Stormwater Management Areas.</u> ⁸⁶
NATURAL HAZARD	has the same meaning as in section 2 of the RMA. means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of

⁷⁸ Transpower [195.18].

⁷⁹ Transpower [195.9].

⁸⁰ Transpower [195.9].

⁸¹ Transpower [195.9].

⁸² Transpower [195.9].

⁸³ Transpower [195.9].

⁸⁴ Transpower [195.9].

⁸⁵ Transpower [195.9].

⁸⁶ John Stevenson [162.168], Chloe Chai and Mark McKitterick [256.168], CA and GJ McKeever [111.168] and Keith Goodwin [418.169].

	which adversely affects or may adversely affect human life, property, or other aspects of the environment. (National Planning Standard definition)
NATURAL HAZARD MITIGATION WORKS	means structures and associated engineering works to prevent or control the impacts of natural hazards and includes both soft engineering natural hazard mitigation and hard engineering natural hazard mitigation. Retaining walls not required for a hazard mitigation purpose are excluded from this definition. Raised building floor levels and raised land which are required to be raised to meet the requirements of a hazards assessment certificate are excluded from this definition.
NATURAL HAZARD SENSITIVE ACTIVITY	means buildings <u>and conversions of existing buildings</u>⁸⁷ which: - contain one or more habitable rooms; ~~and/or~~ ~~contain one or more employees (of at least one full time equivalent)~~ <u>are serviced with a sewage system and connected to a potable water supply; and/or</u>⁸⁸ ~~are~~ <u>is</u> a place of assembly; except that this shall not apply to: ~~regionally significant infrastructure or critical~~⁸⁹ infrastructure; - any ~~attached garage or~~⁹⁰ detached garage to a residential unit or minor residential unit that is not a habitable room; - any building with a footprint of less than 25m²; ~~or~~ - any building addition in any continuous 10-year period that has a footprint of less than 25m²; <u>or</u> <u>any building with a dirt/gravel or similarly unconstructed floor.</u>⁹¹
NATURAL SYSTEMS	~~means the interaction of the ecosystem, natural resources and physical processes within the natural environment, where there is an exchange of matter, energy or information.~~⁹²
NAVIGATIONAL AID	means a device or system (such as a radar beacon) that provides an aviation operator with data to support navigation of aircraft, including approach control services within the meaning of the Civil Aviation Act 1990; or 'navigational aid' as defined in the Maritime Transport Act 1994.
NET DENSITY	means the number of lots or household units per hectare (whichever is the greater). The area (ha) includes land for: - residential purposes, including all open space and on-site parking associated with residential development; - local roads and roading corridors, including pedestrian and cycle ways, but excluding State Highways and ~~major~~⁹³ arterial roads; - local (neighbourhood) reserves. The area (ha) excludes land that is: - stormwater retention and treatment areas; - geotechnically constrained (such as land subject to subsidence or inundation);

⁸⁷ ECan [316.77].

⁸⁸ ECan [316.55].

⁸⁹ RMA Schedule 1 Clause 16 – the Natural Hazards Chapter does not refer to Regionally significant Infrastructure.

⁹⁰ ECan [316.55].

⁹¹ ECan [316.55].

⁹² Forest and Bird [192.22].

⁹³ Clause 16 RMA.

	f. set aside to protect significant ecological, cultural, historic heritage or landscape values; g. set aside for esplanade reserves or access strips that form part of a larger regional or sub-regional reserve network; d. for local community services and retail facilities, or for schools, hospitals or other district, regional or sub-regional facilities.
NET FLOOR AREA	means the sum of any gross floor area; and a. includes: i. both freehold and leased areas; and ii. any stock storage or preparation areas; but b. excludes: i. void areas such as liftwells and stair wells, including landing areas; ii. shared corridors and mall common spaces; iii. entrances, lobbies and plant areas within a building; iv. open or roofed outdoor areas, and external balconies, decks, porches and terraces; v. off street loading areas; vi. building service rooms; vii. parking areas and basement areas used for parking, manoeuvring and access; and viii. non-habitable floor spaces in rooftop structures. (National Planning Standard definition)
NET SITE AREA	means the total area of the site, but excludes: a. any part of the site that provides legal access to another site; b. any part of a rear site that provides legal access to that site; c. any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981. (National Planning Standard definition)
NETWORK UTILITY OPERATOR	has the same meaning as in s166 of the RMA (as set out in the box below) means a person who— a. undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or b. operates or proposes to operate a network for the purpose of— i. telecommunication as defined in section 5 of the Telecommunications Act 2001; or ii. radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; or c. is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or d. undertakes or proposes to undertake the distribution of water for supply (including irrigation); or e. undertakes or proposes to undertake a drainage or sewerage system; or f. constructs, operates, or proposes to construct or operate, a road or railway line; or g. is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or

	h. is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or i. undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act,— and the words network utility operation have a corresponding meaning. (National Planning Standard definition)
NO NET LOSS	~~in relation to indigenous biodiversity, means no reasonably measurable overall reduction in:~~ ~~a. the diversity of indigenous species or recognised taxonomic units; and~~ ~~b. indigenous species' population sizes (taking into account natural fluctuations) and long term viability; and~~ ~~c. the natural range inhabited by indigenous species; and~~ ~~d. the range and ecological health and functioning of assemblages of indigenous species, community types and ecosystems.⁹⁴~~
NOISE	has the same meaning as in section 2 of the RMA. includes vibration. (National Planning Standard definition)
NOISE RATING LEVEL	means a derived noise level used for comparison with a noise limit. (National Planning Standard definition)
NOISE SENSITIVE ACTIVITIES	means: a. residential activities other than those in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008; b. Education ~~al Facilities activities including pre-school places~~ or premises excluding training, trade training or other industry related training facilities;⁹⁵ c. visitor accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants; d. hospitals, healthcare facilities and any elderly persons housing or complex;⁹⁶ e. <u>marae and places of worship.</u>⁹⁷
NON CRITICAL INFRASTRUCTURE	includes: a. private infrastructure such as domestic water supply networks, sewage disposal and drainage systems; b. local roads; c. local facilities for loading or unloading cargo transported on road; but excludes critical infrastructure, strategic infrastructure, regionally significant infrastructure, strategic transport networks and any lifeline utility.
NON MOTORISED RECREATION ACTIVITIES	means recreation activities that do not involve the use of motor vehicles.

⁹⁴ Forest and Bird [192.23].

⁹⁵ MoE [277.6].

⁹⁶ Punctuation

⁹⁷ KiwiRail [373.6].

NOTABLE TREE	means any tree or group of trees that is listed in TREE-SCHED1 - Notable Trees.
NOTIONAL BOUNDARY	means a line 20 metres from any side of a residential unit or other building used for a noise sensitive activity, or the legal boundary where this is closer to such a building. (National Planning Standard definition)
NOTIONAL ENVELOPE	has the same meaning as in the NESTF, and in relation to a pole means the smallest notional cylindrical shape into which all non-dish antennas attached to the pole (including any shroud but not including any mount or ancillary equipment) would fit. See also the definition for 'headframe'.
OFFICE	means a place where the principal activity is administrative, business, clerical, professional, government or management.
OFFICE FURNITURE	means equipment and systems supplies, businesses primarily selling goods for office-type use or consumption, and includes suppliers of computers, copiers, printers, office furniture and other related equipment.
OFFICIAL SIGN	means all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety. (National Planning Standard definition)
~~OFF-SITE DIRECTIONAL SIGN~~	~~means any sign limited to directional related words or symbols along with the name of the activity only that is located on a site that is not where the activity is occurring.⁹⁸~~
OFF-SITE SIGN	means any sign that does not relate to an activity occurring on the site on which the sign is located. It excludes any official sign, community sign, ~~off-site directional sign~~ , ⁹⁹ or temporary sign. It includes signs connected to a parked trailer or vehicle where the primary function of the trailer or vehicle is to display advertising material.
ON-SITE SIGN	means any sign that relates to any activity occurring at the site on which the sign is located. For any Open Space Zone, Natural Open Space Zone, or Sport and Active Recreation Zone, it may include any acknowledgement of relevant support provided to the maintenance or enhancement of that site.
OPEN SPACE AND RECREATION ZONES	means any of the following: a. Natural Open Space Zone; b. Open Space Zone; c. Sport and Active Recreation Zone.
OPERATIONAL NEED	means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints. (National Planning Standard definition)
OUTDOOR LIVING SPACE	means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated. (National Planning Standard definition)

⁹⁸ Waka Kotahi [275.65].

⁹⁹ Waka Kotahi [275.65].

OUTDOOR STORAGE AREA	means any land used for the purpose of storing vehicles, equipment, machinery or natural or processed products outside of fully enclosed buildings for periods in excess of 12 weeks in any year. It excludes yard-based suppliers and vehicle parking associated with an activity.
OVERLAND FLOW PATH	low point in terrain, excluding a permanent watercourse or intermittent river or stream, where surface water is likely to flow, with an upstream contributing catchment exceeding 2ha in area.
PAPAKĀINGA	means a development for mana whenua to provide residential accommodation for members of iwi or hapū groups on Māori land and/or within the Māori purpose zone (Kāinga Nohoanga), and includes all forms of accommodation for visitors and short-term residents, communal buildings and facilities.
PARK AND RIDE FACILITIES	means parking and associated facilities, including any cycle parking and pedestrian facilities, provided primarily for the patrons of a nearby public transport service to assist their modal transfer to the public transport service.
PARK MANAGEMENT ACTIVITIES	means the day to day management, operations and maintenance of parks and reserves, beach areas and open space and recreation zones. This includes: a. indigenous and non-indigenous vegetation planting, maintenance and removal; b. removal/control of non-indigenous, noxious or nuisance species; c. wild animal and pest control operations; d. maintenance of huts, tracks, walkways, cycle ways, vehicle tracks and beach areas; e. maintenance of public amenities; f. the ancillary use of vehicles, machinery or equipment.
PARK MANAGEMENT FACILITIES	means land or buildings (excluding offices and residential units) used for, and ancillary to, park management activities. This includes: a. vehicle, machinery and equipment depots; b. storage sheds; and c. plant nurseries, greenhouses and propagation sheds.
PARKING AREA	means that part of a site or building within which vehicle parking spaces and manoeuvring areas are accommodated and which is provided to meet demand associated with an activity or development on the same site. It includes parking spaces, access, electric charging stations, landscaping and stormwater management associated with the parking.
PARKING BUILDING	means a building that has single or multiple storeys used primarily for parking of motor vehicles and which is not provided to meet demand associated with an activity or development on the same site. It includes parking spaces, access, electric charging stations, landscaping and stormwater management associated with the parking.
PARKING LOT	means stand-alone single level parking facilities at ground level used primarily for parking of motor vehicles and which are not provided to meet demand associated with an activity or development on the same site. It includes parking spaces, access, electric charging stations, landscaping and stormwater management associated with the parking.

PARKING SPACE	means a space on a site capable of, and available at any time for, accommodating a stationary 85 or 99 percentile design motor vehicle and which is formed to an all-weather standard and may be in a garage, carport or parking building and may include an electric charging station.
PEDESTRIAN CROSSING FACILITY	means a dedicated pedestrian crossing facility, such as marked pedestrian crossings, mid-block pedestrian signals, refuge islands, courtesy crossings, or kea crossings.
PI-POLE	means two single poles side-by-side.
PLACE OF ASSEMBLY	means land or buildings used for principally for public or private assembly of people for recreation, cultural, spiritual or entertainment activities and includes halls and community centres.
PLACES ADJOINING THE COASTAL MARINE AREA	in relation to infrastructure and Section 51 of the NESTF, means places in the area between MHWS and the inland base of the dunes.
<u>PLANTATION COMMERCIAL FORESTRY</u>	has the same meaning as in the NES~~CFPF~~ <u>and includes forestry¹⁰⁰ (as set out below):</u> <u>means exotic continuous-cover forestry or plantation forestry</u> <u>The NESCF defines ‘exotic continuous-cover forest’ or ‘exotic continuous-cover forestry’ as:</u> <u>(a) means a forest that is deliberately established for commercial purposes, being at least 1 ha of continuous forest cover of exotic forest species that has been planted and—</u> <u>(i) will not be harvested or replanted; or</u> <u>(ii) is intended to be used for low-intensity harvesting or replanted; and</u> <u>(b) includes all associated forestry infrastructure; but</u> <u>(c) does not include—</u> <u>(i) a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or</u> <u>(ii) forest species in urban areas; or</u> <u>(iii) nurseries and seed orchards; or</u>

¹⁰⁰ Federated Farmers [414.14]

	<u>(iv) trees grown for fruit or nuts; or</u> <u>(v) long-term ecological restoration planting of indigenous forest species; or</u> <u>(vi) willows and poplars space planted for soil conservation purposes</u> <u>The NESCF defines 'plantation forestry' as:</u> <u>means a forest deliberately established for commercial purposes, being—</u> <u>(a) at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and</u> <u>(b) includes all associated forestry infrastructure; but</u> <u>(c) does not include—</u> <u>(i) a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or</u> <u>(ii) forest species in urban areas; or</u> <u>(iii) nurseries and seed orchards; or</u> <u>(iv) trees grown for fruit or nuts; or</u> <u>(v) long-term ecological restoration planting of forest species; or</u> <u>(vi) willows and poplars space planted for soil conservation purposes.</u>¹⁰¹
POLE	means a non-lattice structure that supports conductors, lines, cables, antennas, lights or cameras, but is not a tower, and includes foundations and hardware associated with the structure such as insulators, cross arms and guy-wires.
PRESCHOOL	means the use of land or buildings for early childhood education or care of three or more children (in addition to any children resident on the site or the

¹⁰¹ Federated Farmers [414.14] and s44 RMA

	children of the persons providing the education or care) under the age of six years by the day or part of a day, but not for any continuous period of more than seven consecutive days. It includes a crèche, kindergarten, play centre, education and care service or kohanga reo.
PRIMARY BUILDING FRONTAGE	means, in relation to signs only, any building frontage facing a road boundary or parking area.
PRIMARY PRODUCTION	means: a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); c. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but d. excludes further processing of those commodities into a different product. (National Planning Standard definition)
PRINCIPAL SHOPPING STREET	means an area identified in the District Plan as a principal shopping street in Rangiora, Oxford, ~~or~~ Kaiapoi <u>or North Woodend¹⁰²</u> .
PRIVATE WAY	means any land used for access purposes and includes land subject to rights of way easements and common access lots.
PRIVATELY-OWNED SITE	means all land owned, managed and controlled by a private landowner.
PUBLIC AMENITIES	Means land, buildings or other structures used to provide amenity and assist the public. This is limited to: 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.
<u>PUBLIC DRAIN¹⁰³</u>	<u>means the Council Land Drainage System. It does not include any private drains or roadside drains not administered by the District Council.</u>
PUBLIC DRINKING WATER SUPPLY	means a drinking water supply as defined by the Water Services Act 2021, with the primary purpose of providing the public with drinking water via a reticulated system. This does not include a private drinking water supply, or a domestic self-supply. For clarity, it may include a District Council, community or public operated facility.

¹⁰² Ravenswood [347.3]

¹⁰³ Waka Kotahi [275.35]

PUBLIC PARKING	means parking provided, or administered, by the District Council to meet parking demand within town centres, including where there is frontage to a principal shopping street, which may be funded or partly funded through financial contribution.
PUBLIC TRANSPORT FACILITY	means land or buildings used for, or ancillary to, scheduled passenger transport services. It may include a public transport interchange, park and ride facilities, bus bays, taxi ranks, drop-off and pick-up points, cycle parking, shelters, waiting rooms, ticket office, information centre, luggage lockers, public toilets, showers and changing rooms.
PUBLIC WASTEWATER SYSTEM	means a wastewater system with the primary purpose of providing wastewater services to the public via a reticulated system.
PUBLICLY ACCESSIBLE SPACE	means areas that are in private or public ownership, through which the public can commonly pass, and which are free of physical barriers such as gates.
QUALIFYING MATTERS	<u>means</u> <u>a matter referred to in section 77I or 77O of the RMA.</u>
QUARRY	means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarrying activities. (National Planning Standard definition)
QUARRYING ACTIVITIES	means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry. (National Planning Standard definition)
QUEUING SPACE	means that part of a vehicle accessway between the edge of a road carriageway and a vehicle control point that is available for the queuing of vehicles.
RADIOCOMMUNICATION	means any transmission or reception of signs, signals, writing, images, sounds or intelligence of any nature by radio waves.
RAFT	has the same meaning as in section 2 of the RMA. means any moored floating platform which is not self-propelled; and includes platforms that provide buoyancy support for the surfaces on which fish or marine vegetation are cultivated or for any cage or other device used to contain or restrain fish or marine vegetation; but does not include booms situated on lakes subject to artificial control which have been installed to ensure the safe operation of electricity generating facilities. (National Planning Standard definition)
RAIL CORRIDOR	means: a. land upon which a railway line (as defined in Section 4 of the Railways Act 2005) is constructed, along with any adjacent land that is held or used in connection with operating a railway on that railway line;

	b. any land held by KiwiRail or any other party for rail transport.
RATING LEVEL	means a derived noise level used for comparison with a noise limit.
RECLAMATION	means the manmade formation of permanent dry land by the positioning of material into or onto any part of a water body, bed of a lake or river or the coastal marine area, and: a. includes the construction of any causeway; but b. excludes the construction of natural hazard protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry land. (National Planning Standard definition)
RECREATION ACTIVITIES	means the active or passive enjoyment of sports, recreation or leisure, whether competitive or non-competitive, casual or organised, and whether a charge is made for admission or participation or not.
RECREATION FACILITIES	means land, buildings or other structures, other than a major sports facility or motorised sports facility, used for recreation activities other than those undertaken at a domestic scale, and may include natural, artificial or hard playing and safety surfaces and ancillary facilities such as clubroom and function rooms, lighting and light poles and parking areas. Recreation facilities are typically of a much smaller scale and with more limited built facilities than a major sports facility.
REGIONALLY SIGNIFICANT INFRASTRUCTURE	means: a. strategic land transport network and arterial roads; b. ~~Timaru Airport~~¹⁰⁴ c. ~~Port of Timaru~~¹⁰⁵ d. ~~commercial maritime facilities at Kaikoura~~;¹⁰⁶ e. telecommunication and radiocommunication facilities; f. national, regional and local renewable electricity generation activities of any scale; g. the electricity transmission and distribution network; h. sewage collection, treatment and disposal networks; i. community land drainage infrastructure; j. community potable water systems; k. established community-scale irrigation and stockwater infrastructure; l. transport hubs; m. bulk fuel supply infrastructure including terminals, wharf lines and pipelines; and n. strategic infrastructure.
REHABILITATION	<u>In relation to the Earthworks chapter¹⁰⁷</u> , means restoring land that has been damaged by earthworks activity, to as near to pre-disturbance conditions as possible.
RELOCATABLE BUILDING	means a building being temporarily stored that is easily capable of, and designed for, relocation, either in part or whole, to another site. In relation to any relocatable building located within the Pines Beach and Kairaki Regeneration Zone, means a building that is intended for relocation,

¹⁰⁴ DoC [419.22].

¹⁰⁵ DoC [419.22].

¹⁰⁶ DoC [419.22].

¹⁰⁷ DoC [419.23].

	either in part or whole, to another site and demonstrates compliance with the following: - the building shall be generally of timber or metal framing and exclude any structures that have cast in situ concrete walls, concrete block walls, brick and stone walls (including brick veneer), unless such structures are certified by a qualified structural engineer to be of a specific design which would enable at least the greater part of the building to be relocated if required; - the building can be removed from the site in less than seven consecutive days; - the building is fully self-contained or able to disconnect from Council reticulated services in less than two days; and - a statement of professional opinion is provided which confirms that the proposed building is relocatable and is suitable to be established on the site. This shall be provided by a suitably qualified and experienced Structural Engineer, Architect, Architectural Designer or similar.
RENEWABLE ELECTRICITY GENERATION	means the generation of electricity of any scale from renewable sources such as solar, wind, hydro, geothermal, biomass, tidal, wave, or ocean current.
RENEWABLE ELECTRICITY GENERATION ACTIVITIES	means activities and the construction, operation, maintenance, repair, upgrade and removal of structures associated with renewable electricity generation of any scale. This includes small-scale or community-scale renewable electricity generation, the system of electricity conveyance required to convey electricity to the distribution network or the National Grid, and electricity storage technologies associated with renewable electricity.
REPAIRS	in relation to historic heritage, means to replace or mend in situ decayed or damaged heritage fabric, using materials (including identical, closely similar or otherwise appropriate material) which resemble the form, appearance and profile of the heritage fabric as closely as possible. It includes: - temporary securing of heritage fabric for purposes such as making a structure safe or weather tight; and - building Code upgrades which may be needed to meet relevant standards, as part of the repairs.
REQUIRING AUTHORITY	has the same meaning as in section 166 of the RMA.
RESIDENTIAL ACTIVITY	means the use of land and building(s) for people's living accommodation. (National Planning Standard definition)
<u>RESIDENTIAL BLOCK FRONTAGE</u>	<u>means the properties adjoining one side of a road, located between the two intersecting roads.</u> ¹⁰⁸
RESIDENTIAL DISABILITY CARE	means residential care provided in any land and building for 5 or more people with an intellectual, physical, psychiatric, or sensory disability (or a combination of 2 or more such disabilities) to help them function independently (Health and Disability Services (Safety) Act 2001).
RESIDENTIAL UNIT	means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.

¹⁰⁸ Bellgrove Rangiora Ltd [408.39].

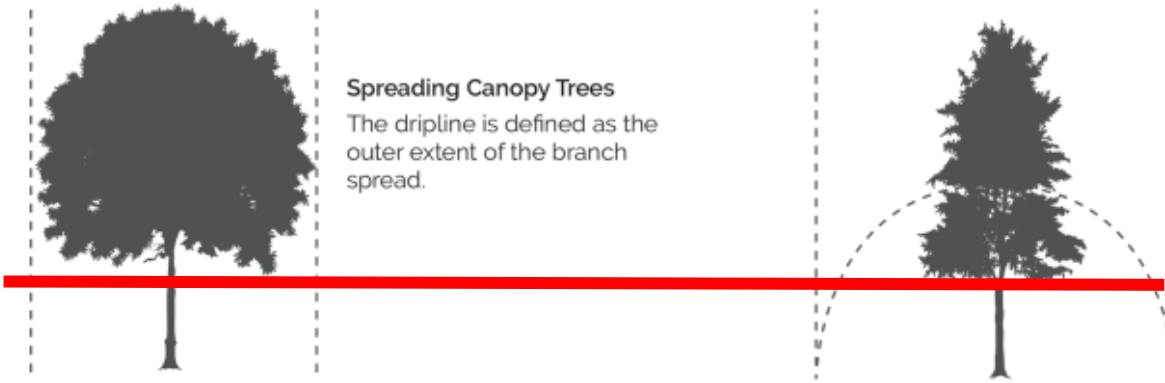
	(National Planning Standard definition)
RESIDENTIAL ZONES	means any of the following: - Large Lot Residential Zone; - Medium Density Residential Zone; - General Residential Zone; - Settlement Zone.
RETAIL ACTIVITY	means any land, building or part of a building on or in which goods are displayed, sold, or offered for sale or hire direct to the public and includes: - food and beverage outlet; - second hand goods outlets; - commercial mail order or internet-based transactions; and - large format retail.
RETIREMENT VILLAGE	means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities. (National Planning Standard definition)
REVERSE SENSITIVITY	means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity ~~which that~~ may be sensitive to the actual, potential or perceived adverse environmental effects generated by ~~an the~~ existing activity. ¹⁰⁹
RIPARIAN MARGIN	means any ~~vegetated~~ ¹¹⁰ strip of land which extends along streams, rivers and the banks of lakes and wetlands and is therefore the interface between terrestrial and aquatic ecosystems.
RIVER	has the same meaning as in section 2 of the RMA. means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal). (National Planning Standard definition)
ROAD	has the same meaning as in section 2 of the RMA. has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roading Powers Act 1989 Section 315 of the Local Government Act 1974 road definition: road means the whole of any land which is within a district, and which— - immediately before the commencement of this Part was a road or street or public highway; or - immediately before the inclusion of any area in the district was a public highway within that area; or

¹⁰⁹ Transpower [195.12].

¹¹⁰ Federated Farmers [414.17].

	c. is laid out by the council as a road or street after the commencement of this Part; or d. is vested in the council for the purpose of a road as shown on a deposited survey plan; or e. is vested in the council as a road or street pursuant to any other enactment;— and includes— f. except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988: g. every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;— but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Rounding Powers Act 1989 Section 2(1) of the Government Rounding Powers Act 1989 motorway definition motorway— a. means a motorway declared as such by the Governor-General in Council under section 138 of the Public Works Act 1981 or under section 71 of this Act; and b. includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but c. does not include any local road, access way, or service lane (or the supports of any such road, way, or lane) that crosses over or under a motorway on a different level. (National Planning Standard definition)
ROAD BOUNDARY	means any boundary of a site abutting a legal road (other than an accessway or service lane), road reserve or road designation. Frontage or road frontage shall have the same meaning as road boundary.
ROAD CONTROLLING AUTHORITY	means the authority, body, or person having control of the road, whether under the New Zealand Act 1989 or the Local Government Act 1974 or under any other enactment or rule of law; and includes any person acting under and within the terms of any delegation or authorisation given by a controlling authority.
ROAD CORRIDOR	means any land held by the District Council or Waka Kotahi NZ Transport Agency or any other party as road reserve containing a formed road.
ROAD FRONTAGE	has the same meaning as road boundary.
ROAD HIERARCHY	means a road hierarchy for the District in the District Plan which classifies roads in the District as either local roads, collector roads, arterial roads, or strategic roads. The District Plan road hierarchy shown on the planning map shows only collector roads, arterial roads, or strategic roads; any other road not shown is a local road.
~~ROAD RESERVE~~	~~has the same meaning as road corridor.~~ ¹¹¹

¹¹¹ Waka Kotahi [275.3].

ROOT PROTECTION AREA	~~means the circular area surrounding a notable tree, which is the greater of the radius, measured from the base of the trunk to:~~ ~~a. the outer extent of the branch spread; or~~ ~~b. half the height of the tree.~~ ~~Dripline has the same meaning as Root Protection Area.~~ <u>a circle taken from the centre of the trunk with a radius equal to 12 times the diameter of the trunk measured at 1.4m above ground level of a tree¹¹²</u>  If in doubt about which to apply, use whichever of the two measurements is greater. With irregular shaped trees (e.g. leaning trees), the dripline is calculated by taking the greatest radial spread of the canopy from the trunk in a full circle around the tree.
RURAL INDUSTRY	means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production. (National Planning Standard definition)
RURAL PRODUCE RETAIL	means the use of land or building on, or within which, rural produce ~~grown or produced on the site~~ and products manufactured from ~~it~~ <u>the rural produce</u> are offered for sale.¹¹³
RURAL PRODUCTION	means: a. agricultural, pastoral, horticultural, forestry and woodlot activity; and b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in (a); c. includes any land and buildings used for the production of the commodities from (a) and used for the initial processing of the commodities in (b); but d. excludes further processing of those commodities into a different product. Rural production excludes outdoor intensive primary production activities or indoor intensive primary production activities.
RURAL TOURISM	means the use of land or buildings for agri-tourism, eco-tourism, nature tourism, wine tourism and adventure tourism activities, which may be provided at a tariff, with participants experience primary production or

¹¹² Jez Partridge [126.1].

¹¹³ Hort NZ [295.53].

	conservation activities or the rural or natural environment. It includes, but is not necessarily limited to: a. guiding, training, education and instructing; b. ancillary services such as booking offices, shelters, toilets and transportation; c. ancillary retail activity; d. walking and cycling tracks; and e. viewing facilities.
RURAL ZONES	means any of the following: a. Rural Lifestyle Zone; b. General Rural Zone.
SELF-CONTAINED POWER UNIT	has the same meaning as in the NESTF and is equipment installed with a facility for the purpose of generating power for that facility (such as a solar panel), including cables connecting the equipment to the facility.
SENSITIVE ACTIVITY	means ~~activities and facilities including, but is not limited to,~~ ¹¹⁴ educational facilities, community facility, healthcare facility, childcare facilities, residential units, minor residential units, retirement village, visitor accommodation, community facility, offices and hospitals.
SEPARATED CYCLE LANE	means a cycle lane that has some form of physical separation from traffic and pedestrians, and is generally situated on or adjacent to the road, usually within the road reserve/road corridor. The separation may involve horizontal and/or vertical components, such as kerbing or planters.
SERVICE INDUSTRY	means the use of land and/or buildings for the transport, storage, maintenance or repair of goods and vehicles and the hire of commercial and industrial equipment and machinery.
SERVICE STATION	means any site where the primary activity is the retail sale of motor vehicle fuels, including petrol, LPG, CNG and diesel. It may include any one or more of the following ancillary activities: a. the sale or hire of kerosene, alcohol-based fuels, lubricating oils, tyres, batteries, vehicle spare parts, trailers and other accessories normally associated with motor vehicles; b. the mechanical repair, servicing and cleaning of motor vehicles (other than heavy vehicles) and domestic garden equipment, but not panel beating, spray painting and heavy engineering, such as engine reboring and crankshaft grinding; c. truck stops; d. inspection and certification of motor vehicles; and e. the sale of other goods for the convenience and comfort of service station customers. Service Station excludes any industrial activity or heavy industrial activity.
SETBACK	means the distance between a structure or activity and the boundary of its site, or other feature specified in the District Plan.
SEWAGE	means human excrement and urine. (National Planning Standard definition)

¹¹⁴ Hort NZ [295.56]

SHARED PARKING	means any parking facility, or part thereof, that is used by two or more activities, whether the activity or facility is located on the same site, or on separate sites.
SHARED USE PATH	means a path that is intended to be used by pedestrians, cyclists, and mobility devices.
SHELTERBELTS	means a row or rows of trees or hedges planted to partially block wind flow.
SHOW HOME	means a residential unit that is open for public display and is promoted to encourage people to buy or construct ¹¹⁵ similar residential units at a different site, although upon sale a show home may remain as a residential unit or be relocated. A show home may include a sale office within the residential unit.
SIGN	means any device, character, graphic or electronic display, whether temporary or permanent, which: a. is for the purposes of: i. identification of or provision of information about any activity, property or structure or an aspect of public safety; ii. providing directions; or iii. promoting goods, services or events; and b. is projected onto, or fixed or attached to, any structure or natural object; and c. includes the frame, supporting device and any ancillary equipment whose function is to support the message or notice. (National Planning Standard definition)
SIGN DISPLAY AREA	means the total area of any freestanding sign, or sign that projects from a structure, and excludes any supporting structure provided it does not form part of the sign's message. Where signs are painted on, or integrated with, a structure, the sign display area is the area enclosing the sign's text, symbols, and/or images. For any double-sided sign, or V-shaped sign with less than 30° at the apex, the sign display area shall be measured as the area of one side only, being the largest of any one side.
SIGNIFICANT NATURAL AREA (SNA) ¹¹⁶	means an area of significant indigenous vegetation and/or significant habitat of indigenous fauna <u>listed in ECO-SCHED1 and shown on the planning map, or any other area of significant indigenous vegetation and or significant habitat of indigenous fauna</u> ¹¹⁷ that meets one or more of the ecological significance criteria listed in ECO-APP1. ~~A SNA can be either a mapped SNA or unmapped SNA. Refer to the individual definitions for these terms.~~ ¹¹⁸
SITE	means: a. an area of land comprised in a single record of title under the Land Transfer Act 2017; or b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or

¹¹⁵ Spelling error¹¹⁶ DoC [419.26].¹¹⁷ Federated Farmers [414.19] and DoC [419.92].¹¹⁸ Federated Farmers [414.19] and DoC [419.92].

	c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or d. despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system is the whole of the land subject to the unit development or cross lease. (National Planning Standard definition)
SKY GLOW	means the cumulative effect of brightening natural darkness of the night sky from the scatter of artificial lighting.
SMALL CELL UNIT	has the same meaning as in the NESTF and means a device that receives or transmits radiocommunication or telecommunication signals and has a volume (including any ancillary infrastructure equipment, but not including any cabling) of not more than 0.11m ³ .
SMALL SCALE OR COMMUNITY SCALE RENEWABLE ELECTRICITY GENERATION	means renewable electricity generation for the purpose of using electricity on a particular site, and/or supplying an immediate community, and/or connecting into and supplying any surplus electricity generated to the electricity distribution network.
SOFT ENGINEERING NATURAL HAZARD MITIGATION	means the use of natural materials, features and processes, including vegetation to stabilise waterway banks, and absorb wave energy and reduce coastal erosion and inundation, <u>but does not include earth engineered bunds</u> ¹¹⁹ . Soft engineering techniques include planting, beach re-nourishment, beach and bank re-profiling and the restoration of natural features such as dunes, coastal wetlands/saltmarsh and floodplains.
SOUND AMPLIFIED ACTIVITY	means any activity undertaken outside any buildings which involves the use of sound amplification, including any amplification system checks, which is clearly audible at any other site.
SPA/WELLNESS AND HOT POOL COMPLEX	means an integrated complex that operates both indoor and outdoor pools and spas and includes the provision of ancillary spa/wellness and beauty services, cafe and swim/spa related retail activities and ancillary office.
SPECIAL AUDIBLE CHARACTERISTIC	has the same meaning as 'special audible characteristic' in section 6.3 of New Zealand Standard 6802:2008 Acoustics – Environmental Noise. (National Planning Standard definition)
SPECIAL PURPOSE ZONES	means any of the following: a. Pines Beach and Kairaki Regeneration Zone; b. Kaiapoi Regeneration Zone; c. Museum and Conference Centre Zone; d. Kāinga Nohoanga Zone; e. Hospital Zone; f. Pegasus Resort Zone.
STATE HIGHWAY	means a State Highway declared under the Government Rounding Powers Act 1989.
STOPBANK	means an embankment to prevent flooding.

¹¹⁹ 199 Johns Road Ltd, Carolina Homes Ltd, Carolina Rental Homes Ltd, Allan Downs Ltd [266.16].

STORMWATER	means run-off that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or run-off from the surface of any structure, as a result of precipitation and includes any contaminants contained within. (National Planning Standard definition)
STORMWATER INFRASTRUCTURE	means all those components of a drainage network between the point of customer collection and the discharge of stormwater into the natural environment. This includes but is not limited to: its collection, conveyance, storage or retention or detention, treatment, and ancillary structures, facilities and equipment.
STRATEGIC INFRASTRUCTURE	means those necessary facilities, services and installations which are of greater than local importance, and can include infrastructure that is nationally significant, such as: a. strategic transport networks; b. Christchurch International Airport; c. Rangiora Airfield; ~~d. Port of Lyttelton;~~¹²⁰ e. bulk fuel supply infrastructure including terminals, wharf lines and pipelines; f. defence facilities; g. strategic telecommunications and radiocommunications facilities; h. electricity transmission and distribution network including the National Grid; i. other strategic network utilities.
STRATEGIC ROAD	means any road identified as a strategic road in the District Plan road hierarchy and are primarily state highways and cater especially for longer trips between districts and regions.
STRATEGIC TRANSPORT NETWORKS	means transport networks and operations of national or regional significance. These include the strategic road network including State Highway and arterial roads as defined in the District Plan and the rail network, along with the region's core public passenger transport operations and significant regional transport hubs such as Christchurch International Airport and the Port of Lyttelton.
STREET FURNITURE	means seating, rubbish bins, cycle facilities and café related outdoor dining furniture in the street environment.
STRUCTURE	has the same meaning as in section 2 of the RMA. means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft. (National Planning Standard definition)
STUDENT HOSTEL	for the purpose of calculating parking requirements, means hostels that are not ancillary to an education activity, including a tertiary education and research facility.
SUBDIVISION	has the same meaning as "subdivision of land" in section 218 of the RMA. means—

¹²⁰ DoC [419.27]

	a. the division of an allotment— i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226. (National Planning Standard definition)
SUPERMARKET	means an individual retail outlet that sells a comprehensive range of food, beverage and other disposable goods such as fresh meat and produce; chilled, frozen, packaged, canned and bottled foodstuffs and beverages; and general housekeeping and personal goods.
SURF LIFESAVING ACTIVITIES	means activities that include marked patrol areas, beach patrol and rescue, and the ancillary use of motor vehicles, machinery or equipment, but does not include new buildings.
SUSTAINABLE MANAGEMENT	has the same meaning as in section 5 of the RMA. means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while— a. sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and b. safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and c. avoiding, remedying, or mitigating any adverse effects of activities on the environment. (National Planning Standard definition)
SWALE	means an area of land that has been shaped to allow a watercourse to form during stormwater collection.
TANGATA WHENUA	has the same meaning as in section 2 of the RMA.
TE KOHAKA O TUHAITARA TRUST	means a registered charity responsible for the rehabilitation and management of Tuhaitara Coastal Park including Tutaepatu Lagoon and coastal wetlands.
TELECOMMUNICATION	means the conveyance by electromagnetic means from one device to another of any encrypted or non-encrypted sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature, whether for the information of any person using the device or not, but it excludes any conveyance that constitutes broadcasting.

TELECOMMUNICATION LINE	has the same meaning as in the Telecommunications Act 2001 and means a telecommunication wire, or conductor of any other kind (including a fibre optic cable).
TEMPORARY ACTIVITY	means an activity or event and any ancillary structures that: 1. is infrequent, temporary, of short duration with a defined end time; and 2. creates no, or only negligible, lasting alteration or disturbance to any site, building or vegetation; it includes: a. performances, celebrations, concerts; b. exhibitions; c. circuses; d. parades; e. holiday observances; f. fetes, fairs and carnivals; g. festivals; h. recreation and sporting events; i. filming; j. and other ~~types of~~ activities of ~~similar character~~ <u>a temporary nature and character</u>; ¹²¹ Temporary activity excludes markets and other activities held on a regular basis such as daily, weekly, fortnightly, or monthly, and temporary events ancillary to domestic scale residential activities.
TEMPORARY INFRASTRUCTURE	means portable or transportable infrastructure, such as generators, pumps or fuel tanks, required on a temporary basis, such as during construction or other temporary activity, for a finite period of time and which are removed from the site of the activity or stage of that activity for which they are temporarily required upon completion of that activity or stage of that activity.
TEMPORARY MILITARY TRAINING ACTIVITY	means a temporary activity undertaken for the training of any component of the New Zealand Defence Force (including with allied forces) for any defence purpose. Defence purposes are those purposes for which a defence force may be raised and maintained under section 5 of the Defence Act 1990 which are: a. the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act; b. the protection of the interests of New Zealand, whether in New Zealand or elsewhere; c. the contribution of forces under collective security treaties, agreements, or arrangements; d. the contribution of forces to, or for any of the purposes of, the United Nations, or in association with other organisations or States and in accordance with the principles of the Charter of the United Nations; e. the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency; f. the provision of any public service. (National Planning Standard definition)
<u>TEMPORARY SIGN</u>	<u>means any sign:</u> a. <u>promoting a temporary activity;</u> b. <u>at a temporary activity; or</u>

¹²¹ Clampett Investment Limited [284.30] and Rolleston Industrial Developments Limited [326.31].

	c. <u>relating to a local election with the purpose of encouraging or persuading voters to vote for a particular party or candidate for a local election, or increasing awareness of how, when or where people can participate in local elections.</u> <u>It includes signs connected to a parked trailer or vehicle where the primary function of the trailer or vehicle is to display advertising material.</u>¹²²
TERRITORIAL AUTHORITY	has the same meaning as in section 5 of the Local Government Act 2002. means a city council or a district council named in Part 2 of Schedule 2. (National Planning Standard definition)
TERTIARY EDUCATION AND RESEARCH ACTIVITY	means the use of land or buildings for: a. the provision of teaching or training or related research; b. commercial research and laboratories; c. ancillary retailing, cultural activities, recreation activities, and entertainment activities, offices, and accommodation facilities.
THREE WATERS	means water supply, wastewater system and stormwater infrastructure.
TIKANGA	means customary values and practices.
TOWER	means a lattice steel structure (or a tubular steel structure where this replaces a lattice steel structure) that supports conductors, lines, cables or antennas, and includes foundations and hardware associated with the structure such as insulators and cross arms.
TRADE AND INDUSTRY TRAINING FACILITY	means land or buildings used for occupational training in the skills of engineering, building, aviation, manufacturing and other industrial activities, and includes ancillary offices, cultural activities and recreation activities.
TRADE SUPPLIER	means a business engaged in sales to businesses, and may also include sales to the general public, and consists only of one or more of the following categories: a. automotive and marine supplies; b. building supplies; c. farming and agricultural supplies; d. garden and landscaping supplies; e. office furniture, equipment and systems supplies; f. hire services (except hire or loan of books, videos, DVDs and other similar home entertainment items) ; g. industrial clothing and safety equipment supplies; and h. catering equipment supplies.
TRANSMISSION LINE	has the same meaning as defined in the NESETA.
TRANSPORT SYSTEM	means all transport infrastructure, services and mechanisms that contribute to providing for all forms of transport including multi modal transport and active transport. It includes those parts of the transport system that form part of critical infrastructure, strategic infrastructure, regionally significant infrastructure, land transport infrastructure, and strategic transport networks.
TRAVEL DEMAND MANAGEMENT	means using a range of methods to change travel behaviour i.e. how, when and where people travel.

¹²² Waka Kotahi [275.64].

UNACCEPTABLE RISK	In relation to major hazard facilities, means exposure of sensitive activities (including residential dwelling) to an individual fatality risk level exceeding 1×10^{-6} per year.
UNFORMED LEGAL ROAD	means land that has been legally established as a public road prior to 1996 but which is not formed or maintained by the District Council or the New Zealand Transport Agency as a public road.
UNMAPPED SNA	~~means an area of significant indigenous vegetation and/or significant habitat of indigenous fauna listed in ECO-SCHED2 that occupies at least the specified minimum contiguous area, and is not a mapped SNA shown on the planning map and listed in ECO-SCHED1.~~ ¹²³
UPGRADING	In relation to the natural hazards chapter, means the replacement, renewal, improvement or realignment of a network utility structure or building, or natural hazards mitigation works that: - is within 5m of the alignment or location of the original structure or building; and - does not increase the footprint of the original structure or building by greater than 10 percent across any continuous 5-year period; but ~~does not include works limited to maintenance for community scale natural hazard mitigation works, it does not increase the footprint of the original scheme by greater than 10 percent across any continuous 5-year period.~~ <u>Note: upgrading does not include works limited to maintenance.</u>¹²⁴
<u>URBAN HAZARD AREA</u>	<u>For Waimakariri District, the urban flood assessment comprises the towns of Rangiora, Kaiapoi, Woodend (including Ravenswood), Pegasus, Oxford, Waikuku, Waikuku Beach, The Pines Beach, Kairaki, Woodend Beach, the small towns of Ashley, Sefton, Cust, Ohoka, Mandeville, and all Large Lot Residential Zone areas and Special Purpose Zone (Kāinga Nohoanga).</u> ¹²⁵
URBAN ENVIRONMENT	~~means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:~~ ~~is, or is intended to be, predominantly urban in character; and~~ ~~is, or is intended to be, part of a housing and labour market of at least 40,000 people.~~ ~~For Waimakariri District, the urban environment described in (a) and (b) comprises the towns of Rangiora, Kaiapoi, Woodend (including Ravenswood), Pegasus, Oxford, Waikuku, Waikuku Beach, The Pines Beach, Kairaki, Woodend Beach, the small towns of Ashley, Sefton, Cust, Ohoka, Mandeville, and all Large Lot Residential Zone areas and Special Purpose Zone (Kāinga Nohoanga).~~¹²⁶
UTILITY	means a type of project, work or network utility operation undertaken by a network utility operator or a requiring authority as described in section 166 of the RMA.
VAULT	in the context of cemeteries, means a structure approved by the District Council for the deposit of specially sealed coffins containing a human body, or containers of ashes resulting from the cremation of a human body.

¹²³ Federated Farmers [414.20] and MainPower [249.41].

¹²⁴ ECan [316.82].

¹²⁵ ECan [316.8 and 316.13] and CCC [360.9, 360.10 and 360.11]

¹²⁶ ECan [316.8, 316.13], and CCC [360.9, 360.10, 360.11]

VEHICLE CONTROL POINT	means a point on a vehicle accessway at which a vehicle is required to stop, such as a barrier, gate, or a point where vehicles may need to wait for a vehicle reversing from the parking space closest to the vehicle crossing.
VEHICLE CROSSING	means a formed vehicle access between a road carriageway and a site boundary.
VEHICLE MOVEMENT	means a single journey in one direction to or from a particular site by a person or persons within a single motor vehicle. For example, a vehicle entering a site equals one vehicle movement, a vehicle exiting a site equals one vehicle movement, one vehicle to and from a site equals two vehicle movements.
<u>VEHICLE OR BOAT REPAIR OR STORAGE SERVICES</u>	<u>means the repair, maintenance, alteration, or storage on a short-term or long-term basis, of motor vehicles, boats, or similar modes of transportation, operated as a commercial activity. This does not include service stations.</u> ¹²⁷
VETERINARY FACILITY	means a facility used for animal health care and includes animal hospital treatment and short term stay. This does not include boarding kennels or catteries.
VISIBILITY SPLAY	means an area to be kept clear from obstruction to allow good visibility of other road users.
VISITOR ACCOMMODATION	means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities. (National Planning Standard definition)
WAREHOUSING AND STORAGE	means facilities used for collecting, receiving, storing, handling and distributing materials, products or goods.
WASTE MANAGEMENT AREA	means the area identified on a site for the storage of rubbish and recycling for collection.
WASTE MANAGEMENT FACILITY	means any landfill, resource recovery park, transfer station, refuse station, recyclables drop-off site or sorting site or other land or facility for the disposal or temporary storage of refuse or recyclable.
WASTEWATER	means any combination of two or more the following wastes: sewage, greywater or industrial and trade waste. (National Planning Standard definition)
WASTEWATER SYSTEM	means all those components of a network between the point of discharge from a customer and the discharge of treated effluent into the natural environment. This includes but is not limited to: trunk main, rising mains, mains, inspection holes, property laterals (on road reserve irrespective of point of discharge), pump stations, pumps, valves, meters, treatment plants, canals, wetlands, lagoons, infiltration basins, and irrigated land.
WATER	has the same meaning as in section 2 of the RMA. a. means water in all its physical forms whether flowing or not and whether over or under the ground: b. includes fresh water, coastal water, and geothermal water: c. does not include water in any form while in any pipe, tank, or cistern. (National Planning Standard definition)

¹²⁷ Clause 16(2) RMA.

WATER SENSITIVE DESIGN	means an interdisciplinary approach to land use and development planning, design and implementation which integrates land use and water management, to minimise adverse effects on freshwater systems and coastal environments, particularly from stormwater runoff.
WATER SUPPLY	means all those components of a network between the point of abstraction from the natural environment and the point of supply to a customer. This includes but is not limited to: wells, infiltration galleries, intake structures, open raw water storage ponds/lakes, pressure mains, treatment plants, treated water reservoirs, trunk mains, service mains, rider mains, pump stations, pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow prevention devices and tobies.
WATERBODY	has the same meaning as in section 2 of the RMA. means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area. (National Planning Standard definition)
WATERCRAFT	means any vessel, whether it is powered by a motor or not, and excludes houseboats.
WEDDING AND EVENT FACILITY	means a facility that provides rooms or spaces for weddings or private functions including the serving and preparation of food and drinks but excludes rooms or spaces for overnight accommodation.
WETLAND	has the same meaning as in section 2 of the RMA. includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions. (National Planning Standard definition)
WOODLOT	means a stand of trees <u>used for commercial purposes that is not controlled by NESCF for the purposes of firewood, Christmas trees, the creation of other wood products,¹²⁸ a carbon sink,¹²⁹ erosion control, pest, or wilding tree management purposes,¹³⁰ but excluding plantation forestry.</u>
WORKERS' ACCOMMODATION ¹³¹	<u>means a building(s) used for accommodating people whose duties require them to live on-site, and in the rural zones for people who work on the site or in the surrounding rural area, including farm managers, workers and staff.</u>
YARD-BASED ACTIVITY	means retail activity with the primary function of the supply of goods from a yard area and includes building supplies (DIY or Trade), garden centres, automotive and marine yards, farming and agricultural supplies and heavy machinery or plant. More than 50% of the area devoted to sales or display must be located in covered or uncovered external yard as distinct from within a secure and weatherproofed building where trade, business and general public customers are able to view items for sale and load, pick up or retrieve the goods, but does not include site access and parking. Drive-in or drive through covered areas devoted to the storage and display of

¹²⁸ s44A(6) of RMA.

¹²⁹ DoC [419.19].

¹³⁰ Federated Farmers [414.22].

¹³¹ Hort NZ [295.62]

	construction materials (including covered lanes) are deemed yard space for the purpose of this definition.
ZERO LOT DEVELOPMENT	means development of a residential site where at least one wall of the residential unit is built up to the side boundary.

Abbreviations¹

AADT	Annual average daily traffic
ACSMP	Archaeological and Cultural Sites Management Plan (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
AEP	Annual exceedance probability
ASW-MD1	Houseboats 1. The extent to which the houseboat compromises the use of the surface of water for other users. 2. The extent to which the houseboat has been designed to be navigated on a water body. 3. The extent to which the houseboat compromises existing public access to the Kaiapoi River. 4. The extent to which amenity values, ecological, cultural or recreational values, including any natural character values associated with the Kaiapoi River are compromised.
BPO	Best Practicable Option
CAG	Cultural Advisory Group (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
CAQMP	Construction Air Quality Management Plan (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
CARP	Canterbury Air Regional Plan
CBR	California Bearing Ratio (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
CE-MD1	Buildings and structures 1. The extent of indigenous vegetation clearance. 2. Measures to minimise any adverse effects on sensitive habitats such as dunes, rivers, lakes or wetlands. 3. The extent to which the proposal will integrate into, and be sympathetic to the landscape, including the scale, form, design and finish (materials) proposed and mitigation measures such as planting. 4. Mitigation measures to minimise the tsunami risk to people and property. 5. The extent to which the proposal would compromise existing public access to the CMA. 6. The use of natural elements such as landforms and vegetation within the site to mitigate the visibility of the proposal. 7. Where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation.
CESMP	Construction Environmental and Social Management Plan (Waka Kotahi NZ Transport Agency Woodend Bypass designation)

¹ CI 16 - consequential amendments to abbreviations arising from changes in other parts of the plan to be shown in ePlan.

CGRA	Greater Christchurch Regeneration Act 2016
CMA	Coastal marine area
CMUZ-MD1	Trade suppliers and yard based suppliers 1. The extent to which the activity adversely affects the function or capacity of the zone to provide primarily for commercial and community activities. 2. Any benefits from a trade or yard-based supplier providing a buffer between commercial activities and any adjacent industrial zones. 3. The extent of any adverse effects on the amenity and visual streetscape values of the commercial centre or zone, especially where the site has frontage to a Principal Shopping Street. 4. The extent to which the activity generates traffic and amenity effects that impact on the day to day operation and amenity of the commercial centre or zone.
CMUZ-MD10	Acoustic insulation 1. The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise impacts through other means, e.g. screening by other structures, or distance from noise sources. 2. The effectiveness of any alternative acoustic insulation technology or materials. 3. The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site. 4. Any reverse sensitivity effects on existing or future permitted business activities to operate or establish without undue constraint from residential accommodation that does not provide the required noise insulation. 5. The location of any nearby business activities and the degree to which the amenities of the sensitive activities may be adversely affected.
CMUZ-MD11	Residential development 1. In relation any to ground floor habitable room in the Town, Local and Neighbourhood Centre zone: a. the extent to which any residential or visitor accommodation ground floor habitable room adversely affects the function of the zone to provide for primarily commercial activities; b. the extent to which any residential or visitor accommodation ground floor habitable room does not adversely affect the capacity of the zone to accommodate future demand for commercial and community activities; c. the extent to which the building frontages will deliver a visually interesting and high amenity streetscape for pedestrians; d. the extent of any effects on the continuity of shopping frontages; and e. the extent to which an acceptable level of residential amenity and privacy can be provided to future occupants of residential ground floor habitable room. 2. In relation to minimum unit size, the extent to which: a. the floor space available and the internal layout represents a viable residential unit that would support appropriate amenity

	values of current and future occupants and the surrounding neighbourhood; b. other onsite factors compensate for a reduction in unit sizes e.g. communal facilities; c. the balance of unit mix and unit sizes within the overall development is such that a minor reduction in the area of a small percentage of the overall units may be warranted; d. the units are to be a part of a development delivered by the Crown of the Council as a social housing provider and have been specifically designed to meet atypical housing needs; and e. nature and duration of activities proposed may warrant a reduced unit size to operate e.g. very short term duration. 3. In relation to storage space: a. the extent to which the reduction in storage space will adversely affect the functional use of the residential unit and the amenity of neighbouring sites, including public spaces; and b. the extent to which adequate and accessible space is provided on the site for the storage of waste and recycling bins, bicycles and clothes drying facilities are provided on the site. 4. In relation to outdoor living space: a. the extent to which the reduction in outdoor living space will adversely affect the ability of the site to provide an appropriate level of amenity and meet outdoor living needs of likely future residents. 5. In relation to any proposed non-residential activities: a. the extent to which the activity will adversely affect residential amenity values, including consideration of: i. character, duration, scale and intensity; ii. hours of operation; iii. noise from patrons onsite and those arriving and leaving; iv. traffic generation and vehicle movements, including servicing vehicles; and v. any proposed measures that mitigate adverse effects by means such as the provision of screening, buffer areas, local topography, site layout (including location of point of sale) or operational practices. 6. In relation to the Mixed-Use Zone: a. the extent to which the proposal is consistent with the vision, goals or objectives of the Kaiapoi Town Centre Plan 2028 and Beyond; b. the extent to which the proposal supports regeneration and provides a high level of amenity; c. the extent to which the majority of the ground floor includes commercial activities that support vibrancy and visual interest; d. the extent to which the majority of the ground floor includes commercial activities that support vibrancy and visual interest; e. the extent to which the proposal involves a design that enables conversion of the buildings to commercial activities, especially the ground floor; and f. the extent to which the proposal contributes to achieving a mix of uses within the regeneration area.
CMUZ-MD12	Commercial activity distribution

	1. If a Local Centre, the extent to which the activity adversely affects the role, function and capacity of the nearest Town Centre to provide for primarily commercial and community activities. 2. If a Neighbourhood Centre, the extent to which the activity adversely affects the role, function and capacity of the nearest Town and Local Centre to provide for primarily commercial and community activities. 3. Any adverse effects on the amenity values and streetscape of the site, especially where sites have frontage to a principal shopping street. 4. Effects, including traffic generation, that affect daily operation and amenity of the nearest town centre.
CMUZ-MD13	Rail boundary setback 1. The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including rail corridor access and maintenance.
CMUZ-MD14	Kaiapoi large format retail 1. Any effects of the location and species of tree planting in relation to: a. public water supply and stormwater infrastructure; and b. the effectiveness of tree planting in enhancing the character and amenity of the streetscape and boundaries. 2. The extent to which any stormwater management area, including margins and plantings is designed and managed to fully drain as quickly as possible after a rainfall event and to avoid attracting bird species that are a hazard to aircraft. 3. The extent to which the departure from the ODP will result in adverse or positive outcomes. 4. For all other matters, the extent of any adverse impacts on amenity values of the site and adjacent sites.
CMUZ-MD15	Kaiapoi regeneration areas 1. The extent to which the departure from the layout in the ODP is appropriate, taking into account: a. the vision, objectives and principles expressed in the Kaiapoi Town Centre Plan 2028 and Beyond; and b. any actual or potential impact on the delivery of integrated infrastructure including road, pedestrian/cycle ways, water, wastewater, stormwater and open space across the whole ODP area.
CMUZ-MD16	Building coverage 1. The extent to which a greater building coverage: a. provides an adequate area for site access, manoeuvring, and other activities; b. affects the amenity values of the adjoining sites or public spaces due to the visual dominance and/or scale of development; and c. is mitigated through the provision of landscaping/screening.
CMUZ-MD17	Mandeville North Business Area 1. In the Mandeville North Business Area: a. the quality of building design, architectural features and details, use of colour and building materials; b. the extent to which tree planting and landscaping achieves a high quality outcome and mitigates adverse visual effects, amenity effects and scale of business activities;

	c. the location of buildings, outdoor storage and loading areas and carparking and its design in relation to adjoining reserves and roads; d. the extent to which any signs within the building is integrated with buildings' architectural detail; e. the extent to which the principles of CPTED are incorporated into any development; f. effects on the amenity values of the surrounding residential zones and rural zones; g. effects on the safe and efficient functioning of Tram Road and onsite vehicle circulation to discourage through traffic within the zone, including traffic calming measures; h. methods to prevent adverse traffic impacts on the function, safety and use of Tram Road from right turn manoeuvres into and out of the zone and the eastern service entrance; i. methods to ensure that the eastern service access is only used as an entrance from Tram Road; and j. standard of construction of roads, service lanes and accessways.
CMUZ-MD18	Parking lots and parking buildings 1. The extent to which proposed parking dominates the streetscape, disrupts active frontages and pedestrian circulation; 2. The extent to which the parking undermines the centre's ability to accommodate activity at ground floor level, contributing to an active built frontage and viable centre; 3. Any adverse effects of vehicle access points and traffic movements on the safe and efficient operation of the transport system; 4. The extent to which the location and design of the parking access and manoeuvring areas support pedestrian and cyclist safety; and 5. Any adverse effects of the parking/access points on adjoining zones and the extent of mitigation available.
CMUZ-MD2	Drive through restaurants and service stations 1. The extent to which the intensity and scale of the development, including consideration of the numbers of people and/or vehicles using the site, adversely effects of the amenity values of the surrounding area, and any practicable mitigation measures to manage those effects. 2. The effects of the design and location of landscaping, parking areas and vehicles access on visual amenity of the streetscape and pedestrian safety. 3. The effects of location, design and management of buildings, including storage and servicing facilities, on the amenity values of nearby residential properties, including potential visual effects and any night time noise effects.
CMUZ-MD3	Urban design 1. The extent to which the development: a. recognises and reinforces the centre's role, context, and character, including any natural, historic heritage or cultural assets; b. promotes active engagement with, and contributes to the vibrancy and attractiveness of, any adjacent streets, lanes or public spaces;

	c. takes account of nearby buildings in respect of the exterior design, architectural form, scale and detailing of the building; d. provides a human scale and minimises building bulk while having regard to the functional requirements of the activity; e. is designed to recognise CPTED principles, including surveillance, effective lighting, management of public areas and boundary; f. incorporates landscaping to increase amenity values, especially within surface car parking areas; g. provides safe, legible, and efficient access for all transport users; and h. where relevant, has regard to the objectives of any Town Centre Master Plan to support their recovery, long term growth and a high level of amenity.
CMUZ-MD4	Height in relation to boundary 1. The effect of any reduced sunlight admission on properties in adjoining residential, rural and open space and recreation zones, taking account of the extent of overshadowing, the intended use of spaces, and for residential properties, the position of outdoor living spaces or main living areas in buildings. 2. The effect of reduced sunlight admission to the street and the extent of any visual overbearing and obtrusiveness from the recession plane intrusion on the street. 3. The effect on privacy of residents and other users in the adjoining site. 4. The scale of building and its effects on the character of any adjoining residential zones. 5. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects. 6. The effect on outlook from adjoining sites. 7. The extent to which the recession plane breach and associated effects reflect the functional requirements of the activity and whether there are alternative practical options for meeting the functional need in a compliant manner.
CMUZ-MD5	Internal boundary setback 1. The scale and height of buildings within the reduced setback and their impact on the visual outlook of residents and users on the adjoining residential zones or open space and recreation zones. 2. The extent to which buildings in the setback enable better use of the site and improve amenity values along more sensitive boundaries elsewhere on the site. 3. The proposed use of the setback, the visual and other effects of this use and whether a reduced setback and the use of that setback achieves a better amenity outcome for residential neighbours.
CMUZ-MD6	Internal boundary landscaping 1. The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping. 2. The extent to which any reduction in landscaping or screening within the setback adequately mitigates the visual dominance of buildings. 3. The extent to which the site is visible from adjoining sites in any residential or open space and recreation zones and the likely

	consequences of any reduction in landscaping or screening on the amenity values and privacy of those sites.
CMUZ-MD7	Road boundary setback, glazing and verandah 1. The extent to which the activity: a. provides for continuity of façades and verandah coverage along the street frontage; b. provides visual interest appropriate to the context and character of the site and surrounds; c. incorporates architectural variation into the façade and building form to provide interest and to break up the bulk of a building; d. provides for main entrances, verandah coverage, openings and display windows onto the street, and maintains clear and visible visual and physical connections between the interior of a building and public spaces; e. provides for functional and quality space for public amenity and accessibility, such as for outdoor dining or retail laneways, and contributes to the functional width of a public footpath, without compromising the overall character of the street frontage and its continuity; f. results in the visual dominance of vehicles through the use of space between the building and the street for car parking, vehicle manoeuvring or loading; g. maintains transport safety through not extending verandahs over the active road carriageway; h. reduces amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road; i. adversely affects the amenity and outlook of residential, rural, or open space and recreation zones; j. presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and retail showrooms in the front façade; and k. mitigates the visual effects of a reduced setback through site frontage landscaping and the character of existing building setbacks in the wider streetscape. 2. For neighbourhood centres only, the extent to which the road is a strategic or arterial road with reduced amenity, and a road setback coupled with landscaping mitigates the adverse amenity effects of the traffic.
CMUZ-MD8	Road boundary landscaping 1. The extent to which reduced landscaping results in adverse effects on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road that has a gateway function to a township. 2. The extent of any effects on the outlook and amenity of residential zones or open space and recreation zones from any reduction in landscaping. 3. The extent to which the visual effects of reduced landscaping are mitigated through the location of ancillary offices, showrooms, or the display of trade supplier or yard-based goods for sale, along the site frontage.
CMUZ-MD9	Outdoor storage and waste management

	1. The extent of visual effects on the adjoining site. 2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the required setback. 3. The extent of the amenity effects on pedestrians or residential activities generated by the type and volume of materials to be stored. 4. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage. 5. The extent of any amenity or traffic impacts from a reduced waste management area or alternative location.
CNVMP	Construction Noise and Vibration Management Plan (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
Commencement of works	means the time when the first works that are the subject of this designation commence (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
CPT	Cone Penetration Test (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
CPTED	Crime Prevention through Environmental Design
DISTRICT	Waimakariri District
DISTRICT COUNCIL	Waimakariri District Council
DISTRICT PLAN	Waimakariri District Plan
DOC	Department of Conservation
ECO-MD1	Indigenous vegetation clearance 1. The extent to which the proposal adequately identifies indigenous biodiversity values including whether any naturally occurring species that are threatened, at risk, or reach their national or regional distribution limits in the District, or any naturally uncommon ecosystems listed in ECO-SCHED3 are present and if so, how they will be protected or managed. 2. The extent to which the proposal will achieve no net loss of indigenous biodiversity values identified as significant. 3. The actual or potential effects on indigenous biodiversity or ecological values, including intrinsic values, expected to occur as a result of the proposal, including those on ecosystem connectivity, function, and integrity and species diversity. 4. Any potential for avoiding, remedying, mitigating or otherwise offsetting or compensating for adverse effects on indigenous vegetation and habitats of indigenous fauna. 5. Any conditions to ensure obligations in respect of indigenous biodiversity endure, including beyond any changes of ownership (wholly or partially) of the landholding and review of conditions. 6. Where the clearance is within an ONL, ONF, SAL, ONC, VHNC, HNC, or any natural character of scheduled freshwater body setback, whether the indigenous vegetation proposed to be cleared contributes to the values of these areas and the degree to which the proposed clearance would adversely affect these values.

	7. The relevance and quality of a Biodiversity Management Plan, if provided. 8. The extent of adverse effects on indigenous biodiversity in the coastal environment. 9. The extent to which, if any, the health of any indigenous vegetation and/or habitat of indigenous fauna is improved. 10. The extent to which, if any, the spatial extent of any indigenous vegetation and/or habitat of indigenous fauna is increased. 11. Adverse effects on Ngāi Tahu cultural values including mahinga kai and other customary uses, and access for these purposes.
ECO-MD2	Species selected for planting 1. The extent to which the species proposed to be planted will adversely affect the: a. ecosystem function and indigenous biodiversity values of the SNA; and b. natural character of the coastal environment.
ECO-MD3	Bonus allotment or bonus residential unit 1. The extent to which the SNA will be protected and restored. 2. The adequacy and quality of the information provided with the application as required by Appendix APP2. 3. The extent to which the bonus allotment or bonus residential unit may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent sites.
ECOP	Waimakariri District Council Engineering Code of Practice
EI-MD1	Historic heritage, culture and the natural environment 1. The extent of any adverse landscape and visual effects, including cumulative effects, on ONF, ONL and SAL; or on areas of ONC, VHNC or HNC; or on the natural character of scheduled freshwater bodies setbacks; or on the coastal environment. 2. The extent to which infrastructure has a functional need or operational need for its location, the practicality of avoidance, and the viability of alternative locations, routes, sites, structures and construction methods. 3. The extent of any effects on SNAs or any notable tree and, the nature of any advice provided by an ecologist with respect to SNAs or indigenous vegetation clearance or arborist with respect to notable trees. 4. The extent of any social, economic, environmental and cultural benefits. 5. The extent of any effects on historic heritage, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing). 6. Outcomes of any consultation undertaken with Te Ngāi Tūāhuriri Rūnanga and Heritage NZ Pouhere Taonga. 7. Likely effectiveness of the mitigation proposed, including any cultural or archaeological monitoring. 8. Any relevant matter set out in NFL-MD1.
EI-MD10	Relocation of existing infrastructure 1. The extent to which the existing alignment or location is within a road corridor and relocation over a greater distance is necessary to ensure

	the infrastructure remains within the road corridor due to road widening or realignment. - The extent to which relocation over a greater distance is necessary for safety, access, operational need or functional need reasons. - The extent to which relocation would result in the infrastructure being located in the following areas, and relocation over a greater distance is necessary to avoid or minimise encroachment into such areas: - the root protection area of a notable tree; - places with heritage values; - Wāhi Tapu sites; and - SNAs.
EI-MD11	Requirement to provide water supply for firefighting - The extent to which sufficient firefighting water supply is available to ensure the health and safety of the community, including neighbouring sites. - The suitability of the proposed water supply for fire-fighting purposes (the District Council may obtain a report from the Chief Fire Officer), including the extent of compliance with SNZ PAS 4509:2008 NZ Fire Service Firefighting Water Supplies Code of Practice.
EI-MD12	National Grid - The extent of any impacts on the operation, maintenance, upgrading and development of the National Grid. - The risk to the structural integrity of any affected National Grid support structure(s). - The extent of any impact on the ability of the National Grid owner (Transpower NZ Ltd) to access the National Grid. - The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
EI-MD13	Major electricity distribution lines - The extent of any impacts on the operation, maintenance, upgrading and development of the electricity distribution network. - The risk to the structural integrity of any affected electricity distribution line support structure(s). - The extent of any impact on the ability of the relevant electricity distribution network operator to access the electricity distribution network. - The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
EI-MD14	Extent of effects The extent of compliance with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects.
EI-MD2	Amenity values, location and design - The practicality and effectiveness of screening the infrastructure. - For infrastructure attached to other structures, the extent to which the infrastructure is within the visual envelope of an existing structure, and the extent to which the colour and design of the infrastructure corresponds to the existing structure. - The extent of consideration of the number, size, location and design of any other existing infrastructure in the vicinity.

	4. The extent to which any adverse effects of the infrastructure have been avoided, remedied or mitigated by the route, site and construction method selection. 5. The extent to which the location and size of the infrastructure impacts on the ability of people to access any existing facility or activity on the site.
EI-MD3	Operational considerations 1. The extent to which the location and scale of structures proposed are necessary to meet the operational need or functional need of the infrastructure. 2. The extent to which placing infrastructure underground is unreasonable in terms of technical constraints, additional costs or environmental effects. 3. The extent to which there is any risk to, and effects on, the operation, maintenance, upgrading and development of the infrastructure. 4. The extent to which buildings, other structures or vegetation obstruct or otherwise adversely affect radiocommunication pathways, either individually or cumulatively, and the extent to which such adverse effects can be avoided, remedied or mitigated.
EI-MD4	Health and safety 1. The extent to which the infrastructure will be located in close proximity to any sensitive activity, and the extent of any effect on human health.
EI-MD5	Electricity generation 1. The extent to which the infrastructure will make a meaningful contribution to renewable electricity generation targets. 2. The distance between the infrastructure and residences, public places, or places from which the infrastructure would be visible, and the extent to which the infrastructure would pose significant adverse visual effects on or dominate the surrounding landscape. 3. The extent to which views to the infrastructure are expansive or constrained. 4. The extent to which the design, siting and size of the infrastructure responds to its landscape context. 5. The relative elevation of the infrastructure, in relation to residences, public places or place from which the infrastructure will be visible, including the extent to which the infrastructure is located on a ridgeline or series of ridgelines, or would form part of a skyline. 6. Number, design and extent of wind turbines and associated structures, and predominant orientation in relation to the landform. 7. Effects on topography, landforms and geological forms. 8. Ecological effects including any loss of indigenous flora, fauna, habitat and effects on riparian margins. 9. Effects on adjoining land uses of noise levels, noise modulation, glint/glare, and shadow flicker. 10. Need to locate wind turbines and associated structures where the wind resource is available and the quality of the wind resource. 11. Extent and visibility of roads, access tracks, earthworks and vegetation clearance associated with the construction, operation or maintenance of the infrastructure. 12. For solar cells, as well as the above matters:

	a. the time of day, year, and time per day when adjoining or adjacent sites would be affected by reflected solar glare and the degree of luminescence; b. the number of sites affected and their relative proximity; and c. whether there is a hazard from any glare. 13. The necessity for electricity generation other than renewable electricity generation in the District's electricity supply network, including for resilience.
EI-MD6	Electricity transmission and electricity distribution 1. Extent of effects on access to and the operation, maintenance, upgrade, development and structural integrity of the electricity transmission and electricity distribution network. 2. Extent of compliance with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. 3. Nature of technical advice provided by infrastructure operators and extent of compliance with it. 4. Risk of electrical hazards affecting public safety and risk of property damage.
EI-MD7	Gas distribution pipeline and fuel systems 1. Effects on access to and the operation, maintenance, upgrade, development and structural integrity of gas distribution pipeline and fuel systems. 2. Technical advice provided by infrastructure operators. 3. Hazards affecting public safety and risk of property damage.
EI-MD8	Water supply, wastewater system, and stormwater infrastructure 1. The requirements of the ECOP, and any other relevant regulations. 2. The extent to which the proposed servicing will adequately serve its intended purpose. 3. The extent to which existing infrastructure is available to connect to. 4. The extent to which the infrastructure will incorporate existing indigenous vegetation, or proposes new planting of indigenous vegetation naturally occurring within the ecological district within which planting will take place or of ecologically similar origin. 5. The extent of any actual or potential adverse effects on the capacity, efficiency and function of existing infrastructure. 6. The provision for, and protection of, the flood storage and conveyance capacity of waterways. 7. The requirements of AS/NZS 1547:2012 On-site Domestic Wastewater Management. 8. The extent to which interference with public use and enjoyment of open space and recreation land is or can be minimised where infrastructure is located or proposed to be located in Open Space and and Recreation Zones. 9. The extent to which safe and direct access can be provided to enable the maintenance of infrastructure. 10. The extent to which there will be health and safety adverse effects associated with infrastructure and the extent to which these can be avoided, remedied or mitigated. 11. The outcome of any consultation undertaken with the District Council regarding the availability, adequacy or suitability of the water supply, wastewater system or stormwater infrastructure servicing proposed.

EI-MD9	Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure 1. The ability to integrate with the landscape, follow natural contours, and mitigate adverse effects. 2. The extent of compliance with the relevant standards in the Earthworks Chapter for the relevant zone or overlay, and the extent of any effects of non-compliance. 3. Relevant assessment matters in the Earthworks Chapter for the relevant zone or overlay.
ESCMP	Erosion and Sediment Control Plan (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
EW-MD1	Activity operation, scale, form and location 1. Location, volume and area of earthworks. 2. The operational need or functional need for the earthworks in the location. 3. Any effects on the natural character and amenity values of the site and surrounding area. 4. Any effects on archaeological sites, heritage values or the heritage setting of the site or within the surrounding area. 5. Any disturbance of culturally significant sites and any proposed mitigation measures. 6. Any effects on the health and structural integrity of any notable tree and any effects on the values that have been identified for the notable tree. 7. Public health and safety including contingency provisions for emergency response. 8. Mitigation including fencing, planting and landscaping. 9. Effects on soil quality. 10. Final contour and ground level resulting from excavation or filling. 11. Vehicle movements associated with earthworks. 12. Any effects on the operation, maintenance, upgrade and development of the National Grid. 13. Any constraint on the future development potential of the site or surrounding sites.
EW-MD2	Nuisance and reverse sensitivity 1. The extent to which dust, sediment and water or wind erosion effects can be avoided or mitigated including through landscape treatment. 2. Reverse sensitivity effects such as the effect of a sensitive activity locating near earthworks activities. 3. Any effects on other sites including noise, vibration, dust, siltation, sedimentation, visual effects on amenity values and traffic generation. 4. The effectiveness of any environmental management plan.
EW-MD3	Land stability 1. Any effects on land stability, including stability of adjoining land, and any susceptibility to subsidence, slumping or erosion. 2. Any alteration of natural ground levels and consequently to the height of structures and buildings that may be erected on the site.
EW-MD4	Natural hazards 1. Risk to the health and safety of people, property, any building or infrastructure.

	2. The location, or identification, of the site within any natural hazard category or overlay, and the ability to manage risk associated with any natural hazard that is identified. 3. Any effect on sites of cultural significance. 4. Any effect on drainage, inundation run-off, flooding risk, overland flow paths or water table level on the site or surrounding land, and any mitigation works proposed. 5. The effect of the earthworks on flow of floodwater through the site, including any effects on the entry and exit points for floodwater. 6. The extent to which the earthworks will displace or divert floodwater from the site onto any other site. 7. Any effects on the character of floodwater, either on-site or off-site, including velocity and depth. 8. Any effect on the operation and function of roads or other infrastructure. 9. The matters addressed or identified in any Flood Assessment Certificate.
EW-MD5	Rehabilitation 1. Any proposed site rehabilitation, considering: a. the location, gradient and depth of the earthworks; b. availability of clean fill material and time frames for rehabilitation; c. any adverse effects on traffic, dust, groundwater, drainage and landscape; d. any re-vegetation, including the use of indigenous plant varieties from seed sourced from the relevant ecological district within which the planting is to take place, and any weed and pest control proposed, and e. any mitigation or proposed mitigation. 2. Any quarry site rehabilitation plan, prepared by a person suitably qualified or experienced in site rehabilitation.
EW-MD6	Coastal environment and hazards 1. Any increase in sedimentation in the coastal environment. 2. The extent to which the proposal will maintain, preserve or enhance the natural character attributes of the coastal environment. 3. Any effects from the clearance of vegetation, or disturbance of habitat in the coastal environment. 4. Any effects on the nature, form and resilience of the sandy beach, dunes or rocky shoreline including the protection they provide from coastal inundation. 5. Any effects on the functioning of coastal processes. 6. Any positive or adverse effects on risk to life, property and the environment posed by coastal hazards. 7. The extent to which earthworks would remedy or mitigate coastal hazard or be compatible with existing coastal hazard mitigation works or structures. 8. The extent to which the earthworks will restrict or enable public access and enjoyment of the coastal environment. 9. The extent to which earthworks restrict public access to and along the CMA and water bodies with high values. 10. The extent to which the earthworks will be supervised by either a Chartered Professional Engineer with experience in coastal processes or a professional Engineering Geologist (IPENZ registered).

	11. Any effects on culturally significant sites.
EW-MD7	Water bodies, vegetation and fauna 1. The extent to which the disturbance of the soil, including disturbance of contaminated land, adversely affects areas of significant indigenous vegetation and significant habitats of indigenous fauna. 2. Any removal of, or disturbance to, indigenous vegetation. 3. Any effects on the natural character and water quality of any water body. 4. The extent to which the earthworks will restrict public access and enjoyment of the margin of any water body. 5. The extent to which the habitat of trout, salmon, and indigenous aquatic species, may be adversely affected by any disturbance on the margin of the water body. 6. Fencing, planting and landscaping. 7. The extent to which the land use will adversely affect wahi taonga and mahinga kai. 8. For ngā wai, the matters specified in SASM-MD3 Nga Wai.
EW-MD8	Outstanding natural features and landscapes 1. Where earthworks are located in any ONF or ONL: a. the timing, duration, area and location of the activity; b. any vegetation that is to be retained; c. any vegetation screening and backdrop; d. the relationship of the activity to landform including prominent ridgelines; e. natural character values, amenity values and landscape values, including revegetation type and density; f. earthworks location and management, including revegetation, of cuts and fills; and g. any effects on the stability and life-supporting capacity of soil.
FENZ	Fire and Emergency New Zealand
FTE	Full time equivalent
GFA	Gross floor area
HAIL	Ministry for the Environment's Hazardous Activities and Industries List
HH-MD1	Adverse effects on heritage values 1. Any effect on the heritage values, heritage setting, including the form and materials of the proposed works. 2. The location, extent or height of the proposal. 3. For new buildings or structures on the same site or within a heritage setting, the extent the building, structure or feature will be compatible with the heritage fabric, heritage values and significance of the historic heritage including design, materials and location. 4. For infrastructure, the functional need or operational need to be located in or in proximity to the historic heritage and any heritage setting.
HH-MD2	Intervention and viability of historic heritage 1. The level of intervention necessary to carry out the works, including to meet the requirements of the Building Act 2004 and Building Code, and alternative solutions considered.

	2. The extent to which the historic heritage has been damaged by significant natural events and the necessity of work to prevent further deterioration.
HH-MD3	Consultation 1. In respect of sites on the New Zealand Heritage List Rārangī Kōrero whether HNZPT has been consulted and the outcome of that consultation. 2. The extent that the site has cultural or spiritual significance to mana whenua and where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and whether the development or activity responds to, or incorporates the outcome of that consultation.
HH-MD4	Re-use and relocation 1. Options for ongoing and viable uses, including adaptive reuse. 2. For the relocation of historic heritage: a. whether the new location and orientation will maintain heritage values; b. whether alternative solutions have been considered, including maintenance or repairs, alterations; and c. the potential damage to heritage fabric during relocation and whether repairs will be required, and what mitigation measures are proposed, including the use of a temporary protection plan. 3. Opportunities to enhance the physical condition of the historic heritage and its heritage values.
HH-MD5	Mitigation measures 1. The extent to which existing topography or vegetation will mitigate adverse effects. 2. Any existing mitigation measures and the extent to which mitigation measures are proposed to be implemented to protect the historic heritage. 3. The extent of photographic recording which is necessary to document changes, including prior to, during the course of the works and on completion.
HMP	Heritage Management Plan (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
HNC	High Natural Character
HNZPT	Heritage New Zealand Pouhere Taonga
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
HS-MD1	Hazardous substances 1. QRA of the activity, including use of either the individual fatality risk contour or the maximum credible fatality distance, taking into account features of the site and surrounding environment which may affect the site-specific contour. 2. Proposed mitigation in relation to risk identified by the QRA that are not controlled by other legislation or regional council functions. 3. Any effects relating to natural hazard areas identified in the District Plan, including the extent to which hazardous substances can be safely contained to avoid inundation by floodwater or contamination of

	land or water in the event of a 0.5% AEP flood event for low and medium hazard and a 0.2% AEP flood event for high hazard. 4. The level of risk relating to the nature and volume of the hazardous substance, except where this is controlled by other legislation, including the: a. probability and potential consequences of an accident leading to the loss of control of hazardous substances; b. potential effects on natural ecosystems and life-supporting capacity of land and water from escape or spillage; c. potential risk and effect on Sites and Areas of Significance to Māori; d. potential risk and effect on the human health and safety, and on neighbouring activities such as residential activities and areas where people congregate, and the amenity values of these areas and activities; e. potential effects on sensitive activities that would be permitted in the zone near a major hazard facility; and f. potential for cumulative adverse effects considering other activities in the surrounding area that store, use, or dispose of hazardous substances. 5. Reverse sensitivity effects from a sensitive activity on the functioning of a major hazard facility. 6. Effects on any sensitive activity from a major hazard facility establishing in that location. 7. The operational need or functional need for a major hazard facility, or sensitive activity to locate in that location. 8. Any positive effects of the major hazard facility.
HSNO	Hazardous Substances and New Organisms Act 1996
HSWA	Health and Safety at Work Act 2015
HVMPD	Heavy vehicle movements per day
INZ-MCD1	Community facility 1. The extent to which the activity adversely affects the function of the zone to provide for primarily industrial activities. 2. The extent to which the activity adversely affects the capacity of the zone to accommodate future demand for industrial activities. 3. The extent to which the community activity will form an agglomeration with other established non-industrial activities that cumulatively would have an adverse effect on the function and capacity of the Industrial Zone. 4. The extent to which the activity adversely affects the ability of existing or future permitted industrial activities to operate or establish without undue constraint. 5. The extent to which there are any benefits of a community activity providing a buffer between industrial activities and more sensitive zones. 6. The extent to which there are any amenity or streetscape benefits of a community activity being on a site that has frontage to an identified arterial road or collector road that has a gateway function to a township. 7. The extent to which the activity generates traffic and other effects that impact on the day to day operation of the industrial area.

	8. The extent to which the activity serves the needs of workers in the industrial area. 9. The extent to which the activity by itself or in combination with other existing or proposed activities creates commercial distribution effects undermining any local or town centre, including whether the activity is better located within a centre.
INZ-MCD10	Food and beverage 1. The extent to which the activity creates adverse effects on any nearby residential unit in terms of traffic and nuisance effects. 2. The extent to which the activity provides goods and services to workers and residents from outside the zone and creates commercial distribution effects undermining any local or town centre.
INZ-MCD11	Waste disposal 1. The extent to which the area is affected by flood risk; 2. The extent to which the amenity and natural character of waterways are adversely affected; 3. The extent to which the amenity values of public roads or dwellings on adjoining sites are adversely affected; and 4. The extent of any adverse effects on wahi taonga and mahinga kai.
INZ-MCD2	Height in relation to boundary 1. The effect of any reduced sunlight admission on properties in adjoining residential zones, rural zones, or open space and recreation zones, taking account of the extent of overshadowing, the intended use of spaces, and for residential properties, the position of outdoor living spaces or main living areas in buildings. 2. The effect on privacy of residents and other users in the adjoining zones. 3. The scale of building and its effects on the character of any adjoining residential zones. 4. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects. 5. The effect on outlook from adjoining properties. 6. The extent to which the recession plane breach and associated effects reflect the functional needs of the activity and whether there are alternative practical options for meeting the functional need in a compliant manner.
INZ-MCD3	Internal boundary setback 1. The extent of any adverse visual effects on adjoining sites in residential, rural, or open space and recreation zones as a result of a reduced building setback. 2. The extent to which landscaping or screening within the setback mitigates the visual dominance of buildings. 3. The scale and height of buildings within the reduced setback and their impact on the visual outlook of residents and users on the adjoining residential, rural, or open space and recreation zones. 4. The extent to which buildings in the setback enable better use of the site and improve the level of amenity along more sensitive boundaries elsewhere on the site. 5. The proposed use of the setback, the visual and other effects of this use and whether a reduced setback and the use of that setback achieves a better amenity outcome for residential neighbours.

INZ-MCD4	Internal boundary landscaping 1. The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping. 2. The extent to which the site is visible from adjoining sites in residential zones, rural zones, or open space and recreation zones and the likely consequences of any reduction in landscaping or screening on the amenity and privacy of those sites. 3. The extent to which there are any compensating factors for reduced landscaping or screening, including the nature or scale of planting proposed, the location of parking areas, manoeuvring areas or storage areas, or the location of ancillary offices/wholesale display of goods/showrooms.
INZ-MCD5	Road boundary setback 1. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to a strategic road, arterial road or collector road that has a gateway function to a township. 2. The extent to which the reduced setback of the building is opposite any residential, rural, or open space and recreation zones and the effects of a reduced setback on the amenity values and outlook of those zones. 3. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and showrooms in the front façade. 4. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping, the width of the road corridor, and the character of existing building setbacks in the wider streetscape.
INZ-MCD6	Road boundary landscaping 1. The extent to which reduced landscaping results in adverse effects on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road that has a gateway function to a township. 2. The extent to which the reduced landscaping is opposite any residential or open space and recreation zones and the effects of any reduction in landscaping on the amenity values and outlook of those zones. 3. The extent to which the visual effects of reduced landscaping are mitigated through the location of ancillary offices, showrooms, the display of trade supplier or yard-based goods for sale, along the site frontage.
INZ-MCD7	Location of ancillary offices and retailing 1. The extent to which locating ancillary offices or ancillary retail activity where they do not face the street results in adverse effects on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road that has a gateway function to a township. 2. The extent to which the frontage is opposite Residential Zones or Open Space and Recreation Zones and the effects of not locating offices or

	showrooms that face the street on the amenity values and outlook of those zones. 3. The extent to which there are any site-specific or functional requirements that make locating ancillary offices and showrooms facing the street impractical.
INZ-MCD8	Outdoor storage 1. The extent of visual impacts on the adjoining environment. 2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback. 3. The extent of the effects on amenity values generated by the type and volume of materials to be stored. 4. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage.
INZ-MCD9	Rail boundary setback 1. The extent to which the reduced setback will compromise the efficient functioning of the rail network, including rail corridor access and maintenance.
ISPP	Intensification Streamlined Planning Process
ITA	Integrated Transport Assessment
KiwiRail	KiwiRail Holdings Ltd
LGA	Local Government Act 2002
LIGHT-MD1	Outdoor lighting 1. Effects on the amenity values of the site and adjoining sites, or surrounding area. 2. Effects on the characteristics, form, or function of the zone consistent with the zone chapters. 3. Effects of light colour, flashes, strength, siting, shielding, angle, and hours of operation. 4. Effects on any activities sensitive to light including the following: a. effects on the efficient and effective functioning of any road, and the safety of road users; b. effects on aviation or navigation including effects on flights to and from Christchurch International Airport; and c. the effects of the lighting on cultural or amenity values of the night sky, and on astronomical observation. 5. The extent that the proposal controls the adverse effects of outdoor lighting on health, safety and security, considering CPTED. 6. Effects of lighting on ecology and natural values. 7. Any relevant standards including those which address the amenity and safety effects of outdoor lighting.
LLUR	Environment Canterbury's Listed Land Use Register
LTP	Long Term Plan
LURP	Land Use Recovery Plan 2013
LWRP	Land and Water Regional Plan
MDRS	Medium Density Residential Standards

MHWS	Mean High Water Springs
NATC-MD1	Planting vegetation within freshwater body setbacks 1. How the planting of vegetation will affect the natural state of the freshwater body and it's amenity values. 2. Changes to biophysical processes such as: a. loss of shading of the freshwater bodies; b. loss of detritus inputs into freshwater bodies; c. increasing risk of erosion and sedimentation; d. loss of ecological corridor; and e. fragmentation of indigenous habitats. 3. Effects on Īnanga spawning, and trout and salmon habitat. 4. Effects on cultural and spiritual values and mahinga kai.
NATC-MD2	Maintaining and enhancing public access 1. Maintain and enhance existing public access to and along surface freshwater bodies, by managing the adverse effects of activities and development, where these would limit public access, or compromise the use or enjoyment of these areas.
NATC-MD3	Specified structures within freshwater body setbacks 1. Effects on natural character and amenity values. 2. Effects on cultural and spiritual values, and mahinga kai. 3. Effects on indigenous vegetation, habitats of indigenous fauna and indigenous biodiversity. 4. Effects on Īnanga spawning, and trout and salmon habitat. 5. The extent to which the structure compromises the ability to undertake flood mitigation work, or maintenance of any river or lake by the District Council, Regional Council, the Crown, or their nominated contractor or agent. 6. The extent to which the location and size of the structure will impede flood waters or restrict navigation. 7. The extent to which the structure location in the setback is sufficient given the identified requirement for an esplanade strip or esplanade reserve, set out in SUB-S18, including whether a condition and associated covenant is proposed requiring removal of structures where an esplanade reserve or esplanade strip is to be taken as part of any future subdivision.
NATC-MD4	Buildings, structures and impervious surfaces within freshwater body setbacks 1. Requiring the use of low impact or water sensitive design for buildings and structures. 2. The potential for streambank erosion from stormwater runoff from impervious surfaces. 3. Effects on indigenous vegetation, habitats of indigenous fauna and indigenous biodiversity. 4. Effects on natural character and amenity values, including: a. the loss of indigenous vegetation that contributes towards an ecological corridor; b. restriction of public access where it is available; c. any change to the general landform, such as, slope or geomorphic features, as a result of earthworks; and d. the incorporation of screening and other measures to reduce the visibility of any structure from the water body.

	5. Effects on cultural and spiritual values, and mahinga kai. 6. Whether the structure location in the setback is sufficient given the identified requirement for an esplanade strip or esplanade reserve, set out in SUB-S18, including whether a condition and associated covenant is proposed requiring removal of structures where an esplanade reserve or esplanade strip is to be taken as part of any future subdivision. 7. The extent to which any building or structure compromises the ability to undertake flood mitigation work, or maintenance of the any river, stream or wetland by the District Council, Regional Council, the Crown, or their nominated contractor or agent.
NATC-MD5	Structures within and over freshwater bodies 1. The extent to which the location and size of the structure will impede flood waters or restrict navigation. 2. The extent to which the structure compromises amenity values, ecological, cultural, or recreational values, including any natural character values associated with the surface of water, including: a. minimisation of the footprint; b. visual appearance of the structure and whether design features are sympathetic with the surrounding landscape; and c. any impacts upon Inanga spawning locations. 3. The extent to which the structure would create new, or exacerbate existing flood risk, or stream bank erosion. 4. The extent to which the structure would compromise public access to, or along the freshwater body. 5. The technical, functional or operational need for the structure to be located within or over the freshwater body.
NATC-MD6	Freshwater body setback assessment 1. Reduction in the setback width and any adverse effects on: a. on the natural state of freshwater body margins; b. on freshwater landforms and landscapes, biophysical, geologic and morphological aspects; c. the hydrological and fluvial processes, including erosion and sedimentation; d. indigenous biodiversity, habitats and ecosystems; e. water flow and levels, colour and clarity, and water quality; f. cultural values of the water body to Ngāi Tūāhuriri, including values associated with traditional and contemporary uses and continuing ability of the freshwater body to support taonga species and mahinga kai activities; and g. the experience of the above elements, patterns and processes. 2. Any assessment of the natural character of freshwater bodies that undertaken by a SQEP in the various attributes of natural character.
NES	National Environmental Standard
NESCS	Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
NESETA	Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

NESF	Resource Management (National Environmental Standards for Freshwater) Regulations 2020
NES ² PC ³ F	Resource Management (National Environmental Standards for Plantation Commercial ³ Forestry) Regulations 2017
NESTF	Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016
NFA	Net floor area
NFL-MD1	New buildings and structures, additions to buildings and access tracks 1. The extent to which the proposal is consistent with maintaining, protecting or enhancing the qualities of the outstanding or significant natural feature and/or landscape, including natural character qualities, as identified in NFL-APP1. 2. The extent to which the proposal will detract from the naturalness and openness of the landscape. 3. The extent to which the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu. 4. The extent to which the proposal integrates into the landscape and the appropriateness of the scale, form, design and finish (materials and colours) proposed and mitigation measures such as planting. This shall include consideration of any adverse effects of reflectivity, glare and light spill. 5. The proximity and extent to which the proposal is visible from public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point. 6. The extent to which natural elements such as landforms and vegetation within the site mitigate the visibility of the proposal. 7. The extent to which the proposal has any adverse effects on important ridgelines. 8. The extent to which the proposal will result in adverse cumulative effects. 9. The extent to which the proposal will result in significant loss of indigenous vegetation and biodiversity. 10. The extent to which the proposal supports the continuation of farming activities in the rural area. 11. Whether the proposal is connected to reticulated water and the need to provide water supply (for firefighting), and the ability to integrate water tanks into the landscape and mitigate any adverse visual effects. 12. For new access tracks, whether the track supports conservation activities, farming, recreation activities or rural tourism activities and the ability to integrate with the landscape, follow natural contours and mitigate any adverse effects. 13. The extent to which the proposal has functional need or operational need for its location.
NFL-MD2	Motorised activities 1. The extent of any adverse effects on the identified feature and/or landscape, including natural character qualities as identified in NFL-

² s44A(6) of RMA.

³ s44A(6) of RMA.

	APP1, and natural character values in the coastal environment, including the extent to which the proposal is consistent with maintaining their qualities. - Any adverse effects on adjoining outstanding or significant natural features or landscapes or natural character in the coastal environment, and whether there is a sufficient separation to avoid detracting from the qualities of those areas. - The extent to which the nature, scale, intensity and location of the proposed activity will adversely affect indigenous biodiversity and ecosystems taking into account: - any loss of, or effects on, indigenous vegetation or habitats of indigenous fauna, including wetlands, ecological corridors and linkages; - indigenous ecosystem integrity and function; - where relevant, any effects on areas of significant indigenous vegetation and/or significant habitats of indigenous fauna in identified SNAs; and - where relevant, any effects on indigenous vegetation and habitats of indigenous fauna in the coastal environment. - The extent to which the proposal recognises the context and values of historic and cultural significance and the relationship, culture and traditions of Ngāi Tahu. - The proximity and extent to which the activity is visible from or causes nuisance on public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point. - The extent to which the proposal will result in adverse cumulative effects.
Ngā Wai	water and representing the essence of all life
NH-MD1	Natural hazards general matters - The setting of minimum floor levels, minimum land levels and the predicted sea water and other inundation that will occur on the site. - The frequency at which any proposed building or addition is predicted to be damaged and the extent of damage likely to occur in such an event, including taking into account: the building material and design proposed; the anticipated life of the building; whether the building is relocatable; and for redevelopments, the extent to which overall risk will change as a result of the proposal. - The extent to which site access will be compromised in a natural hazard event and any alternative access provided. - The extent to which the proposal causes flood water displacement or flow path disruption onto other sites. - The extent to which any flood mitigation measures are proposed, their effectiveness and environmental effects, and any benefits to the wider area associated with flood management. - The extent to which the proposal relies on Council infrastructure and the risks to that infrastructure from natural hazards, including taking into account maintenance and repair costs that might fall on the wider community. - The extent to which there are any positive effects from a reduction in floor levels in relation to neighbouring buildings or the streetscape.

	8. In relation to wildfire and ice, the degree of risk posed to life and property due to the non-compliance. 9. In relation to tsunami risk, the nature of the proposed activity and the ease of evacuation.
NH-MD2	Natural hazard mitigation works 1. The extent to which the natural hazard risk cannot be avoided. 2. Any adverse effects of those works on the natural and built environment and on the cultural and spiritual values of Ngāi Tūāhuriri, including any matters specified in CE-MD1, ECO-MD1, NATC-MD3, NATC-MD4, NATC-MD5, NATC-MD6 and CE-MD1, SASM-MD1, SASM-MD2 and SASM-MD3. 3. Any adverse effects on the values of any identified ONL, ONF or SAL including any matters specified in NFL-MD1. 4. The extent to which the mitigation works transfer, or create, unacceptable hazard risk to other people, property, infrastructure, or the natural environment.
NH-MD3	Natural hazards and infrastructure 1. Any increase in the risk to life or property from natural hazard events. 2. Any negative effects on the ability of people and communities to recover from a natural hazard event. 3. The extent to which the infrastructure will suffer damage in a hazard event and whether the infrastructure is designed to maintain reasonable and safe operation during and after a natural hazard event. 4. The time taken to reinstate critical infrastructure following a natural hazard event. 5. The extent to which the infrastructure exacerbates the natural hazard risk or transfers the risk to another site. 6. The ability for flood water conveyance to be maintained. 7. The extent to which there is a functional need and operational need for that location and there are no practical alternatives. 8. The extent to which any mitigation measures are proposed, their effectiveness and environmental effects, and any benefits to the wider area associated with hazard management. 9. The positive benefits derived from the installation of infrastructure. 10. Any effects on cultural values.
NH-MD4	Natural hazards coastal matters 1. The frequency at which any proposed building or addition is predicted to be damaged and the extent of damage likely to occur in such an event, taking into account proposed land and floor levels, the building material and design proposed. 2. The extent to which the building is readily relocatable and when inundation is predicted to occur as a result of sea level rise, including the use of 'trigger' decision-points that take into account actual sea level rise and how such triggers will provide advance warning of the need to relocate the building, and proposals to manage residual risk. 3. The extent to which site access will be compromised in a coastal hazards event and any alternative access provided. 4. The extent to which any coastal flooding mitigation measures are proposed, their effectiveness and environmental effects, including displacement onto surrounding sites and disruption of flow paths and any benefits to the wider area associated with flood management.

	5. The extent to which the proposal relies on Council infrastructure and the risks to that infrastructure from coastal hazards, including taking into account maintenance and repair costs that might fall on the wider community. 6. Whether there are any positive effects from a reduction in floor or land levels in relation to accessibility, the height of the existing building, neighbouring buildings or the streetscape or the financial viability of the development. 7. Whether the site is located within an existing urban area and raised land or floor levels would create an unreasonable burden on the ability to continue to use an existing building and support the local community.
Noise Assessment	means the Road-Traffic Noise Assessment Report in accordance with condition 92. (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
Noise Criteria Categories	means the groups of preference for time-averaged sound levels established in accordance with NZS 6806:2010 when determining the BPO mitigation option, i.e. Category A — primary noise criterion, Category B — secondary noise criterion and Category C — internal noise criterion. (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
NOISE-MD1	Noise 1. Noise duration, timing, noise level and characteristics, and potential adverse effects in the receiving environment. 2. Any effects on the health or well-being of persons living or working in the receiving environment, including effects on sleep, and the use and enjoyment of outdoor living areas. 3. The location of the noise generating activity and the degree to which the amenity values of any residential activity may be adversely affected. 4. The extent to which noise effects are received at upper levels of multi-level buildings. 5. Any proposals to reduce or modify the characteristics of noise generation, including: a. reduction of noise at source; b. alternative techniques or machinery which may be available; c. insulation or enclosure of machinery; d. mounding, screen fencing/walls or landscape characteristics; and e. hours of operation. 6. The adequacy of measures to address the adverse effects of noise on the natural character values of the coastal environment. 7. Any adverse effects of noise on ecological values. 8. The characteristics of the existing noise environment, and the character the objectives and policies of the zone are seeking to achieve. 9. Any relevant standards, codes of practice or assessment methods based on recognised acoustic principles, including those which address the reasonableness of the noise in terms of community health and amenity values and/or sleep protection. 10. For temporary military training activities, the extent to which compliance with noise standards has been demonstrated by a report prepared by a suitably qualified and experienced acoustic consultant.

NOISE-MD2	Management of noise effects 1. The extent to which effects, as a result of the sensitivity of activities to current and future noise generation from aircraft, are proposed to be managed, including avoidance of any effect that may limit the operation, maintenance or upgrade of Christchurch International Airport. 2. The extent and effectiveness of any indoor noise insulation. 3. The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise effects through other means, e.g. screening by other structures, or distance from noise sources. 4. The ability to meet acoustic insulation requirements through alternative technologies or materials. 5. The extent to which the provision of a report from an acoustic specialist provides evidence that the level of acoustic insulation ensures the amenity values, health and safety of present and future residents or occupiers. 6. The reasonableness and effectiveness of any legal instrument to be registered against the title that is binding on the owner and the owner's successors in title, containing a 'no complaint' clause relating to the noise of aircraft using Christchurch International Airport.
NOISE-MD3	Acoustic insulation 1. The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise effects through other means. 2. The ability to provide effective acoustic insulation through alternative technologies or materials. 3. The extent to which the provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation ensures the amenity values, health and safety of present and future occupants or residents of the site. 4. Any potential reverse sensitivity effects on other activities that may arise from residential accommodation or other noise sensitive activities that do not meet acoustic insulation requirements necessary to mitigate any adverse effects of noise. 5. The location of any nearby business or infrastructure activities and the degree to which any sensitive activities may be adversely affected.
NOISE-MD4	Helicopter noise 1. Assessment of noise in accordance with NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas and the findings of that assessment.
NPS	National Policy Statement
NPSET	National Policy Statement on Electricity Transmission 2008
NPSFM	National Policy Statement for Freshwater Management 2020
NPSREG	National Policy Statement on Renewable Electricity Generation 2011
NPSUD	National Policy Statement on Urban Development 2020
NPS-UDC	National Policy Statement on Urban Development Capacity 2016

NTCSA	Ngāi Tahu Claims Settlement Act 1998
NZCPS	NZ Coastal Policy Statement 2010
NZECF	NZ Electrical Code of Practice for Electrical Safe Distances NZECF 34:2001
NZS 6806:2010	New Zealand Standard NZS 6806:2010 Acoustics Road Traffic Noise - New and Altered Roads
ODP	Outline Development Plan
ONC	Outstanding Natural Character
ONF	Outstanding Natural Features
ONL	Outstanding Natural Landscapes
OSRZ-MCD1	Boundary setbacks 1. The extent to which any reduced internal boundary setback will result in: 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: 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.
OSRZ-MCD10	Cemetery — street scene and road boundary setback 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-MCD11	Cemetery — building height, setback from neighbours and height in relation to boundary 1. The extent of adverse effects of height on adjacent residences or residential zones. 2. The visual impact of the scale of the structure and its appropriateness having regard to the purpose of the site and zone. 3. The extent to which any landscaping provided will reduce the visual impact of the building as seen from the road or adjoining residences.
OSRZ-MCD12	Removal of buildings or other structures 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-MCD13	Community garden 1. Location and area. 2. The extent to which the existing open space functions, public access and environmental qualities of the site can be maintained without significant adverse effect or conflict with the wider community, or whether displaced open space functions can be provided at a nearby alternative site that meets the District Council's levels of service commitments.
OSRZ-MCD14	Grazing 1. Whether the proposed grazing has a grazing licence issued by the District Council. 2. Location and area. 3. The extent to which the existing open space functions, public access and environmental qualities of the site can be maintained without significant adverse effect or conflict with the wider community, or whether displaced open space functions can be provided at a nearby alternative site that meets the District Council's levels of service commitments.
OSRZ-MCD2	Height 1. The extent to which any increased building height will result in: 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.
OSRZ-MCD3	Outdoor storage 1. The extent to which: a. planting or screening will avoid, remedy or mitigate adverse visual effects of outdoor storage areas; and b. the materials or goods stored have an adverse visual effect.
OSRZ-MCD4	Public amenities 1. For public amenities involving public toilets or changing rooms, the extent to which any reduced building setback will: 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: a. be of a scale that detracts from the open space qualities, including the natural character of scheduled freshwater bodies; b. have a layout and design that is appropriate to the locality, context and character of the area; and c. allow for better utilisation and improve the amenity of the open space. 3. The extent to which the design and landscaping avoids, remedies or mitigates adverse visual effects. 4. The extent to which indigenous vegetation and indigenous fauna and their habitats will be damaged or destroyed and whether any replacement planting or habitat is proposed. 5. The extent to which the removal of vegetation or proposed planting will maintain or enhance local or regional indigenous biodiversity. 6. In that part of any of the Open Space and Recreation Zones covered by the Coastal Environment Overlay, the matters of control or discretion in the Coastal Environment Chapter. 7. Where development is proposed within District Plan setbacks from scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.
OSRZ-MCD5	Height in relation to boundary 1. The extent to which the height in relation to boundary intrusion will result in: 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.
OSRZ-MCD6	Residential activity

	1. The extent to which a residential unit(s) is needed for custodial or management purposes, or other purposes. 2. The extent to which available open space would be reduced by a proposed building(s) and their surrounds and adversely affect the range of recreation activities undertaken on the site. 3. The extent to which the scale of residential activity would have adverse effects on the visual quality of the environment, residential amenities and traffic generation. 4. The extent of the visual impacts of such development as seen from adjoining residential zones or road frontage. 5. Where development is proposed within District Plan setbacks from scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.
OSRZ-MCD7	Scale and nature of the activity or facility 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: a. significantly reduce open space or impede access to it; b. displace recreation activities or facilities; c. be compatible with the functions of the open space and recreation activities within it; d. have a layout and design that is appropriate to the locality, context, character or natural values of the area; e. adversely impact on the amenity values of the open space and adjoining residents, including (but not necessarily limited to) visual impacts, noise, light spill, glare, nuisance and traffic effects; and f. promote a safe physical environment, taking into account the principles of CPTED. 3. The extent to which the facility interacts with pedestrians and pedestrian linkages. 4. The extent to which the activity will provide economic benefits enabling the ongoing operation and maintenance of recreation facilities or open spaces. 5. The extent to which the activity/facility maintains existing or future public access connections to multi-modal sustainable transport options including (but not necessarily limited to) walking/cycling and public transport. 6. In that part of any of the Open Space and Recreation Zones covered by the Coastal Environment Overlay, the matters of control or discretion in the Coastal Environment Chapter. 7. Where development is proposed within District Plan setbacks from scheduled freshwater bodies, the matters of control or discretion in the Natural Character of Freshwater Bodies Chapter.
OSRZ-MCD8	Coverage 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.
OSRZ-MCD9	Traffic generation and access 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: 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.
PFA	Public floor area
PPFs	has the same meaning as in NZS 6806:2010 for the purpose of the preparation of the Noise Assessment. Once a Noise Assessment has been prepared in accordance with Condition 92, PPFs means only the premises and facilities identified in green, orange or red in the Noise Assessment. (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
Project	means the construction, maintenance, operation of the Woodend Corridor that is subject to this Notice of Requirement. (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
QRA	Quantitative Risk Assessment
REGIONAL COUNCIL	Canterbury Regional Council (Environment Canterbury)
RES-MD1	Minor residential units

	1. The extent to which the minor residential unit fits within its context taking into account: a. location, size and visual appearance of the minor residential unit so that it appears from the street or any other public place as an integrated ancillary part of the principal residential unit; b. the adverse visual effects on the street-scene associated with parking areas and visual and pedestrian safety effects arising from the provision of any additional driveway to accommodate the minor residential unit; c. the convenience of the location of outdoor living space in relation the respective residential units, or whether other shared outdoor living spaces or public open space is immediately or easily accessible; and d. the adequacy of size and dimension of the outdoor living space to provide for the amenity needs of future occupants.
RES-MD10	Rural sales 1. The extent to which the intensity and scale of the activity and built form is compatible with the character and amenity of the zone. 2. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent sites. 3. Hours and days of operation and whether they are compatible with the residential zone. 4. Access and vehicle movements on the site and the safety and efficiency of the roading network. 5. For rural produce retail (excluding farmers' markets) whether the scale and intensity of the activity is appropriate on the site. 6. The extent to which the adverse effects of the activity can be avoided, remedied or mitigated.
RES-MD11	Housing of animals 1. The extent to which the nature and scale of activity, including the number and type of animals is appropriate for the proposed site and the receiving environment. 2. Any measures to internalise adverse effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the zone. 3. The extent to which the activity, including any buildings, compounds or part of a site used for animals are sufficiently designed and located or separated from sensitive activities, residential units to avoid adverse effects on residents. 4. The extent to which the nature and scale of the activity and built form will maintain residential character and amenity values. 5. The potential for the activity to produce adverse effects, including dust, noise, odour and any measures to internalise adverse effects within the site and any mitigation measures to address effects that cannot be internalised.
RES-MD2	Residential design principles 1. Context and character: a. The extent to which the design of the development is in keeping with, or complements, the scale and character of development anticipated for the surrounding area and relevant significant natural, heritage and cultural features.

	b. The relevant considerations are the extent to which the development: i. includes, where relevant, reference to the patterns of development in and/or anticipated for the surrounding area such as building dimensions, forms, setback and alignments, and secondarily materials, design features and tree plantings; and ii. retains or adapts features of the site that contribute significantly to local neighbourhood character, potentially including existing historic heritage items, Sites of Ngāi Tahu Cultural Significance shown on the planning map, site contours and mature trees. 2. Relationship to the street and public open spaces: a. Whether the development engages with and contributes to adjacent streets, and any other adjacent public open spaces to contribute to them being lively, safe and attractive. b. The relevant considerations are the extent to which the development: i. orientates building frontages including entrances and windows to habitable rooms toward the street and adjacent public open spaces; ii. designs buildings on corner sites to emphasise the corner; iii. needs to minimise south-facing glazing to minimise heat loss; and iv. avoids street façades that are blank or dominated by garages. 3. Built form and appearance: a. The extent to which the development is designed to minimise the visual bulk of the buildings and provide visual interest. b. The relevant considerations are the extent to which the development: i. divides or otherwise separates unusually long or bulky building forms and limits the length of continuous rooflines; ii. utilises variety of building form and/or variation in the alignment and placement of buildings to avoid monotony; iii. avoids blank elevations and façades dominated by garage doors; and iv. achieves visual interest and a sense of human scale through the use of architectural detailing, glazing and variation of materials. 4. Residential amenity: a. In relation to the built form and residential amenity of the development on the site (i.e. the overall site prior to the development), the extent to which the development provides a high level of internal and external residential amenity for occupants and neighbours. b. The relevant considerations are the extent to which the development: i. provides for outlook, sunlight and privacy through the site layout, and orientation and internal layout of residential units; ii. directly connects private outdoor spaces to the living spaces within the residential units;

	iii. ensures any communal private open spaces are accessible, usable and attractive for the residents of the residential units; and iv. includes tree and garden planting particularly relating to the street frontage, boundaries, accessways, and parking areas. 5. Access, parking and servicing: a. The extent to which the development provides for good access and integration of space for parking and servicing. b. The relevant considerations are the extent to which the development: i. integrates access in a way that is safe for all users, and offers convenient access for pedestrians to the street, any nearby parks or other public recreation spaces; ii. provides for parking areas and garages in a way that does not dominate the development, particularly when viewed from the street or other public open spaces; and iii. provides for suitable storage and service spaces which are conveniently accessible, safe and/or secure, and located and/or designed to minimise adverse effects on occupants, neighbours and public spaces.
RES-MD3	Use of residential unit as a show home 1. The extent to which use of the residential unit will impact on neighbouring properties in terms of the following matters: a. hours of operation and movement to and from the site by members of the public; b. duration of the activity and its impact on residential amenity values; c. traffic generation including consideration of on-site and off-site parking; and d. impacts on adjacent residents in terms of privacy, in particular adjacent outdoor living spaces.
RES-MD4	Traffic generation 1. The extent to which the traffic generated is appropriate to the residential character, amenity, safety and efficient functioning of the access and road network taking into account: a. in the case of effects on residential character and amenity values: i. any adverse effects in terms of noise and vibration from vehicles entering and leaving the site or adjoining road, and their incompatibility with the noise levels acceptable in the respective living environments; ii. any reduction in the availability of on-street parking for residents, occupants or visitors to adjoining residential sites to the point that it becomes a nuisance; and iii. the ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking areas and loading areas or through the provision of screening and other factors that will reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur; and b. in the case of the safe and efficient functioning of the road network:

	i. any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity; ii. adverse effects of the proposed traffic generation on activities in the surrounding living environment; iii. consistency of levels of traffic congestion or reduction in levels of traffic safety with the classification of the adjoining road; iv. the variance in the rate of vehicle movements throughout the week and coincidence of peak times with peak traffic movements on the wider network; and v. the location of the proposed access points in terms of road and intersection efficiency and safety, and the adequacy of existing or alternative access points.
RES-MD5	Impact on neighbouring property 1. The extent to which the increased height, reduced setback, or recession plane intrusion would result in buildings that do not compromise the amenity values of adjacent properties taking into account: a. overshadowing of adjoining sites resulting in reduced sunlight and daylight admission to internal living spaces and external living spaces, or open space beyond that anticipated by the recession plane; b. any loss of privacy through being overlooked from neighbouring buildings; c. dominance and character effects arising from scale; d. whether development on the adjoining site, such as a large building setback, location of outdoor living spaces, or separation by land used for vehicle access, reduces the need for protection of adjoining sites from overshadowing; e. whether there are alternative practical options for meeting the functional requirements of the building in a compliant manner; and f. the ability to mitigate any adverse effects of increased height or recession plane breaches through increased separation distances between the building and adjoining sites, the provision of landscaping, screening or any other methods.
RES-MD6	Road boundary setback 1. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road that has a gateway function to a township. 2. The extent to which the reduced setback of the building is opposite any Residential Zones, Rural Zones, or Open Space and Recreation Zones and the effects of a reduced setback on the amenity and outlook of those zones. 3. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and showrooms in the front façade. 4. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping, the width of the road corridor, and the character of existing building setbacks in the wider streetscape.

RES-MD7	Outdoor storage 1. The extent of visual impacts of outdoor storage on the adjoining environment. 2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback. 3. The extent of the effects on the amenity values generated by the type and volume of materials to be stored. 4. The extent to which any proposed landscaping or screening mitigates effects on amenity values of the outdoor storage.
RES-MD8	Outdoor living space 1. The extent to which outdoor living spaces provide useable space and contribute to overall onsite spaciousness. 2. The extent to which the size and quality of communal outdoor space or other open space in the immediate vicinity of the residential unit compensates for the reduction in outdoor living space requirements. 3. The extent to which the retention of mature vegetation compensates for a reduction in outdoor living space provision by providing an alternative form of amenity for the site.
RES-MD9	Impact of trees on neighbouring property 1. The extent the planting of trees will affect the amenity values or create shading on adjoining property.
RMA	Resource Management Act 1991
RPS	Canterbury Regional Policy Statement
RRDS	Rural Residential Development Strategy
RURZ-MD1	Natural environment values The term natural environment values describes those matters addressed in the Chapters under the Natural Environment Values heading in the District Plan. 1. The extent to which there are any adverse effects on SNAs or effects on the ability to maintain or enhance indigenous biodiversity. 2. The extent to which there are any adverse effects on the values of ONL and ONF from an activity adjoining these areas. 3. The extent to which there are any adverse effects on the natural character and values of freshwater bodies. 4. The extent to which adverse effects on sites, areas or values associated with natural environment values can be avoided, remedied or mitigated.
RURZ-MD2	Housing of animals 1. The extent to which the nature and scale of activity, including the number and type of animals is consistent with the characteristics of the proposed site and the receiving environment. 2. Any measures to internalise adverse effects and avoid conflict and potential reverse sensitivity effects on activities anticipated in the zone. 3. The extent to which the activity, including any buildings, compounds, or part of a site used for housing animals are sufficiently designed and located or separated from sensitive activities, residential units, and boundaries of residential zones to avoid adverse effects on residents. 4. The extent to which the nature and scale of the activity and built form will maintain rural character and amenity values.

	5. The potential for the activity to produce adverse effects, including dust, noise, odour, and any measures to internalise adverse effects within the site, and any mitigation measures to address effects that cannot be internalised. 6. Access and vehicle movements on the site and the safety and efficiency of the roading network.
RURZ-MD3	Character and amenity values of the activity 1. The use, intensity and scale of the operation on the site and the built form is compatible with, and maintains rural character and amenity values of the surrounding zone. 2. The extent to which the site layout and building design and intensity of the activity will internalise and mitigate effects including noise, lighting, impact on privacy and traffic. 3. The extent to which the activity/facility has a practical or functional need or operational need to be located in the area. 4. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural sites. 5. Any benefits derived from the activity being undertaken on the site. 6. The extent to which the scale of the activity will cause demands for the uneconomic or premature upgrading or extension of the three waters reticulation network, roading, street lighting and footpaths. 7. Access and vehicle movements on the site and the safety and efficiency of the roading network. 8. The extent to which the adverse effects of the activity can be avoided, remedied and mitigated.
RURZ-MD4	Forestry, Carbon Forest, Woodlots 1. The extent of adverse effects from the additional shading resulting from the non-compliance, taking into account the use of the affected sites, the amount of shadow cast and the period of time adjacent sites are affected. 2. The ability of existing topography or vegetation to mitigate any adverse shading effects on the adjoining site. 3. The nature of the use of adjoining sites and the extent to which the activity may result in conflict and/or reverse sensitivity effects with activities on adjacent sites. 4. Any shading effects on the transport network.
RURZ-MD5	Rural sales 1. The extent to which the intensity and scale of the activity and built form is compatible with the character and amenity of the zone. 2. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural land. 3. Hours and days of operation and the extent to which they are compatible with the rural zone. 4. Access and vehicle movements on the site and the safety and efficiency of the roading network. 5. Extent of impervious surfaces and landscaping. 6. For rural produce retail (excluding farmers' markets), the extent to which the scale and intensity of the activity is secondary to the rural activity on the site. 7. Access and vehicle movements on the site and the safety and efficiency of the roading network.

	8. The extent to which the adverse effects of the activity can be avoided, remedied or mitigated.
RURZ-MD6	Coverage 1. The intensity and scale of the built form and the extent to which it is appropriate to the zone and will maintain the character and amenity values of the zone. 2. The extent to which the building coverage breach is necessary due to the shape or natural and physical features of the site. 3. The extent to which the building coverage breach is necessary to facilitate practical use of the building or day to day management of the site, including the need to align with existing buildings in the vicinity and their associated use. 4. The need for the building coverage breach to allow more efficient or practical use of the remainder of the site or the long term protection of notable trees, historic heritage items or natural features on the site. 5. Extent of impervious surfacing on the site. 6. Any impacts on stormwater management or the management of water on the site. 7. The extent to which the additional site coverage will constrain the potential for land with high quality soils to be used for productive purposes.
RURZ-MD7	Height 1. The extent to which building design, siting and external appearance adversely impacts on rural character and amenity values. 2. The extent to which there is a practical need and functional need to the additional height for the building. 3. The extent to which any increased building height will result in visual dominance, loss of privacy and outlook of adjoining sites or incompatibility with the scale and character of buildings within and surrounding the site. 4. The need for the height breach to allow more efficient or practical use of the remainder of the site. 5. The ability to mitigate adverse effects through the use of screening, planting, landscaping and alternative design.
RURZ-MD8	Setbacks 1. The extent to which building design, siting and external appearance adversely impacts on rural character and amenity values. 2. Site topography and orientation and the extent to which the building or structure can be more appropriately located. 3. The effect on nearby properties, including outlook, privacy, shading and sense of enclosure. 4. The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site. 5. The need for the setback breach to allow more efficient or practical use of the remainder of the site or the long term protection of notable trees, historic heritage items or natural features on the site. 6. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other permitted activities occurring on adjacent rural properties.

	7. The extent to which any reduced boundary setback will result in potential for activities within the building to give rise to disturbance to neighbours or nuisance effects. 8. With respect to a road setback, any adverse effects on the efficient and safe functioning of the road.
SAL	Significant Amenity Landscapes
SASM	Sites and areas of significance to Māori
SASM-MD1	Wāhi tapu and wāhi taonga 1. The potential adverse effects, including on sensitive tangible and/or intangible Ngāi Tūāhuriri values as determined by Te Ngāi Tūāhuriri Rūnanga through consultation, and how the development or activity responds to, or incorporates the outcome of that consultation. 2. Effects on sites of archaeological value, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing). 3. The extent to which sites of cultural significance are protected. 4. Any cultural impact assessment that has been undertaken by a Te Ngāi Tūāhuriri Rūnanga mandated writer and the proposal's consistency with values and recommendations identified. 5. In respect of sites on the New Zealand Heritage List Rārangī Kōrero, whether HNZPT has been consulted and the outcome of that consultation. 6. In respect of infrastructure, the extent to which the proposed infrastructure has a functional need or operational need for its location, and whether alternative locations or layout would be suitable.
SASM-MD2	Ngā tūrangā tūpuna 1. Where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation, including the incorporation of mana whenua associations with areas/sites within Ngā tūrangā tūpuna areas. 2. Whether and the extent to which the proposal will result in the disturbance of any culturally significant sites and proposed mitigation measures. 3. Effects of the proposal on Ngāi Tahu values and proposed mitigation measures. 4. Whether, and the extent to which, the proposed activity will result in the removal of indigenous vegetation and the proposed mitigation measures. 5. Adverse effects on mahinga kai and other customary uses, and access for these purposes. 6. Whether, and the extent to which, the proposal maintains or restores natural features with cultural values within these areas. 7. Effects on sites of archaeological value, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing). 8. The extent to which the proposed activity will affect the natural character of Te Tai o Mahaanui (the coastal environment). 9. In respect of infrastructure, the extent to which the proposed infrastructure has a functional need or operational need for its location, and whether alternative locations or layout would be suitable.

SASM-MD3	Ngā wai 1. Where Te Ngāi Tūāhuriri Rūnanga has been consulted, the outcome of that consultation, and how the development or activity responds to, or incorporates the outcome of that consultation. 2. Effects on sites of archaeological value, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing). 3. Effects of the proposal on Ngāi Tahu values and proposed mitigation measures, including new planting and improved access for customary use. 4. Whether, and the extent to which, the proposed activity will result in the removal of indigenous vegetation and the proposed mitigation measures. 5. Adverse effects on mahinga kai and other customary uses, and access for these purposes. 6. The extent to which the proposed activity will affect the natural character values of the water body and its margins. 7. The manner in which any wastewater system and stormwater infrastructure recognise the cultural significance of ngā wai and do not create additional demand to discharge directly to any water body. 8. In respect of infrastructure, the extent to which the proposed infrastructure has a functional need or operational need for its location, and whether alternative locations or layout/methodology would be suitable.
SIGN-MD1	Transport safety 1. The extent to which the sign's size, location, design, content, illumination, and any digital transitions, could adversely affect transport safety, cause confusion, distraction or an obstruction to any road user. 2. The complexity and sensitivity of the receiving environment.
SIGN-MD2	Amenity values and character 1. The extent to which the sign's size, height, location, design, illumination and any digital transitions would affect: a. the character, form, or function of the site and the surrounding area; and b. the amenity values of the site and surrounding sites, including for the occupants of these surrounding sites. 2. The extent to which the sign would create visual clutter when combined with existing signs on the site or on adjoining sites. 3. The extent to which the sign would detract from the integration of new subdivision developments with their surrounding areas.
SIGN-MD3	Heritage values 1. The extent to which the sign would detract from the heritage values of the historic heritage item. 2. The extent to which the design of the sign complements the historic heritage item. 3. The extent to which the means of fixing the sign will adversely affect the heritage values of the historic heritage item.
SIGN-MD4	Natural and landscape values 1. The extent to which the sign would detract from the natural and landscape values of the Natural Open Space Zone, ONL, ONF, SAL,

	HNC, VHNC, ONC, or natural character of scheduled freshwater body setback.
SNA	Significant Natural Area
SPZ-HOS-MD1	Context and character - The extent to which the proposed development: - addresses the character, sunlight and outlook of, and landscape and visual effects on, adjacent sites; - provides for intensification of services within the existing site, and enables greater efficiency of use of the existing facilities and site, rather than requiring expansion beyond the site boundaries; and - takes into account the operational need, functional need, accessibility and security requirements of the site and facility.
SPZ-HOS-MD2	Building and site design - The extent to which the proposed development: - is designed and laid out to promote a safe environment taking into account the principles of CPTED; - orientates active areas of buildings and the site to the street and site access points; - in terms of built form and design, contributes positively to the amenity values of the hospital site and adjacent sites; - avoids, remedies or mitigates actual or potential adverse visual and landscape effects resulting from building scale, form and location; - provides for ease of access; - avoids, remedies or mitigates actual or potential adverse shading, privacy or dominance effects on adjacent residential sites by buildings on the hospital site; - in terms of height, increases building bulk and scale to the extent that it results in actual or potential adverse effects on visual or amenity values of adjacent residential sites; - avoids, remedies or mitigates actual or potential adverse visual and nuisance effects on adjacent residential sites from traffic movement on hospital sites; and - takes into account the operational need, functional need, accessibility and security requirements of the site and facility.
SPZ-HOS-MD3	Fencing - The extent to which any proposed fencing: - maintains visibility between the building(s) and the road; - in terms of location, height and design, is designed and laid out to promote a safe environment, taking into account the principles of CPTED; - provides variation in height, materials, and transparency; and - takes into account the operational need, functional need, accessibility and security requirements of the site and facility.
SPZ-HOS-MD4	Outdoor storage - The extent to which any proposed outdoor storage area: - is visually integrated, screened or otherwise accommodated to avoid, remedy or mitigate any actual or potential adverse effects on visual or amenity values of adjacent residential sites;

	b. involves only partial or reduced screening that may be more appropriate to the site or area; and c. takes into account the operational need, functional need, accessibility and security requirements of the site and facility.
SPZ-HOS-MD5	Landscaping 1. The extent to which any proposed landscaping: a. will avoid, remedy or mitigate any actual or potential adverse effects of the following, taking into account the extent to which the site is visible from adjoining sites or public places: i. building location, bulk and scale; ii. vehicle access and parking areas; b. will contribute to the amenity values of adjacent residential sites and the public as well as the site; c. distributes landscaping across the site, while giving priority to locating appropriate landscaping in building setbacks from boundaries; d. is comprised of indigenous vegetation naturally occurring within the ecological district within which planting will take place, or is of ecologically similar origin, to enhance local or regional indigenous biodiversity; and e. takes into account the operational need, functional need, accessibility and security requirements of the site and facility.
SPZ-HOS-MD6	Height in relation to boundary 1. The extent to which any height in relation to boundary intrusion: a. will result in: i. overshadowing and reduced sunlight admission on adjacent residential sites, taking into account the location of residential units on adjacent sites and the position of main living areas and outdoor living spaces; ii. loss of privacy and outlook for adjacent residents; iii. visual dominance; and b. takes into account the operational need, functional need, accessibility and security requirements of the site and facility.
SPZ-KN-MD1	Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities 1. Development in accordance with Tikanga: a. the extent to which the development achieves or enables the exercise of tikanga as expressed in policies SPZ(KN)-P1, SPZ(KN)-P2 and SPZ(KN)-P3. 2. Traffic Generation and Access: a. the extent to which the traffic generated is in accordance with the character, amenity, safety and efficient functioning of the access and road network; b. the ability to mitigate any adverse effects of the additional traffic generation; c. the location of the proposed vehicle crossing in terms of road and intersection efficiency and safety, including availability or otherwise of space on the road for safe right hand turning into the site. 3. Scale of Non-Residential Business Activity:

	a. the extent to which the scale is consistent with the surrounding environment taking into account: i. hours of operation; ii. vehicle or pedestrian movements generated; iii. any adverse effects, including unreasonable noise and loss of privacy; and iv. the extent to which the activity contributes to the local employment and the economic base of Ngāi Tūāhuriri and/or the needs of residents in the surrounding area. 4. Infrastructure — Water supply, Wastewater system and Stormwater infrastructure: a. the extent to which the development is self-sufficient with respect to the provision of potable water supply, wastewater system and stormwater infrastructure, or whether the development will need to connect to public reticulated infrastructure. 5. Community: a. the extent to which the development is integrated with and supports the development of any existing community facility, cultural facility or recreation facility.
SPZ-KN-MD2	Internal boundary building setback 1. The extent to which the layout and use of spaces maintains adequate levels of privacy and outlook for any adjoining residents, taking into account: a. the need to enable an efficient, practical and/or pleasant use of the remainder of the site; b. the need to provide future occupants within the development and adjoining properties with adequate levels of daylight and outlook from internal living spaces; c. the need to provide future occupants within the development with adequate levels of privacy from any adjoining neighbouring residential unit or site; d. adequate separation distance from any existing direct facing windows or balconies (within the development or on any adjoining site) or to ensure levels of privacy are maintained; and e. any adverse effects of the proximity or bulk of the building in relation to any adjoining site.
SPZ-KN-MD3	Road boundary setback 1. Any loss of privacy for adjoining properties through overlooking; 2. The effects on amenity and character values; 3. Reverse sensitivity in relation to noise and vibration; and 4. Physical features, existing development and other practicalities that restrict alternative practical locations on the site.
SPZ-KN-MD4	Building height and height in relation to boundary 1. The extent to which an increase in building height and any associated increase in the scale and bulk of the building; 2. Reflects the cultural and functional requirements of the building and purposes of the zone; and 3. Affects on amenity values of adjoining properties, resulting from visual dominance, loss of daylight and sunlight admission, and loss of privacy from overlooking.
SPZ-KN-MD5	Building coverage

	1. The extent to which the additional coverage of the zone with buildings is in context taking into account: a. the function of the building to support Te Ngāi Tūāhuriri Rūnanga to deliver economic, social and cultural development; b. the extent to which the topography and the location, scale, design and appearance of the building, landscaping, natural features or existing buildings mitigate the visual effects of additional buildings; and c. any loss of privacy or other amenity values to adjoining residents and the effectiveness of any mitigation measures.
SPZ-KR-MD1	Development design and scale 1. The extent to which the design and scale of the development adversely affects any nearby natural and cultural environments, and any features or sites of significance to Ngāi Tūāhuriri. 2. The extent to which the design and scale of the development results in adverse visual and amenity value effects on adjoining residential sites or any Open Space and Recreation Zones. 3. The extent and design of landscaping and open spaces within the development. 4. The extent to which CPTED principles have been considered to achieve a safe, secure environment, including the extent to which the development: a. provides for views over, and passive surveillance of, adjacent public and publicly accessible open spaces; b. clearly demarcates boundaries of public and private space; c. makes pedestrian entrances and routes readily recognisable; and d. provides for good visibility with clear sightlines and effective lighting. 5. The extent to which the activity does not adversely affect the function, viability and public investment in the Kaiapoi Town Centre to provide for primarily commercial and community activities. 6. The extent to which the activity generates traffic and other effects that impact on the day to day operation and amenity of the local community.
SPZ-KR-MD2	Height and height in relation to boundary 1. The effect of any reduced sunlight admission on properties in adjoining residential zones and Natural Open Space Zone or sites listed in APP1, taking account of the extent of overshadowing, the intended use of spaces, and for residential properties, the position of outdoor living spaces or main living areas in buildings. 2. The scale of building and its effects on the character of any adjoining residential zones or open space and recreation zones, including outlook from adjoining properties in those zones. 3. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects. 4. The extent to which the recession plane or height breach and associated effects reflect the functional requirements of the activity and the extent to which there are alternative practical options for meeting the functional needs in a compliant manner.
SPZ-KR-MD3	Internal boundary setbacks

	1. The scale and height of buildings within the reduced setback and their impact on the visual outlook of residents and users on the adjoining residential zones, rural zones, or open space and recreation zones. 2. The extent to which buildings in the setback enable better use of the site and improve the level of amenity along more sensitive boundaries elsewhere on the site. 3. The proposed use of the setback, the visual and other effects of this use and the extent to which a reduced setback and the use of that setback achieves a better amenity outcome for residential neighbours.
SPZ-KR-MD4	Internal boundary landscaping 1. The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping. 2. The extent to which any reduction in landscaping or screening within the setback adequately mitigates the visual dominance of buildings. 3. The extent to which the site is visible from adjoining sites in any residential zones or open space and recreation zones and the likely consequences of any reduction in landscaping or screening on the amenity and privacy of those sites.
SPZ-KR-MD5	Road boundary setbacks 1. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road. 2. The extent to which the reduced setback of the building is opposite residential zones, rural zones, or open space and recreation zones and the effects of a reduced setback on the amenity and outlook of those zones. 3. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and retail showrooms in the front façade. 4. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping and the character of existing building setbacks in the wider streetscape.
SPZ-KR-MD6	Outdoor storage 1. The extent of visual effects on adjoining sites. 2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback. 3. The extent of the amenity effects on pedestrians or residential activities generated by the type and volume of materials to be stored. 4. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage.
SPZ-KR-MD7	Ecological enhancement planting 1. The extent to which the proposed ecological enhancement planting: a. is likely to achieve a high level of onsite amenity while minimising the visual effects of activities and buildings on the surroundings; b. supports the growth of other vegetation and the restoration of habitat for indigenous species; c. is protected through the provision of space, or other methods, including plant protection barriers; and d. recognises and provides for Ngāi Tahu/mana whenua values through the inclusion of indigenous species that support the

	establishment of ecological corridors, mahinga kai and general ecological restoration. 2. The extent to which the non-compliance is mitigated through the design, scale and type of landscaping proposed, including the species used. 3. The design of the landscaping, having regard to the potential adverse effects on safety for pedestrians and vehicles.
SPZ-MCC-MD1	Internal boundary landscaping 1. The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping. 2. The extent to which any reduction in landscaping or screening within the setback adequately mitigates the visual dominance of buildings. 3. The extent to which the site is visible from adjoining sites in any residential or open space and recreation zones and the likely consequences of any reduction in landscaping or screening on the amenity values and privacy of those sites.
SPZ-MCC-MD2	Internal boundary setback 1. The scale and height of buildings within the reduced setback and their impact on the visual outlook of residents and users on any adjoining residential zones or open space and recreation zones. 2. The extent to which buildings in the setback enable better use of the site and improve amenity values along more sensitive boundaries elsewhere on the site. 3. The proposed use of the setback, the visual and other effects of this use and whether a reduced setback and the use of that setback achieves a better amenity outcome for residential neighbours.
SPZ-MCC-MD3	Internal boundary landscaping 1. The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping. 2. The extent to which any reduction in landscaping or screening within the setback adequately mitigates the visual dominance of buildings. 3. The extent to which the site is visible from adjoining sites in any residential zone or open space and recreation zone and the likely consequences of any reduction in landscaping or screening on the amenity values and privacy of those sites.
SPZ-MCC-MD4	Road boundary setbacks 1. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to a strategic road, arterial road or collector road that has a gateway function to a township. 2. The extent to which the reduced setback of the building is opposite any residential, rural, or open space and recreation zones and the effects of a reduced setback on the amenity values and outlook of those zones. 3. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and showrooms in the front façade. 4. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping, the width of the road

	corridor, and the character of existing building setbacks in the wider streetscape.
SPZ-MCC-MD5	Outdoor storage and waste management 1. The extent of visual effects on the adjoining site. 2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the required setback. 3. The extent of the amenity effects on pedestrians or residential activities generated by the type and volume of materials to be stored. 4. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage. 5. The extent of any amenity or traffic impacts from a reduced waste management area or alternative location.
SPZ-PBKR-MD1	Development design and scale 1. The extent to which the design, scale, density and longevity of the development results in adverse visual and amenity effects on adjoining residential sites or any open space and recreation zones. 2. The extent to which the development contributes positively to the adjacent street and public open spaces being safe and attractive, including the degree to which fencing enables interaction between the habitable building and public space. 3. The extent and design of landscaping and open spaces within the development. 4. The incorporation of CPTED principles to achieve a safe, secure environment, including the extent to which the development: a. provides for views over, and passive surveillance of, adjacent public and publicly accessible open spaces; b. makes pedestrian entrances and routes readily recognisable; and c. provides for good visibility with clear sightlines. 5. The extent to which the activity does not adversely affect the function or capacity of the nearby Kaiapoi Town Centre to provide for primarily commercial and community activities. 6. The extent to which the activity generates traffic and other effects that impact on the day to day operation and amenity of the local community.
SPZ-PBKR-MD2	Height and height in relation to boundary 1. The effect of any reduced sunlight admission on properties in adjoining residential and open space and recreation zones, taking account of the extent of overshadowing, the intended use of spaces, and for residential properties, the position of outdoor living spaces or main living areas in buildings. 2. The effect on privacy of residents and other users in the adjoining zones or on sites listed in Appendix APP1 Regeneration Area Remaining Private Residences and Alternate Zone. 3. The scale of building and its effects on the character of any adjoining residential or open space and recreation zones. 4. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects. 5. The effect on outlook from adjoining site. 6. The extent to which the recession plane or height breach and associated effects reflect the functional requirements of the activity and

	the extent to which there are alternative practical options for meeting the functional requirement in a compliant manner.
SPZ-PBKR-MD3	Internal boundary setbacks 1. The scale and height of buildings, caravans or motor homes located within the reduced setback and their impact on the visual outlook of residents and users on adjoining residential zones or open space and recreation zones. 2. The extent to which buildings in the setback enable better use of the site and improve the level of amenity along more sensitive boundaries elsewhere on the site. 3. The proposed use of the setback, the visual and other effects of this use and the extent to which a reduced setback and the use of that setback achieves a better amenity outcome for residential neighbours.
SPZ-PBKR-MD4	Internal boundary landscaping 1. The extent of visual effects of outdoor storage and car parking areas, or buildings (taking account of their scale and appearance), as a result of reduced landscaping. 2. The extent to which any reduction in landscaping or screening within the setback adequately mitigates the visual dominance of buildings. 3. The extent to which the site is visible from adjoining sites in residential zones or open space and recreation zones and the likely consequences of any reduction in landscaping or screening on the amenity and privacy of those sites.
SPZ-PBKR-MD5	Road boundary setbacks 1. The effect of a building's reduced setback on amenity and visual streetscape values, especially where the frontage is to an arterial road or collector road. 2. Whether the reduced setback of the building is opposite residential zones, rural zones, or open space and recreation zones and the effects of a reduced setback on the amenity and outlook of those zones. 3. The extent to which the building presents a visually attractive frontage to the street through the inclusion of glazing, ancillary offices, and retail showrooms in the front façade. 4. The extent to which the visual effects of a reduced setback are mitigated through site frontage landscaping and the character of existing building setbacks in the wider streetscape.
SPZ-PBKR-MD6	Outdoor storage 1. The extent of visual effects on the adjoining site. 2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback. 3. The extent of the amenity effects on pedestrians or residential activities generated by the type and volume of materials to be stored. 4. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage.
SPZ-PBKR-MD7	Ecological enhancement planting 1. The extent to which the proposed ecological enhancement planting: a. achieves a high level of onsite amenity while minimising the visual effects of activities and buildings on the surroundings;

	b. supports the growth of other vegetation and the restoration of habitat for indigenous species; c. is protected through the provision of space, or other methods, including plant protection barriers; and d. recognises and provides for Ngāi Tahu/mana whenua values through the inclusion of indigenous species that support the establishment of ecological corridors, mahinga kai and general ecological restoration. 2. The extent to which the non-compliance is mitigated through the design, scale and type of landscaping proposed, including the species used. 3. The appropriateness and design of landscaping having regard to the potential adverse effects on safety for pedestrians and vehicles.
SPZ-PBKR-MD8	Visitor and residential accommodation 1. The extent to which the residential activity or visitor accommodation supports recreation, education and conservation activities in the Tuhaitara Coastal Park. 2. The extent to which the residential activity and visitor accommodation activity compliments and supports the amenity and enjoyment of the adjoining Natural Open Space Zone. 3. The extent to which the residential activity and visitor accommodation activity results in adverse amenity effects on adjoining residential properties.
SPZ-PBKR-MD9	Natural hazards 1. The period of time the proposed building is proposed to remain on site and the risk of flooding from localised rainfall events, an Ashley River/Rakahuri breakout event and sea water inundation over that period, with reference to as built stop-bank heights and modelled storm surge, taking into account central government direction or guidance in relation to projected sea level rise. 2. The extent to which the building is readily relocatable. 3. The extent to which the proposal avoids, remedies or mitigates the identified natural hazards risks, and includes the following: a. the use of 'trigger' decision-points that take into account actual sea level rise and how such triggers will provide advance warning of the need to relocate the building; and b. proposals to manage residual risk. 4. The extent to which the proposal relies on Council infrastructure and the risks to that infrastructure from natural hazards, including taking into account maintenance and repair costs that might fall on the wider community. 5. The extent of positive effects resulting from the proposal on the local community and the Tuhaitara Coastal Park.
SPZ-PR-MCD1	Stormwater or recreational water bodies 1. Landscaping, planting and screening; 2. Accessibility for maintenance purposes; 3. Design capacity; and 4. Integration into the stormwater network.
SPZ-PR-MCD2	Design considerations 1. Design of development in accordance with the ODP.

	2. Design of development in accordance with the Pegasus design guidelines including: a. the bulk, scale, location and external appearance of buildings; b. the creation of active frontages adjacent to roads and public spaces; c. setbacks from roads; d. landscaping; e. streetscaping design; f. application of CPTED principles; g. focus on sustainable design to reduce carbon footprint; h. provision for internal walkways, paths, and cycleways; and i. appropriate legal mechanism to ensure implementation of design responses as relevant; 3. Lighting design that meets the character and amenity values for the activity area. 4. Adequate provision of storage and loading/servicing areas and access to all service areas that require ongoing maintenance. 5. Enhancement of ecological and natural values.
SPZ-PR-MCD3	Transportation 1. Safe, resilient, efficient functioning and sustainable for all transport modes. 2. Adverse effects on the character and amenity values of the surrounding area in terms of noise, vibration, dust, nuisance, glare or fumes. 3. Provision of safe vehicle access and adequate on-site car parking and circulation and on-site manoeuvring. 4. Road and intersection design in accordance with the ODP. 5. Compliance with the relevant standards contained within the Transport Chapter.
SPZ-PR-MCD4	Amenity values 1. Effects of the development on: a. character and quality of the environment, including natural character, water bodies, ecological habitat and indigenous biodiversity, and sites of significance to Māori; b. existing landscape character values and amenity values of the zone in which it occurs, and the zone of the receiving environment; and c. the surrounding environment such as visual effects, loss of daylight, noise, dust, odour, signs, light spill and glare, including cumulative effects. 2. Effects of hours of operation on the amenity values of any surrounding residential properties, including noise, glare, nuisance, disturbance, loss of security and privacy. 3. Incorporation of effective mitigation such as landscaping or screening.
SPZ-PR-MCD5	Golf facility considerations 1. Design of development in accordance with the ODP. 2. Maintaining 18 hole champion golf course. 3. Design of development in accordance with the Pegasus design guidelines including: a. the bulk, scale, location and external appearance of buildings; b. landscaping;

	c. streetscape and design; and d. appropriate legal mechanism to ensure implementation of all relevant design responses. 4. Interface with public roads and open spaces. 5. Hours of operation. 6. Traffic generation, access and parking. 7. Noise duration, timing, noise level and characteristics, and potential adverse effects in the receiving environment.
SPZ-PR-MCD6	Boundary setback 1. 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: a. compatibility with the appearance, layout and scale of other buildings and sites in the surrounding area; and b. the classification and formation of the road, and the volume of traffic using it within the vicinity of the site. 2. 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. 3. The extent to which the reduced setback will result in a more efficient, practical and better use of the balance of the site. 4. 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.
SPZ-PR-MCD7	Visitor accommodation units 1. In relation to minimum unit size, where: a. the floor space available and the internal layout represents a viable visitor accommodation unit that would support the amenity values of current and future guests and the surrounding activity area; b. other onsite factors compensate for a reduction in unit sizes e.g. communal facilities; and c. the balance of unit mix and unit sizes within the overall development is such that a minor reduction in the area of a small percentage of the overall units may be warranted. 2. In relation to storage space, where: a. the extent to which the reduction in storage space will adversely affect the functional use of the visitor accommodation unit and the amenity values of neighbouring sites, including public spaces; and b. the extent to which adequate space is provided on the site for the storage of bicycles, waste and recycling facilities and clothes drying facilities. 3. In relation to outdoor living space, where: a. the extent to which the reduction in outdoor living space will adversely affect the ability of the site to provide for amenity values and meet outdoor living needs of likely future guests.
SPZ-PR-MCD8	Flooding hazard 1. The extent to which natural hazards have been addressed, including any actual or potential impacts on the use of the site for its intended purpose, including:

	a. the location and type of infrastructure; and b. any restriction on floor levels as a result of flood hazard risk. 2. The extent to which overland flow paths are maintained. 3. Any effects from fill on stormwater management on the site and adjoining properties and the appropriateness of the fill material. 4. Increased ponding or loss of overland flow paths.
SRP	Spill Response Plan (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
Structural Mitigation	has the same meaning as in NZS 6806:2010 (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
SUB-MCD1	Allotment area and dimensions 1. The extent to which allotment area and dimensions enables activities to take place in accordance with the function, role and character of the zone. 2. Area and dimensions of allotments for access, utilities, reserves and roads. 3. Area and dimensions of allotments created for conservation, restoration or enhancement of any vegetation and habitat site, notable tree or historic heritage item listed in the District Plan, and any other area of significant indigenous vegetation or significant habitat of indigenous fauna, or any other heritage item, or wāhi taonga. 4. Any effect that the balance area of a residential subdivision will have on the achievement of any required minimum net household density.
SUB-MCD10	Reverse sensitivity 1. Any need to provide a separation distance for any residential unit or minor residential unit from existing activities, and any need to ensure that subsequent owners are aware of potential reverse sensitivity issues from locating near lawfully established rural activities, including but not limited to intensive farming and effluent spreading areas.
SUB-MCD11	Effects on or from the National Grid 1. The extent to which the subdivision allows for earthworks, buildings and structures to comply with the safe distance requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. 2. The provision for the ongoing efficient operation, maintenance, development and upgrade of the National Grid, including the ability for continued reasonable access to existing transmission lines for maintenance, inspections and upgrading. 3. The extent to which potential adverse effects (including visual and reverse sensitivity effects) are mitigated through the location of an identified building platforms. 4. The extent to which the design and construction of the subdivision allows for activities to be set back from the National Grid, including the ability to ensure adverse effects on, and from, the National Grid and on public safety and property are appropriately avoided, remedied or mitigated, for example, through the location of roads and reserves under the transmission lines. 5. The nature and location of any proposed vegetation to be planted in the vicinity of the National Grid.

	6. The outcome of any consultation with Transpower New Zealand Limited. 7. The extent to which the subdivision plan clearly identifies the National Grid and identified building platforms.
SUB-MCD12	Liquefaction Hazard Overlay 1. The extent of liquefaction remediation measures to mitigate the effect on future development and associated inground infrastructure through ground strengthening, foundation design and geotechnical or engineering solutions, especially in the case where infrastructure including roads, water supply, and wastewater system are required to be extended to service the subdivision. 2. The location and layout of the subdivision, building platforms and service locations in relation to the liquefaction hazard.
SUB-MCD13	Historic heritage, culture and notable trees 1. Any effect on historic heritage and on any associated heritage setting. 2. The extent that HNZPT has been consulted and the outcome of that consultation. 3. The extent that the site has cultural or spiritual significance to mana whenua and the outcome of any consultation undertaken with Te Ngāi Tūāhuriri Rūnanga. 4. Opportunities to enhance the physical condition of the historic heritage and its heritage values. 5. Any mitigation measures are proposed to be implemented to protect the historic heritage. 6. The extent to which the subdivision layout and design provides for the protection of any notable tree or trees. 7. Any effect on a notable tree as a result of the subdivision or building platform, and whether alternative methods or subdivision design are available to retain or protect the tree.
SUB-MCD2	Subdivision design 1. The extent to which design and construction of roads, service lanes, and accessways will provide legal and physical access that is safe and efficient. 2. The extent to which the proposal complies with any relevant ODP or concept plan and any . Where a proposal does not comply with an ODP, the extent to which the proposal achieves the same, or better urban design and environmental outcomes, than provided through the ODP. 3. The extent to which allotments provide for solar orientation of buildings to achieve passive solar gain. 4. Design of the subdivision and any mitigation of reverse sensitivity effects on infrastructure. 5. The provision and location of walkways and cycleways, the extent to which they are separated from roads and connected to the transport network. 6. The provision and use of open stormwater channels, wetlands and waterbodies, excluding aquifers and pipes and how they are proposed to be maintained. 7. The provision, location, design, protection, management and intended use of reserves and open space.

	8. The extent to which areas of significant indigenous vegetation or significant habitats of indigenous fauna, the natural character of freshwater bodies, springs, watercourses, notable trees, historic heritage items, or wāhi taonga are protected and their values maintained. 9. The extent to which subdivision subject to an ODP: a. provides for the protection of routes for future roads, and other public features of the subdivision, from being built on; and b. will not undermine or inhibit the future development of identified new development areas.
SUB-MCD3	Property access 1. The extent to which the subdivision makes provision for: a. the location, design, lighting, alignment and pattern of roads in relation to allotments; b. the provision of access; c. the location, design, and provision of vehicle crossings in particular, taking into account infrastructure and street trees in the roading corridor; d. the location and design of footpaths and cycleways including their convenience, safety and separation from roads by visual and/or physical means; and e. road reserves and links to future subdivision on adjoining land.
SUB-MCD4	Esplanade provision 1. Esplanade reserve or esplanade strip provision and management where any subdivision adjoins the CMA or a river identified in SUB-S19; 2. The purpose of any esplanade reserve or esplanade strip as set out in section 229 of the RMA. 3. Any need for reduction in the width of the esplanade reserve or esplanade strip to take account of topography, subdivision design or expected land use; 4. The extent to which the esplanade reserve or esplanade strip provides for the protection or enhancement of: a. archaeological sites or historic heritage items; b. SNAs; c. notable trees; d. sites and areas of significance to Ngāi Tūāhuriri as set out in SASM-SCHED1; or e. the habitat of trout and salmon (including spawning sites). 5. The extent to which the area to be provided connects, or matches the width of, existing esplanade strips or esplanade reserves for the purpose of conservation, access, recreation or natural hazard mitigation. 6. Where the purpose of the esplanade reserve or esplanade strip is to provide for or enhance an ecological corridor, the need to ensure that the integrity of the vegetation is not vulnerable or ineffective due to its narrowness or edge effects.
SUB-MCD5	Natural hazards 1. The extent to which natural hazards have been addressed, including any effects on the use of the site for its intended purpose, including:

	a. provision of works for the subdivision including access and infrastructure; b. the location and type of infrastructure; c. location of structures and identified building platforms for natural hazard sensitive activities; d. any restriction on floor levels as a result of flood hazard risk; and e. location and quantity of filling and earthworks that can be affected by the following hazards or which could affect the impact of those hazards on any allotment or other land in the vicinity: i. erosion; ii. flooding and inundation; iii. landslip; iv. rockfall; v. alluvion; vi. avulsion; vii. unconsolidated fill; viii. defensible space for fire safety; ix. soil contamination; x. subsidence; and xi. liquefaction. 2. The extent to which necessary overland flow paths are maintained, including consideration of any culvert development or road access that may impede overland flow. 3. Any effects from fill or difference in finished ground levels on stormwater management on the site and adjoining properties and the appropriateness of the fill material.
SUB-MCD6	Infrastructure 1. The quantity, security and potability of the water and means, location and design of supply, including; a. for fire-fighting purposes; and b. the location, scale, construction and environmental, including public health, effects of water supply infrastructure and the adequacy of existing supply systems outside the subdivision. 2. The means, design, scale, construction and standard of stormwater infrastructure (including soakage areas and the means and location of any outfall). 3. The effectiveness and effects of any measures proposed for mitigating the effects of stormwater runoff, including the control of water-borne contaminants, litter and sediments. 4. The location, scale, construction and environmental effects of stormwater infrastructure, and whether or not the proposal requires on-site or area wide stormwater detention (either individually or collectively) to achieve stormwater neutrality or to meet any condition of regional network discharge consents. 5. The effect of the subdivision on water quality. 6. The extent to which the design of the stormwater infrastructure necessitates specific landscape treatment to mitigate any adverse effects on amenity values. 7. The means, design and standard of sewage treatment and disposal where a public reticulated wastewater system is not available. 8. The location, scale, construction, maintenance and environmental effects of the proposed wastewater system.

	9. The adequacy and standard of electricity supply and connectivity to communication infrastructure including phone, internet and broadband.
SUB-MCD7	Mana whenua 1. The extent to which protection of sites and areas of significance to Ngāi Tūāhuriri is provided for through the subdivision. 2. Provision of public access along and in the vicinity of the Taranaki Stream. 3. The effectiveness and environmental effects of any measures proposed for mitigating the effects of subdivision on wāhi taonga identified by Te Ngāi Tuahuriri Rūnanga.
SUB-MCD8	Archaeological sites 1. Any archaeological sites are identified on the allotments, and any provisions to identify and/or protect archaeological sites. 2. Any protocols to provide for wāhi taonga, wāhi tapu, urupā and other historic cultural sites. 3. Processes that protect the interests of Te Rūnanga o Ngāi Tahu and Te Ngāi Tuahuriri Rūnanga.
SUB-MCD9	Airport and aircraft noise 1. Any reverse sensitivity effect on the operation of the Christchurch International Airport from subdivision; and 2. Any effects from aircraft noise on the use of the site for its intended purpose.
TEMP-MD1	Character and amenity values 1. Suitability of the location. 2. The contribution the temporary activity has to the vibrancy of the District and the physical, social, and cultural well-being of communities. 3. Adverse effects on the character and quality of the environment, including natural character, water bodies, ecology, historic heritage and sites of significance to Māori. 4. The existing character and amenity values of the zone in which it occurs, and the zone of the receiving environment. 5. Potential adverse effects on the surrounding environment such as noise, dust, odour, signs, light spill and glare. 6. Scale, intensity and character of the activity including attendance, building coverage, structures, duration, frequency and hours of operation. 7. Cumulative effects of all activities, buildings, and signs using the proposed location. 8. Building style and/or visual appearance of the temporary activity. 9. The extent and effectiveness of mitigation such as screening. 10. The extent to which the temporary activity will limit access to spaces that would otherwise be accessible. 11. Any cross-boundary effects.
TEMP-MD2	Transport 1. The effects on and off the transport system, at and beyond the site including, but not limited to: a. traffic generation from the activity and the efficiency of the transport system; b. number and type of vehicles accommodated;

	c. traffic and pedestrian safety, including visibility both on and off-site; d. land availability and suitability for parking, loading, and manoeuvring; e. any alternative means for provision of parking and loading; and f. any effects on the operation of emergency services.
TEMP-MD3	Site alteration, disturbance and remediation 1. The extent to which temporary activities alter or disturb any site, including from earthworks, and the extent of remediation including to any: a. land, including grassed areas, trees or other vegetation; and b. biodiversity, ecosystem or habitat.
TEMP-MD4	Public safety and security 1. The extent to which the proposal maximises personal safety and security, including: a. lighting, visibility and surveillance that is suitable to maintain a high level of public safety and security; b. ensuring effective access for emergency services is maintained; c. provision of contingency planning for emergency situations; d. provision of clear access routes, including safe movement of pedestrians within the site while avoiding concealment and isolation opportunities; e. entrances and exits, as well as services such as public toilets, that are clearly signposted and easily accessible; f. the extent to which any potential conflicts with other activities (on or off-site) are effectively avoided or minimised; and g. the extent that any off-site effects on personal safety and security are identified and managed.
TMP	Traffic Management Plan (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
TRAN-MD1	Road design 1. The extent to which the road will be safe, functional and maintainable at reasonable cost. 2. The extent to which use of the road will adversely affect the environment and/or character of the location and surrounding area. 3. The extent to which design and use of the road will adversely affect safe and efficient access and use for other current and potential users of the road, including pedestrians and cyclists. 4. The extent to which cul-de-sacs with a maximum length greater than 150m will achieve a good urban design and traffic design outcome. 5. The extent to which the road design can efficiently and safely accommodate off site parking, particularly for residents or nearby businesses, and provide for unobstructed movement including for service, delivery, or emergency service vehicles.
TRAN-MD10	Manoeuvring area for parking or loading spaces 1. The extent to which there would be adverse effects on the efficiency, safety and amenity values of transport users including pedestrians and cyclists within and passing the site, or on accessibility, or on the function of the road.

	2. The number and type of vehicles using the parking, loading or manoeuvring area. 3. The extent to which the required manoeuvring area can physically be accommodated on site. 4. The extent to which any strategic, arterial or collector road corridor or rail corridor is adversely affected, including by manoeuvring on to or off a site.
TRAN-MD11	High traffic generators 1. The findings of an ITA, and the extent to which the ITA addresses the following matters: a. Basic ITA and Full ITA: i. The estimated number of trips generated by each transport mode to and from the development (public transport, walking, cycling and private vehicles, including heavy vehicles). ii. The extent to which any additional vehicle movements will affect the capacity of the road network. iii. The extent of effects on the operation of public transport infrastructure and any vehicle and pedestrian/cyclist conflicts likely to arise from vehicle movements to and from the development. iv. Access and manoeuvring (safety and efficiency): a. The extent to which the provision of access and on site manoeuvring area associated with the activity, including vehicle loading and servicing deliveries, affects the safety, efficiency, accessibility of the site (including for people whose mobility is restricted and for emergency service vehicles) and the transport system (including considering the classification of the frontage road in the District Plan road hierarchy). v. Design and layout: a. The extent to which the design and layout of the proposed activity maximises opportunities, to the extent practicable, for travel other than by private vehicle, including providing safe and convenient access for travel by such modes. b. The extent to which the design of the development will encourage public transport use. c. The extent to which the design of the proposed development will encourage walking and cycling to nearby destinations. vi. Heavy vehicles: a. For activities that will generate 50 or more heavy vehicle movements per day, the extent to which there are any effects from these trips on the roading infrastructure. vii. Accessibility of the location: a. The extent to which the proposed activity has demonstrated the accessibility of the site by a range of transport modes, and the extent to which the activity's location will minimise or reduce travel to and from the activity by private vehicles and encourage public and active transport use.

	b. The safety, distance and suitability of pedestrian routes to the nearest bus stop. b. Full ITA only (as well as the matters in (a)(i) to (vii) above): i. Network effects: a. Having particular regard to the level of additional traffic generated by the activity and the extent to which the activity is permitted by the zone in which it is located, the extent to which measures are proposed to adequately mitigate the actual or potential effects on the transport system arising from the anticipated trip generation (for all transport modes) from the proposed activity, including consideration of cumulative effects with other activities in the vicinity, proposed infrastructure, and construction work associated with the activity. b. The extent to which the design and layout of the proposed development maximises opportunities, to the extent considered reasonably practicable, for travel other than by private car. c. The extent of effects of construction traffic on the transport network. d. The extent of any new or modified infrastructure required for public transport, pedestrian, cycling, private vehicles and freight. e. The extent of any mitigation required to improve safety issues for pedestrians, cyclists or mobility impaired users and the nature of those measures. f. The extent to which travel demand management tools such as travel plans are proposed to reduce vehicle trips and associated effects, influence travel mode share and offer travel choice. g. The extent to which there are road, public transport, walking or cycling measures to be funded by the proposed development. i. Strategic framework: a. The extent to which the proposal is consistent with the local and regional transport policy framework, including the Canterbury Regional Land Transport Plan 2021-31.
TRAN-MD12	Parking space dimensions 1. The safety and usability of the parking spaces. 2. The extent to which any non-compliance with the required minimum parking space dimensions is offset by other means, such as provision of a mix of different types of parking spaces on site (for example, a mix of spaces for 85 percentile and 99 percentile vehicles (see TRAN-APP3), accessible spaces, cycle spaces, or the use of 99 percentile spaces in preference to 85 percentile spaces based on the predominant vehicle size visiting a site).
TRAN-MD13	Accessible parking spaces 1. The extent to which the equivalent number of accessible parking spaces can be provided on a separate site which is:

	a. located within a readily accessible distance from the activity for persons whose mobility is restricted; and b. clearly associated with the activity through signs or other means. 2. The extent to which the nature of the particular activity is such that it will generate less accessible car parking demand than is required. 3. The extent to which the safety of people whose mobility is restricted will be affected by being set down on the street.
TRAN-MD14	Minimum cycle parking facilities required 1. The extent to which adequate alternative, safe and secure cycle parking and cycle end-of-trip facilities (such as showers and lockers), meet the needs of the intended users, and are available in a nearby location that is readily accessible. 2. The extent to which the parking can be provided and maintained in a jointly used cycle parking area. 3. The extent to which a legal agreement has been entered into securing mutual usage of any cycle parking area shared with other activities. 4. The extent to which the cycle parking facilities are designed and located to match the needs of the intended users. 5. The extent to which the provision, design and location of cycle parking facilities may disrupt pedestrian traffic, disrupt active frontages, or detract from an efficient site layout or amenity values. 6. The extent to which the number of cycle spaces and cycle end-of-trip facilities provided are sufficient considering the nature of the activity on the site and the anticipated demand for cycling. 7. The extent to which alternative adequate cycle parking is available which is within easy walking distance of the development entrance. 8. The extent to which the provision for cyclists is sufficient considering the nature of the activity on the site and the anticipated demand for cycling to the site and adjacent activities. 9. The extent to which the provision for cyclists is practicable and adequate considering the location and layout of the site and the operational requirements of the activity on the site.
TRAN-MD15	Formation of parking, loading and manoeuvring area and associated vehicle crossings and accessways 1. The extent to which a lack of all-weather surfacing will cause adverse effects. 2. The extent to which mud or gravel will be carried on to the road corridor, footpaths, shared use path or cycle lanes. 3. The extent to which the materials used for the surface of the area and its stormwater management system will adequately collect and attenuate runoff. 4. The extent to which permeable surfaces are suitable. 5. The extent to which parking and loading spaces that are not permanently marked will affect the ability to reasonably access and efficiently utilise the spaces.
TRAN-MD16	Illumination of parking or loading areas 1. The extent to which a facility is often used during the hours of darkness. 2. The extent to which other light sources in the area give adequate light to provide security for users.

	3. The extent to which glare from the light source will adversely affect the safety of the road corridor or rail corridor. 4. Any relevant matters of control or discretion in the Light Chapter.
TRAN-MD17	Queuing space 1. The extent to which there would be any adverse effects on the safety, amenity values or efficient operation and functioning of the frontage road or adjacent road/rail level crossing. 2. The effect of queuing vehicles on the safety of pedestrians and cyclists.
TRAN-MD18	New buildings, other structures, road intersections, vehicle crossings or vegetation adjacent to road/rail level crossing 1. Where a new road crosses a rail corridor, or a road intersection or vehicle crossing does not comply with the applicable design requirements in relation to a road/rail level crossing: a. the extent to which the safety and efficiency of rail and road operations will be adversely affected; b. the extent to which a grade separated crossing will be provided; and c. the extent to which connectivity and accessibility for pedestrians, cyclists and vehicles will be improved, without compromising safety. 2. Where minimum setbacks for buildings, other structures or vegetation are not provided: a. the extent to which there will be an adverse effect on the safety of the road/rail level crossing for vehicles and pedestrians; and b. the extent to which visibility and safe sight distances will be adversely affected, particularly to the extent that vehicles entering/exiting the road/rail level crossing can see trains. 3. The outcome of any consultation with KiwiRail. 4. Any characteristics of the proposed activity that will make compliance unnecessary.
TRAN-MD19	Land transport infrastructure 1. The extent to which there is a need for the development in relation to improving safety, amenity values, efficiency or functionality of transport. 2. The extent of adverse effects on the current or future safety and efficiency of transport. 3. The extent to which the scale and location of buildings will adversely affect or dominate its surrounding setting including adjacent buildings and the environment, particularly: a. where a larger building is proposed to locate adjacent to areas with smaller buildings, the massing and design of the proposed building should not overly dominate the built scale or open space of the surrounding area. Methods to moderate the bulk of the proposed building may include: i. varying roof forms; ii. window placement; iii. appropriate use of materials; iv. modulation of facades. 4. The extent to which a building adversely affects the environment, amenity values or adjacent land uses.

	5. The extent to which there is adequate access to sunlight. 6. The extent to which the location and/or the scale of the building does not solely or cumulatively affect public access. 7. The extent to which a building results in areas of entrapment or concealment. 8. The extent to which the development avoids, remedies or mitigates actual or potential adverse effects. 9. If land is being used for non-transport related activities, the extent to which the activity does not undermine the future use of the land for transport purposes. 10. The extent to which a development impedes, restricts or compromises safe and efficient transport movement including access, parking, loading and manoeuvring.
TRAN-MD2	Maximum number of vehicle crossings 1. The extent to which the number of vehicle crossings will adversely affect the efficient and safe operation of the road. 2. The extent of any cumulative effects of the number of vehicle crossings when considered in the context of existing and future vehicle crossings in the vicinity. 3. The extent to which any aspect(s) of road design or formation will mitigate adverse effects of the number of vehicle crossings. 4. The extent to which any existing landscaping, stormwater management or other infrastructure will be affected by the formation of vehicle crossings.
TRAN-MD20	Extent of effects 1. The extent of compliance with the relevant standard(s), and the extent of effects of non-compliance with the relevant standard(s) including cumulative effects. 2. Any other relevant assessment matters for the Transport standard not met. 3. The outcome of any consultation with <i>Waka Kotahi</i>, KiwiRail or District Council (as applicable).
TRAN-MD21	Parking or loading and associated manoeuvring area on a site with frontage to a 'Principal Shopping Street' in Rangiora or Kaiapoi 1. The location and characteristics of the activity to which the parking or loading relates and any factors that would affect generation of parking or loading demand. 2. The type of vehicle requiring use of parking or loading facilities. 3. The presence of any existing facilities with capacity to absorb additional parking or loading demand. 4. The location and suitability of existing or proposed parking or loading or access.
TRAN-MD22	New stock underpass beneath a road corridor or rail corridor 1. Whether there will be an adverse effect on the safety and structure of the road corridor or rail corridor. 2. Whether connectivity across the road corridor or rail corridor will be improved, resulting in improved safety. 3. The outcome of any consultation with <i>Waka Kotahi</i>, KiwiRail, or District Council (as applicable).
TRAN-MD3	Minimum separation distance between vehicle crossings

	1. The extent to which any existing landscaping or stormwater management or other infrastructure will be affected by the location of vehicle crossings. 2. The extent to which safety will be adversely affected by conflict between manoeuvring vehicles at vehicle crossings. 3. The extent to which there will be sufficient space to accommodate on-street parking demand between vehicle crossings. 4. The extent to which lack of complying separation distance between vehicle crossings may contribute to significant adverse cumulative effects with regards the ability to accommodate on-street parking demand in future. 5. The extent to which pedestrian and cycle safety may be adversely affected by a lack of complying separation distance between vehicle crossings.
TRAN-MD4	Minimum separation distance for vehicle crossings from road intersections and pedestrian crossing facility 1. The extent to which conflict may be created by vehicles queuing across the vehicle crossing. 2. The extent to which any potential confusion between vehicles turning at the crossing or the intersection may adversely affect safety. 3. The extent of effects on the safety of users of all transport modes. 4. The extent to which the number and type of vehicles generated by the activity on the site will adversely affect the safe and efficient use of the frontage road, particularly at times of peak traffic flows. 5. The extent to which the speed and volume of vehicles on the road will exacerbate adverse effects of the vehicle crossing on the safety of users of all transport modes. 6. The extent to which the geometry of the frontage road and intersections will mitigate adverse effects of the vehicle crossing. 7. The extent to which there are present, or planned, traffic controls along the road corridor where the vehicle or pedestrian crossing is proposed. 8. The extent of any cumulative effects when considered in the context of existing and future vehicle crossings serving other activities in the vicinity. 9. The extent to which traffic mitigation or calming measures are proposed. 10. The extent to which the proximity of a vehicle crossing to a pedestrian crossing facility may adversely affect the safe use of the pedestrian crossing facility.
TRAN-MD5	Vehicle crossing design 1. The number of pedestrian and cycle movements across the site frontage and the number and type of vehicles using the vehicle crossing. 2. The extent to which use of the vehicle crossing will adversely affect the safety and/or efficiency of the frontage road or an adjacent road/rail level crossing including with respect to visibility from the vehicle crossing or proximity of the vehicle crossing to a road/rail level crossing or volume of vehicles using the vehicle crossing. 3. The speed at which vehicles will be able to enter/exit the site and the effect of this on the safety of pedestrians, cyclists and other road users. 4. The extent to which design takes into account and safely provides for any marked on-road cycle lane, separated cycle lane or shared use

	path across the site road frontage and the extent to which design may have been modified to adequately address these matters.
TRAN-MD6	Vehicle accessway design 1. The extent to which the accessway serves more than one site and the extent to which other users of the accessway may be adversely affected. 2. The extent to which there are adverse effects on the safety and amenity values of neighbouring sites and/or the function of the transport system. 3. The extent of effects on the safety and security of people using the accessway. 4. The extent to which the design or use of the accessway disrupts, or results in conflicts with active frontages, convenient and safe pedestrian circulation and cycling flows, or will inhibit access for emergency service vehicles where on site access is required. 5. The extent to which the safety of pedestrians, particularly the aged and people whose mobility is restricted, will be compromised by the length of time needed to cross a wider accessway or multiple accessways closely spaced. 6. The extent to which the required legal width of the accessway is restricted by the boundaries of an existing site or building. 7. The extent to which the gradient or width or other design aspect of the accessway will make the use of the accessway impractical, including inhibiting access for emergency service vehicles where on site access is necessary. 8. The extent to which accessway drainage is adequately designed and will not cause adverse effects on neighbouring sites. 9. The extent to which vehicles exiting the accessway, and cyclists on the frontage road or shared use path or pedestrians on the footpath, are likely to be aware of each other in time to avoid conflicts. 10. The extent to which the speed and volume of vehicles using an accessway and/or the volumes of cyclists and pedestrians on the footpath or shared use path or frontage road, will exacerbate the adverse effects of the accessway on people's safety. 11. If a visibility splay is unable to be provided, the extent to which alternative adequate methods of improving pedestrian and cycle safety at the accessway have been provided.
TRAN-MD7	Sight distance from vehicle crossings 1. The extent to which the operating speed environment of the road is such that the sight distance requirements can be safely reduced. 2. The extent to which sight distance requirements at the vehicle crossing are adequate to provide safe ingress/egress.
TRAN-MD8	Visibility at vehicle crossings 1. The extent to which vehicles exiting the vehicle accessway, pedestrians on the footpath, and cyclists on a shared use path or frontage road, are likely to be aware of each other in time to avoid conflicts. 2. The extent to which the speed and volume of vehicles using a vehicle accessway, or the volumes of cyclists on a shared use path or frontage road or pedestrians on a footpath, will exacerbate adverse effects of the use of the accessway on safety.

	3. The extent to which the height or permeability of fencing or landscaping affects visibility. 4. The extent to which alternative adequate methods of improving pedestrian and cycle safety at the vehicle accessway have been provided.
TRAN-MD9	Loading spaces 1. The extent to which the nature and operation of the particular activity will require loading spaces of a different size, number or frequency of use. 2. The extent to which an on site shared loading area can be safely and efficiently provided in conjunction with an adjacent activity. 3. The nature of any legal agreement that has been entered into securing mutual usage of any loading area shared with other activities. 4. The extent to which loading can be safely and efficiently undertaken on the street. 5. The extent to which the movement function and/or safety of the surrounding transport system may be adversely affected by extra parked and manoeuvring vehicles on the street. 6. The extent to which loading and service functions on the street will disrupt pedestrian and cycling traffic, frontages, or detract from amenity values. 7. The extent to which there is an existing on street loading facility near to the site that can be used safely, and the route between the loading facility and the site does not require crossing any road.
TREE-MD1	Pruning, root protection area, trunk and crown, removal 1. The character and degree of modification, damage, or destruction of the values of the tree, including the cultural significance of taonga species. 2. The extent to which the activity will or may adversely affect the health or structural integrity or visual appearance of the tree. 3. The extent to which the activity will be undertaken in a manner consistent with accepted arboricultural standards, practices and procedures. 4. The duration and frequency of the activity and the effect on the tree. 5. The resilience of the tree, in relation to structural soundness and health and any irreversible effect on the tree. 6. The scope for the tree to recover from, or compensate for, any effects from pruning, work in the root protection area or modification of the trunk and crown. 7. In relation to a listed group of trees, the extent to which the activity will or may adversely affect the health or structural integrity of the wider group or undermine its unity, setting or other collective significance. 8. The extent to which any proposed compensation for the removal of the tree mitigates the loss of the tree and its values.
TREE-MD2	Extent of benefit or need for the activity or works 1. The need for the activity to deal with an emergency situation, or to avoid significant risk of effects on human health and safety, or adverse effects on infrastructure, including critical infrastructure. 2. The extent of benefits associated with the use and development of the site for activities anticipated by the zoning for the site.

	3. The extent of benefits associated with the infrastructure, whether there is a functional need or operational need for that location and whether there are any practical alternatives. 4. The extent to which the activity will or will not enhance amenity values beyond that achievable by arboricultural or property management alternatives. 5. The significance of the tree and extent of loss of notable tree values and amenity values within and beyond the site.
UDS	Greater Christchurch Urban Development Strategy 2007
ULDF	Urban and Landscape Design Framework (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
ULDMP	Urban and Landscape Design Management Plan (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
VEMP	Visual Effects Management Plan (Waka Kotahi NZ Transport Agency Woodend Bypass designation)
VHNC	Very High Natural Character
VMPD	Vehicle movements per day
VPD	Vehicles Per Day
VPH	Vehicles Per Hour
Waka Kotahi	<i>Waka Kotahi</i> NZ Transport Agency
WDDS	Waimakariri District Development Strategy
WRRZRP	Waimakariri Residential Red Zone Recovery Plan 2016

Hapū	sub-tribe, usually a number of whanau with a common ancestor.
Inanga	whitebait.
Iwi	tribe or grouping of people with tribal affiliations.
Kāinga nohoanga	home, village, settlement, place of residence.
Mauri	the essential life force of all things, spiritual essence.
Ngā tūranga tūpuna	larger extents of land within which there is a concentration of wāhi tapu or taonga values
Taonga	treasures.
Wāhi taonga	places and things that are treasured and valued.
Wāhi tapu	places and things that are sacred.
Whānau	family.

National Policy Statements and New Zealand Coastal Policy Statement

NPSs and the NZCPS form part of the RMA's policy framework and are prepared by central government. NPSs and the NZCPS contain objectives, policies and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on resource consent applications, alongside other considerations.

The following provides an overview of the relevant review/s of the District Plan that have undertaken in relation to NPSs and the NZCPS.

National Policy Statements	Details of the Policy Statement and/or Plan review or relevant change to give effect (fully or partially) to each National Policy Statement
National Policy Statement for Freshwater Management 2020	NPSFM has been reviewed in August 2020, <u>and amended January 2023¹</u>
National Policy Statement on Urban Development 2020	NPSUD has been reviewed in August 2020, <u>and amended December 2021 and May 2022²</u>
National Policy Statement for Renewable Electricity Generation 2011	NPSREG has been reviewed in December 2019
New Zealand Coastal Policy Statement 2010	NZCPS has been reviewed in December 2019
National Policy Statement on Electricity Transmission 2008	NPSET has been reviewed in December 2019

¹ CI 16, sch 1 RMA.

² CI 16, sch 1 RMA.

National Environmental Standards

National environmental standards are prepared by central government and can prescribe technical standards, methods (including rules) or other requirements for environmental matters throughout the whole country or specific areas. If an activity doesn't comply with an NES, it is likely to require a resource consent. NES(s) must be observed and enforced by local authorities. The following NES(s) are currently in force:

- Resource Management (National Environmental Standards for Freshwater) Regulations 2020 [\(amended January 2023\)](#)¹
- Resource Management (National Environmental Standard on ~~Plantation~~ [Commercial](#)² Forestry) Regulations 2017
- Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016
- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
- Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009
- Resource Management (National Environmental Standard for Sources of Drinking Water) Regulations 2007
- Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (amended 2011)
- Resource Management (National Environmental Standards for Marine Aquaculture) Regulations 2020
- [Resource Management \(National Environmental Standards for Storing Tyres Outdoors\) Regulations 2021](#)³

An NES prevails over District Plan rules unless expressly stated that it does not.

¹ Sch 1, cl 16 RMA.

² s44A(6) of RMA.

³ Sch 1, cl 16 RMA.

Regulations

The regulations included in this chapter come under the Resource Management Act 1991 (excluding the national environmental standards listed in the National Environmental Standards chapter). These regulations are:

- Resource Management (Discount on Administrative Charges) Regulations 2010
- Resource Management (Exemption) Regulations 1996
- Resource Management (Exemption) Regulations 2017
- Resource Management (Forms, Fees, and Procedure) Regulations 2003
- Resource Management (Infringement Offences) Regulations 1999
- Resource Management (Marine Pollution) Regulations 1998
- Resource Management (Measurement and Reporting of Water Takes) Regulations 2010
[\(Amended September 2020\)](#)¹
- Resource Management (Network Utility Operations) Regulations 2016
- [Resource Management \(Stock Exclusion\) Regulations 2020 \(amended January 2023\)](#)²
- Resource Management (Transitional, Fees, Rents, and Royalties) Regulations 1991

¹ CI 16, sch 1 RMA.

² Federated Farmers [414.5].

Water Conservation Orders

A regional policy statement, regional plan or district plan cannot be inconsistent with the provisions of a water conservation order. A water conservation order can prohibit or restrict a regional council issuing new water and discharge permits, although it cannot affect existing permits.

There are no water conservation orders in the District.

Mana whenua

Recognition of hapū and lwi

The District's territorial area sits within the takiwā (territory) of Ngāi Tūāhuriri which is one of eighteen Ngāi Tahu regional papatipu rūnanga, constituted under the Te Rūnanga o Ngāi Tahu Act 1996 to represent mana whenua interests. Mana whenua represents the ability to influence and exercise control over a particular area or region and to act as kaitiaki (guardian).

Kaitiakitanga is fundamental to the relationship of Ngāi Tahu and the environment. It is the intergenerational responsibility and right of tangata whenua to take care of the environment and resources that sustain life and culture. The responsibility of kaitiakitanga is twofold: first, there is the ultimate aim of protecting mauri; and second, there is the duty to pass the environment to future generations in a state that is as good as, or better than, the current state.

Through Ngāi Tūāhuriri, the tāngata whenua who hold mana whenua over a particular area or resource, will be able to determine the characteristics of kaitiakitanga and how it should be given expression.

Descendants of Ngāi Tūāhuriri (along with other Ngāi Tahu whanui) have resided in the Waimakariri District for over 40 generations. This rich Ngāi Tahu history and tribal authority is underpinned by spiritual and whakapapa connections, occupation, land and the use and management of resources.

Māori tradition embodies the vision of Papatuanuku, a mother earth figure and land from which all things are born including people. Land, soil and water are regarded as taonga of which Māori people are the kaitiaki and draw from this a sense of unity and identity for tangata whenua. This is why the natural environment is of such importance and spiritual connection to Māori people. Papatuanuku, sustains and maintains all life and holds many significant places which allow Ngāi Tahu to connect with their heritage and cultural practices. It is important to recognise the ancestral and continuing modern cultural relationships with the environment, land and resources that Ngāi Tūāhuriri hold and the role these play in their community development and kaitiakitanga.

Rights to mahinga kai and other wāhi tapu and wāhi taonga have been passed down the generations allowing hapū and whanau to gather mahinga kai and engage in cultural rituals in places that were historically rich in both. These rights are now commonly referred to as customary rights and are protected under Article 2 of the Treaty of Waitangi. Through all the years within individual whanau, Ngāi Tahu have preserved their cultural identity and maintained their ahi kā roa.

As a whole, the District is rich in places of cultural significance, mahinga kai and ancestral values. The resources of significance in the District include, but are not limited to:

1. Coastal and inland waterbodies and areas of indigenous vegetation.
2. Protection of culturally significant sites and areas, such as urupā (burial sites) and other wāhi tapu, occupancy sites, and other important cultural landscapes.
3. Kaiapoi is the previous location of a pā established by Tūrākautahi, the son of Tūāhuriri and one of the principal rangitira who led the Ngāi Tūāhuriri migration to Canterbury.
4. Māori Reserve 873 and other identified areas of Māori land.

Tangata whenua / mana whenua – local authority relationships

Te Ngāi Tūāhuriri Rūnanga and the District Council have entered into a Memorandum of Understanding (MOU) that has been in place since 2003. The goal of the MOU is *“providing formal understanding and operational implementation of the sustainable management of resources for the*

benefit and environmental, social, cultural and economic well-being of the community, both now and in the future”.

The MOU seeks to establish and provide for a clear understanding of the basis and ongoing conduct of the partnership relationship between the District Council and Te Ngāi Tuahuriri Rūnanga. The MOU acknowledges and affirms Te Ngāi Tūāhuriri Rūnanga and the District Council’s status, authority, character, history, knowledge base, values, aspirations, interests, constituents, shareholders, stakeholders and responsibilities.

Hapū and Iwi planning documents

The preparation and change of a district plan must take into account relevant iwi documents. For the District, Ngāi Tahu has set out its resource management values, issues, objectives and policies within the Mahaanui Iwi Management Plan (2013).

The Mahaanui Iwi Management Plan identifies objectives, issues and policies for natural resource and environmental management for six pāpatipu rūnanga (including Te Ngāi Tūāhuriri Rūnanga). It seeks to ensure that the taonga and resources of Ngāi Tahu mana whenua are recognised and protected in the decision-making of statutory agencies. The Mahaanui Iwi Management Plan contains a comprehensive suite of policies and objectives addressing the range of resource management matters of significance to tangata whenua. The District Council shall have regard to the Mahaanui Iwi Management Plan when preparing or changing the District Plan, to the extent its content has a bearing on resource management issues of the District.

Involvement and participation with tangata whenua / mana whenua

In matters of consultation under the RMA, Te Rūnanga o Ngāi Tahu is the iwi authority established under the Te Rūnanga o Ngāi Tahu Act 1996. Under that Act, Te Rūnanga is required to consult with pāpatipu rūnanga (Te Ngāi Tūāhuriri Rūnanga) in relation to the district plan (and other) matters. Te Rūnanga encourages council to consult directly with pāpatipu rūnanga on planning matters and consider the views of pāpatipu rūnanga when taking a position on such matters as the iwi authority.

For Ngāi Tahu, consultation between the Crown and Ngāi Tahu is a cornerstone of the principles of Te Tiriti o Waitangi (Treaty of Waitangi). The RMA requires the principles of Te Tiriti and the iwi management plan to be taken into account when developing the District Plan. The District Plan recognises the significance of the principles of Te Tiriti and the importance of its relationship with Ngāi Tahu.

PA - Tomonga mārea - Public Access

Introduction

The maintenance and enhancement of public access to and along the CMA, lakes and rivers is a matter of national importance under the RMA. Public access to and along the coastal environment is a key requirement of the NZCPS. The District Plan has an important role in providing for public access to and along water bodies and the CMA throughout the District.

Public access to the outdoors contributes to the well-being of society in numerous ways. It encourages people to take part in recreation, it connects people to places and the natural environment, and importantly, it can connect people and communities in a way that underpins cultural identity – access to the outdoors is a stereo-typically integral part of what it is to ‘be a Kiwi’. Access to the outdoors can be both a means to an end (health, fitness, therapy, customary access) and an end in itself (fun, satisfaction, connection).

Public access is facilitated by the District Plan through:

- The creation of an esplanade strip or esplanade reserve applied on private land through subdivision consent, especially where there is an opportunity to create, or add to a network for public access; and
- Access corridors or land access mechanisms, often associated with land owned by the Crown, the Regional Council, within Open Space and Recreation Zones, or land use or development related to an ODP.

The District Council may be required to manage public access to water bodies or the coastal environment if there are potential threats to conservation values or cultural values, where there are risks to public safety, or where the rights of private property owners are significantly compromised.

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.

Other potentially relevant District Plan provisions

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to public access include:

- Coastal Environment: this chapter contains provisions for managing public access in the coastal environment, and near the CMA.
 - Natural Character of Freshwater Bodies: this chapter contains provisions for public access to and along water bodies and for structures located in natural character of scheduled freshwater bodies setbacks.
 - Activities on the Surface of Water: this chapter contains provisions for managing houseboats where these compromise public access.
 - Subdivision: this chapter contains provisions for the creation of esplanade reserves, strips and easements.
 - Earthworks: this chapter contains provisions for managing earthworks where these may compromise public access.
-

- Sites and Areas of Significance to Māori: particularly in relation to ngā wai.
- Any other District wide matter that may affect or relate to the site.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

Objectives

PA-O1	Provision of public access Public access to and along the CMA, water bodies, and to reserves with high recreational, scenic or amenity values is provided for, maintained and enhanced, where this does not create adverse effects to natural character, landscape, indigenous biodiversity, cultural or recreational values, health and safety, or the rights of private property owners.

Policies

PA-P1	Maintaining and enhancing public access Maintain and enhance existing public access to and along the CMA, surface freshwater bodies, and reserves by managing the adverse effects of activities and development, where these would limit public access, or compromise the use or enjoyment of these areas.
PA-P2	Providing for public access Provide for new and enhanced public access to and along the CMA, water bodies and reserves by: 1. encouraging or requiring the creation of esplanade reserves, strips or easements in areas where there are benefits for public access, recreation, cultural values for mana whenua (including customary harvesting) or maintenance; 2. work with land owners to provide for safe and appropriate public access to reserves with high recreational, scenic, natural character and cultural values; and 3. encouraging the use of mechanisms such as easements to provide for public walking access when a land use or development provides an opportunity for access.
PA-P3	Adverse effects of public access Restrict public access to and along the CMA and water bodies with high values, where it is necessary to protect: 1. naturally rare or threatened indigenous flora and fauna; or 2. dunes, estuaries, the margins of rivers, lakes and wetlands, or any other sensitive environments; or 3. sites of cultural significance to Māori, including archaeological sites; 4. public health or safety; or 5. the rights of private property owners, where providing for public access would significantly compromise these rights.

	<u>6. primary production¹ (excluding mining and quarrying)² from seasonal or temporary³ reverse sensitivity effects where it cannot otherwise be mitigated⁴.</u>

There are no rules in this chapter. The objectives and policies apply across the Plan.

Advice Notes

PA-AN1	Activities and structures may also be subject to controls outside the District Plan. Reference should also be made to any other applicable rules or constraints within other legislation or ownership requirements including the following: 1. RPS 2. NZCPS 3. Reserves Act 1977 4. Walking Access Act 2008 5. Northern Pegasus Bay Bylaw 2016
PA-AN2	The District Council has jurisdiction over the northern half of the Waimakariri River. The Christchurch City Council and Selwyn District Council have jurisdiction over the southern half of the Waimakariri River.

¹ Horticulture New Zealand [295.97]

² Horticulture New Zealand [295.97]

³ Horticulture New Zealand [295.97]

⁴ Department of Conservation [419.113] and Horticulture New Zealand [295.97]

LIGHT - Tūramarama - Light

Introduction

Outdoor lighting can have both positive and negative effects on amenity values. Lighting can benefit people and communities, for example by improving pedestrian and transport safety, and can be required for **primary production**,¹ night-time work, security and recreation. However, excessive light spill and glare can also adversely affect amenity values, the natural and cultural environment, health and safety and visibility of the night sky. For instance, glare can cause a safety hazard such as impacting on a driver's ability to see. Excessive ambient light levels can affect sleep quality.

This chapter provides for outdoor lighting while managing adverse effects from glare and light spill. Glare relates to discomfort or disability from the brightness of a light source. Factors that contribute to glare are the light intensity, its source, and orientation of the viewer. Light spill, however, is light that is discernible beyond a site boundary which may have obtrusive effects on other sites.

Glare and light spill can arise from artificial illumination from outdoor sources such as sports field lighting, security lighting, advertising signs, exterior building lighting, and outdoor lighting for parking areas and paths.

The effects from lighting on amenity values will depend on the type of light, its strength, colour, direction or orientation, whether it flashes, is shrouded or shielded in some way, its location, and the hours of operation.

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.

Other potentially relevant District Plan provisions

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to Light include:

- Special Purpose Zone (Kāinga Nohoanga): how the Light provisions apply in the Special Purpose Zone (Kāinga Nohoanga) is set out in SPZ(KN)-APP1 to SPZ(KN)-APP5 of that chapter.
- Any other District wide matter that may affect or relate to the site.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

Objectives

LIGHT-O1	Outdoor lighting Outdoor lighting enables a range of activities including work, ~~rural~~ primary ² production, recreation activities, sport, entertainment, and transportation to occur beyond daylight hours while:

¹ NZPork [169.24], HortNZ [295.104].

² NZPork [169.25], HortNZ [295.105].

	1. minimising adverse effects on amenity values, health and safety, ecology, significant natural values, areas of historic or cultural significance; and 2. maintaining the safe operation of the transport system.
LIGHT-O2	Sky glow Dark sky visibility is maintained and enables ongoing use of the Oxford Observatory.
Policies	
LIGHT-P1	Outdoor lighting Enable outdoor lighting for night-time activities, safety and security while: 1. remedying or mitigating adverse effects from light spill or glare on the receiving environment by controlling the intensity, shielding, colour temperature and direction of light; 2. ensuring that outdoor lighting does not <u>adversely affect the operation of the transport system, including distractions to users-distract traffic or interfere with any traffic aids and signals on the road, air or sea</u>³; and 3. ensuring lighting is compatible with the zone or zones in which the light spill and glare is received by applying the light levels for the receiving zone.
LIGHT-P2	Outdoor lighting design - sky glow Reduce the potential for upward light spill that contributes to sky glow, by controlling the location, direction, design and operation of outdoor lighting to minimise adverse effects on: 1. amenity values including ability to view the night sky; 2. health and well-being of people and ecosystems; and 3. ongoing use of the Oxford Observatory.

Activity Rules

LIGHT-R1	Navigational lighting, traffic signals, illuminated official signs for traffic, and temporary lighting for emergency response	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A
LIGHT-R2	Use of outdoor lighting within the Oxford Observatory Protection Overlay	
Oxford Observatory Light Protection Area Overlay	Activity status: PER Where: 1. except for festive lighting displays during December and January, or for a maximum of 30 days in June or July of any year, and temporary activities between 7:00am and 10:00pm, and as provided by LIGHT-R1, the following apply: a. shielding: all outdoor lighting including	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: LIGHT-MD1 - Outdoor lighting

³ Waka Kotahi [275.45]

	illuminated signs shall be shielded from above in such a manner that the edge of the shield shall be below the whole of the light source; and b. the following outdoor lighting shall not be illuminated or displayed between 9:00pm and sunrise: i. searchlights, except emergency searchlights; ii. outside illumination of any building or feature by floodlight.	
LIGHT-R3	General use of outdoor lighting	
All Zones	Activity status: PER Where: 1. LIGHT-S1 and LIGHT-S2 are met.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: LIGHT-MD1 - Outdoor lighting
	Advisory Note • See Figure LIGHT-1: Lighting Design Guidance for advice on reduction of light spill and glare.	

Light standards

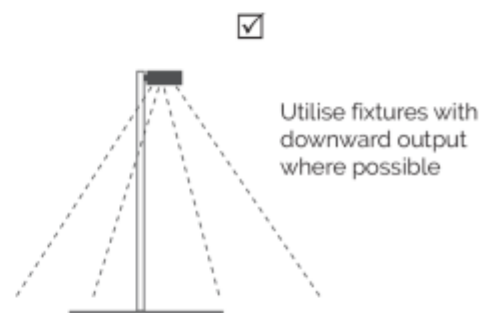
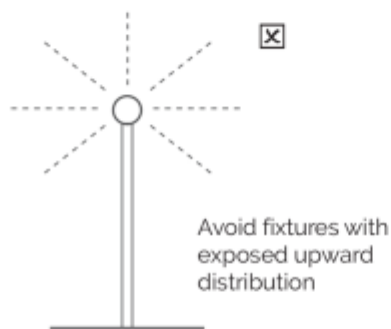
LIGHT-S1 General standards for light	
1. Activities shall comply with the standards specified in Table LIGHT-1, where: a. the added horizontal or vertical illuminance from the use of outdoor lighting must not exceed the limits for the receiving zone specified in Table LIGHT-1 when measured or calculated 2m within the boundary of any adjacent site or road corridor; and b. the illuminance shall be measured facing the applicable vertical plane that is directly facing the light source site boundary; and c. where a site is divided by a zone boundary, each part of the site shall be treated as a separate site.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: LIGHT-MD1 - Outdoor lighting

Table LIGHT-1: Light spill limits by zone

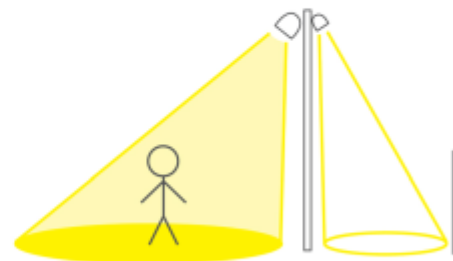
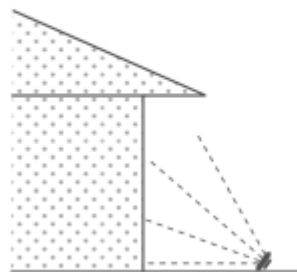
Zone	Illuminance (Ev) Lux (6:00am - 10:00pm)	Illuminance (Ev) Lux (10:00pm - 6:00am)
Natural Open Space Zone	2	1
Rural Zones	5	2
Residential Zones, Special Purpose Zone (Kāinga Nohoanga), Open Space Zone, Sport and Active Recreation Zone, Special Purpose Zone (Kaiapoi Regeneration), Special Purpose Zone (Pines Beach and Kairaki Regeneration).	10	4
Commercial and Mixed Use Zones, Industrial Zones, Special Purpose Zone (Hospital), Special Purpose Zone (Museum and Conference Centre), Special Purpose Zone (Pegasus Resort).	20	10
LIGHT-S2 Control of glare		
1. Any fixed outdoor lighting shall be: a. orientated such that the peak output intensity is directed at least 20° below horizontal, and be aimed away from adjacent sites, roads, footpaths and cycle paths, and from navigation sight lines for sea or air navigation.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: LIGHT-MD1 - Outdoor lighting	
Advisory note • See Figure LIGHT-1 for guidance on lighting design to reduce light spill and glare. • The requirements to aim light away from roads, footpaths and cycle paths shall not apply to lighting provided within, and specifically to illuminate, these facilities.		

Figure LIGHT-1: Lighting design to reduce light spill and glare

FIXTURE TYPE AND AIM



FIXTURE OUTPUT



Advice Note

LIGHT-AN1	Any illuminated sign or digital sign must also meet the applicable rules in the Signs Chapter.
LIGHT-AN2	Australian/New Zealand Standard AS/NZS4282:2019 (Control of the obtrusive effects of outdoor lighting) may apply to light level limitation, determination of the degree of glare or discomfort and mitigation measures.

Matters of Discretion

LIGHT-MD1	Outdoor lighting 1. Effects on the amenity values of the site and adjoining sites, or surrounding area. 2. Effects on the characteristics, form, or function of the zone consistent with the zone chapters. 3. Effects of light colour, flashes, strength, siting, shielding, angle, and hours of operation. 4. Effects on any activities sensitive to light including the following: a. effects on the efficient and effective functioning of any road, and the safety of road users; b. effects on aviation or navigation including effects on flights to and from Christchurch International Airport; and c. the effects of the lighting on cultural or amenity values of the night sky, and on astronomical observation. 5. The extent that the proposal controls the adverse effects of outdoor lighting on health, safety and security, considering CPTED. 6. Effects of lighting on ecology and natural values. 7. Any relevant standards including those which address the amenity and safety effects of outdoor lighting.

SPZ(KN) - Special Purpose Zone - Kāinga Nohoanga

Introduction

The purpose of the Special Purpose Zone (Kāinga Nohoanga) is to provide for activities within all of Māori Reserve 873. The chapter also applies to other areas of land held or administered under Te Ture Whenua Maori Act 1993 in the District as described under *Māori Land Outside of Māori Reserve 873*.

Māori Reserve 873

The zone recognises the original purpose of the 1,068ha of land reserved to local Māori as part of the Kemp's Deed purchase in the South Island. The purpose of Māori Reserve 873 was to provide mana whenua with kāinga nohoanga and the ability to maintain mahinga kai. Due to fragmentation of, and changes in, land tenure over the past 160 years, the original purpose of Māori Reserve 873 has been largely negated. The purpose of the zone is to enable Te Ngāi Tūāhuriri Rūnanga to further develop Māori Reserve 873 for the purposes as originally intended, including places of residence and for the use and processing of natural resources.

The zone includes a variety of land tenure and ownership, but the only land that is able to be used or developed for papakāinga and/or kāinga nohoanga purposes, is land which comes within the definition of Māori Land which has the following status:

- gazetted or determined by an order of the Māori Land Court as having a particular land status as defined or provided for within Te Ture Whenua Maori Act 1993, which may apply to any form of ownership that is recognised or provided for under Te Ture Whenua Maori Act 1993; or
- where one or more owners of the land are direct descendants of the original grantees of the land.

For land that is not Māori Land that is within the zone, a range of Rural Lifestyle Zone activities are provided for outside of Tuahiwi; a range of Settlement Zone activities are provided for within the Tuahiwi Precinct; and the activities of the Large Lot Residential Zone are provided for in the Large Lot Residential Precinct. These are shown on the planning map.

Māori Land Outside of Māori Reserve 873

The provisions of the Special Purpose Zone (Kāinga Nohoanga) also apply to the areas of Māori Land outside of Māori Reserve 873, as described below and shown on the planning map:

- Reserve 2486 & Te Akaka 896, River Road, Waikuku;
- Rural Section 41401 & Taerutu No 898, Kaiapoi Pa Road, Kaiapoi;
- Orohaki MR 893 & Orohaki MR 894, Maori Reserve Road, Glentui;
- Māori Reserve 2038, Mairangi Road, Starvation Hill;
- Reserve 2061 (Tawera) & Section 18776, Luers Road, Coopers Creek; and
- Section 2 MR 897 Tawera, Island Road & Ram Paddock Road, View Hill.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions, particularly objective SD-O5 Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga. The provisions in this chapter also give effect to matters in Part 2 - District Wide Matters - Urban Form and Development, particularly policy UFD-P9 Unique Purpose and Character of the Special Purpose Zone (Kāinga Nohoanga).

Other potentially relevant District Plan provisions

As well as the provisions in this chapter, district wide chapters may be relevant to the Kāinga Nohoanga Zone, and these are set out in SPZ(KN)-APP1 to SPZ(KN)-APP4.

Objectives	
SPZ(KN)-O1	Use and development of Te Ngāi Tūāhuriri Rūnanga Māori land Te Ngāi Tūāhuriri Rūnanga exercise kaitiakitanga in the use and development of ancestral land for their social, cultural and economic well-being.
Policies	
SPZ(KN)-P1	A range of activities within Māori Land Enable the use and development of Māori land for a wide range of activities in accordance with tikanga Māori, including kāinga nohoanga and mahinga kai, to support the social, cultural and economic aspirations of mana whenua.
SPZ(KN)-P2	Land use and development Land use and development on Māori land throughout the zone is undertaken in a way which: 1. integrates land use with infrastructure in a manner that responds to the characteristics of the site and proposed development; 2. facilitates the exercise of kaitiakitanga and tikanga Māori, including in the design and layout of buildings, facilities and activities; 3. avoids or mitigates risks from natural hazards; 4. the residential privacy and amenity values of adjoining landowners is consistent with the planned change to a more urban environment; and 5. adverse effects on the environment are avoided, remedied or mitigated.
SPZ(KN)-P3	Future development Support the application of the Special Purpose Zone (Kāinga Nohoanga) provisions in other locations, where it would assist in the use and development of Te Ngāi Tūāhuriri Rūnanga ancestral land for a range of activities in accordance with tikanga Māori, to support their social, cultural and economic well-being.
SPZ(KN)-P4	Rural activities Enable agricultural activities on any Māori land within the Special Purpose Zone (Kāinga Nohoanga), outside of the Tuahiwi and Residential Large Lot precincts.
SPZ(KN)-P5	Tuahiwi Precinct and Large Lot Residential Precinct activities Apply: 1. the Tuahiwi Precinct to land in and immediately around Tuahiwi marae to recognise the previous zoning (Residential 3) and use of the land for urban purposes, mainly residential; and 2. the Large Lot Residential Precinct to land along Old North Road, Kaiapoi to recognise the previous zoning (Residential 4B) and the use of the land for mainly rural residential purposes.
SPZ(KN)-P6	Activities on other land within Māori Reserve 873 Apply the activities and standards of the Rural Lifestyle Zone to other land within Māori Reserve 873 (outside the Tuahiwi and Large Lot Residential precincts) to recognise the use of this land for mainly rural productive purposes and that the predominant character is of small rural sites with an intensive pattern of land use and buildings.

Rules

How to interpret and apply the rules

1. The rules that apply to activities in the Special Purpose Zone (Kāinga Nohoanga) are outlined in SPZ(KN)-APP1, SPZ(KN)-APP2, SPZ(KN)-APP3, and SPZ(KN)-APP4.

Activity Rules – Special Purpose Zone (Kāinga Nohoanga) outside the Tuahiwi Precinct and the Large Lot Residential Precinct SPZ(KN)-APP1

SPZ(KN)-R1 Marae complex	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER 1. The activity standards in the following rules do not apply where the activity is included within a marae complex: - SPZ(KN)-R2 - Papakāinga housing, and residential activity (including minor residential units and accessory buildings); - SPZ(KN)-R6 - Community facility; - SPZ(KN)-R7 - Health care facility; - SPZ(KN)-R8 - Educational facility (including kohanga reo and kura kaupapa); - SPZ(KN)-R9 - Recreation activities and Recreation facilities (hākinakina); - SPZ(KN)-R11 - Commercial activity; - SPZ(KN)-R12 - Commercial services; - SPZ(KN)-R13 - Rural produce retail; - SPZ(KN)-R14 - Rural tourism activity; - SPZ(KN)-R15 - Office; and - SPZ(KN)-R17 - Visitor accommodation.	Activity status when compliance not achieved: N/A
SPZ(KN)-R2 Papakāinga and residential activity (including minor residential units and accessory buildings)	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: there is a maximum of seven residential units per site.	Activity status when compliance not achieved: DIS
SPZ(KN)-R3 Mahinga kai	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(KN)-R4 Urupā	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved:

	N/A
SPZ(KN)-R5 Home business	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(KN)-R6 Community facility	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: 1. maximum total GFA 300m ² .	Activity status when compliance not achieved: DIS
SPZ(KN)-R7 Health care facility	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: 1. maximum total GFA 300m ² .	Activity status when compliance not achieved: DIS
SPZ(KN)-R8 Educational facility (including kohanga reo and kura kaupapa)	
<i>This rule applies to land held as Māori Land in Māori Reserve 873 outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: 1. maximum total GFA 300m ² .	Activity status when compliance not achieved: DIS
SPZ(KN)-R9 Recreation activities and recreation facilities (hākinakina)	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: 1. maximum total area of land (including buildings and facilities) used for the activity 500m ² .	Activity status when compliance not achieved: DIS
SPZ(KN)-R10 Agriculture (ahuwhenua)	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(KN)-R11 Commercial activity	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct.</i>	
Activity status: PER Where:	Activity status when compliance not achieved: RDIS

1. maximum of 100m ² GFA per business.	Matters of discretion are restricted to: SPZ-KN-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
SPZ(KN)-R12 Commercial services	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: 1. maximum of 100m² GFA per business.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-KN-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
SPZ(KN)-R13 Rural produce retail	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: 1. maximum of 100m² GFA per business.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-KN-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
SPZ(KN)-R14 Rural tourism activity	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: 1. maximum of 100m² GFA per business.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-KN-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities Notification An application for a restricted discretionary activity

	under this rule is precluded from being publicly notified, but may be limited notified.
SPZ(KN)-R15 Office	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: 1. maximum of 100m ² GFA per business.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-KN-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
SPZ(KN)-R16 Farm building	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(KN)-R17 Visitor accommodation	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: 1. the activity shall be undertaken within a residential unit, minor residential unit or accessory building; and 2. a maximum of eight visitors shall be accommodated per site, at any one time.	Activity status when compliance not achieved: DIS
SPZ(KN)-R18 Community garden	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(KN)-R19 Domestic animal keeping and breeding	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(KN)-R20 Conservation activities	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	

Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(KN)-R21 Emergency service facility	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER	Activity status when compliance not achieved: N/A
SPZ(KN)-R22 Public amenities	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: PER Where: 1. maximum of 100m ² GFA per building.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-KN-MD1 - Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified.
SPZ(KN)-R23 Any other activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity	
<i>This rule applies to land held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
Activity status: DIS	Activity status when compliance not achieved: N/A
SPZ(KN)-R24 Any activity on other land not held as Māori Land SPZ(KN)-APP2	
<i>This rule applies to land not held as Māori Land outside the Tuahiwi Precinct and the Large Lot Residential Precinct.</i>	
1. The activities, activity status and built form standards of the Rural Lifestyle Zone applies.	Activity status when compliance not achieved: RDIS The activity status applicable to the Rural Lifestyle Zone applies.

Built Form Standards

1. Special Purpose Zone (Kāinga Nohoanga) – outside the Tuahiwi Precinct and the Large Lot Residential Precinct SPZ(KN)-APP2

SPZ(KN)-BFS1 Internal boundary building setback	
1. For sites 1ha or less in area, the minimum building setback from internal boundaries for buildings and structures shall be 3m and shall apply to the legal boundary containing a	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-KN-MD2 - Internal boundary setbacks

site where it adjoins another site which is not held in the same ownership or used for the same development. 2. For sites greater than 1ha, the minimum building setback from internal boundaries for buildings and structures shall be 10m and shall apply to the legal boundary containing a site where it adjoins another site which is not held in the same ownership or used for the same development.	Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to adjoining land owners where the consent authority considers this is required, absent their written approval.
SPZ(KN)-BFS2 Road boundary setback	
1. The minimum building setback from any road boundary for buildings and structures shall be: 20m from the road boundary with any strategic road; 10m from the road boundary with any arterial road or collector road; 6m from the road boundary of any road where the existing road reserve width is less than 16m; 3m from the road boundary for the section of Topito Road west of the intersection of Topito, Tuahiwi and Turiwhaia Roads to where Topito Road bends to the south at 87 Topito Road; or 3m from the road boundary of all other roads.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-KN-MD3 - Road boundary setbacks Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to adjoining land owners where the consent authority considers this is required, absent their written approval.
SPZ(KN)-BFS3 Height	
- There is no maximum height for art, carvings or other cultural symbols fixed to Māori land or fixed to buildings on Māori land; and - the maximum height of any building shall be 9m above ground level.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-KN-MD4 - Building height and height in relation to boundaries Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to adjoining land owners where the consent authority considers this is required, absent their written approval.
SPZ(KN)-BFS4 Height in relation to boundary	
1. Structures shall not project beyond a building envelope defined by recession planes measured 2.5m from ground level above any site boundary in accordance with Appendix APP3 except for the following:	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-KN-MD4 - Building height and height in relation to boundaries

a. flagpoles; b. lightning rods, chimneys, ventilation shafts, solar heating devices, roof water tanks, lift and stair shafts; c. decorative features such as steeples, towers and finials; d. for buildings on adjoining sites which share a common wall, the height in relation to boundary requirement shall not apply along that part of the internal boundary covered by such a wall; and e. where the land immediately beyond the site boundary forms part of any rail corridor, drainage reserve, or accessway (whether serving the site or not), the boundary of the rail corridor, drainage reserve, or accessway furthest from the site boundary may be deemed to be the site boundary for the purpose of defining the origin of the recession plane, provided this deemed site boundary is no further than 6m from the site boundary; 2. Provided that none of the structures listed in (1) (c) to (e) above 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.	Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to adjoining land owners where the consent authority considers this is required, absent their written approval.
SPZ(KN)-BFS5 Building coverage	
1. For sites 1ha or less in area, there is no maximum building coverage standard; and 2. for sites greater than 1ha, the maximum building coverage by buildings, shall be 35% of the site.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: SPZ-KN-MD5 - Building coverage Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to adjoining land owners where the consent authority considers this is required, absent their written approval.

Matters of Discretion

1. Special Purpose Zone (Kāinga Nohoanga) – outside the Tuahiwi Precinct and Large Lot Residential Precinct SPZ(KN)-APP2

SPZ(KN)-MD1	Commercial activities; Commercial services; Rural produce retail; Rural tourism; Office; Public amenities 1. Development in accordance with Tikanga: a. the extent to which the development achieves or enables the exercise of tikanga as expressed in SPZ(KN)-P1, SPZ(KN)-P2 and SPZ(KN)-P3. 2. Traffic Generation and Access:

	a. the extent to which the traffic generated is in accordance with the character, amenity, safety and efficient functioning of the access and road network; b. the ability to mitigate any adverse effects of the additional traffic generation; c. the location of the proposed vehicle crossing in terms of road and intersection efficiency and safety, including availability or otherwise of space on the road for safe right hand turning into the site. 3. Scale of Non-Residential Business Activity: a. the extent to which the scale is consistent with the surrounding environment taking into account: i. hours of operation; ii. vehicle or pedestrian movements generated; iii. any adverse effects, including unreasonable noise and loss of privacy; and iv. the extent to which the activity contributes to the local employment and the economic base of Ngāi Tūāhuriri and/or the needs of residents in the surrounding area. 4. Infrastructure – Water supply, Wastewater system and Stormwater infrastructure: a. whether public reticulated infrastructure is available for connection, or the extent to which the development is self-sufficient with respect to the provision of potable water supply, wastewater system and stormwater infrastructure. 5. Community: a. the extent to which the development is integrated with and supports the development of any existing community facility, cultural facility or recreation facility.
SPZ(KN)-MD2	Internal boundary building setback 1. The extent to which the layout and use of spaces maintains adequate levels of privacy and outlook for any adjoining residents, taking into account: a. the need to exercise tikanga as expressed in policy SPZ(KN)-P1; b. the need to enable an efficient, practical and/or pleasant use of the remainder of the site; c. the need to provide future occupants within the development and adjoining properties with adequate levels of daylight and outlook from internal living spaces; d. the need to provide future occupants within the development with adequate levels of privacy from any adjoining neighbouring residential unit or site; e. adequate separation distance from any existing direct facing windows or balconies (within the development or on any adjoining site) or to ensure levels of privacy are maintained; and f. any adverse effects of the proximity or bulk of the building in relation to any adjoining site.
SPZ(KN)-MD3	Road boundary setback 1. Any loss of privacy for adjoining properties through overlooking; 2. The effects on amenity values and character values; 3. Reverse sensitivity in relation to noise and vibration; and 4. Physical features, existing development and other practicalities that restrict alternative practical locations on the site.
SPZ(KN)-MD4	Building height and height in relation to boundary 1. The extent to which an increase in building height and any associated increase in the scale and bulk of the building; a. reflects the cultural and functional requirements of the building and purposes of the zone; and b. affects on amenity values of adjoining properties, resulting from visual

	dominance, loss of daylight and sunlight admission, and loss of privacy from overlooking.
SPZ(KN)-MD5	Building coverage - The extent to which the additional coverage of the zone with buildings is in context taking into account: - the function of the building to support Te Ngāi Tūāhuriri Rūnanga to deliver economic, social and cultural development; - the extent to which the topography and the location, scale, design and appearance of the building, landscaping, natural features or existing buildings mitigate the visual effects of additional buildings; and - any loss of privacy or other amenity values to adjoining residents and the effectiveness of any mitigation measures.

Activity Rules – Tuahiwi Precinct SPZ(KN)-APP3

PREC1-R1 All activities	
<i>Land held as Māori Land in Māori Reserve 873 within the Tuahiwi Precinct.</i>	
Activity status: - The activities and activity status of rules (including the application of Part 2 - District wide matters in SPZ(KN)-APP1) SPZ(KN)-R1 to SPZ(KN)-R23 apply; and - The activities and activity status of rules in the Settlement Zone also apply. Where: - the activity is provided for in both PREC1-R1(1) and PREC1-R1(2), the activity status and rules of PREC1-R1(1) (that is SPZ(KN)-R1 to SPZ(KN)-R23) shall apply instead of PREC1-R1(2).	Activity status when compliance not achieved: the activity status of rules SPZ(KN)-R1 to SPZ(KN)-R23 apply with respect to PREC1-R1(1); Activity status when compliance not achieved: the activity status of rules in the Settlement Zone apply with respect to PREC1-R1(2).
PREC1-R2 All activities	
<i>Other land not held as Māori Land in Māori Reserve 873 within the Tuahiwi Precinct.</i>	
Activity status: The activities and activity status of rules in the Settlement Zone apply.	Activity status when compliance not achieved: the activity status of rules in the Settlement Zone apply.

Built Form Standards – Tuahiwi Precinct SPZ(KN)-APP4

PREC1-BFS1 All built form standards	
- Land held as Māori Land in Māori Reserve 873 - The standards set out in SPZ(KN)-BFS1 to BFS5 apply.	Activity status when compliance not achieved: the activity status set out in SPZ(KN)-BFS1 to SPZ(KN)-BFS5 apply.
Other land not held as Māori Land in Māori Reserve 873	Activity status when compliance not achieved:

Reserve 873 a. The built form standards set out in Settlement Zone provisions apply.	the activity status set out in the Settlement Zone apply.

Activity Rules – Large Lot Residential Precinct SPZ(KN)-APP4

PREC2-R1 All activities	
<i>Land held as Māori Land in Māori Reserve 873 within the Large Lot Residential Precinct.</i>	
Activity status: 1. The activities and activity status of rules (including the application of Part 2 - District wide matters in SPZ(KN)-APP1) SPZ(KN)-R1 to SPZ(KN)-R23 apply; and 2. The activities and activity status of rules in the Large Lot Residential Zone also apply. Where: 3. the activity is provided for in both PREC2-R1(1) and PREC2-R1(2), the activity status and rules of PREC2-R1(1) (that is SPZ(KN)-R1 to SPZ(KN)-R23) shall apply instead of PREC2-R1(2).	Activity status when compliance not achieved: the activity status of rules SPZ(KN)-R1 to SPZ(KN)-R23 apply with respect to PREC2-R1(1); Activity status when compliance not achieved: the activity status of rules in the Large Lot Residential Zone apply with respect to PREC2-R1(2).
PREC2-R2 All activities	
<i>Other land not held as Māori Land in Māori Reserve 873 within the Tuahiwi Precinct.</i>	
Activity status: 1. The activities and activity status of rules in the Large Lot Residential Zone apply.	Activity status when compliance not achieved: the activity status of rules in the Large Lot Residential Zone apply.

Built Form Standards – Large Lot Residential Precinct SPZ(KN)-APP4

PREC2-BFS1 All built form standards	
1. Land held as Māori Land in Māori Reserve 873 a. The standards set out in SPZ(KN)-BFS1 to BFS5 apply.	Activity status when compliance not achieved: the activity status set out in SPZ(KN)-BFS1 to SPZ-BFS5 apply.
2. Other land not held as Māori Land or descendant land in Māori Reserve 873 a. The built form standards set out in Large Lot Residential Zone provisions apply.	Activity status when compliance not achieved: the activity status set out in the Large Lot Residential Zone apply.

Appendices

SPZ(KN)-APP1 - How to interpret and apply the rules

For Māori land – **outside** the Tuahiwi Precinct and the Large Lot Residential Precinct, the rules that apply are as follows:

Activity rules SPZ(KN)-R1 to SPZ(KN)-R23	Activity rules – Special Purpose Zone (Kāinga Nohoanga) – outside the Tuahiwi Precinct and the Large Lot Residential Precinct	
Built form standards SPZ(KN)-BFS1 to SPZ(KN)-BFS5 on land which is zoned	Special Purpose Zone (Kāinga Nohoanga) – outside the Tuahiwi Precinct and the Large Lot Residential Precinct and Special Purpose Zone (Kāinga Nohoanga) (Specific Areas)	
Matters of discretion SPZ(KN)-MD1 to SPZ(KN)-MD5 on land which is zoned	Special Purpose Zone (Kāinga Nohoanga) – outside the Tuahiwi precinct and the Large Lot Residential Precinct and Special Purpose Zone (Kāinga Nohoanga) (Specific Areas)	
The rules in Part 2 - District wide matters chapters that either apply or do not apply to activities are as set out in this table.	El-Energy and Infrastructure	Rules EI-R1 to EI-R56 apply.
	T-Transport	Rules TRAN-R1 to TRAN-R8, TRAN-R20 to TRAN-R22 apply; Rules TRAN-R9 to TRAN-R19, TRAN-R20 (with respect to SPZ(KN)-R1 Marae complex) and TRAN-R23 do not apply.
	HS-Hazardous Substances	Rules HS-R1 to HS-R3 apply.
	NH-Natural Hazards	Rules NH-R1 to NH-R10 and NH-R13 apply; Rules NH-R11 and NH-R12, NH-R14 to NH-R20 do not apply;
	HH-Historic Heritage	Rules HH-R1 to HH-R9 apply.
	TREE-Notable Trees	Rules TREE-R1 to TREE-R7 apply.
	SASM-Sites and Areas of Significance to Māori	Rules SASM-R1 to SASM-R5 do not apply.
	ECO-Ecosystems and Indigenous Biodiversity	Rules ECO-R1 to ECO-R7 do not apply.
	NATC-Natural Character of Freshwater Bodies	Rules NATC-R1 to NATC-R10 apply.
	NFL-Natural Features and Landscapes	Rules NFL-R1 to NFL-R13 do not apply.
	SUB-Subdivision	Rules SUB-R1 to SUB-R4 and SUB-R6 to SUB-R11 apply to descendant land; Rule SUB-R5 does not apply.
	ASW-Activities on the Surface of Water	Rule ASW-R1 applies; Rule ASW-R2 does not apply.
	EW-Earthworks	Rules EW-R1 to EW-R7 and EW-E9 to EW-R11 apply; Rules EW-R8 and EW-R12 do not apply.
	LIGHT-Light	Rules LIGHT-R1 and LIGHT-R3 apply; Rule LIGHT-R2 does not apply;

	NOISE-Noise	Rules NOISE-R2 to NOISE-R11, NOISE-R16, NOISE-R17, NOISE-R19 and NOISE-R20 apply; Rules NOISE-R1, NOISE-R12 to NOISE-R15, NOISE-R18 and NOISE-R21 to NOISE-R23 do not apply.
	SIGN-Signs	Rules SIGN-R1 to SIGN-R9 apply.
	TEMP-Temporary Activities	Rules TEMP-R1, TEMP-R2 (only activity standards 3 and 4 apply) to TEMP-R5, TEMP-R7 to TEMP-R8 apply; Rule TEMP-R6, TEMP-R9 and TEMP-R10 do not apply.

SPZ(KN)-APP2 - How to interpret and apply the rules

Within Māori Reserve 873, for other land **not** held as Māori land – **outside** the Tuahiwi Precinct and the Large Lot Residential Precinct, the rules that apply are as follows:

1. SPZ(KN)-R24: Any activity on other land not held as Māori Land in Māori Reserve 873; and
2. All the relevant rules in **Part 2 - District wide matters** chapters apply.

SPZ(KN)-APP3 - How to interpret and apply the rules

All land **within** the Tuahiwi Precinct, the rules that apply are as follows:

1. PREC1-R1 and PREC1-R2: Activity rules – Special Purpose Zone (Kāinga Nohoanga) (Māori Reserve 873) – within Tuahiwi Precinct; and
2. Built form standards: Special Purpose Zone (Kāinga Nohoanga) (Māori Reserve 873) – within Tuahiwi Precinct.

SPZ(KN)-APP4 - How to interpret and apply the rules

All land **within** the Large Lot Residential Precinct, the rules that apply are as follows:

1. PREC2-R1 and PREC2-R2: Activity rules – Special Purpose Zone (Kāinga Nohoanga) (Māori Reserve 873) – within Large Lot Residential Precinct; and
2. Built form standards: Special Purpose Zone (Kāinga Nohoanga) (Māori Reserve 873) – within Large Lot Residential Precinct.

EI-R51	Activities and development (other than earthworks) within a National Grid Yard	
All Zones	Activity status: PER Where: <u>1. the activity is not a sensitive activity;</u> <u>2. buildings or structures comply with NZECP34: 2001 and are:</u> <u>a. for a network utility;</u> <u>or</u>	Activity status when compliance not achieved: NC Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.

	<u>b. a fence not exceeding 2.5m in height above ground level; or</u> <u>c. a non-habitable building or structure used for agricultural and horticultural activities (including irrigation) that is not:</u> <u>i. a milking shed/dairy shed (excluding the stockyards and ancillary platforms);</u> <u>ii. a wintering barn;</u> <u>iii. a building for intensive indoor primary production;^{1 2}</u> <u>iv. a commercial greenhouse; or</u> <u>v. produce packing facilities;</u> <u>d. building alterations or additions to an existing building or structure that do not increase the height above ground level or footprint of the existing building or structure;</u> <u>3. a building or structure provided for by (2)(a) to (d) must:</u> <u>a. not be used for the handling or storage of hazardous substances with explosive or flammable intrinsic properties in greater than domestic scale quantities;</u> <u>b. not permanently obstruct existing vehicle access to a National Grid support structure;</u> <u>c. be located at least</u>	

¹ Transpower NZ Ltd [195.43].

² Horticulture NZ [295.80].

	<u>12m from the outer visible edge of a foundation of a National Grid support structure, except where it is a fence not exceeding 2.5m height above ground level that is located at least 6m from the outer visible edge of a foundation of a National Grid support structure.</u>³ ~~4. the activities and development within a National Grid Yard in (a) to (i) below comply with the safe electrical clearance distances set out in the NZECP; and where the activities and development in (d) to (i) below are set back 12m from any National Grid support structure:~~ ~~a. network utilities (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes) undertaken by network utility operators;~~ ~~b. fences no greater than 2.5m in height above ground level and no closer than 6m from the nearest National Grid support structure;~~ ~~c. artificial crop protection and support structures between 8m and 12m from a single pole or pi-pole and any associated guy wire (but not a tower) that:~~ ~~i. meets the requirements of the NZECP 34:2001 New Zealand~~	

³ Transpower NZ Ltd [195.43].

	~~Electricity Code of Practice for Electricity Safe Distances for separation distances from the conductor;~~ ~~ii. is a maximum of 2.5m in height above ground level;~~ ~~iii. is removable or temporary, to allow clear working space 12m from the pole when necessary for maintenance and emergency repair purposes;~~ ~~iv. allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane;~~ ~~d. any new non-habitable building less than 2.5m in height above ground level and 10m² in floor area;~~ ~~e. non-habitable buildings or structures used for agricultural and horticultural activities, provided they are not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), a wintering barn, a building for intensive farming activities, or a commercial greenhouse;~~ ~~f. mobile irrigation equipment used for agricultural and horticultural activities;~~ ~~g. other than reticulation and storage of water in dams or reservoirs in (a) above, reticulation~~	

	and storage of water for irrigation purposes provided that it does not permanently physically obstruct vehicular access to a National Grid support structure; h. building alteration and additions to an existing building or other structure that does not involve an increase in the height above ground level or footprint of the building or structure; and a. a building or structure where Transpower NZ Ltd has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.⁴	
All Zones	Activity status: NC Where: 1. activities and development within a National Grid Yard involve the following: a. any activity and development that permanently physically impedes vehicular access to a National Grid support structure; b. any new building for a sensitive activity; c. any change of use to a sensitive activity or the establishment of a new sensitive activity; d. dairy/milking sheds or buildings for intensive farming or wintering barns; and e. any hazardous facility that involves the	Activity status when compliance not achieved: N/A⁵

⁴ Transpower NZ Ltd [195.43].

⁵ Transpower NZ Ltd [195.43].

	~~storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centreline of a National Grid transmission line.~~ Notification ~~An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.~~	
	Advisory Note National Grid transmission lines are shown on the planning map.	

El-R56	Activities and development (other than earthworks or network utilities) adjacent to a ~~66kV or 33kV~~ <u>major</u> ⁶ electricity distribution line	
All Zones	Activity status: NC Where: ~~new, or expansion or extension of existing,~~⁷ activities and development adjacent to a ~~66kV or 33kV~~ <u>major</u>⁸ electricity distribution line involve the following: ~~new a~~ sensitive activity ~~and or a new buildings or structure~~⁹ (excluding accessory buildings)¹⁰ within ~~6m~~¹¹ of the centreline of a ~~66kV or 33kV~~ <u>major</u>¹² electricity distribution line or within ~~40m~~ <u>6m</u>¹³ of the ~~visible outer edge of a~~¹⁴	Activity status when compliance not achieved: N/A

⁶ Mainpower NZ Ltd [249.94].

⁷ Mainpower NZ Ltd [249.95].

⁸ Mainpower NZ Ltd [249.94].

⁹ Mainpower NZ Ltd [249.94].

¹⁰ Mainpower NZ Ltd [249.94].

¹¹ Mainpower NZ Ltd [249.94].

¹² Mainpower NZ Ltd [249.94].

¹³ Mainpower NZ Ltd [249.94].

¹⁴ Mainpower NZ Ltd [249.94].

	foundation of ~~an~~ ~~associated~~ a pole, ~~pi-~~ ~~pole~~¹⁵ or tower; ~~and/or~~ ~~a-b. does not comply with~~ ~~the requirements of~~ ~~NZECF 34:2001~~ ~~New Zealand~~ ~~Electricity Code of~~ ~~Practice for~~ ~~Electricity Safe~~ ~~Distances.~~¹⁶ ~~b. new fences more~~ ~~than 2.5m high and~~ ~~within 5m of the~~ ~~visible outer edge of~~ ~~a foundation for a~~ ~~66kV or 33kV~~ ~~electricity distribution~~ ~~line, pole or tower.~~¹⁷ Notification 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.	
	Advisory Notes • ~~66kV/33kV~~ <u>Major</u>¹⁸ electricity distribution lines are shown on the planning map. • 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 NZECF 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 NZECF 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.	

¹⁵ Mainpower NZ Ltd [249.94].

¹⁶ Mainpower NZ Ltd [249.94].

¹⁷ Mainpower NZ Ltd [249.94].

¹⁸ Mainpower NZ Ltd [249.94].

Waimakariri District Council Proposed Waimakariri District Plan

Recommendations of the PDP Hearings Panel

Recommendation Report 2

Hearing Stream 1 & 2 Part 2: District-wide matters – SD – Strategic Directions

This report should be read in conjunction with **Report 1** and **Recommendation Report 3**.

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation Report 3 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - UFD Urban Form and Development objectives and policies.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

The Hearings Panel for the purposes of **Hearing Stream 1 & 2** comprised Commissioners Gina Sweetman (Chair), Allan Cubitt, Gary Rae, Megen McKay, Neville Atkinson and Niki Mealings.

1. Introduction

Report outline and approach

1. This is Report 2 of 37 Recommendation Reports prepared by the PDP Hearings Panel appointed to hear and make recommendations on submissions to the Proposed Waimakariri District Plan (PDP).
2. The report addresses the objective, policies, rules and other provisions relating to the SD – Strategic Directions Chapter and the submissions received on those provisions. The relevant provisions are:
 - Definition of Strategic Infrastructure
 - SD-O1, Natural Environment
 - SD-O2, Urban Development
 - SD-O3, Energy and Infrastructure
 - SD-O4, Rural Environment
 - SD-O5, Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga
 - SD-O6, Natural hazards and resilience
3. We have structured our discussion on this topic as follows:
 - (a) **Section 2** summarises key contextual matters, including relevant provisions and key issues/themes in submissions;
 - (b) **Sections 3 – 10** contains our evaluation of key issues and recommended amendments to provisions; and
 - (c) **Section 11** contains our conclusions.
4. This Recommendation Report contains the following appendices:
 - (a) **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.
 - (b) **Appendix 2: Recommended amendments to the Proposed Plan – Tracked from notified version.** This sets out the final amendments we recommend be made to the PDP provisions relating to this topic. The amendments show the specific wording of the amendments we have recommended and are shown in a ‘tracked change’ format showing changes from the notified version of the PDP for ease of reference. Where whole provisions have been deleted or added, we have not shown any consequential renumbering, as this method maintains the integrity of how the submitters and s42A Report authors have referred to specific provisions, and our analysis of these in the Recommendation Reports. New whole provisions are prefaced with the term ‘new’ and deleted provisions are shown as struck out, with no subsequential renumbering in either case.

5. We record that all submissions on the provisions relating to the SD Chapter have been taken into account in our deliberations. In general, submissions in support of the PDP have not been discussed but are accepted or accepted in part. More detailed descriptions of the submissions and key issues can be found in the relevant s42A Reports, Responses to Preliminary Questions and written Reply Reports, which are available on the Council's website.
6. In accordance with the approach set out in Report 1, this Report focuses only on 'exceptions', where we do not agree fully or in part with the s42A report authors' recommendations and / or reasons, and / or have additional discussion and reasons in respect to a particular submission point, evidence at the hearing, or another matter. Original submissions have been accepted or rejected as recommended by the s42A report author unless otherwise stated in our Recommendation Reports. Further submissions are either accepted or rejected in conformance with our recommendations on the original submission to which the further submission relates.
7. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the PDP provisions and the submissions received on those provisions. These are outlined in full in Report 1. In summary, these provisions require among other things:
 - (a) our evaluation to be focussed on changes to the proposed provisions arising since the notification of the PDP and its s32 reports;
 - (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives; and
 - (c) as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.
8. We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
9. A fuller discussion of our approach in this respect is set out in Section 5 of Report 1.

2. Summary of provisions and key issues

Outline of matters addressed in this section

10. In this section, we provide relevant context around which our evaluation of the notified provisions and submissions received on them is based. Our discussion includes:
 - (a) summary of relevant provisions;
 - (b) themes raised in submissions; and
 - (c) identification of key issues for our subsequent evaluation.

Submissions

11. The s42A report records that there were 45 submitters, with 127 original submission points, and 53 further submission points on the Strategic Directions provisions.

Key issues

12. The key issues that the s42A report identified as being in contention on this chapter relate to how the plan complies with higher order documents, the removal of housing constraints, increased emphasis on infrastructure, reverse sensitivity effects, and protection of highly productive land. Adopting our exceptions approach we have reported on the relevant topics below.
13. However, another key issue was whether the Strategic Directions objectives should have primacy over other objectives and policies in the PDP. While we agree with the s42A report author's assessment of those submissions we also provide some explanation on that topic below.

3. Introduction Section - Primacy of Strategic Directions objectives

14. The submissions we consider here are by MainPower¹ and Kainga Ora² who both requested amendments to the Introduction section as follows:

"1. the SD ~~may~~ provides guidance for related objectives and policies in other chapters; and

2. the relevant objectives and policies of the DP, including SD in this chapter, are to be considered together, **with the SD having primacy over other objectives and policies of the District Plan.** ~~and no hierarchy exists between them."~~

15. The 'primacy issue', i.e. whether the Strategic Directions (SD) objectives should have primacy over the rest of the objectives and policies within the PDP, was the subject of considerable evidence, submissions, and discussion at the hearing. We heard planning evidence from Ms Dale, for Kainga Ora, and Melanie Foote for MainPower. In essence,

¹ [249.197]

² [325.1]

the evidence supported enabling the SD objectives to have primacy, as this will better guide decision makers by avoid conflicting policy directions within the PDP.

16. The s42A report author, Mr Buckley, did not support the requested amendments, for reasons summarised in his Reply Report as follows:

The Proposed District Plan was written with the intent that the Strategic Directions chapter objectives do not have primacy over the rest of the plan. The provisions focus solely on those issues that were considered to be of strategic importance to the district and did not include those issues that were not strategic or were to be addressed in subsequent chapters. It was the intent that the plan be read as a whole and that where a specific issue arose that there would be a specific policy that would address it within the appropriate context.

I do not recommend any changes to the Strategic Directions introduction with respect to giving direction that the Strategic Directions and Urban Form and Development provisions take primacy or a higher weighting over other provisions within the District Plan. The National Planning Standards do not state that Strategic Directions chapters have primacy over other objectives within the Proposed District Plan.

Further, I note that if a decision was made to give the Strategic Direction objectives primacy over other objectives, the framework of the other objectives and subservient provisions would need to be reassessed as to the degree that this chapter (and the plan) would give effect to the Council's requirements under s75(A) of the Act.

17. As the hearing streams progressed it occurred to the Panel that Mr Buckley's advice might potentially impact the consideration of objectives and policies in the other PDP Chapters. So, at the conclusion of Hearing Stream 5, the Panel signalled that the s42A report authors would be required in future s42A reports to include their own professional assessment of any potential implications that may arise for the particular chapter's objectives if the Strategic Directions (including Urban Form and Development objectives) had primacy. We received a memorandum from the s42A report authors on 8 September 2023 on this matter. The Panel then asked that all of the s42A report authors address this matter in their respective reports³.

18. Mr Buckley, provided a memorandum to the Panel⁴ which advised that Council had received legal advice on this matter to the effect that:

Buddle Findlay in their analysis of the Port of Otago Supreme Court decision, paragraph [61], note that: "The key takeaways in this context are that plans do not need to resolve all conflicts and there is no need to establish a hierarchy for

³ Minute 11 from Panel 2 October 2023.

⁴ Memorandum from Mr Buckley, 29 September 2023.

strategic objectives (as between themselves). There are established principles for resolving conflicts in these situations.”

19. Mr Buckley further referred to a memorandum from Mr Willis (s42A report author for several hearing streams and the author of the s32 report for SD). Mr Willis’ memorandum provided his interpretation of how primacy is perceived within the National Planning Standards and how it is treated in other district plans, and this leads to the following possible approaches:

- a) SD objectives have no "primacy" and sit on the same level as other objectives in the plan; or*
- 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.*

20. The Panel subsequently received a memorandum which contained the various recommendations on the primacy issue⁵ from each of the s42A report authors, each making direct reference to the above options. We provided an opportunity for the submitters to respond. A response was subsequently received from Kainga Ora⁶, but not from MainPower. Kainga Ora advised:

Counsel submit that the appropriate role of strategic direction objectives is captured by (b)(i) to (iii) above – consistent with the scheme of the RMA and planning instruments, which moves from the general to the specific.

Kāinga Ora supports the use of SD objectives and policies to inform and to guide, for other objectives and policies to be consistent with them, and for those objectives and policies to be used to resolve conflict, but not in a way that would allow them to “override” more specific and/or directive policies elsewhere in the district plan.

In other words, it supports the conclusions reached in paragraph 3 (b)(i)-(iii) of the overarching memorandum from the Council reporting officers dated 8 December 2023, but not paragraph 3 (a) or (b)(iv).

21. The Panel then directed there be an overall co-ordinated response from the s42A report authors, taking account of the submitter’s response. This was subsequently provided as part of the ‘Reply Report on Wrap Up Matters’⁷, as follows.

⁵ Staff memorandum, 8 December 2023

⁶ Memorandum from Kainga Ora, 16 February 2024

⁷ Item 14, Reply Report on Wrap Up Matters, 13 December 2024.

Reporting Officers have reviewed their memo of 8 December 2023, and the memo of Kainga Ora dated 16 February 2024. Reporting Officers note that Kainga Ora agree with the Reporting Officers' position in respect of matters (i) to (iii) but disagree with respect to Strategic Directions (SD) 'overriding' all other objectives and policies (as per SD approach (iv)). Reporting Officers agree with paragraph 7 of the Kainga Ora memo, and with respect to paragraph 8 consider that SDs may be able to provide pathways to resolve conflicts, but that SDs should not and could not anticipate and resolve every conflict that may arise.

Reporting Officers maintain their view that SD and UFD objectives and policies should not have primacy in terms of primacy approaches (iii) and (iv), as set out in their memo dated 8 December 2023. As such, Reporting Officers do not recommend any amendments to the Introduction sections of both the SD and UFD chapters in relation to this matter.

22. Having reviewed the memorandum from Kainga Ora and the final position of the s42A report authors, we understand there now to be a high level of agreement on this matter.
23. We understand the position is that both Kainga Ora and the s42A report authors accept that the Strategic Directions should:
 - (a) not over-ride all other objectives and policies in the PDP (i.e. clause (a) does not apply); and
 - (b) have primacy but only in terms of the SD objectives informing objectives and policies contained in other chapters, with the objectives and policies in other chapters to be expressed and achieved as being consistent with the SD objectives (i.e. clauses (b)(i) and (b)(ii) do apply).
24. The only disagreement we understand was that Kainga Ora considered that SD objectives may be used to resolve conflict with objectives and policies in other chapters (clause (b)(iii)), whereas the s42A report authors consider that primacy should not extend to clause (b)(iii).
25. We agree with Kainga Ora and with the s42A report authors with respect to the Strategic Directions objectives having primacy in terms of informing objectives and policies contained in other chapters, and with the objectives and policies in other chapters to be expressed and achieved as being consistent with the SD objectives. On the one matter where there appears to be some disagreement, we consider that whether or not the Strategic Directions objectives and policies are used to resolve conflicts with other objectives and policies in the plan will become more of a practice matter, to be considered on a case-by-case basis. This does not require any policy direction.
26. Overall, we agree with the s42A report authors that no changes are required to the Introduction section of the SD Chapter, and we note that Kainga Ora's memorandum

referred to above did not request any changes are required to be made. We therefore recommend that the submissions are rejected.

4. Definition of Strategic Infrastructure

27. The Panel has recommended an amendment to the definition of Strategic Infrastructure, and in so doing we do not accept the recommendation of the s42A report author, which was to make no amendments to this definition, as summarised below:

Provisions	Panel recommendations
Definition of Strategic Infrastructure	Amend by deleting clause (d) 'Port of Lyttelton'.

Amendment and Reasons

28. The submission we consider here is by Department of Conservation⁸ who sought that the definition is amended by deleting 'Port of Lyttelton' as it is an asset that is located outside the District.
29. The s42 report author (Mr Buckley) recommended the submission be rejected, as the Port of Lyttelton is listed as a strategic infrastructure asset in the RPS, and the District Plan is required to be consistent with that. In the Reply Report, and in response to a question from the Panel, Mr Buckley also noted that while the Port does not presently have a presence within the District, it could in the future develop an inland port in the District to cater for North Canterbury.
30. The Panel considers that, while Port Lyttelton is undoubtedly a strategic infrastructure asset in the Region, it is not located in Waimakariri District, there is currently no other "Port of Lyttelton" located in the District, and there is therefore no need to include it in the definition in the PDP. We note that in our report for the EI chapter we have recommended excluding references to infrastructure outside the District.
31. We also note that Christchurch International Airport is also included in the definition but lies outside this District. However, there are provisions in the PDP which relate to the operation of the airport, including noise contours which potentially influence the location of residential development and require acoustic insulation in certain circumstances. The Airport can therefore be distinguished from Port of Lyttelton in that respect.
32. Accordingly, we recommend the submission of Department of Conservation is accepted.

⁸ [419.27]

5. SD-O1 – Natural environment

33. The Panel’s recommended amendment to SD-O1, over and above the amendment recommended by the s42A report author, is summarised below:

Provisions	Panel recommendations
SD-O1(3)	Amend to include “from inappropriate subdivision, use and development”.
SD-O1(6)	Add a new clause to refer to “the health and well-being of freshwater is prioritised”.

Amendments and Reasons

34. The submissions we consider here are by:
- (a) Transpower New Zealand Limited⁹, and
 - (b) Forest & Bird¹⁰.
35. Transpower’s submission requested that SD-O1(3) is amended to add the qualifier that the recognition and protection of outstanding natural features and landscapes are identified, and their values should be protected “from inappropriate subdivision, use and development”. This is to align the policy intent with s6(b) of the RMA.
36. The s42A report author had originally recommended that the submission be rejected as the NFL and SUB chapters include reference to what is inappropriate and therefore addresses s6(b). In response to a question from the Panel, Mr Buckley subsequently advised, in the Reply Report, that he had conferred with the s42A report author for the NFL hearing, and that he considered the submission requesting SD-O1(3) be amended to reference the intent of s6(b) should now be accepted.
37. We agree with the evidence on this point, and accordingly the submission by Transpower is accepted. However, we note that the recommended amendments to SD-O1(3) were not carried over into the final recommended provisions, and so we have made those changes.
38. Forest & Bird’s submission requested that recognition is given to the mauri of ecosystems, and indigenous biodiversity is safeguarded, and freshwater is managed in a way that gives effect to Te Mana o te Wai. We accept the s42A report author’s response to this, as stated in the Reply Report, however we note that the Wrap Up Reply Report records there was subsequent discussion between the s42A report authors for the SD chapter and the ECO chapter and it was agreed the new clause would be worded to refer specifically to “the health and well-being of freshwater is prioritised”.

⁹ [195.20]

¹⁰ [192.29]

39. We accept the staff evidence on this point, and therefore the submission by Forest & Bird is accepted in part. However, the agreed change was not correctly shown in the amended provisions, and we have accordingly corrected that.

6. SD-O2 – Urban development

40. The Panel’s recommended amendments to SD-O2, over and above the amendment recommended by the s42A report author, are summarised below:

Provisions	Panel recommendations
SD-O2(1)	Amend to delete the reference to “well functioning” and replace “urban centres” with “urban areas”.
SD-O2(4)	Amend by adding the words “focusing new residential areas within <u>and around</u> existing townships”. Amend by adding “in order to <u>as a minimum</u> achieve the housing bottom lines in UFD-O1...”
SD-O2(5)(a)	Amend clause 5(a) to include a reference to educational facilities.

Amendments and Reasons

41. The submissions we consider here are by:
- (a) Kainga Ora¹¹
 - (b) Ken Fletcher¹²
 - (c) Richard and Geoff Spark¹³; and
 - (d) Ministry of Education¹⁴.
42. Kainga Ora requested that clause 1 of SD-O2 is amended to align with Objective 1 of the NPS-UD. The wording requested was:
- "Urban development and infrastructure that:
- 1. is consolidated and integrated with ~~the~~ well-functioning urban environments;
43. The s42A report author recommended accepting this submission, and he made a further change to replace “urban environment” with “urban centres”, and he assigned this as a consequential change to submissions heard in the UFD hearing.
44. The Panel accepts that the change requested by Kainga Ora would be consistent with the NPS-UD. However, the issue of what constitutes an “urban environment” was a matter of contention addressed in considerably more evidence at the UFD hearing. Our recommendation report for UFD traverses this matter further and makes amendments to the objectives and policies in that Chapter. We consider that is the appropriate place to pick up on the more nuanced aspects of the urban environment,

¹¹ Kainga Ora [325.3]

¹² Ken Fletcher [99.2]

¹³ Richard & Geoff Spark [183.1]

¹⁴ Ministry of Education [277.1].

rather than in the SD Chapter. We also note the s42A report author's recommended change to replace "urban environment" with "urban centres" will be inconsistent with the changes we have recommended to objectives in the UFD chapter, and so we recommend that these terms are replaced with the more generic term "urban areas", as a consequential amendment to our recommendations on submissions in that chapter.¹⁵

45. Ken Fletcher sought to include a reference in SD-O2(4) to focusing new residential activity within "and around" existing townships. We do not agree with the s42A report author's concerns that the amendment would undermine the other provisions within SD-O2. We note that SD-O2(1) is for urban development which is consolidated and integrated with the urban environment, and SD-O5(c) requires that the urban centres are the focus around which new residential development can occur, and neither of these underlined terms require that development is located within towns. We also do not share his view that this will conflict with Objective 5.2.1 and Policy 5.3.1 of the RPS which require development to be located in and around existing urban areas and promotes a co-ordinated pattern of development. Ken Fletcher's submission is therefore recommended to be accepted in part.
46. Richard & Geoff Spark's submission requested SD-O4(4) be amended by adding "*in order to as a minimum achieve the housing bottom lines in UFD-O1...*" Mr Ivan Thomson presented planning evidence at the hearing for these submitters, and similar submissions were lodged by others seeking the same relief¹⁶. The s42A report author recommended rejecting these submissions. He said the wording of the objective gives effect to policy 2 of the NPS-UD and is linked to the outcomes sought to be achieved in UFD-O1, where Council sets out the housing bottom lines required to provide "sufficient feasible development capacity for residential activity" in line with the intent of NPS-UD.
47. The evidence we heard from Mr Thomson, and also the evidence at the UFD hearing including from Ms Dale, was that the overall direction of the NPS-UD is that providing 'sufficient' capacity is a minimum, not an ultimate target. We note in our UFD report that all of the planners involved in the Hearing Stream 12D joint witness conference on NPS-UD matters agreed that "*the term 'at least' indicates a preference for enabling rather than constraining development capacity*".¹⁷ We note here that not all of our Strategic Directions Panel members heard that evidence, however the evidence from that hearing stream including the JWS was made available to all Panel members by being posted on line. Overall, we consider that the requested amendments to include "as a minimum" in SD-O2(4) are more in line with the direction of the NPS-UD and also with the amendments we have made to the UFD provisions (UFD-O1 and O2). We therefore recommend that this submission is accepted.

¹⁵ A. Carr [158.5]; Ravenswood Developments Ltd [347.4]; Environment Canterbury [316.8 and 316.13] and Christchurch City Council [360.9, 360.10 and 360.11]

¹⁶ [223.2], [236.2], [242.2] & [246.3]

¹⁷ See JWS – Planning, Hearing Stream 12D, dated 30 August 2024

48. The Ministry of Education requested that schools be provided for as a new clause in SD-O2 and also through an amendment to SD-O4(1) by removing the word “directly”. The s42A report author did not support this, noting that the approach in the s32 report was to control inappropriate unconstrained development within the rural area in accordance with Objective 5.2.1(e) and (i), Policy 5.3.2(c) and Policy 5.3.12 of the RPS. It is intended to avoid the foreclosure of land for primary production and reverse sensitivity. His evidence was that the words “...and limit other activities;” provides the scope for activities such as schools and this is reflected in the objectives and policies of the Rural Zones.
49. We consider the s42A report author’s evidence summarised above was focused on the question of whether schools are appropriately provided for in the rural areas, rather than the issue of whether at a strategic level educational facilities should be supported in an urban area. We agree with the submitter on this point, and consider it is appropriate to refer to educational facilities in SD-O2 Urban Development as an important part of the urban centres in the District. But rather than including a separate new clause specifically for schools we consider it more appropriate to add “educational facilities” to clause 5(a) so that it will collectively refer to “the primary centres for community and educational facilities”. Accordingly, we recommend that MoE’s submission point [277.1] be accepted in part.
50. The Ministry of Education’s request to make better provision for schools in the rural areas is addressed later in this report under SD-O4. However, in any event, the s42A report author in responding to other submissions on SD-O4 recommended that the word “directly” is deleted (as was requested by the Ministry of Education) and we support that.

7. SD-O3 – Energy and infrastructure

51. The Panel’s recommended amendments to SD-O3, over and above the amendment recommended by the s42A report author, are summarised below:

Provisions	Panel recommendations
SD-O3(3)	Insert a new clause 3 specific to infrastructure being supported through the local supply of aggregate supply.

Amendments and Reasons

52. The submission we consider here is that from Fulton Hogan¹⁸, seeking recognition is made for the need for a ready, local supply of the physical construction materials required for infrastructure.

¹⁸ Fulton Hogan [41.14]

53. The s42A report author did not support Fulton Hogan's request, as he considered this is not a matter that needs to be addressed within strategic directions. He also had concerns that this would be inconsistent with Policy 8 of the NPS-HPL which directs that aggregate extraction is only allowed on highly productive land where it "...provides a significant national or regional public benefit that could not be achieved using resources within New Zealand". He further noted that this would be incongruous with SD-04(1) which seeks to manage rural land for rural production activities and provides limits on other activities.
54. The Panel heard evidence from Mr Tim Ensor, planner for Fulton Hogan, who in our view presented a convincing case as to the critical importance that quarrying plays in providing materials such as aggregate from a local source to the development of important infrastructure in the District. We agree with that evidence and consider this is a matter that appropriately sits at the strategic direction level.
55. Including it in SD-O3 will not create conflict with other SD objectives, or with the Rural Zone objectives and policies, noting also that our recommendation is to retain the PDP's approach whereby SD objectives do not have primacy over other objectives in other chapters. We acknowledge that SD-O4 provides limits for other activities that are not rural production activities. However, RURZ-O2 and RURZ-P2 provide for activities with a functional need to be located in the Rural Zones, which would include quarrying activities. The amendment to SD-O3 will not in our consideration mean that quarrying will be enabled throughout the Rural Zone, or other zones, as considerations of highly productive land and other locational constraints will still be important and required.
56. However, we note that our recommended amendments to the PDP Chapters for development in the urban areas are to avoid quarrying in those areas, and we therefore consider the submitter's requested wording for the policy needs to be less enabling and more nuanced. Our recommended wording for the new clause is:

"The importance of locally-sourced aggregate supply for infrastructure development is recognised and provided for in appropriate circumstances"

57. We consider this new clause for SD-O3 is written in such a way that it will not enable quarrying or aggregate extraction in the urban areas, or indeed without constraint throughout the rural areas. It will however appropriately recognise at this strategic level the role that supply of physical construction resources has for the development and maintenance of critical infrastructure in the District.
58. Accordingly, this submission is recommended to be accepted in part.

8. SD-O4 – Rural Land

59. The Panel's recommended amendments to SD-O4, over and above the amendment recommended by the s42A report author, are summarised below:

Provisions	Panel recommendations
SD-O4(1)	Amend the wording to retain a reference to “other activities that support primary production activities’.

Amendments and Reasons

60. The submission we consider here is by the Ministry of Education¹⁹, seeking to delete the reference to activities that “directly” support rural production activities.
61. We do not agree with the recommendation to reject a submission by the Ministry of Education relating to whether SD-O4 should provide for schools in the rural areas (for reasons set out in our earlier discussion on SD-O2). The report author’s recommended amendment to SD-O4(1) in response to the Ministry of Education’s submission would have the effect of removing the wider reference to all other activities that support primary production, and we do not agree with that. The Panel considers it is important that other activities supporting primary production in the rural areas are recognised in this way.
62. For these reasons the Panel has recommended some amended wording for SD-O4(1), to retain a reference to those other activities, which may also include schools, as follows:
- 1. providing for ~~rural~~ primary production activities, rural industry and other activities that directly support rural primary production activities*
63. Accordingly, we recommend that the submissions of Fulton Hogan and the Ministry of Education are accepted in part.

9. SD-O6 – Natural hazards and resilience

64. The Panel’s recommended amendment to SD-O6, over and above the amendment recommended by the s42A report author, are summarised below:

Provisions	Panel recommendations
SD-O6(3)	Amend the new clause to refer to “life and property”

Amendments and Reasons

65. The submission we consider here is by MainPower²⁰ who sought a new clause 3 to specifically relate to strategic, critical and regionally significant infrastructure. The s42A report author recommended inclusion of a new clause, which we agree with. However,

¹⁹ [277.11]

²⁰ [249.202]

we have recommended a minor amendment so that the clause refers to “life and property” rather than “people and property” to ensure consistency between this SD and the Natural Hazards Chapter.

10. New SD Objective 7 – Historic heritage

66. The Panel notes here, for the convenience of readers, that the Panel hearing submissions on the Historic Heritage chapter (Hearing Stream 5) has, in response to a submission by Heritage NZ²¹, recommended inclusion of a new Strategic Directions objective for historic heritage SD-O7.

11. Conclusion

67. For the reasons summarised above, we recommend the adoption of a set of changes to the PDP provisions relating to Part 2: District-wide Matters – SD – Strategic Directions. Our recommended amendments are shown in Appendix 2.
68. Overall, we find that these changes will ensure the PDP better achieves the statutory requirements, national and regional direction, and our recommended Strategic Directions, and will improve its useability.

²¹ [178.6]

Appendix 1: Submitter attendance and tabled evidence for Strategic Directions - Hearing Stream 1

Attendee	Speaker	Submitter No.
Council Reporting Officer	Mark Buckley	N/A
Forest & Bird	Nicky Snoyink	192 & FS 78
Kainga Ora	- Brendon Liggett - Philip Osborne - Clare Dale - Bal Matheson	325 & FS 88
NZ Pork	- Penelope Cairns - Ian Barugh - Andrew Hodgson	169 FS 49
Ravenswood	Sarah Everleigh	347
Richard & Geoff Spark	Ivan Thomson	183 FS 37
Miranda Hales	Ivan Thomson	246
Transpower	- Rebecca Eng - Ainsley McLeod	195 FS 92
Momentum Land Limited	Chris Fowler	FS 63
Ara Poama Aotearoa Department of Corrections	- Maurice Dale - Andrea Millar	52
Ashley Industrial Services	- Ken Fletcher - Aaron Fisher	48
Ken Fletcher	Ken Fletcher	99
Chorus, Spark, One NZGroup and Forty South, and Connexa Ltd ¹	- Graeme McCarrison (Spark) - Andrew Kantor (Chorus) - Colin Clune (One NZGroup and Forty South), - Fiona Matthews (Connexa Ltd)	62 FS 105
Canterbury Regional Council	- Jo Mitten - Lucy de Latour	316 FS 105
- Damian and Sarah Elley, - JP Bailey Family Trust, - Kim Manson and Neihana Kuru, - Ross Fraser, - Louise Marriot	L N R Delacy (No written evidence)	FS 28, FS 29, FS 30, FS 31, FS 32, and FS 33
Andy Carr	- Andy Carr - Samanth Kealey	21 FS 158
Malcolm Hanrahan	Malcom Hanrahan	307
Ohoka Residents Association	David Nixon	25 FS 84
Horticulture New Zealand	- Sarah Cameron - Andrew Hodgson - Helen Atkins	295 FS 47
Federated Farmers	- Lionel Jume - Karl Dean	414 FS 83
Fulton Hogan	Timothy Ensor	41 FS 118
MainPower	Mark Appleman	249 FS 58

¹ Noting that Connexa Ltd was not part of the original submission

	• Melanie Foote • Jo Appleyard	
Christchurch International Airport Ltd	• Darryl Millar • Felicity Hayman • Geoff Page • Natalie Hampson • Jo Appleyard	254, FS 80
Tabled Evidence		
Forest & Bird	• Nicky Snoyink	192 & FS 78
Kainga Ora	• C E Kirman	325 & FS 88
Transpower	• Rebecca Eng • Ainsley McLeod	195 FS 92
Momentum Land Limited	• Chris Fowler	FS 63
Ara Poutama Aotearoa Department of Corrections	• Maurice Dale • Andrea Millar	52
Ken Fletcher	• Ken Fletcher	99
Canterbury Regional Council	• Jo Mitten, • Lucy de Latour	316 FS 105
Woolworths New Zealand Ltd	• Kay Knight	282
Daiken New Zealand Ltd	• Stephanie Styles	145
Waka Kotahi NZTA	• Claudia Kirkbride	275 FS 110
KiwiRail Holdings Ltd	• Sheena McGuire	373

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version
(provisions not consequentially renumbered)

SD - Rautaki ahunga - Strategic Directions

Introduction

This chapter provides the overarching objectives to provide high level direction for the District Plan. The matters covered in the strategic directions are addressed in more detail by the district wide and area specific objectives and policies included in other chapters of the District Plan.

The Strategic Directions objectives within this chapter are informed by the WDDs, which is a document that addresses a range of matters related to growth and development. They also give effect to higher order documents as required by the RMA. Objectives and policies in relation to Urban Form and Development are addressed in a separate chapter.

Interpretation and application of this chapter

For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for the more detailed provisions contained in the District Plan. For the purpose of District Plan implementation, including the determination of resource consent applications:

1. the strategic objectives may provide guidance for related objectives and policies in other chapters; and
2. the relevant objectives and policies of the District Plan, including strategic objectives in this chapter, are to be considered together and no hierarchy exists between them.

Objectives	
SD-O1	Natural environment Across the District: 1. ~~there is¹ an overall² net gain in³ the quality and quantity of⁴~~ indigenous ecosystems and habitat, and indigenous biodiversity <u>is maintained so there is at least no overall loss⁵ and significant indigenous vegetation and habitats are protected⁶</u>; 2. the natural character of the coastal environment, freshwater bodies and wetlands is preserved or enhanced, or restored where degradation has occurred; 3. outstanding natural features and outstanding natural landscapes are identified and their values recognised and protected <u>from inappropriate subdivision, use and development⁷</u>; 4. people have access to a network of natural areas for open space and recreation, conservation and education, including within riparian areas, the coastal environment, the western ranges, and within urban environments; ~~and~~

¹ Federated Farmers [414.51]

² Royal Forest and Bird Protection Society of New Zealand Inc [192.29]

³ Federated Farmers [414.51]

⁴ Federated Farmers [414.51]

⁵ Federated Farmers [414.51]

⁶ Royal Forest and Bird Protection Society of New Zealand Inc [192.29]

⁷ Transpower [195.20]

	5. land and water resources are managed through an integrated approach which recognises the importance of ki uta ki tai to Ngāi Tahu and the wider community, and the inter-relationships between ecosystems, natural processes and with freshwater⁸; <u>and</u> 6. <u>the health and well-being of freshwater⁸ is prioritised.</u>⁹
SD-O2	Urban development Urban development and infrastructure that: 1. is consolidated and integrated with <u>the urban environment areas</u>¹⁰; 2. <u>that</u>¹¹ recognises existing character, <u>planned urban form and</u>¹² amenity values, and is attractive and functional to residents, businesses and visitors; 3. utilises the District Council's reticulated wastewater system, and potable water supply and stormwater infrastructure where available; 4. provides a range of housing opportunities, focusing new residential activity within <u>and around</u>¹³ existing towns, and identified development areas in Rangiora and Kaiapoi, in order to <u>as a minimum</u>¹⁴ achieve the housing bottom lines in UFD-O1; 5. supports a hierarchy of urban centres, with the District's main centres in Rangiora, Kaiapoi, Oxford and Woodend <u>and Pegasus</u>¹⁵ being: a. the primary centres for community <u>and educational</u>¹⁶ facilities; b. the primary focus for retail, office and other commercial activity; and c. the focus around which residential development and intensification can occur. 6. provides opportunities for business activities to establish and prosper within a network of business and industrial areas zoned appropriate to their type and scale of activity and which support district self-sufficiency; 7. provides people with access to a network of spaces within urban environments for open space and recreation; 8. supports the transition of the Special Purpose Zone (Kāinga Nohoanga) to a unique mixture of urban and rural activities reflecting the aspirations of Te Ngāi Tūāhuriri Rūnanga; <u>and</u> 9. provides limited opportunities for Large Lot Residential development in identified areas, subject to adequate infrastructure¹⁷; <u>and</u> 10. ~~recognise and support Ngāi Tūāhuriri cultural values through the protection of sites and areas of significance to Māori identified in SASM SCHED1.~~¹⁷

⁸ Forest and Bird [192.29]⁹ Forest and Bird [192.29]¹⁰ A. Carr [158.5]; Ravenswood Developments Ltd [347.4]; Environment Canterbury [316.8 and 316.13] and Christchurch City Council [360.9, 360.10 and 360.11]¹¹ Kainga Ora [325.3]¹² Kainga Ora [325.3]¹³ Ken Fletcher [99.2]¹⁴ Richard & Geoff Spark [183.1], and Others [223.2], [236.2], [242.2] & [246.3]¹⁵ Woodend-Sefton Community Board [155.1]¹⁶ Ministry of Education [277.1]¹⁷ Kainga Ora [325.3]

SD-O3	Energy and infrastructure Across the District: 1. improved accessibility and multi-modal connectivity is provided through a safe and efficient transport network that is able to respond to technology changes and contributes to the well-being and liveability of people and communities; 2. infrastructure, including strategic infrastructure, critical infrastructure and regionally significant infrastructure: a. is able to operate efficiently and effectively; and b. is enabled, while: i. managing adverse effects on the surrounding environment, having regard to the social, cultural and economic benefit, functional need and operational need of the infrastructure; and ii. managing the adverse effects of other activities on infrastructure, including managing reverse sensitivity; 3. <u>the importance of locally-sourced aggregate supply for infrastructure development is recognised and provided for in appropriate circumstances</u>¹⁸; 4. the nature, timing and sequencing of new development and new infrastructure is integrated and coordinated; and 5. encourage more environmentally sustainable outcomes as part of subdivision and development, including though the use of energy efficient buildings, green infrastructure and renewable electricity generation.
SD-O4	Rural ~~land~~ environment¹⁹ Outside of identified residential development areas and the Special Purpose Zone (Kāinga Nohoanga), rural land is managed to ensure that it remains available for productive rural activities by: 1. providing for ~~rural~~ <u>primary</u>²⁰ production activities, <u>rural industry</u>²¹ <u>and other</u> activities that ~~directly~~²² support <u>rural primary</u> production activities and activities reliant on the ~~natural soil~~²³ resources of Rural Zones and limit other activities; and 2. ensuring that within rural areas the establishment and operation of ~~rural~~ <u>primary</u>²⁴ production activities are not limited by new incompatible sensitive activities.
SD-O5	Ngāi Tahu mana whenua/Te Ngāi Tūāhuriri Rūnanga Te Ngāi Tūāhuriri Rūnanga's role in the management of natural and physical resources is recognised, so that:

¹⁸ Fulton Hogan [41.14]¹⁹ New Zealand Pork [169.11]²⁰ Fulton Hogan [41.9; 41.15]; Aggregate and Quarry Association [127.2]; NZ Pork [169.8]; Federated Farmers [414.18].²¹ Fulton Hogan [41.15]²² Ministry of Education [277.1 and 277.11]²³ Environment Canterbury[316.3]²⁴ Fulton Hogan [41.9; 41.15]; Aggregate and Quarry Association [127.2]; NZ Pork [169.8]; Federated Farmers [414.18].

	1. Ngāi Tūāhuriri's historic and contemporary connections, and cultural and spiritual values, associated with the land, water and other taonga are recognised and provided for; 2. the values of identified sites and areas of significance to Ngāi Tūāhuriri are protected; 3. Ngāi Tūāhuriri can retain, and enhance access to sites of cultural significance; 4. Māori land is able to be occupied and used by Ngāi Tūāhuriri for its intended purposes and to maintain their relationship with their ancestral land; 5. recognised customary rights are protected; 6. Ngāi Tūāhuriri are able to carry out customary activities in accordance with tikanga; and 7. Te Ngāi Tūāhuriri Rūnanga are able to actively participate in decision-making and exercise kaitiakitanga.
SD-O6	Natural hazards and resilience The District responds to natural hazard risk, including increased risk as a result of climate change, through: 1. Avoiding subdivision, use and development where the risk is unacceptable; ~~and~~ 2. mitigating other natural hazard risks; ~~and~~ 3. <u>Ensuring strategic, critical, and regionally significant infrastructure is only located within areas of significant natural hazard risk where there is no reasonable alternative and the infrastructure is designed so as not to exacerbate natural hazard risk to life and property.</u>²⁵
<u>SD-O7</u>	<u>Historic heritage</u> <u>Historic heritage and its overall contribution to the identity of the District is recognised, maintained and protected, through:</u> 1. <u>identification of historic heritage items and settings based on significance;</u> 2. <u>managing the effects of subdivision, use and development on historic heritage items and heritage settings,</u> 3. <u>encouraging adaptive re-use of heritage buildings; and</u> 4. <u>providing a framework for managing the relocation and demolition of significant heritage items in appropriate circumstances.</u>²⁶

²⁵ Mainpower [249.202]

²⁶ Heritage NZ [178.6]

Definitions

STRATEGIC INFRASTRUCTURE	means those necessary facilities, services and installations which are of greater than local importance, and can include infrastructure that is nationally significant, such as: a. strategic transport networks; b. Christchurch International Airport; c. Rangiora Airfield; ~~d. Port of Lyttelton;~~²⁷ d. bulk fuel supply infrastructure including terminals, wharf lines and pipelines; e. defence facilities; f. strategic telecommunications and radiocommunications facilities; g. electricity transmission and distribution network including the National Grid; h. other strategic network utilities.

²⁷ Department of Conservation [419.27]

Waimakariri District Council Proposed Waimakariri District Plan

Recommendations of the PDP Hearings Panel

Recommendation Report 12

Hearing Stream 5 Part 2: District-wide matters – EW- Earthworks

This report should be read in conjunction with **Report 1** and **Recommendation Reports 2, 15, 17 and 31**.

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation Report 2 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - SD Strategic directions objectives and policies.

Recommendation report 15 contains the PDP Panel's recommendations on the PDP's HH- Historical Heritage Chapter.

Recommendation report 17 contains the PDP Panel's recommendations on the PDP's EI- Energy and Infrastructure Chapter.

Recommendation report 31 contains the PDP Panel's recommendations on the PDP's TEMP- Temporary Activities Chapter.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

The Hearings Panel for the purposes of **Hearing Stream 5** comprised Commissioners Gina Sweetman (Chair), Allan Cubitt, Gary Rae, Megen McKay, Neville Atkinson and Niki Mealings.

1. Introduction

Report outline and approach

1. This is Report 12 of 37 Recommendation Reports prepared by the PDP Hearings Panel appointed to hear and make recommendations on submissions to the Proposed Waimakariri District Plan (PDP).
2. The report addresses the objective, policies, rules and other provisions relating to the EW - Earthworks Chapter and the submissions received on those provisions. The relevant provisions are:
 - Objectives – EW-O1
 - Policies – EW-P1
 - Standards – EW-S1, EW-S2 and EW-S5
 - Advice Notes – EW-AN1
3. We have structured our discussion on this topic as follows:
 - (a) **Section 2** summarises key contextual matters, including relevant provisions and key issues/themes in submissions;
 - (b) **Sections 3 - 8** contains our evaluation of key issues and recommended amendments to provisions; and
 - (c) **Section 9** contains our conclusions.
4. This Recommendation Report contains the following appendices:
 - (a) **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.
 - (b) **Appendix 2: Recommended amendments to the Proposed Plan – Tracked from notified version.** This sets out the final amendments we recommend be made to the PDP provisions relating to this topic. The amendments show the specific wording of the amendments we have recommended and are shown in a 'tracked change' format showing changes from the notified version of the PDP for ease of reference. Where whole provisions have been deleted or added, we have not shown any consequential renumbering, as this method maintains the integrity of how the submitters and s42A Report authors have referred to specific provisions, and our analysis of these in the Recommendation Reports. New whole provisions are prefaced with the term 'new' and deleted provisions are shown as struck out, with no subsequential renumbering in either case.
5. We record that all submissions on the provisions relating to the EW Chapter have been taken into account in our deliberations. In general, submissions in support of the PDP have not been discussed but are accepted or accepted in part. More detailed descriptions of the submissions and key issues can be found in the relevant s42A

Reports, Responses to Preliminary Questions and written Reply Reports, which are available on the Council's website.

6. In accordance with the approach set out in Report 1, this Report focuses only on 'exceptions', where we do not agree fully or in part with the s42A report authors' recommendations and / or reasons, and / or have additional discussion and reasons in respect to a particular submission point, evidence at the hearing, or another matter. Original submissions have been accepted or rejected as recommended by the s42A report author unless otherwise stated in our Recommendation Reports. Further submissions are either accepted or rejected in conformance with our recommendations on the original submission to which the further submission relates.
7. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the PDP provisions and the submissions received on those provisions. These are outlined in full in Report 1. In summary, these provisions require among other things:
 - (a) our evaluation to be focussed on changes to the proposed provisions arising since the notification of the PDP and its s32 reports;
 - (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives; and
 - (c) as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.
8. We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
9. A fuller discussion of our approach in this respect is set out in Section 5 of Report 1.

2. Summary of provisions and key issues

Outline of matters addressed in this section

10. In this section, we provide relevant context around which our evaluation of the notified provisions and submissions received on them is based. Our discussion includes:
 - (a) summary of relevant provisions;
 - (b) themes raised in submissions; and
 - (c) identification of key issues for our subsequent evaluation.

Submissions

11. There are 231 original submission points on the Earthworks chapter provisions. 133 are in support of the provision/s as notified, 97 are opposed and/or request amendment, 1 is neutral. There were 77 further submissions, 2 neutral, 42 in opposition, 27 in support and 6 unstated.

Key issues

12. The key issues in contention on this chapter are the relationship between the Energy and Infrastructure provisions and the Earthworks provisions, and technical aspects of earthworks activities.

3. Integration with the Energy and Infrastructure Chapter

13. Through the hearing process, it was clearly identified that there was need for integration between the Earthworks and Energy and Infrastructure Chapters, which was addressed in the JWS¹ and S42A report author memo². Recommendation Report 17 on the Energy and Infrastructure Chapter, outlines our recommendations on integration between both Chapters. We do not repeat that content in this report, and direct readers to that report, which also contains our reasons for these recommendations. However, we note that integration between the two chapters resulted in substantial amendment to the Earthworks Chapter.
14. However, for completeness, we summarise below the amendments that we have made to the EW Chapter, over and above the amendments recommended by the s42A report author, to better integrate with the EI Chapter:

Provisions	Panel recommendations
How to interpret and apply the rules	Include a new section on “How to interpret and apply these rules” which states “The activity rules within the EW Chapter do not apply to energy and infrastructure activities in the EI Chapter. However, the EW standards may apply to energy and infrastructure activities if these are specifically included in the EI rules”.
EW-R3	Delete EW-R3.
EW-R8	Delete EW-R8.
Table EW-1	Include new advisory note in Table EW-1: General standards for earthworks which states “These standards do not apply to earthworks associated with linear infrastructure works

¹ Energy and Infrastructure Integration Joint Witness Statement, 28 November 2023

² Memo on Integration between EI Chapters and the rest of the Proposed Plan, Andrew MacLennan, 12 July 2023

	within roads, provided any open trenches do not exceed 1m in width”.
EW-S2	Add an advice note to exclude the Standard from applying to “(1) earthworks associated with linear infrastructure works within roads, provided any open trenches do not exceed 1m in width”.

4. EW-O1

15. The Panel’s recommended amendment to EW-O1, over and above the amendment recommended by the s42A report author, is summarised below:

Provisions	Panel recommendations
EW-O1	Replace ‘minimises’ with ‘manages’

Amendment and Reasons

16. The submissions we consider here are NZ Pork³, Horticulture New Zealand⁴, Waka Kotahi⁵ and KiwiRail⁶ who sought that EW-O1 be reframed to enable earthworks and avoid, remedy or mitigate adverse environmental effects.
17. The s42 report author recommended the submission be rejected, preferring the notified PDP version which requires earthworks to be undertaken in a way that ‘minimises’ adverse effects. He said that all earthworks alter the surface of the land, usually permanently, and ‘minimising’ effects enables earthworks, whilst accounting for the nature and degree of land disturbance.
18. The Panel notes that it is often impossible to minimise the adverse environmental effects of earthworks, and instead, adverse effects can be appropriately managed. Throughout the hearing process, we asked several s42A report authors whether it is appropriate to use the word ‘manage’ in objectives and policies. There was general agreement that ‘manage’ may be an appropriate term provided it is further qualified in the objective, or in the associated policies, as to how something is to be managed. Mr MacLennan, author of the Energy and Infrastructure s42A report, articulated in his reply report that ‘manage’ enables a range of management methods and is a commonly used term within plan drafting. We agree and prefer ‘manage’ instead of ‘minimise’, noting however that the policies associated with EW-O1 do provide clarity about how earthworks are to be managed. This is consistent with the remainder of the Plan, where ‘manage’ is used in other objectives and policies, albeit mostly in policies.

³ 169.22

⁴ 295.101 and FS47

⁵ FS110

⁶ FS99

19. Although we have not agreed to rephrase the objective to enable earthworks (noting also that the policy EW-P1 is enabling of earthworks), the term ‘manage’ effects provides partial relief, and accordingly, we accept the submissions in part.

5. Objectives – EW-P1

20. The Panel’s recommended amendment to EW-P1, over and above the amendment recommended by the s42A report author, is summarised below:

Provisions	Panel recommendations
EW-P1	Delete clause (6)

Amendment and Reasons

21. The submissions we consider here are Summerset Retirement Villages (Rangiora) Limited⁷ and Kāinga Ora⁸ who sought that EW-P1(6) be deleted because the drafting is unclear and, in any event, is already covered by EW-P1(1). Clause 1 enables earthworks where they are compatible with character, values and qualities of the location and surrounding environment. Clause 6 enables earthworks where land disturbance is minimised on the visual amenity of the surrounding areas.
22. The s42A report author agreed that Clause 6 was unclear and recommended:
- (a) In clause 1, replace ‘character’ with amenity values; and
 - (b) In clause 6, delete visual amenity.
23. We understand the reasoning for those recommendations. However, we also agree with the submitters that clause 6 should be deleted in its entirety because, despite the recommended amendment, it does not to provide any further policy direction than already provided for in clause 1. We recommend that the submissions be accepted and that clause 6 be deleted.

6. Rules – EW-R6

24. The Panel’s recommended amendment to EW-R6, over and above the amendment recommended by the s42A report author, is summarised below:

Provisions	Panel recommendations
EW-R6	Amend to not duplicate the NES-CS and align with our recommendation to remove EW-P6 because it is inconsistent with the functions of District Councils.

⁷ 207.16

⁸ FS88

Amendment and Reasons

25. The submission we consider here is Z Energy Limited, BP Oil New Zealand Limited, Mobil Oil New Zealand Limited⁹ who sought a new rule be included in the earthworks chapter for the removal or replacement of underground fuel storage tanks. Specifically, they requested that earthworks associated with the operation, maintenance, removal, or replacement of existing underground assets be permitted, provided that: (1) the Earthworks Standards are met, and (2) the disturbance does not permanently alter the profile, contour, or height of the land.
26. The s42A report author agreed that there was a gap in the rule framework, accepted the submission and provided drafting for the new recommended rule. He recommended that earthworks undertaken in relation to the removal or replacement of a fuel storage system be permitted where (1) it complies with the National Environmental Standard on Contaminated Soil to Protect Human Health Regulations 2011 (NES-CS), (2) is setback from rivers, lakes and wetlands, and (3) complies with EW-S4, EW-S6 and EW-S7.
27. We support the inclusion of a new rule as recommended by the s42A report author but do not accept the proposed drafting in full. In our view, clause (1) is unnecessary, as the NESCS applies independently of the District Plan and does not require explicit reference. Clause (2) is also not supported, as it addresses water quality matters that fall within the functions of the Regional Council, not the District Council. This position is consistent with our earlier decision to delete EW-P6 for the same reasons. We do recommend accepting clause (3), which requires compliance with EW-S4, EW-S6, and EW-S7.
28. The s42A report author did not address the submitters' proposed requirement that earthworks must not permanently alter the profile, contour, or height of the land. In our view, this condition is unnecessary and not aligned with the purpose of enabling necessary maintenance and replacement of existing infrastructure. Permanent changes to landform may be appropriate in some circumstances and are already managed through the relevant earthworks standards (EW-S4, EW-S6, and EW-S7), which address environmental effects such as slope stability, sediment control, and amenity impacts. Accordingly, the submission is accepted in part only.

7. Standards – EW-S1, EW-S2 and EW-S5

29. The Panel's recommended amendments to TEMP-R5, EW-S2, EW-S5, EW-MD7(3) and EW-P6 over and above the amendments recommended by the s42A report author, are summarised below:

⁹ 276.40

Provisions	Panel recommendations
EW-S1 and Table EW-1	Amend to permit earthworks in a SNA up to a maximum of 5m ³ within a 12-month period for TMTA in accordance with TEMP-R5
EW-S2	Exempt EW-S2 setbacks for activity that has a building consent granted.
EW-S5 and EW-MD7(3)	Retain EW-S5 permitted maximum depth for burial of dead animals and offal pits at 2 metres below ground level. Retain “of any water body” in EW-MD7(3)

EW-S1 and TEMP-R5 Temporary Military Training Activities

30. The submission we consider here is the New Zealand Defence Force (NZDF)¹⁰ who submitted that the earthworks standard EW-S1 is too restrictive in a SNA or ONF–Ashley River/Rakahuri Saltwater Creek Estuary (Rakahuri ONF). They sought amendment to Table EW-1 from no permitted maximum volume in any 12-month period per site to 5m³.
31. This submission crosses several chapters of the District Plan, those being:
 - (a) Temporary Activities (TEMP) Chapter as the NZDF submission and evidence is focused on temporary military training activities (TMTA) rather than permanent activities in these areas.
 - (b) Natural Features and Landscape (NFL) Chapter which provides the rule framework for the Rakahuri ONF.
 - (c) Ecosystems and Indigenous Biodiversity (ECO) Chapter which provides the rule framework for SNAs.
32. The purpose of each Chapter differs, which are generally summarised as being:
 - (a) For the EW Chapter, to manage earthworks across the district, recognise earthworks are integral to various land use activities but have the potential to generate adverse effects on people, property and the environment.
 - (b) For the TEMP chapter, to enable temporary activities across all areas of the district.
 - (c) For the NFL chapter, to recognise and provide for the protection of natural landscapes and features.
 - (d) For the ECO Chapter, to protect and maintain SNAs of indigenous biodiversity.
33. The EW s42A report author, Mr Wilson, recommended the NZDF submission to increase the maximum volume in any 12-month period per site from 0 to 5m³ be rejected. He thought it was appropriate to require a consent for earthworks in an SNA and the Rakahuri ONF to protect the sensitive nature of these areas. He acknowledged that his recommendation aligns with that of the NFL s42A report author, Ms Milosavljevic. The ECO s42A report author, also Ms Milosavljevic, did not comment on the appropriateness of TMTA in a SNA.

¹⁰ 166.30

34. In response to a NZDF submission¹¹ on the TEMP Chapter, that s42A report author, Ms Benny, recommended the following changes to TEMP-R5:
- (a) Amend the heading to include ancillary buildings and structures; and
 - (b) Delete the SNA exception because the SNA rules on indigenous vegetation clearance apply to the TEMP Chapter.
35. We accepted Ms Benny's recommendations in our TEMP Chapter Report, agreeing that the previous restriction on activities within an SNA were overly restrictive. TMTA will be subject to rules in other chapters which are relevant to the specific site of the activity, for example the EW rules. Furthermore, TEMP-R5(2) requires the site to be restored to the same condition as prior to the temporary activity, which provides additional protection for earthworks associated with TMTA and Emergency Services Training Exercises (ESTA) in SNA's. Permitting TMTA, including ancillary buildings and structures, in an SNA will by its nature include some form of earthworks. Consequently, we recommend amending Table EW-1: General standards for earthworks to earthworks in an SNA up to a maximum of 5m³ within a 12-month period for TMTA in accordance with TEMP-R5. We have preferred the evidence of Ms Benny over that of Mr Wilson in this regard and accept this part of the NZDF submission.
36. We did not receive sufficient evidence from NZDF or any other submitter that would lead us to a similar recommendation for the Rakahuri ONF. We agree with Mr Wilson that a resource consent should be required for earthworks in the Rakahuri ONF, regardless of whether they are temporary or permanent, unless expressly permitted elsewhere in the Plan. We consider this appropriate when reviewing the objectives and policies of each Chapter, and particularly the NFL chapter, which is that most relevant to the Rakahuri ONF. The NFL Chapter identified three natural features and landscapes considered to be significant at a district scale, those being the Puketeraki Mountains, Waimakariri River and Rakahuri ONF. Parts of the Rakahuri ONF were also identified as having Significant Amenity Landscapes. All the rules in the NFL Chapter are more restrictive for activities in the Rakahuri ONF compared to the Puketeraki Mountains and Waimakariri River. Except for a discretionary activity status in NFL-R1 for an addition to an existing building, all other rules have non-complying activity status. This indicates to the Panel that activities in the Rakahuri ONF are strongly discouraged and do not fit the desired outcomes for this area. We recommend that this part of the NZDF submission is rejected.

EW-S2 Setback Standards and the Building Act

37. The submissions we consider here are MainPower¹², Summerset Retirement Villages (Rangiora) Limited¹³ and Kāinga Ora¹⁴, who sought an exemption to the general setback standards in EW-S2 where the activity has been approved by a building consent.

¹¹ 166.25

¹² 249.25

¹³ 207.20

¹⁴ FS88

38. The s42A report author initially rejected the submissions but changed his recommendation to 'accept in part' in his initial reply report¹⁵. He said that the Building Act and Building Code primarily deal with environmental effects during the period of construction only and the RMA (and therefore the Plan) must deal with wider issues such as land stability, reverse sensitivity and nuisance impact on surrounding properties. He recommended amending EW-S2 so that the standard did not apply to earthworks wholly within the footprint of a building that has a building consent.
39. Planner expert for MainPower, Ms Foote¹⁶, presented evidence that to require a resource consent application for earthworks where a building consent has been granted would result in unnecessary duplication because erosion and sediment controls are considered as part of a building consent. Ms Dale, Planner expert for Kāinga Ora¹⁷, agreed and provided evidence on the approach taken by surrounding Councils where the Selwyn District Plan and Christchurch District Plan exempt earthworks where a building consent has been granted.
40. We prefer the evidence of Ms Foote and Ms Dale. In our experience, the surrounding councils' approach is the norm, practical and prevents duplication. We do not recommend limiting the exemption to the footprint of the building and instead recommend that the setback exemption applies to any earthworks required for the building, as granted in the building consent. We accept the submissions and recommend a full exemption from EW-S2 where there is an application for a building consent or where a building consent has been granted.

Water quality considerations in EW-S5 and EW-MD7(3)

41. The submissions we consider here are Fulton Hogan¹⁸, Summerset Retirement Villages (Rangiora) Limited¹⁹ and Kāinga Ora²⁰, who sought all sought various amendments to the earthworks chapter that manage effects on water because it is a regional council function and governed by the Canterbury Land and Water Regional Plan (CLWRP)
42. The report author provided advice on the relationship between the District Plan and CLWRP, in his s42A report, written response to preliminary questions²¹ and initial reply report²². He recommended:
- (a) Delete EW-P6 which relates to earthwork effects on ground and surface water and shift policy direction for 'mahinga kai' protection to EW-P1(2);
 - (b) Amend EW-S5 to a maximum depth below ground level from 2m to 1m to be consistent with the CLWRP; and
 - (c) Delete 'and water quality of any water body' from EW-M7(3).

¹⁵ 29 September 2023

¹⁶ Paragraphs 66-67, Statement of Evidence of Melanie Foote, 7 August 2023

¹⁷ Paragraphs 4.2 and 4.8-4.11 Statement of Primary Evidence of Clare Dale on behalf of Kāinga Ora, 7 August 2023

¹⁸ 41.35

¹⁹ 207.21

²⁰ FS88

²¹ 18 August 2023

²² 29 September 2023

43. We agree with his assessment that, where the effects were solely related to water quality, controlled by the CLWRP, and unrelated to a District Council function, they should be deleted from the Plan.
44. We adopt the s42A report author's analysis and recommendations for EW-P6, EW-P1(2) and EW-M7 but with a slight amendment to the later where we recommend retaining "of any water body".
45. In our view, avoiding overlap between the regional and district council functions is desirable, however, it is appropriate for each Plan to have different rules when managing different effects. EW-S5 is specific to earthworks required to bury dead animals and for offal pits. The CLWRP will manage effects of these activities on water and the District Plan will manage the land stability, visual amenity, nuisance and reverse sensitivity effects of these activities. We recommend that the notified version of EW-S5 is retained, which permitted a maximum depth of 2m.
46. We recommend that the submissions are accepted, except for those related to EW-S5, which we recommend are accepted in part.

8. Advice Notes – EW-AN1

47. The Panel recommends minor amendments to EW-AN1 which differ from the recommendation of the s42A report author, as summarised below:

Provisions	Panel recommendations
EW-AN1(6)	Additional sentence added to clause 6 relating to earthworks that could affect an archaeological site, to better align with HH-AN4 in the Historic Heritage Chapter.

Amendment and Reasons

48. The submission we consider here is Heritage New Zealand Pouhere Taonga²³, who sought amendment to the advice note to make clear what works could affect an archaeological site, and to enable consistency with the recommendations of the Historic Heritage Chapter s42A report author.
49. In response to similar submissions, the HH Chapter s42A report author recommended the following amendments to the HH Chapter:
 - (a) In HH-AN4, add 'archaeological' before the word 'site'; and
 - (b) In HH-AN2 and HH-AN3, add the sentence "Works that could affect archaeological sites include but are not limited to earthworks, gardening, cultivation, and the disturbance of land for the installation of fence posts".

²³ 178.10 and 178.25 (HH Chapter) and 178.50 (EW Chapter)

50. She considered these changes would enable plan users to better understand the relationship between earthworks and archaeological sites, and that potential impacts can occur for smaller scale activities. We accepted this assessment and amendments in our recommendation report on the HH Chapter.
51. The EW Chapter s42A report author did not bring across these changes into his final recommendations on EW-AN4 which relates to earthworks activities requiring an archaeological authority from HNZPT. Instead, he recommended adding “The provisions of the Taonga o onamata – Historic Heritage Chapter apply”.
52. The Panel accepts this would be an improvement, but we consider that the reference to the provisions of the HH chapter should be stated up front. We also recommend that the reference to minor scale earthworks that may require an authority from HNZPT should not include the word ‘earthworks’ because this is separately defined in the PDP and its use in this advice note may cause confusion. Accordingly, we have provided amended wording in the advice note which will still make clear to plan users that small scale activities could impact on an archaeological site, and this will be consistent with the HH Chapter advice note.
53. Whilst this does not provide the precise relief sought by the submitter, it enables consistency across the two chapters, and provides partial relief to the submission, which we recommend be accepted in part.

9. Minor amendments

54. We have made minor amendments, over and above the amendments recommended by the s42A report author, which are summarised below:

Provisions	Panel recommendations
EW-MD1(14)	Deleted “including specified infrastructure”

55. We have recommended that “including specified infrastructure” is removed from EW-MD1(14), which requires consideration of the safe and efficient functioning of infrastructure, as we believe this term introduces unnecessary confusion and the matter of discretion is sufficiently clear without the qualification.

10. Conclusion

56. For the reasons summarised above, we recommend the adoption of a set of changes to the PDP provisions relating to Part 2: District-wide Matters – EW - Earthworks. Our recommended amendments are shown in Appendix 2.
57. Overall, we find that these changes will ensure the PDP better achieves the statutory requirements, national and regional direction, and our recommended Strategic Directions, and will improve its useability.

Appendix 1: Submitter attendance and tabled evidence for Earthworks - Hearing Stream 5

Attendee	Speaker	Submitter No.
Council Reporting Officer	• Peter Wilson	N/A
Fulton Hogan Limited	• Mr Timothy Ensor	41
Mainpower New Zealand Limited	• Mr Mark Appleman • Ms Melanie Foote • Ms Catherine Heppelthwaite • Jo Appleyard • Annabelle Lee	249 FS 58
Chorus New Zealand Ltd, Spark New Zealand Trading Limited, Connexa Limited, One New Zealand Group Limited, FortySouth	• Mr Chris Horne • Mr Graeme McCarrison • Mr Andrew Kantor • Mr Colin Clune • Ms Fiona Matthews	62 FS 95
NZ Pork Industry Board and Horticulture New Zealand Ltd	• Mr Vance Hodgson • Ms Sarah Cameron • Mr Brent Kleiss • B G Williams • R E Robilliard	295,169 FS 47
Transpower New Zealand Ltd	• Ms Ainsley McLeod • Mr Jordan Shortland-Witehira • M Conway, K Viskovic	195 FS 92
Canterbury Regional Council	• Ms Joanne Mitten	316
Ravenswood Developments Limited	• S Eveleigh, S Schulte	347
Waimakariri Irrigation Limited	• Ben Williams • Kirsty Jacomb	210
Canterbury Botanical Society	• Mr Tom Ferguson	122
Tabled Evidence		
Fuel Companies	• Miles Rowe	276 FS 104

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version
(provisions not consequentially renumbered)

EW - Ketuketū whenua - Earthworks

Introduction

This chapter provides for and manages earthworks across the District and recognises that earthworks are an integral part of the use and development of land for residential activities, [industrial](#),¹ rural and commercial activities at a variety of scales.

Earthworks also have the potential to generate adverse effects on people, property, infrastructure and the environment, including effects on natural, cultural and amenity values, and from displacement of flood water.

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.

Other potentially relevant ~~District Plan~~ provisions:

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to earthworks include:

- Energy and Infrastructure: this chapter contains provisions relating to energy and infrastructure activities that involve earthworks;
- Contaminated Land: this chapter contains objectives and policies relating to contaminated land that may be relevant to earthworks involving contaminated land;
- Sites and Areas of Significance to Māori: this chapter contains provisions for earthworks that affect culturally important locations.
- Special Purpose Zone (Kāinga Nohoanga): how the Earthworks provisions apply in the Special Purpose Zone (Kāinga Nohoanga) is set out in SPZ(KN)-APP1 to SPZ(KN)-APP5 of that chapter.
- Any other District wide matter that may affect or relate to the site.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.
- [Canterbury Land and Water Regional Plan Rule 5.175 which outlines setbacks for earthworks adjacent to waterbodies.](#)²

Objectives	
EW-O1	Earthworks Earthworks are undertaken in a way that ~~minimises~~ manages adverse effects on amenity values, cultural values, property, infrastructure and the health and safety of people and the environment.
Policies	
EW-P1	Enabling earthworks Enable earthworks where they:

¹ Daiken New Zealand Limited [145.23].

² Environment Canterbury [316.154].

	1. are compatible with the ~~character~~<u>amenity</u> values ~~and qualities~~³ of the location and surrounding environment; 2. avoid, remedy or mitigate any adverse effects on any sites or areas identified as ONL, ONF, SAL, Coastal Environment Overlay, SNA, <u>mahinga kai</u>⁴ and sites and areas of significance to Māori, Natural Open Space Zone, surface freshwater bodies and their margins, or any notable tree, historic heritage or heritage setting; 3. minimise erosion and avoid adverse effects from stormwater or sediment discharge from the site; 4. avoid increasing the risk to people or property from natural hazards; 5. maintain the stability of land including adjoining land, infrastructure, buildings and structures; <u>and</u> ~~6. minimise the modification or disturbance of land, including any associated retaining structures, on the visual amenity values of the surrounding area⁵; and~~ 7. minimise adverse dust, vibration and visual effects beyond the site.
EW-P2	~~Earthworks within Flood Assessment Overlays~~ ~~Allow earthworks within the Urban Flood Assessment Overlay and Non-Urban Flood Assessment Overlay where:~~ ~~1. the earthworks do not increase the flooding risk to the site or neighbouring sites through the displacement of flood waters;~~ ~~2. the earthworks associated with proposed subdivision, development or use do not increase the risk to life or property; and~~ ~~3. the ability to convey flood waters is not impeded as a result of the earthworks.~~⁶
EW-P32	Archaeological sites, and sites and areas of significance to Māori Earthworks avoid, remedy or mitigate adverse effects on archaeological sites and sites and areas of significance to Māori, by having regard to: 1. the particular cultural or historical values of the site and the extent to which these values may be affected; 2. any consultation with mana whenua, in particular any identified mitigation measures or the incorporation of mātauranga Māori into the scale and extent of the earthworks; and 3. any consultation with HNZPT.
EW-P43	Scale of earthworks within or adjacent to urban environments Minimise adverse effects related to the scale of earthworks on character, and amenity values within or adjacent to urban environments by: 1. encouraging the integrated design and management of earthworks associated with subdivision, development and use; 2. minimising any off-site effects of earthworks by controlling the duration and sequencing of earthworks; <u>and</u> ~~3. avoiding quarry, landfill, cleanfill area, mining, or dam activities within or adjacent to urban environments.~~⁷
EW-P54	Rehabilitation Require site rehabilitation during or immediately following the completion of earthworks activity to: 1. minimise adverse effects on amenity values, natural values, cultural values, quality of the surrounding environment and the future use of the site, and

³ Summerset [207.16].⁴ Environment Canterbury [316.156], Summerset [207.16].⁵ Summerset [207.16].⁶ Environment Canterbury [316.81].⁷ Fulton Hogan [41.33].

	2. encourage rehabilitation that incorporates ecological enhancement and habitat for indigenous fauna and the use of locally sourced indigenous vegetation.
EW-P6	Water resources - ~~Avoid, Manage adverse effects of earthworks on ground and surface water bodies that could result in water contamination and adverse effects on mahinga kai.⁸~~

Activity Rules

Rules

How to interpret and apply the rules

(1) The activity rules within the EW Chapter do not apply to energy and infrastructure activities in the EI Chapter. However, the EW standards may apply to energy and infrastructure activities if these are specifically included in the EI rules⁹

EW-R1	~~Earthworks for the maintenance and repair of roads, footpaths, cycleways, tracks, carparks and accessways¹⁰~~	
All Zones	Activity status: PER Where: 1. ~~EW-S4 and EW-S7 are met;~~ 2. ~~the earthworks are within the formed area of the road, footpath, cycleway, track, carpark or accessway; and~~ 3. ~~the earthworks are contained within ground previously disturbed through construction of the road, footpath, cycleway, track, carpark or accessway.~~	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EW-MD1—Activity operation, scale, form and location EW-MD2—Nuisance and reverse sensitivity EW-MD3—Land stability EW-MD4—Natural hazards EW-MD5—Rehabilitation EW-MD6—Coastal environment and hazards EW-MD7—Water bodies, vegetation and fauna EW-MD8—Outstanding natural features and landscapes ¹¹
EW-R21	Earthworks for interment within a burial ground, cemetery, or urupā	
All Zones	Activity status: PER	Activity status where compliance not achieved: N/A
EW-R3	~~Earthworks for maintenance of existing community scale irrigation/stockwater networks,¹² public water races or drains¹³~~	
All Zones	Activity status: PER Where: 1. ~~EW-S1 to EW-S7 are met;~~	Activity status where compliance not achieved: RDIS Matters of discretion are restricted to: EW-MD1—Activity operation, scale, form and location

⁸ Environment Canterbury [316.156], Summerset [207.16].

⁹ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and Mainpower [249.1, 249.24, 249.47, 249.48]

¹⁰ Transpower [195.105].

¹¹ Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd [62.6], Transpower [195.23].

¹² WIL [210.43, 210.44].

¹³ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and Mainpower [249.1, 249.24, 249.47, 249.48]

	~~2. the disposal or stockpiling of any dredged material to land shall meet EW-S1, EW-R9 (stockpiling), EW-S2 and EW-R5 (overland flow paths),¹⁴ and~~ ~~3. the activity is undertaken by the Crown, Regional Council, District Council or their nominated agent.~~	~~EW-MD4 Natural hazards~~ ~~EW-MD5 Rehabilitation~~ ~~EW-MD6 Coastal environment and hazards~~ ~~EW-MD7 Water bodies, vegetation and fauna~~
EW-R4	Earthworks for community scale natural hazards mitigation works	
Urban Flood Assessment Overlay Non-Urban Flood Assessment Overlay	Activity status: PER Where: ~~1. EW-S1 to EW-S7 are met.¹⁵~~	Activity status where compliance not achieved: DIS
EW-R5	Earthworks within an overland flow path	
Urban Flood Assessment Overlay Non-Urban Flood Assessment Overlay	Activity status: PER Where: ~~1. EW-S1 to EW-S7 are met; and~~ ~~2. the height of any filling does not exceed 0.25m above the ground level at (18 September 2021); or activity does not exacerbate flooding on any other property by displacing or diverting floodwater on surrounding land in a 0.5% AEP event~~ ~~3. the filling is for a building platform that is located greater than 2m from any site boundary within the Urban Flood Assessment Overlay, or greater than 10m from any site boundary within the Non-Urban Flood Assessment Overlay; or~~ ~~4. the flood depth in a 0.5% AEP event is less than 100mm.¹⁶~~	Activity status where compliance not achieved: RDIS Matters of discretion are restricted to: ~~EW-MD4 Natural hazards~~
	Advisory Notes ~~• A Flood Assessment Certificate issued in accordance with NH-S1(b) will identify whether the site is located within an overland flow path.~~ ~~• The District Council holds publicly available information showing flood modelling for the District.¹⁷~~	
EW-R62	Earthworks for wells, test pits or bores	

¹⁴ Environment Canterbury [316.157] and [316.81].

¹⁵ Environment Canterbury [316.157] and [316.81].

¹⁶ Environment Canterbury [316.158] and [316.81].

¹⁷ Environment Canterbury [316.81].

All Zones	Activity status: PER Where: any test pit of 1m³ or greater shall be located a minimum of 5m from the foundation of any habitable building.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to EW-MD1 - Activity operation, scale, form and location EW-MD2 - Nuisance and reverse sensitivity EW-MD4 - Natural hazards EW-MD5 - Rehabilitation
	Advisory Note Test pits or bores should be filled and compacted, or capped to ground level upon completion of testing.	
EW-R73	Earthworks for firebreaks	
All Zones	Activity status: PER Where: - the earthworks are located outside of a SNA, and EW-S1 to EW-S76 are met; or - the firebreak is required by FENZ for purposes under the Fire and Emergency Act 2017.	Activity status when compliance not achieved: DIS
	Advisory Note The NESPCF¹⁸ regulates earthworks for forestry purposes.	
EW-R8	~~Earthworks for underground infrastructure including underground components of above ground infrastructure~~^{19_20}	
	~~This rule does not apply to any treatment plants, pump stations, canals, infiltration basins, open raw water storage ponds/lakes and treated water reservoirs provided for under EW-R11.~~	
All Zones	~~Activity status: PER~~ ~~Where:~~ ~~the activity is permitted under <u>EI-R4</u>, <u>EI-R10</u>, <u>EI-R46</u>~~	~~Activity status when compliance not achieved: RDIS~~ ~~Matters of discretion are restricted to:~~ ~~EW-MD1—Activity operation, scale, form and location~~ ~~EW-MD6—Coastal environment and hazards~~ ~~EW-MD7—Water bodies, vegetation and fauna~~ ~~TREE-MD1—Pruning, root protection area, trunk and crown, removal~~ ~~TREE-MD2—Extent of benefit or need for the activity or works~~
EW-R94	Earthworks stockpiling	
All Zones	Activity status: PER Where:	Activity status when compliance not achieved: RDIS

¹⁸ s44A(6) RMA.¹⁹ Chorus New Zealand, Spark New Zealand Trading Limited, Vodafone New Zealand Limited [62.52]; Waimakariri Irrigation Ltd [210.52]; Mainpower [249.30]. and RMA Schedule 1 Clause 16(2) consequential amendment²⁰ Statement, Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and Mainpower [249.1, 249.24, 249.47, 249.48]

	- EW-S1 to EW-S~~7~~<u>6</u> are met; - any stockpile shall not exceed 250m³ and 4m in height; - the activity shall not be located within 20m of the bank of any river or lake, 50m from the margin of any wetland; and - any stockpile is located greater than 100m from any sensitive activity on an adjoining site in different ownership.	Matters of discretion are restricted to: EW-MD1 - Activity operation, scale, form and location EW-MD2 - Nuisance and reverse sensitivity EW-MD4 - Natural hazards EW-MD5 - Rehabilitation EW-MD6 - Coastal environment and hazards EW-MD7 - Water bodies, vegetation and fauna EW-MD8 - Outstanding natural features and landscapes
	Advisory Note Where the volume specified in EW-S1 is less than 250m³, the maximum volume specified in EW-S1 will apply to R9 (2).	
EW-R10	Earthworks for farm quarries²¹	
General Rural Zone	Activity status: PER Where: ~~EW-S1 to EW-S7 are met;~~  ~~and~~ ~~the maximum area of any farm quarry shall be 1500m² per site.~~	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: ~~EW-MD1 - Activity operation, scale, form and location~~ ~~EW-MD2 - Nuisance and reverse sensitivity~~ ~~EW-MD3 - Land stability~~ ~~EW-MD4 - Natural hazards~~ ~~EW-MD5 - Rehabilitation~~ ~~EW-MD6 - Coastal environment and hazards~~ ~~EW-MD7 - Water bodies, vegetation and fauna~~ ~~EW-MD8 - Outstanding natural features and landscapes~~
EW-R~~10~~<u>15</u>	Earthworks not subject to Rules EW-R1 to EW-R10	
All Zones	Activity status: PER Where: - EW-S1 to EW-S~~7~~<u>6</u> are met. - NH-R4 <u>and</u> NH-R6 are met	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EW-MD1 - Activity operation, scale, form and location EW-MD2 - Nuisance and reverse sensitivity EW-MD3 - Land stability EW-MD4 - Natural Hazards EW-MD5 - Rehabilitation

²¹ RMA Schedule 1 Clause 16(2)

		EW-MD6 - Coastal environment and hazards EW-MD7 - Water bodies, vegetation and fauna EW-MD8 - Outstanding natural features and landscapes
EW-R136	Earthworks undertaken in relation to the removal or replacement of a fuel storage system	
All zones	Activity status: PER Where: 1. <u>EW-S2, EW-S6 and EW-S7 are met;</u>	Activity status when compliance not achieved: RDIS As set out in the relevant built form standards²²
EW-R127	Earthworks to modify, alter or remove sand dunes or vegetation on sand dunes	
Coastal Environment Overlay	Activity Status: DIS	Activity status when compliance not achieved: N/A

This is Earthworks Standards

EW-S1 General standards for earthworks	
1. Unless otherwise specified in EW-R1 to EW-R11, earthworks shall comply with Table EW-1. Where zone or overlay thresholds differ, the lower threshold shall apply.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EW-MD1 - Activity operation, scale, form and location EW-MD2 - Nuisance and reverse sensitivity EW-MD3 - Land stability EW-MD4 - Natural hazards EW-MD5 - Rehabilitation EW-MD6 - Coastal environment and hazards EW-MD7 - Water bodies, vegetation and fauna EW-MD8 - Natural features and landscapes

Table EW-1: General standards for earthworks

Maximum volume or area in any 12 month period (unless otherwise specified) per site:	
Medium Density Residential Zone, General Residential Zone, Settlement Zone, Open Space Zone, Sport and Active Recreation Zone, Special Purpose Zone (Hospital), Special Purpose Zone (Kāinga Nohoanga) - sites within Tuahiwi Precinct	200m ³ or 30m ³ per 100m ² of site area, whichever is greater

²² Fuel Companies [276.39].

Neighbourhood Centre Zone and Mixed Use Zone	250m ³
Special Purpose Zone (Pegasus Resort), Special Purpose Zone (Museum and Conference Centre), Special Purpose Zone (Pines Beach and Kairaki Regeneration Zone), Local Centre Zone, Large Format Zone, Town Centre Zone, Industrial Zones	1000m ² <u>or 50m³ per 100m² of site area, whichever is greater</u> ²³
Large Lot Residential Zone, Special Purpose Zone (Kāinga Nohoanga) - sites within Large Lot Residential Precinct, <u>Special Purpose Zone (Rangiora Airfield)</u> ²⁴	500m ³
General Rural Zone, Rural Lifestyle Zone, Special Purpose Zone (Kāinga Nohoanga) - sites outside of Tuahiwi Precinct	500m ³ or 100m ³ per ha, whichever is greater
ONF - Waimakariri River or SAL Ashley River/Rakahuri	10m ³ except for gravel extraction in the river bed 
ONL – Putekeraki Range and Oxford Foothills	1. For the construction and maintenance of stock water ponds – 500m² per pond. 2. Earthworks to level the ground for the installation of water tanks – 50m² per tank. 3. Earthworks required for the installation or maintenance of water pipes shall comply with EW-S1 for the zone. 4. All other activities - 10m² on any one site.
ONF – Ashley River/Rakahuri Saltwater Creek Estuary, <u>SNA</u> , Heritage Setting	None permitted 
<u>SNA</u>	<u>None, except up to 5m³ may be undertaken within a 12 month period where it is for a TMTA undertaken under TEMP-R5</u>
Coastal Environment Overlay	25m ³ within any continuous five year period
Natural Open Space Zone	10m ³
Advisory Note • For ONF - Waimakariri River or SAL Ashley River/Rakahuri, the following may apply: ○ Waimakariri River Regional Plan 2004; ○ Canterbury Land and Water Regional Plan 2018; and ○ Regional Coastal Environment Plan 2005. • <u>These standards do not apply to earthworks associated with linear infrastructure works within roads, provided any open trenches do not exceed 1m in width</u>²⁵	

²³ Ngai Tahu Property [411.30].

²⁴ Daniel Smith [10.1].

²⁵ Chorus, Spark, Vodafone [62.53]; Waimakariri Irrigation Ltd [210.54]

EW-S2 General setbacks <u>This standard does not apply to:</u> <u>Earthworks associated with linear infrastructure works within roads, provided any open trenches do not exceed 1m in width²⁶; or</u> <u>earthworks which are or will be subject to building consent²⁷.</u>	
Earthworks more than 300mm in height or depth shall be set back a minimum of 2m from any boundary of a site in different ownership.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: - EW-MD1 - Activity operation, scale, form and location - EW-MD2 - Nuisance and reverse sensitivity - EW-MD3 - Land stability - EW-MD4 - Natural hazards - EW-MD5 - Rehabilitation - EW-MD6 - Coastal environment and hazards - EW-MD7 - Water bodies, vegetation and fauna - EW-MD8 - Outstanding natural features and landscapes
~~EW-S3 Setback from water bodies²⁸~~	
<del> - Earthworks shall not be undertaken: - within 20m from the bank of any stream, river; or - within 50m of the edge of any wetland or lake. </del>	~~Activity status when compliance not achieved: RDIS~~ ~~Matters of discretion are restricted to:~~ ~~EW-MD7 - Water bodies, vegetation and fauna~~
EW-S43 Setback from root protection area	
Earthworks shall not occur within 3m of the root protection area of a notable tree listed in TREE1 – Schedule of Notable Trees, except as provided for by EI-R46.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: - TREE-MD1 - Pruning, root protection area, trunk and crown, removal - TREE-MD2 - Extent of benefit or need for the activity or works
EW-S54 Excavation and filling	
- Except for the burial of dead animals, and for offal pits, earthworks shall achieve the following: - a maximum height of 1.5m above ground level, - a maximum depth of 2m²⁹ below ground level; - material used for filling of land must be cleanfill material.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: - EW-MD1 - Activity operation, scale, form and location - EW-MD2 - Nuisance and reverse sensitivity - EW-MD3 - Land stability - EW-MD4 - Natural hazards - EW-MD5 - Rehabilitation - EW-MD6 - Coastal environment and hazards

²⁶ Chorus, Spark, Vodafone [62.3]; Waimakariri Irrigation Ltd [210.54]

²⁷ MainPower [249.25], Summerset Retirement Villages (Rangiora) Limited [207.20] and Kāinga Ora [FS88]

²⁸ Federated Farmers [414.171].

²⁹ Summerset [207.21]

	EW-MD7 - Water bodies, vegetation and fauna EW-MD8 - Outstanding natural features and landscapes
EW-S65 Earthworks maximum slope	
1. Earthworks shall not be undertaken on land that has a slope of more than 1:4 (25%) where the volume of cut exceeds 10m ³ or the volume of filling exceeds 30m ³ within any 12 month period.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EW-MD1 - Activity operation, scale, form and location EW-MD2 - Nuisance and reverse sensitivity EW-MD3 - Land stability EW-MD5 - Rehabilitation EW-MD7 - Water bodies, vegetation and fauna EW-MD8 - Natural features and landscapes
EW-S76 Earthworks sediment control	
1. While earthworks are being undertaken or rehabilitated, sediment from the earthworks shall be prevented from entering any water body, drain or stockwater race.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EW-MD1 - Activity operation, scale, form and location EW-MD2 - Nuisance and reverse sensitivity EW-MD4 - Natural hazards EW-MD6 - Coastal environment and hazards EW-MD7 - Water bodies, vegetation and fauna EW-MD8 - Outstanding natural features and landscapes
Advisory Note The Canterbury Regional Council Erosion and Sediment Control Toolbox for Canterbury provides guidance on sediment control measures for a range of earthworks and different types of sites.	

Advice Notes

EW-AN1	Activities and structures may also be subject to controls outside the District Plan. Reference should also be made to any other applicable rules or constraints within other legislation or ownership requirements including the following: - Earthworks may require building consent under the Building Act 2004. - The Stockwater Race Bylaw 2019, the Waimakariri River Regional Plan 2004, and the Canterbury Land and Water Regional Plan 2018 may apply. - Resource consent may be required under regional plans including the Canterbury Land and Water Regional Plan 2018 and the Canterbury Air Regional Plan 2017. Earthworks within the beds <u>and on the margins</u> of lakes and rivers ~~is~~ <u>are</u> regulated under the regional planning

	framework (Canterbury LWRP) <u>and earthworks in the coastal marine area under the Canterbury Regional Coastal Environment Plan</u>.³⁰ 4. The NESPCF³¹ regulates earthworks for forestry purposes, and the NESCS manages the effects on human health from the disturbance or removal of contaminated soil. <u>Specific activities (i.e. soil sampling and removing or replacing fuel storage systems) are regulated under the NESCS as well as under the rules of this chapter</u>.³² Earthworks managed under the ~~NESCS and NESPCF~~³³ are not subject to provisions in this chapter other than where the District Plan deals with terms and conditions not covered in the NES or in the circumstances where the District Plan is allowed to be more stringent. The District Plan can be more stringent than the NESPCF for forestry in outstanding natural features and landscapes, and SNAs, <u>or more stringent or lenient where in relation to afforestation</u>.³⁴ 5. ~~The NESETA and the NESTF have controls for earthworks in relation to infrastructure. Earthworks managed under the NESETA and the NESTF are not subject to provisions in this chapter other than where they address terms and conditions not covered in the NES, or in the circumstances where the District Plan is allowed to be more stringent than the NESTF, including if the activity is located:~~ ~~a. within the root protection area of a notable tree or other vegetation in the road reserve listed in the District Plan;~~ ~~b. within the root protection area of a notable tree, group of trees, or other vegetation outside the road reserve identified as being of special significance listed in the District Plan;~~ ~~c. in a place identified in the District Plan as having heritage values;~~ ~~d. in a landscape feature identified in the District Plan as having special visual amenity values (however described);~~ ~~e. in an area identified in the District Plan as a significant habitat for indigenous vegetation (however described);~~ ~~f. on an area identified in the District Plan as a significant habitat for indigenous fauna;~~ ~~g. in an area identified in the District Plan as an outstanding natural landscape or feature;~~ ~~h. in an area where the District Plan has rules to protect the adjoining CMA.~~³⁵ 6. <u>The provisions of the Historic Heritage chapter also apply to earthworks. In addition, if any activity associated with a project, including earthworks minor scale works such as gardening, cultivation, and the disturbance of land for the installation of fence posts, may modify, damage or destroy an archaeological site(s), an authority from HNZPT must be obtained for the work to proceed lawfully. The Heritage New Zealand Pouhere Taonga Act 2014 contains penalties for unauthorised site damage.</u>
EW-AN2	For guidance refer to the Erosion and Sediment Control Toolbox for Canterbury prepared by the Regional Council.
EW-AN3	If an archaeological site is located during any earthworks, the following Accidental Discovery Protocol applies:

³⁰ Environment Canterbury [316.159].

³¹ s44A RMA.

³² Z Energy Limited, BP Oil New Zealand Limited, Mobil Oil New Zealand Limited [276.39].

³³ s44A RMA.

³⁴ s44A RMA.

³⁵ Transpower [195.106].

	1. The earthworks must cease immediately in the vicinity of the site; 2. HNZPT must be notified and application must be made for the appropriate archaeological authority if required; 3. Te Ngāi Tūāhuriri Rūnanga must be notified of the discovery and site access must be provided to enable appropriate cultural procedures and tikanga to be undertaken; 4. If human remains (koiwi) are uncovered then the NZ Police must also be notified; 5. Works affecting the archaeological site shall not resume until HNZPT, the Police (if human remains are involved) and Te Ngāi Tūāhuriri Rūnanga have each given the necessary approval for work to continue; and 6. Evidence of archaeological sites can include oven stones, charcoal, shell middens, ditches, banks, and pits, building foundations, artefacts of Māori and Non-Māori origin or human burials.
EW-AN4	<u>These standards do not apply in the following situations:</u> a) <u>during a state of emergency or transition period declared or where direction to undertake specific earthworks has been issued by the controller or recovery manager under the Civil Defence Emergency Management Act 2002; or during a biosecurity emergency declared by an authorised person under the Biosecurity Act 1993.</u>³⁶

Matters of Discretion

EW-MD1	Activity operation, scale, form and location 1. Location, volume and area of earthworks. 2. The operational need or functional need for the earthworks in the location. 3. Any effects on the natural character and amenity values of the site and surrounding area. 4. Any effects on archaeological sites, heritage values or the heritage setting of the site or within the surrounding area. 5. Any disturbance of culturally significant sites and any proposed mitigation measures. 6. Any effects on the health and structural integrity of any notable tree and any effects on the values that have been identified for the notable tree. 7. Public health and safety including contingency provisions for emergency response. 8. Mitigation including fencing, planting and landscaping. 9. Effects on soil quality. 10. Final contour and ground level resulting from excavation or filling. 11. Vehicle movements associated with earthworks. 12. Any effects on the operation, maintenance, upgrade and development of the National Grid <u>and transmission lines</u>³⁷. 13. Any constraint on the future development potential of the site or surrounding sites. 14. <u>The safe and efficient functioning of infrastructure, including specified infrastructure.</u>³⁸
EW-MD2	Nuisance and reverse sensitivity 1. The extent to which dust, sediment and water or wind erosion effects can be avoided or mitigated including through landscape treatment.

³⁶ Federated Farmers [414.170, 414.173].

³⁷ Mainpower [249.33].

³⁸ Waka Kotahi [275.42], Waimakariri Irrigation Ltd [210.60].

	- Reverse sensitivity effects such as the effect of a sensitive activity locating near earthworks activities. - Any effects on other sites including noise, vibration, dust, siltation, sedimentation, visual effects on amenity values and traffic generation. - The effectiveness of any environmental management plan.
EW-MD3	Land stability - Any effects on land stability, including stability of adjoining land, and any susceptibility to subsidence, slumping or erosion. - Any alteration of natural ground levels and consequently to the height of structures and buildings that may be erected on the site.
EW-MD4	Natural hazards - Risk to the health and safety of people, property, any building or infrastructure. - The location, or identification, of the site within any natural hazard category or overlay, and the ability to manage risk associated with any natural hazard that is identified. - Any effect on sites of cultural significance. - Any effect on drainage, inundation run-off, flooding risk, overland flow paths or water table level on the site or surrounding land, and any mitigation works proposed. - The effect of the earthworks on flow of floodwater through the site, including any effects on the entry and exit points for floodwater. - The extent to which the earthworks will displace or divert floodwater from the site onto any other site. - Any effects on the character of floodwater, either on-site or off-site, including velocity and depth. - Any effect on the operation and function of roads or other infrastructure. - The matters addressed or identified in any Flood Assessment Certificate.
EW-MD5	Rehabilitation - Any proposed site rehabilitation, considering: - the location, gradient and depth of the earthworks; - availability of clean fill material and time frames for rehabilitation; - any adverse effects on traffic, dust, groundwater, drainage and landscape; - any re-vegetation, including the use of indigenous ~~and non indigenous plant varieties from seed sourced from the relevant ecological district within which the planting is to take place~~³⁹, and any weed and pest control proposed, and - any mitigation or proposed mitigation. - Any quarry site rehabilitation plan, prepared by a person suitably qualified or experienced in site rehabilitation.
EW-MD6	Coastal environment and hazards - Any increase in sedimentation in the coastal environment. - The extent to which the proposal will maintain, preserve or enhance the natural character attributes of the coastal environment. - Any effects from the clearance of vegetation, or disturbance of habitat in the coastal environment. - Any effects on the nature, form and resilience of the sandy beach, dunes or rocky shoreline including the protection they provide from coastal inundation. - Any effects on the functioning of coastal processes. - Any positive or adverse effects on risk to life, property and the environment posed by coastal hazards.

³⁹ Federated Farmers [414.29].

	7. The extent to which earthworks would remedy or mitigate coastal hazard or be compatible with existing coastal hazard mitigation works or structures. 8. The extent to which the earthworks will restrict or enable public access and enjoyment of the coastal environment. 9. The extent to which earthworks restrict public access to and along the CMA and water bodies with high values. 10. The extent to which the earthworks will be supervised by either a Chartered Professional Engineer with experience in coastal processes or a professional Engineering Geologist (IPENZ registered). 11. Any effects on culturally significant sites.
EW-MD7	Water bodies, vegetation and fauna 1. The extent to which the disturbance of the soil, including disturbance of contaminated land, adversely affects areas of significant indigenous vegetation and significant habitats of indigenous fauna. 2. Any removal of, or disturbance to, indigenous vegetation <u>shall be in accordance with the provisions in the ECO chapter.</u>⁴⁰ 3. Any effects on the natural character ~~and water quality~~⁴¹ of any water body. 4. The extent to which the earthworks will restrict public access and enjoyment of the margin of any water body. 5. The extent to which the habitat of trout, salmon, and indigenous aquatic species, may be adversely affected by any disturbance on the <u>riparian margin</u> ~~margin of the water body~~⁴². 6. Fencing, planting and landscaping. 7. The extent to which the land use will adversely affect wahi taonga and mahinga kai. 8. For ngā wai, the matters specified in SASM-MD3 Nga Wai.
EW-MD8	Outstanding natural features and landscapes 1. Where earthworks are located in any ONF or ONL: a. the timing, duration, area and location of the activity; b. any vegetation that is to be retained; c. any vegetation screening and backdrop; d. the relationship of the activity to landform including prominent ridgelines; e. natural character values, amenity values and landscape values, including revegetation type and density; f. earthworks location and management, including revegetation, of cuts and fills; and g. any effects on the stability and life-supporting capacity of soil.

EI-R52	Earthworks (~~other than quarry or landfill~~)⁴³ <u>and the disturbance of land for the installation of fence posts</u>⁴⁴ within a National Grid Yard	
All Zones	Activity status: PER Where: 1. ~~around National Grid support towers:~~⁴⁵	Activity status when compliance with EI-R52 (1) not achieved: RDIS Matters of discretion are restricted to:

⁴⁰ DOC [419.123].⁴¹ Environment Canterbury [316.156], Summerset [207.16], Federated Farmers [414.171].⁴² DOC [419.123].⁴³ Transpower [195.44].⁴⁴ Transpower [195.44].⁴⁵ Transpower [195.44].

	<u>earthworks and the disturbance of land for the installation of fence posts shall be no deeper than 300mm within 6m of a foundation of a National Grid support structure.</u>⁴⁶ ~~a. depth shall be no deeper than 300mm within 6m of a foundation of a National Grid support structure;~~ ~~b. depth shall be no deeper than 3m:~~ ~~i. between 6m and 12m from the foundation of a 220kV or a 350kV National Grid support structure; or~~ ~~ii. between 6m and 10m from the foundation of a 66kV National Grid support structure.~~⁴⁷ 2. earthworks <u>and the disturbance of land for the installation of fence posts</u>⁴⁸ shall not compromise the stability of a National Grid support structure; 3. earthworks <u>and the disturbance of land for the installation of fence posts</u>⁴⁹ shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and	<u>EI-MCD1 - Historic heritage, cultural values and the natural environment</u>⁵³ EI-MCD12 - National Grid⁵⁴ Activity status when compliance with EI-R52 (2) to (5) not achieved: NC Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.

⁴⁶ Transpower [195.44].

⁴⁷ Transpower [195.44].

⁴⁸ Transpower [195.44].

⁴⁹ Transpower [195.44].

⁵³ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

⁵⁴ Chorus, Spark and Vodafone [62.29]

	4. earthworks <u>and the disturbance of land for the installation of fence posts</u>⁵⁰ shall not result in <u>existing</u>⁵¹ vehicular access to a National Grid support structure being permanently obstructed. 5. <u>the activity is not located in SASM (except where located in a road corridor)</u>⁵².	

EI-R52A ⁵⁵ Earthworks within a National Grid Yard		
<u>All Zones</u>	<u>Activity status: RDIS</u> <u>Where:</u> <u>earthworks are more than 300mm deep and less than 3m deep:</u> <u>between 6m and 12m from the foundation of a 220kV or a 350kV National Grid support structure;</u> <u>or</u> <u>between 6m and 10m from the foundation of a 66kV National Grid support structure;</u> <u>earthworks shall do not compromise the stability of a National Grid support structure;</u> <u>earthworks shall do not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and</u>	<u>Matters of discretion are restricted to:</u> <u>EI-MCD12 National Grid</u> <u>Activity status when compliance not achieved:</u> <u>NC</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 Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.</u>⁵⁷

⁵⁰ Transpower [195.44].⁵¹ Transpower [195.44].⁵² Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and Mainpower [249.1, 249.24, 249.47, 249.48]⁵⁵ Transpower [195.44].⁵⁷ Transpower [195.44].

	4. <u>earthworks and the disturbance of land for the installation of fence posts shall does not result in existing vehicular access to a National Grid support structure being permanently obstructed.</u> 5. <u>the activity is not located in SASM (except where located in a road corridor)⁵⁶.</u>	
	Exemptions This rule does not apply to: • earthworks undertaken by a network utility ~~(other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes)~~⁵⁸; • earthworks undertaken as part of agricultural or domestic cultivation; or repair, sealing or resealing of a road, footpath, driveway or farm track; and • earthworks for which a dispensation has been granted by Transpower NZ Ltd under the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.	
	Advisory Note • National Grid transmission lines are shown on the planning map.	

EI-R54	Earthworks adjacent to a ~~66kV or 33kV~~ <u>major</u> ⁵⁹ electricity distribution liner	
All Zones	Activity Status: PER Where: 1. <u>earthworks are setback at least 6m from the centreline of a major electricity distribution line as shown on the planning map; or⁶⁰ earthworks shall not exceed 3m in depth between 6m and 10m from the visible outer edge of a foundation of a 66kV or 33kV electricity distribution line pole or tower⁶¹;</u> 2. <u>earthworks meet the following requirements:</u>	Activity status when compliance not achieved: ~~RDIS-NC~~⁶⁷ Matters of discretion are restricted to: ~~EI-MD13—Major electricity distribution lines~~⁶⁸ Notification An application for a ~~restricted discretionary non-complying~~⁶⁹ 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.

⁵⁶ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and Mainpower [249.1, 249.24, 249.47, 249.48]

⁵⁸ Transpower [195.44].

⁵⁹ Mainpower [249.92].

⁶⁰ Mainpower [249.92].

⁶¹ Mainpower [249.92].

⁶⁷ Mainpower [249.93].

⁶⁸ Mainpower [249.93].

⁶⁹ Mainpower [249.93].

	<u>a. be no deeper than 300mm within 2.2m of the foundation of the major electricity distribution line pole, pi-pole or tower; and</u> <u>b. be no deeper than 0.75m between 2.2m and 6m from the foundation of the major electricity distribution line pole, pi-pole or tower; and</u>⁶² <u>a.c. shall not destabilise a 66kV or 33kV major</u>⁶³ electricity distribution line pole, <u>pi-pole</u>⁶⁴ or tower; and <u>2.3. earthworks shall do 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> <u>4. the activity is not located in SASM (except where located in a road corridor)</u>⁶⁵. <u>5. the activity complies with Earthworks standard s EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.</u>⁶⁶	

⁶² Mainpower [249.92].

⁶³ Mainpower [249.92].

⁶⁴ Mainpower [249.92].

⁶⁵ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and Mainpower [249.1, 249.24, 249.47, 249.48]

⁶⁶ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

	Exemptions This rule does not apply to: • 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 <u>or their approved contractor on behalf of the network utility operator</u>⁷⁰ (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes); • earthworks for which <u>a dispensation has been granted prior written consent has been provided</u>⁷¹ by the relevant electricity distribution line operator under the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; • ~~vertical holes not exceeding 500mm in diameter provided they:~~ ○ ~~are more than 1.5m from the visible outer edge of a pole or stay wire; or~~ ○ ~~are a post hole for a farm fence or horticultural structure more than 6m from the visible outer edge of a tower.~~⁷²
	Advisory Notes • ~~66kV/33kV~~ <u>Major</u>⁷³ electricity distribution lines are shown on the planning map. • Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003. • The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.

⁷⁰ Mainpower [249.92].

⁷¹ Mainpower [249.92].

⁷² Mainpower [249.92].

⁷³ Mainpower [249.92].

Waimakariri District Council Proposed Waimakariri District Plan

Recommendations of the PDP Hearings Panel

Recommendation Report 17

Hearing Stream 5 Part 2: District-wide matters – EI – Energy and Infrastructure

This report should be read in conjunction with **Report 1** and **Recommendation Reports 2, 3, 10, 12, 15 and 26**.

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation Report 2 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - SD Strategic directions objectives and policies.

Recommendation Report 3 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - UFD Urban Form and Development objectives and policies.

Recommendation report 10 contains the PDP Panel's recommendations on the PDP's NFL- Natural Character of Freshwater Bodies Chapter.

Recommendation report 12 contains the PDP Panel's recommendations on the PDP's EW- Earthworks Chapter.

Recommendation report 15 contains the PDP Panel's recommendations on the PDP's HH- Historic Heritage Chapter.

Recommendation report 26 contains the PDP Panel's recommendations on the PDP's INZ- Industrial Zones Chapters.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

The Hearings Panel for the purposes of **Hearing Stream 5** comprised Commissioners Gina Sweetman (Chair), Allan Cubitt, Gary Rae, Megen McKay, Neville Atkinson and Niki Mealings.

1. Introduction

Report outline and approach

1. This is Report 17 of 37 Recommendation Reports prepared by the PDP Hearings Panel appointed to hear and make recommendations on submissions to the Proposed Waimakariri District Plan (PDP).
2. The report addresses the submissions received on the EI – Energy and Infrastructure chapter. The relevant provisions are:
 - Introduction
 - Objectives EI-O1 to EI-O3
 - Policies EI-P1 to EI-P6
 - Rules EI-R1 – EI-R56
 - Matters of Discretion EI-MD1 – EIMD14.
3. We have structured our discussion on this topic as follows:
 - (a) **Section 2** summarises key contextual matters, including relevant provisions and key issues/themes in submissions;
 - (b) **Sections 3 – 12** contains our evaluation of key issues and recommended amendments to provisions;
 - (c) **Section 13** contains a number of minor changes; and
 - (d) **Section 14** contains our conclusions.
4. This Recommendation Report contains the following appendices:
 - (a) **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.
 - (b) **Appendix 2: Recommended amendments to the Proposed Plan – Tracked from notified version.** This sets out the final amendments we recommend be made to the PDP provisions relating to this topic. The amendments show the specific wording of the amendments we have recommended and are shown in a ‘tracked change’ format showing changes from the notified version of the PDP for ease of reference. Where whole provisions have been deleted or added, we have not shown any consequential renumbering, as this method maintains the integrity of how the submitters and s42A Report authors have referred to specific provisions, and our analysis of these in the Recommendation Reports. New whole provisions are prefaced with the term ‘new’ and deleted provisions are shown as struck out, with no subsequential renumbering in either case.
5. We record that all submissions on the provisions relating to the EI – Energy and Infrastructure chapter have been taken into account in our deliberations. In general, submissions in support of the PDP have not been discussed but are accepted or accepted

in part. More detailed descriptions of the submissions and key issues can be found in the relevant s42A Reports, Responses to Preliminary Questions, Joint Witness Statements and written Reply Reports, which are available on the Council's website.

6. In accordance with the approach set out in Report 1, this Report focuses only on 'exceptions', where we do not agree fully or in part with the s42A report author's final recommendations and/or reasons, and/or have additional discussion and reasons in respect to a particular submission point, evidence at the hearing, or another matter. In this particular case, a large number of issues were resolved through Joint Witness conferencing process. Original submissions have been accepted or rejected as recommended by the s42A report author unless otherwise stated in our Recommendation Reports. Further submissions are either accepted or rejected in conformance with our recommendations on the original submission to which the further submission relates.
7. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the PDP provisions and the submissions received on those provisions. These are outlined in full in Report 1. In summary, these provisions require among other things:
 - (a) our evaluation to be focussed on changes to the proposed provisions arising since the notification of the PDP and its s32 reports;
 - (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives; and
 - (c) as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.
8. We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council's s42A report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports and/or Reply Reports. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors' recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
9. A fuller discussion of our approach in this respect is set out in Section 5 of Report 1.

2. Summary of provisions and key issues

Outline of matters addressed in this section

10. In this section, we provide relevant context around which our evaluation of the notified provisions and submissions received on them is based. Our discussion includes:
- (a) summary of relevant provisions;
 - (b) themes raised in submissions; and
 - (c) identification of key issues for our subsequent evaluation.

Submissions

11. This chapter attracted 28 original submitters, who made a 397 submission points. Of these, 49 were in support, 54 seeking amendment, and 25 opposed. There were also 40 further submitters who made 161 further submission points.

Key issues

12. The issues in contention on this chapter that we address in this report are as follows:
- Integration with the EW Chapter
 - EI-O1
 - EI-R4
 - EI-R12
 - EI-R13
 - EI-R41
 - EI-42
 - EI-R51 and EI-R52
 - EI-R54 and EI-R56
 - Integration with Industrial Zones

3. Integration with the Earthworks Chapter

Overview

13. The following is a summary of the Panel's recommended amendments in relation to the earthworks standards that apply or do not apply to infrastructure, beyond those recommended by the s42A report author.

Provision	Panel recommendations
EW-R3 and EW-R8	Delete both rules
EI-R11, EI-R12, EI-R17	Delete recommended compliance with SW-S6
EI-R15	Delete recommended compliance with SW-S1 and EW-S6 and only require compliance with EW-S7
EI-R19B	Amend the recommended rule so that expansion activities are only required to comply with EW-S7

EI-R24	Accept addition of EW standards except for EW-S5
EI-R45	Accept addition of EW standards except for EW-S2
EI-R46	Accept addition of EW standards but separate them into EW standards applying new facilities (EW-S1, EW-S2, EW-S5, EW-S6, and EW-S7) and those that apply only renewal or upgrading activities (EW-S7 only)
EI-R49	Accept addition of EW standards but only EW-S4, and EW-7
Table EW-1 and EW-S2	Exempt linear infrastructure works within roads, provided any open trenches do not exceed 1m in width

Reasons

25. The submission points we consider here are those relating to the integration of the EI chapter with the EW chapter, and in particular those matters where agreement could not be reached between the experts on this through the Joint Witness conferencing process. These specific concerns were mainly raised in the submissions on the Earthworks provisions and in summary, sought the following:
- Exemptions from the cumulative 12 month permitted limits and areas per site for underground services, infrastructure poles and cabinets due to the localised nature of trenches or foundation works for poles and structures¹
 - exemption from the maximum volume and area standards for services trenches and foundations for infrastructure poles and cabinets²
 - exemptions for linear infrastructure from per-site limits.³
26. The s42A report author for the Earthworks chapter considered *“that the EI chapter provisions already exempt the requested types of earthworks from the EI standards and achieve what the submitters are asking for.”* As a consequence, no amendments were recommended but the report author noted that the matter would be clarified in the s42A report on the EI chapter and the memo to the Hearing Panel on integration matters. However, the Integration Memo prepared by Mr MacLennan did not address earthworks, while his s42A report only dealt with some earthworks’ issues. The matter was addressed more fully in the expert witnessing conferencing, although no experts from Waimakariri Irrigation Ltd were involved in that process.
27. The Joint Witness Statement – Energy EI - Pūngao me te hanganga hapori - Energy and Infrastructure (Integration) involved:
- (a) Chris Horne (Chorus NZ, Spark NZ Trading Ltd and Vodafone NZ Ltd “The telecommunications companies”)

¹ Chorus, Spark, Vodafone [62.53]

² Ibid

³ Waimakariri Irrigation Ltd [210.54], Waka Kotahi [FS 110], Kiwirail [FS 99], and Department of Conservation [FS 77]

- (b) Ainsley McLeod (Transpower)
- (c) Melanie Foote (MainPower)
- (d) Andrew MacLennan – EI s42A report author - on behalf of Waimakariri District Council
- (e) Peter Wilson - Natural character of freshwater bodies chapter (NATC) s42A report author & Coastal Environmental chapter (CE) s42A report author (Waimakariri District Council) and
- (f) Shelley Milosavljevic - Natural Features and Landscapes chapter (NFL) s42A report author & Ecosystems and Indigenous Biodiversity chapter (ECO) s42A report author (Waimakariri District Council).

28. While not all matters were agreed, the experts did agree that as many of the earthworks provisions as practical should be incorporated into the EI chapter and that the number of cross references should be reduced. In relation to the EW chapter, the experts agreed as follows:

That the relevant EW standards be added to the activity standards of the following rules: EI-R2, EI-R4, EI-R5, EI-R7, EI-R9, EI-R10, EI- R11, EI-R12, EI-R17, EI-R19, EI-R19A, EI-R19B, EI-R20, EI-R24, EI- R26, EI-R27, EI-R28, EI-R29, EI-R30, EI-R32, EI-R34, EI-R36, EI-R40, EI-R41, EI-R45, EI-R46, EI-R47, EI-R49, EI-R52, and EI-R54 , as set out in the EI chapter below.

Mr Horne, Mr MacLennan and Mr Wilson agreed to certain exceptions for poles associated with telecommunications not requiring compliance with certain general earthworks standards due to their limited footprints, as set out in Appendix A.

Mr Horne and Mr Wilson agreed that for linear infrastructure, any thresholds should only apply to the open/unstabilised part of any works so that they could be undertaken progressively within thresholds.

29. The final reply report provided a track changed version of the chapters as amended by the JWS and the report author's reply. The only earthworks rule that was recommended for deletion was EW-R1.
30. The Panel accepts the overall direction recommended by the experts. However, the Panel is concerned that the integration between these two chapters is incomplete. We note from the "How to interpret and apply the rules" at the introduction to the rules section of the EI chapter (final reply version), that the earthworks rules do not apply to Energy and Infrastructure activities. However, the final reply version of the EW chapter contains the following rules

EW-R3 Earthworks for maintenance of existing community scale irrigation/stockwater networks, public water races, or drains

All Zones

Activity status: PER Where:

- 1. EW-S1 to EW-S7 are met;*
- 2. the disposal or stockpiling of any dredged material to land shall meet EW-S1, EW R9 (stockpiling), EW-S2, and*

3. the activity is undertaken by the Crown, Regional Council, District Council or their nominated agent.

EW-R8 Earthworks for underground infrastructure including underground components of above ground infrastructure

[This rule does not apply to any treatment plants, pump stations, canals, infiltration basins, open raw water storage ponds/lakes and treated water reservoirs provided for under EW R11]

All Zones

Activity status: PER

Where: 1. the activity is permitted under EI-R4, EI-R10, EI R46

31. With respect to EW-R3, the EI chapter contains rule EI-R49 which permits “Maintenance, repair, and upgrade of existing community scale irrigation/stockwater networks”. This rule is subject to compliance with the same standards as EW-R3. Hence, it appears that the need to remove EW-R3 from the EW chapter has been overlooked.
32. We suspect this is also the case with EW-R8. To be permitted, that rule requires the activity to be permitted under EI-R4, EI-R10, or EI-R46. These rules now require compliance with the relevant earthwork standards, so EW-R8 is now redundant.
33. We have recommended deleting these two rules accordingly. We have also recommended a consequential amendment to the beginning of the earthworks rules section to make it clear that the rules (as opposed to the standards) do not apply to EI activities.
34. The Panel also notes that there appears to be some inconsistency in relation to what earthworks standards apply to which infrastructure activities. For example, EW-S5 controls the maximum height and depth of earthworks. It does not apply to Rule EI-R12 Replacement of a pole or tower, EI-R17 Installation of new mid-span poles and EI- R26 New freestanding radiocommunication and telecommunication facilities, antennas, and supporting poles and towers. However, it does apply to ‘new’ supporting poles and towers for overhead transmission lines and electricity distribution lines under EI-R24. It also applies under EI-R28 for New overhead telecommunication lines and supporting poles, but not to pole foundations.
35. Again, the Panel considers this to be an oversight, and we have removed EW-S5 from the s42A reply report version of EI-R24 accordingly.
36. We also note that EW-S5 applies to some infrastructure buildings and not others, but this tends to relate to building size. However, we have determined under our recommendation at section 6 of the Hearing Stream 5 Earthworks Recommendation report that earthworks consented under a building consent are exempt from these standards so these standards will not apply to any infrastructure building that requires building consent.

37. There are also several EW standards that have been applied to a number of ‘maintain, repair and upgrade’ rules. Transpower⁴ opposed the earthworks rules on the basis that they “*do not enable the operation, repair, maintenance and upgrade of existing infrastructure*”. They sought permitted activity status for these activities and National Grid earthworks. Waimakariri Irrigation Ltd⁵ also sought exemptions from the earthworks standards for the maintenance and upgrade of irrigation networks.
38. The EW s42A report author recommended some minor changes to EW-R1 to accommodate some of the submitters’ concerns and suggested that EW-R3 addresses the concern of Waimakariri Irrigation Ltd. However, EW-R1 has since been recommended for deletion, and we also recommend EW-R3 be deleted as EI-R49 addresses irrigation networks.
39. The Panel agrees with the submitters in this instance, and we recommend that both Transpower⁶ and Waimakariri Irrigation Ltd⁷ be accepted. In our opinion, EW-S1, S2, S5 and S6 should not apply to ‘maintenance, repair, and upgrade’ or minor expansion activities. The amount and location of earthworks is already limited by what the rule enables - maintenance, repair, and upgrade of the existing infrastructure. The application of these standards will potentially require a consent to carry out the maintenance, repair, and upgrade work, thereby making the rule redundant. We do, however, consider it appropriate that EW-S4 ‘Setback from root protection’ area and EW-S7 ‘Earthworks sediment control’ continue to apply to such works, where required.
40. Consequently, we have recommended that these controls be removed from the Reply Report amended versions of EI-R11 (minor relocation), EI-R15, EI-R17 EI-R19B (for expansion activities), EI-12, EI-R46 (for replacement, renewal or upgrading) and EI-49.
41. Turning to the matters that were not agreed, the Telco Companies sought an exemption from the cumulative 12 month permitted earthworks limits per site for underground services, infrastructure poles and cabinets due to the localised nature of these works. This was because much of this work is located in roads where it is difficult to calculate the cumulative earthworks per site.⁸ This was also a matter of concern for Waimakariri Irrigation Ltd in relation to linear infrastructure, and they also sought an exemption from the volume threshold for regionally significant infrastructure that is linear in nature.
42. The s42A report author (Mr Wilson) stated that the EI chapter provisions already exempt this type of infrastructure from these standards. However, the s42A report for the EI chapter made it clear that that all EW standards would apply to network utilities. In response to this issue in the JWS, Mr Wilson considered that the maximum volume thresholds set out in Table EW-1 to be appropriate.

⁴ 195.105

⁵ 210.43

⁶ 195.105

⁷ 210.43

⁸ Chorus, Spark, Vodafone [62.54]

43. The planner for the Telco Companies, Mr Horne, addressed the issue in his evidence and in the JWS. He stated that *“it is not common to require a resource consent for utility trenches or utility pole or cabinet foundations unless there are bespoke issues such as land contamination or setbacks to wetlands or such issues at play.”* In his experience, such work does not trigger general earthworks controls although he noted in the JWS the Auckland Unitary Plan permitted threshold for infrastructure of 2500m² and 2500m³, outside of specified overlays. He sought the following addition to Table EW-1:

That an exclusion is provided from the standards in Table EW 1 for earthworks associated with linear infrastructure works within roads, provided any open trenches do not exceed 1m in width;

Or, in the alternative,

that a standard minimum volume for earthworks for linear infrastructure within roads (excluding the ONF, ONL and SNAs referred to within Table EW1) is standardised at 1000m³ consistent with the zones in the third row of the table

44. The Panel accepts the evidence of Mr Horne on this matter. We agree that a volume control per property is not practical in relation to linear infrastructure (such as telecommunications, electricity, threewaters etc) that is installed in roadways. As he highlighted in discussion at the hearing, the effects are relatively temporary and there are no permanent visual or amenity related effects once the trenches are filled in. Council, as the roading authority, has control over matters such standard of finish and construction standards. Accordingly, we have recommended the adoption of Mr Horne's preference for these works to be excluded provided any open trenches do not exceed 1m in width.
45. This recommendation may not totally satisfy Waimakariri Irrigation Ltd for the construction of new irrigation infrastructure (noting we have accepted above that maintenance and upgrade of these works should be exempt under EI-R49), as works for canals and races are likely to involve greater earthworks than undergrounding services. The scale of these works is such that they are likely to have more permanent and ongoing effects than what is provided for by the Telco Companies' exemption. This is recognised by the fact that EI-R50 identifies *“New, or extension or expansion of existing, community scale irrigation/stockwater networks”* as discretionary activities. Non-compliance with the standards in Table EW-1 is only a restricted discretionary activity. Hence, nothing is gained by the wider exemption proposed by Waimakariri Irrigation Ltd.
46. Both the Telcos and Waimakariri Irrigation Ltd had similar concerns with the 2m setback from property boundaries for earthworks more than 300mm in depth of height as required by EW-S2. In response to these submissions, the s42A report author for EW again stated that the EI chapter provisions already exempt this type of infrastructure from these standards, but this was not correct, as confirmed by the s42A report author for EI.
47. Mr Horne stated in his evidence that *“these are very localised works that for practical reasons may need to occur near boundaries (particularly in roads). In the absence of any civil engineering evidence pointing out particular risks for work of this nature I support*

the requested exemptions by the Companies.” In legal submissions for WIL, Mr Williams supported the staff recommendation on the understanding that the earthworks rules and standards did not apply to energy and infrastructure activities.

48. For the same reasons as we set out above in relation to Table EW-S1, we agree with Mr Horne that an exemption is appropriate for linear infrastructure works within roads, provided the open trench is no greater than 1m wide.
49. The submission from the Telco Companies on the application of these EW standards has highlighted a similar issue with EI-R45 which requires new buildings to connect to water supply, wastewater system or stormwater infrastructure but requires them to comply with the setback standard. This is obviously contradictory and compliance with EW-S2 has been removed from EI-R45.
50. The Panel also noted here that EI-R45 appears to be more of a standard, than an activity status rule. As a consequence, we believe it should be incorporated into the standards of the various zones. However, there is not scope in the submissions to make such a change, but we recommend that Council consider addressing this matter in the next plan change process.

4. EI-O1 Provision of Energy and Infrastructure

51. The following is a summary of the Panel’s recommended amendments to EI-O1, beyond those recommended by the s42A report author:

Provision	Panel recommendations
EI-O1	Accept deletion of “changing techniques and technology” but do not insert reference to ‘functional need or operational need’.

52. The submission we consider here is that of MainPower who sought minor amendments to EI-O1 for clarification by replacing ‘changing techniques and technology’ with ‘and to recognise practical, technical and operational requirements.’⁹ The s42A report author recommended accepting the principle of the proposed amendment but recommended the use of the wording “functional need” and “operational need” to align with the National Planning Standards.
53. While MainPower accepted the amendments proposed by the s42A report, the Panel considered that the reference to “functional need” and “operational need” is not needed on EI-O1 as it recognised by the amendments accepted to EI-O2. The Panel is of the view that the reference to ‘future needs such as increased sustainability’ is broad enough to capture how the provision of infrastructure needs to adapt over time.

⁹ 249.52

5. Rule EI-R4 - Customer connection between a building, other structure, site, and infrastructure

54. The following is a summary of the Panel's recommended amendments to EI-R4, beyond those recommended by the s42A report author:

Provision	Panel recommendations
EI-R4	Amend the activity status when compliance is not achieved for connections to heritage buildings to 'controlled'.
EI- R8	Consequential amendment to clarify that this rule does not apply to activities provided for by EI- R4(1).
Header "Matters of Discretion" and "EI-MD1"	Change the header to Matters of control and discretion and change EI-MD1 to EI-MCD1

55. The submission we consider here is that of the Telco Companies¹⁰ who sought a 'controlled activity' status when the conditions of this rule could not be met. The reason for the submission is that enabling such connections will encourage the practical use of heritage listed buildings while minimising impacts on heritage values. This submission was rejected by the s42A report author on the basis that it was inconsistent with the equivalent activity status under the Historic Heritage rules when compliance is not achieved. However, the s42A report author supported the addition of a new matter of discretion relating to operational considerations.
56. In his evidence for the Telco Companies, Mr Horne highlighted the certainty that controlled activity status provides in comparison to restricted discretionary activity status. In his view, this enabling approach *"supports the ongoing use of heritage buildings and as such increases the likelihood of owners properly maintaining and investing in them and therefore protecting their heritage values."* He noted that controlled activity status still requires a consideration of appropriate methods to minimise the impact on heritage values.
57. The authors of the EI and HH s42A reports were asked by the Panel to provide a joint response and final recommendations in respect of this matter in their reply. That recommendation did not change the report author's opinion that the notified provisions *"strike the right balance between providing for the ongoing use and re-use of heritage buildings while also protecting historic heritage values, as required by HH-P5."*
58. The Panel agreed with Mr Horne's evidence on this matter. If the reuse of heritage buildings is to be encouraged, the Panel's view is that it should not be made difficult to upgrade them, so they are fit for modern purposes. Controlled activity status will provide the owners of heritage buildings with certainty around the outcome and the notification

¹⁰ Chorus, Spark and Vodafone [62.29]

process. Such connections can generally be made without being particularly invasive but the impact on heritage values will still be appropriately addressed under EI-MD1.

59. To avoid confusion, we have also recommended a consequential amendment with the addition of an advice note to EI-R8 'Installation of new infrastructure within an existing building' clarifying that EI-R8 does not apply to the activities provided for by EI-R4. Customer connections often end up 'within' a building so would technically be caught by EI-R8 without this clarification.
60. We also recommend a further consequential amendment to change the 'Matters of Discretion' heading to 'Matters of Control and Discretion', so that reference to EI-MD1 will now become EI-MCD1.

6. EI-R12 Replacement of a pole or tower

61. The following is a summary of the Panel's recommended amendments to EI-R12, beyond those recommended by the s42A report author:

Provision	Panel recommendations
EI-R12	Amend the recommended new clause (7) to state that it is the 'pole or tower' that must be finished in certain colours, as opposed to the 'activity' Minor amendment to the recommended new clause (2) so that it is 'as of' the date as opposed to 'on' the date.

62. The submissions we consider here are that of the Transpower¹¹ and MainPower¹² who sought minor changes to the wording of the provisions for clarity. These were accepted by the s42A report author. While we also agree the changes are appropriate, we have made some minor changes to the wording recommended by the s42A report author.
63. The first change relates to EI-R12(7) which was introduced to address the integration of the EI and NFL chapter. Again, the Panel agrees that it is appropriate to include this rule with the EI chapter rules. However, we have recommended a minor wording change in relation to what should be finished in the appropriate colour. In this case it is the 'pole or tower' that should be finished in the appropriate colour. This change has been made to all rules that this condition has been incorporated into. The affected rules are identified in Section 12 Minor Changes below.
64. The second change is a minor amendment that been recommended to the rule in relation to the operative date of the PDP. The Panel has recommended the replacement of 'on' with the grammatically correct 'as of', which in this case means the date the rule has effect.

¹¹ 195.37

¹² 249.72

7. EI-R13 Addition to a pole or tower

65. The following is a summary of the Panel's recommended amendments to EI-R13, beyond those recommended by the s42A report author:

Provision	Panel recommendations
EI-R13	Restructure the rule so that it is not so repetitive. Minor amendments to the recommended wording of the s42A report author.

66. The submission we consider here is that of MainPower¹³ who sought amendments to have a fixed limit of 2m³ for new equipment and to Clause 2 in relation to height. These were accepted in part by the s42A report author, with MainPower accepting the amendments proposed by the s42a Report author.
67. While we also agree the changes are appropriate, we have made some minor changes to the wording recommended by the s42A report author and restructured the rule to reduce its repetitiveness.

8. EI-R41 New small scale wind turbine(s) for small scale or community scale renewable electricity generation

68. The following is a summary of the Panel's recommended amendments to EI-R41, beyond those recommended by the s42A report author:

Provision	Panel recommendations
EI-R41	For the recommended new clause relating to roof mounted wind turbines, change EI-R41.8(c) to an exemption from complying with the height in relation to boundary requirements.

69. The submission we consider here is that of the Waimakariri District Council¹⁴ who sought amendments to clarify the rule is for free standing wind turbines. The s42A report author recommended these be accepted.
70. While we also agree the changes are appropriate, we have recommended some further minor changes to the recommended wording. EI-R41.8(c) requires that the wind turbine be exempt from height in relation to boundary requirements. This is because it is not a condition as such but an exemption from the height in relation to boundary requirements.

¹³ 249.74

¹⁴ 367.50

9. EI-R42 New solar hot water systems

71. The following is a summary of the Panel’s recommended amendments to EI-R42, beyond those recommended by the s42A report author

Provision	Panel recommendations
EI-R42	Retain EI-R42 as notified.

72. The submission we consider here is that of Daiken¹⁵ who sought amendments to expand the scope of the rule so that solar hot water systems are provided for in the same or similar circumstances as in EI-R40, which permits new solar cell(s) for small scale or community scale renewable electricity generation. The submission has been accepted in part by the s42A report author, with a number of changes recommended to align it with EI-R40.
73. However, the Panel considers both the original submission and the s42A report author have misunderstood this rule. The actual Daiken submission stated:

“Similar to the solar cell rule above, DNZ supports the enablement of solar hot water systems but notes that this rule is worded differently from Rule EI-R40 such that it appears to be limited to installation only on the roof of buildings and within specified zones. This restriction is considered unnecessary, and it is sought that this rule be expanded to provide for the same circumstances as in rule EI-R40.”

74. The rule as notified is not limited only to the roof of buildings and within specified zones. It applies to all zones and the conditions only apply if it is located on the roof of a building in, or adjoining, Residential Zones, Special Purpose Zone (Kāinga Nohoanga) or Special Purpose Zone or it alters a building with heritage values. As a consequence, there are no restrictions on such activities in industrial or commercial zones unless the building adjoins these zones. Hence, the recommended change does not achieve the intent of the Daiken submission as it in fact restricts the “*enablement of solar hot water systems.*”
75. As a consequence, the Panel recommends the retention of the rule as notified. That part of the Daiken submission that supports the rule is recommended to be accepted but the part seeking changes is not.

10. Activity Rules - Managing effects of activities and development on the National Grid

76. The following is a summary of the Panel’s recommended amendments to relation to EI-R51 and EI-R52, beyond those recommended by the s42A report author:

¹⁵ 145.17

Provision	Panel recommendations
EI-R51	Relocate EI-R51 to the various zone rules and SIGNS rules..
EI-R52 and EI-R52A	Relocate EI-R52 and EI-52A to the EW rules section.

77. The submissions we consider here relate to activities within the National Grid Yard. EI-R51 relates to activities other than earthworks, while EI-R52 relates to earthworks. Five submissions were received on EI-R51, all of which were seeking amendments.¹⁶ Four submissions were received on EI-R52, with two seeking that it be retained as notified¹⁷. Transpower¹⁸ supported the rule but sought amendments while Federated Farmers¹⁹ also sought amendments.
78. The Panel accepts the final position reached by the s42A report author on both of these rules. However, our concern is where they are located within the District Plan itself. These rules do not apply to infrastructure activities themselves but to other activities that may have effects on infrastructure. The s42A report author's position is that these rules should be located within the EI chapter for efficiency purposes i.e. so they are not repeated throughout the various sections District Plan. In the Panel's opinion this reasoning no longer applies with electronic plans.
79. In our view, the most appropriate location for EI-R51 is within the rules of the zone chapters while the most appropriate location for EI-R52 is within the EW chapter, along with all earthwork's rules. In terms of scope for this change, the Panel considers this is an alteration 'of minor effect' provided for by clause 16(2) of the First Schedule to the Act. However, there are also a number of submissions opposing the structure of the plan in terms of the relationship between the EI chapter and the other provisions of the plan²⁰. In particular, MainPower²¹ specifically requested that all corridor protection provisions be located within the relevant zone chapters.
80. The notified National Grid corridor protection rules applied to 'all zones' and there is no scope in the submissions to reduce the number of zones they apply to. Hence, the Panel considers that National Grid corridor protection rules must be inserted into 'all zones', irrespective or not if the National Grid is or may be located in these zones. These rules are also recommended for inclusion in the SIGNS rules section given the notified rule also applies to sign activities, which can impact on the operation of electricity distribution lines.
81. The Panel therefore recommends that these submissions are accepted in part.

¹⁶ Transpower [195.43], Horticulture NZ [295.80], Kainga Ora [325.45], Federated Farmers [414.80], Federated Farmers [414.81],

¹⁷ Horticulture NZ [295.81], Kainga Ora [325.46]

¹⁸ 195.44

¹⁹ 414.82

²⁰ Chorus, Spark New, Vodafone [62.6]; Transpower NZ [195.23], Mainpower NZ Ltd [249.1 and 49]

²¹ 249.49

11. Activity Rules - Managing effects of activities and development on major electricity distribution lines

82. The following is a summary of the Panel's recommended amendments in relation to EI-R55 and EI-R56, beyond those recommended by the s42A report author:

Provision	Panel recommendations
EI-R56	Relocate EI-R56 to the various zone rules and SIGNS rules.
EI-R54	Relocate EI-R54 to the EW rules section.

83. The submissions we consider here are those of Mainpower²² in relation to activities and earthworks adjacent major electricity distribution lines. While the Panel accepts the final position reached by the s42A report author on both rules, we again note that these rules do not apply to infrastructure activities themselves but to other activities that may have effects on infrastructure. Hence, as we have recommended with the National Grid corridor protection rules discussed above, we recommend that EI-R56 is relocated to the rules of 'all zone' chapters while EI-R54 is relocated to the rules of EW chapter in accordance with our recommendation above.
84. We note that MainPower²³ specifically requested that all corridor protection provisions be located within the relevant zone chapters. The Chapters identified in their submission were as follows:
- General Residential Zone
 - Large Lot Residential Zone
 - General Rural Zone
 - Rural Lifestyle Zone
 - General Industrial Zone
 - Open Space Zone
 - Settlement Zone
 - Sport and Active Recreation Zone
 - Natural Open Space Zone
85. However, the agreed position in JWS retained these rules as applying to 'all zones'. We consider this is appropriate to guard against future extensions of such lines or the establishment of new zones that may be affected by such lines. These rules are also recommended for inclusion in the SIGNS rules section given the notified rule also applies to sign activities, which can impact on the operation of electricity distribution lines.
86. We therefore recommend that Mainpower's submissions be accepted in part.

²² 249.49, 92 and 93

²³ 249.49

12. Integration with Industrial Zones

87. A submission from DoC²⁴ on HIZ-R12 within the Heavy Industrial Zone (HIZ) raised an integration issue between the industrial zone provisions and those of the EI chapter. Rule HIZ-R12 identifies *“land-based sewage disposal and/or wastewater disposal, and/or treatment areas for sewage or wastewater, including oxidation ponds”* as controlled activities in the HIZ. The definition of ‘Heavy Industry’ itself includes the *“storage and disposal of sewage, septic tank sludge or refuse”*. ‘Heavy Industry’ is a permitted activity in the HIZ (HIZ-R7) and a discretionary activity in the General Industrial zone (GIZ) under rule GIZ-R17.
88. These activities fall within the definition of ‘wastewater system’ which is defined in the PDP as follows:
“means all those components of a network between the point of discharge from a customer and the discharge of treated effluent into the natural environment. This includes but is not limited to: trunk main, rising mains, mains, inspection holes, property laterals (on road reserve irrespective of point of discharge), pump stations, pumps, valves, meters, treatment plants, canals, wetlands, lagoons, infiltration basins, and irrigated land.”
89. These systems are defined as ‘infrastructure’ by Section 2 the Act and are therefore ‘infrastructure’ in the PDP. EI-R46 of the EI chapter provides for ‘the construction of new, or renewal or upgrading of existing wastewater systems’. As will be evident from our recommendations on the EI chapter submissions, we agree with submitters who consider that all rules that apply to ‘infrastructure’ should be in the EI chapter.
90. However, that is not the case with ‘wastewater systems’ as the three industrial zone rules identified above (HIZ-R7, HIZ-R12 and GIZ-R17) also apply to ‘wastewater systems’. However, there is no scope for the Panel to address this integration issue, and we therefore recommend that Council consider addressing this matter in the next plan change process.
91. There is also an internal conflict within the HIZ whereby ‘Heavy Industry’ is permitted under HIZ-R7, but ‘wastewater systems’ are controlled activities under HIZ-R12. This can be remedied by a Schedule 1 clause 16(2) amendment. We recommend that the following note be added to HIZ-R7:
*“Note: This rule does not apply to those activities provided for in HIZ-R12.”*²⁵

²⁴ 419.140

²⁵ Note: HIZ-R12 is the notified rule but it has now been renumbered through our recommendations to HIZ-R14

13. Minor Changes

92. As discussed above, there are a number of minor changes pursuant to clause 16(2) of the Schedule 1 to the Act that are needed to address the reference to ‘activity’ in the various conditions that have been introduced to address the colour of structures in ONLs, ONFs and SALs. The rules affected, that have not already been addressed above, as follows:

Provision	Panel recommendations
EI-R19, 27, 29, 30 and 36	Activity

14. Conclusion

93. For the reasons summarised above, we recommend the adoption of a set of changes to the PDP provisions relating to EI – Energy and Infrastructure chapter. Our recommended amendments are shown in Appendix 2.
94. Overall, we find that these changes will ensure the PDP better achieves the statutory requirements, national and regional direction, and our recommended Strategic Directions, and will improve its useability.

Appendix 1: Submitter attendance and tabled evidence for Energy and Infrastructure - Hearing Stream 5

Attendee	Speaker	Submitter No.
Council Reporting Officer	• Andrew MacLennan	N/A
Transpower NZ Ltd	• Ainsley McLeod • Jordan Witehira (teams) • Katherine Viskovic (Legal)	195, FS 92
New Zealand Association of Radio Transmitters, Inc. (NZART)	• Owen Pimm • Geoff Gooch	157
Kainga Ora	• Brendon Liggett (Corporate) • Jon Styles (Noise) • Lance Jimmieson (Ventilation) • Matt Lindenberg (Planning – Noise) • Clare Dale (Planning – Other District Wide Matters) • Lisa Williams (Transport)	325, FS 88
Heritage NZ	• Arlene Baird (teams)	176, FS 115
George JasonSmith	• George JasonSmith	270
CIAL	• Darryl Millar (Planning)	254, FS 80
MainPower	• Melanie Foote (Planning) • Mark Appleman (General Manager Network Strategy & Planning) • Jo Appleyard (Legal)	249, FS 58
KiwiRail	(Teams) • Jacob Burton • Mike Brown, Catherine Hepplethwaite (Planning) • Stephen Chiles (Noise and Vibration)	373, FS 99
Waka Kotahi	• Stuart Pearson in person (Teams) • Catherine Heppelthwaite (Planning – Noise Matters) • Dr Stephen Chiles (Acoustic Specialist: Noise Matters) • Robert Swears (Traffic Safety and Transport Engineering)	275, FS 110
McAlpines	• William Reeve (Acoustic Engineer) • Tim Walsh (Planner) • John Duncan & John Gardner from McAlpines explaining the existing use and economic scale of their operations • Chris Fowler (Legal)	226, 102
Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd	(Teams) • Chris Horne • Graeme McCarrison	62, FS 95

	• (Fiona Matthews, Andrew Kantor, Colin Clune – Joint statement with Graeme McCarrison)	
NZ Defence Force	• Darran Humpheson • Rebecca Davies NZDF (Teams)	166
Fulton Hogan	• Tim Ensor	41
Canterbury Regional Council	• Joanne Mitten	316, FS 105
Horticulture NZ	• Sarah Cameron (Teams)	295, FS 47
Federated Farmers	• Lionel Hume • Karl Dean	414, FS 83
Tabled Evidence		
KiwiRail	• Sheena McGuire	373, FS 99
Waimakariri Irrigation Ltd	• Kirsty Jacomb	210
Daiken	• Stephanie Styles	145
Fire & Emergency NZ	• Lydia Shirley	303

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version
(provisions not consequentially renumbered)

El - Pūngao me te hanganga hapori - Energy and Infrastructure

Introduction

The term 'infrastructure' is defined in section 2 of the RMA. The RPS defines the terms 'critical infrastructure', 'strategic infrastructure', and 'regionally significant infrastructure'. There is considerable overlap in the types of infrastructure covered by these terms. Infrastructure may be provided by network utilities, or by entities other than network utilities, including the private provision of and connection to infrastructure. Critical, strategic, and regionally significant infrastructure and network utilities are recognised through provisions within this chapter which acknowledge their important function and service to the community.¹

Some types of infrastructure are addressed within other parts of the District Plan, as follows:

- District wide provisions relating to transport are contained in the Transport Chapter, which also forms part of Part 2 – District Wide Matters - Energy, Infrastructure and Transport;
- Rangiora Airfield is provided for by designations, which contain conditions, and the District wide Transport and Noise chapters also contain provisions relating to the Airfield;
- The existing Rangiora hospital and Oxford hospital and ancillary health related activities on those hospital sites are provided for under the Special Purpose Zone (Hospital);
- An emergency service facility, or a health related activity located outside of the existing Rangiora and ~~Kaiapoi-Oxford~~² hospital sites, are subject to the provisions of the relevant zone in which they are located.

This chapter contains provisions for other types of infrastructure, and is consistent with Part 2 - District Wide Matters- Strategic Directions, NESETA, NESF and the NESTF. It also gives effect to the matters in Part 2 - District Wide Matters - Urban Form and Development, NPSET, NZCPS, NPSFM and the NPSREG.

Other potentially relevant District Plan provisions

~~As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to Energy and Infrastructure include:~~

- ~~• Transport: the Transport rules apply to all activities and activities are subject to compliance with all relevant Transport rules. The application of the transport provisions is discussed further in the Transport rules.~~
- ~~• Natural Hazards: this chapter contains provisions that may be relevant to managing the risk to energy and infrastructure from natural hazards.~~
- ~~• Historic Heritage: this chapter contains provisions relevant to protecting places with heritage values, such as historic heritage buildings or other structures or their heritage settings.~~
- ~~• Notable Trees: this chapter contains provisions relevant to matters such as protecting the root protection area or the trimming or removal of notable trees.~~
- ~~• Sites and Areas of Significance to Māori: this chapter contains provisions relevant to protecting SASM from adverse effects.~~
- ~~• Ecosystems and Indigenous Biodiversity: this chapter contains provisions that control SNAs and the clearance of areas of indigenous vegetation across the District.~~
- ~~• Natural Character of Freshwater Bodies: this chapter contains provisions regarding activities within natural character of scheduled freshwater bodies setbacks.~~
- ~~• Natural Features and Landscapes: this chapter contains provisions for activities within ONL, ONF, and SAL.~~

¹ Christchurch International Airport Ltd [254.25].

² RMA Schedule 1 Clause 16(2)

- ~~Subdivision: this chapter contains provisions that may be relevant to subdivision for energy and infrastructure.~~
- ~~Earthworks: this chapter contains provisions that may be relevant to earthworks for energy and infrastructure such as volume, depth and location.~~
- ~~Any other District wide matter that may affect or relate to the site.~~
- ~~Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.³~~

Objectives	
EI-O1	Provision of energy and infrastructure Across the District: 1. efficient, effective, resilient, safe and sustainable energy and infrastructure, including critical infrastructure, strategic infrastructure and regionally significant infrastructure, is developed and maintained to benefit the social, economic, cultural and environmental well-being of the District, <u>region and nation</u>,⁴ including in response to future needs such as increased sustainability, ~~and changing techniques and technology~~;⁵ 2. there is increased renewable energy for national, regional and local use; and 3. there is greater renewable electricity generation, including small scale or community scale renewable electricity generation, with generation surplus able to be supplied to the electricity distribution network.
EI-O2	Adverse effects of energy and infrastructure Adverse effects of energy and infrastructure on the qualities and characteristics of surrounding environments and community well-being are avoided, remedied or mitigated, <u>while taking into account their operational need or functional need</u> . ⁶
EI-O3	Effects of other activities and development on energy and infrastructure The safe, efficient and effective operation, maintenance, repair, <u>renewal</u> , ⁷ upgrading and development of energy and infrastructure is not constrained or compromised by <u>incompatible</u> ⁸ activities and development, including by reverse sensitivity effects.
Policies	
EI-P1	Recognising the benefits of, and providing for, energy and infrastructure Recognise the local, regional or national benefits of energy and infrastructure through: 1. enabling the operation, maintenance, repair, renewal, removal and minor upgrade of energy and infrastructure; 2. providing for more than minor or significant upgrades to existing, and the development of new, energy and infrastructure; 3. providing for energy and infrastructure that serves as a lifeline utility during an emergency, including critical infrastructure, strategic infrastructure and regionally significant infrastructure; 4. providing for the effective, safe, secure and efficient electricity transmission, including on the National Grid, electricity distribution, and supply of fuel and energy; 5. providing for the effective, reliable and future-proofed communication networks and services;

³ Chorus, Spark and Vodafone [62.6].

⁴ Transpower [195.24].

⁵ MainPower [249.52].

⁶ MainPower [249.53], Christchurch International Airport Ltd [254.27] and Waka Kotahi [275.12].

⁷ Federated Farmers [414.68].

⁸ MainPower [249.54], Christchurch International Airport Ltd [254.28].

	6. providing for the effective, resilient, efficient and safe water supply, wastewater system and stormwater infrastructure; and community scale irrigation/stockwater; 7. enabling energy and infrastructure that has a particular focus on the utilisation of renewable resources and which contribute to sustainable use of natural and physical resources; 8. enabling feasibility investigations into renewable energy including for renewable electricity generation; 9. providing for renewable energy and renewable electricity generation including small scale or community scale renewable electricity generation; and 10. the provision of an adequate supply of water for firefighting in accordance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.
EI-P2	Availability, provision and adequacy of, and connection to, energy and infrastructure Across the District: 1. to benefit the social, economic, cultural and environmental well-being of the District: a. ensure land use and development is coordinated with, and to the extent considered reasonably practicable, connected to and adequately serviced by energy and infrastructure, if available, including electricity, water supply, wastewater system and stormwater infrastructure; and b. ensure that connectivity to communications infrastructure can be achieved; and 2. where a public reticulated water supply or wastewater system is not available, adequate on site systems shall be installed consistent with maintaining public health and avoiding or mitigating adverse effects on the environment, while discouraging small scale stand alone systems.
EI-P3	New technologies and techniques Provide flexibility for energy and infrastructure to adopt new technologies and techniques that: 1. improve access to, and efficient use of, networks and services; 2. allow for the re-use of redundant services and structures; 3. increase resilience, safety or reliability of networks and services; and 4. result in environmental benefits and enhancements.
EI-P4	Environmentally sustainable outcomes ~~Seek more~~ <u>Encourage</u>⁹ environmentally sustainable outcomes associated with energy and infrastructure, <u>where possible</u>,¹⁰ including by ~~promoting~~¹¹: 1. the use of green infrastructure; 2. the increased utilisation of renewable resources; 3. the use of low impact approaches (such as in site, route or structure selection or construction methodology); 4. using low carbon materials in construction; 5. changing the way activities that generate high greenhouse gas emissions are delivered; 6. offsetting greenhouse gas emissions through activities such as planting carbon sequestering trees <u>excluding wilding or pest species</u>¹² or the establishment and restoration of wetlands; <u>and</u>

⁹ Kainga Ora [325.25].

¹⁰ Kainga Ora [325.25].

¹¹ Environment Canterbury [316.20].

¹² Environment Canterbury [316.20].

	7. energy efficiency and conservation practices, including use of energy efficient design, renewable energy and renewable electricity generation; ~~and~~ ~~8. building design with a Homestar™ certification rating of at least 6 for residential buildings, or a Green Star rating of at least 4 for commercial buildings, to assist in reducing energy consumption and greenhouse gas emissions.~~¹³
EI-P5	Manage adverse effects of energy and infrastructure Manage adverse effects of energy and infrastructure, including by the following: 1. enabling ~~or providing for~~¹⁴ the ongoing operation, maintenance, repair, ~~renewal~~,¹⁵ removal and minor upgrade of existing energy and infrastructure; 2. ~~providing for new energy and infrastructure, or major upgrades to existing energy and infrastructure while~~¹⁶ avoiding, remedying or mitigating adverse effects ~~of more than minor upgrades to existing energy and infrastructure, including effects~~¹⁷ on: a. natural and physical resources; b. amenity values; c. ~~existing~~¹⁸ sensitive ~~activity activities~~; d. the safe and efficient operation of other infrastructure; e. the health, safety and well-being of people and communities; ~~3A. using major upgrades to existing energy and infrastructure as an opportunity to reduce existing adverse effects where appropriate to do so;~~¹⁹ 3. New ~~regionally significant new energy and~~²⁰ infrastructure, or major upgrades to existing ~~regionally significant energy and~~²¹ infrastructure ~~that is located outside of the coastal environment, should shall~~²², to the extent ~~considered~~²³ practicable, ensure that the route or site is located outside of the following types of sensitive environments to protect such environments from significant adverse effects, taking into account the constraints imposed by the functional need or operational need of the energy and infrastructure: a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC, and natural character of scheduled freshwater bodies setbacks; c. SNAs; d. buildings, other structures and settings with heritage values, and archaeological sites; e. SASM; ~~f. places adjoining the coastal marine area;~~²⁴ 4. where ~~new regionally significant energy and~~²⁵ infrastructure, or major upgrades to existing ~~regionally significant energy and~~²⁶ infrastructure, cannot locate outside of the sensitive environments in ~~(3)(a) (b) (d) and (e)~~ above, ~~and for renewable electricity generation assets and activities and electricity transmission network~~

¹³ Kainga Ora [325.25].

¹⁴ Transpower [195.29].

¹⁵ Federated Farmers [414.68].

¹⁶ Transpower [195.29].

¹⁷ Transpower [195.29].

¹⁸ Transpower [195.29].

¹⁹ Transpower [195.29].

²⁰ Forest and Bird [192.39].

²¹ Forest and Bird [192.39].

²² Transpower [195.29].

²³ Transpower [195.29].

²⁴ Forest and Bird [192.39].

²⁵ Forest and Bird [192.39].

²⁶ Forest and Bird [192.39].

	~~27~~ <u>assets and activities in 3(c) above</u>, the energy and infrastructure ~~should~~ <u>shall</u>²⁸, to the extent ~~considered~~²⁹ practicable, ensure that the proposed route, site, structure and construction method demonstrate the following, taking into account the constraints imposed by the functional need or operational need of the energy and infrastructure: a. <u>regionally significant energy and</u>³⁰ infrastructure will be located in more compromised parts of the areas in (3) above where that reduces adverse effects on the values of those areas; b. techniques (such as structure selection or construction methodology) will be used to mitigate adverse effects on the areas in (3) above; c. adverse effects on the areas <u>in the sensitive environments</u>³¹ in (3) above will be remedied or mitigated; ~~5. consider biodiversity offset for residual adverse effects on indigenous biodiversity that cannot otherwise be avoided, remedied or mitigated; Where new regionally significant energy and~~³² <u>infrastructure, or major upgrades to existing regionally significant energy and</u>³³ <u>infrastructure (excluding renewable electricity generation assets and activities and electricity transmission network assets and activities), cannot locate outside of the sensitive environments in 3(c), ECO-P5 shall apply.</u>³⁴ 6. avoiding ~~or mitigating~~³⁵ potential significant adverse effects of the generation of radio frequency fields and electric and magnetic fields by requiring compliance with recognised standards or guidelines; and 7. promoting the undergrounding of new energy and infrastructure where it is: a. technically feasible; b. economically viable; c. justified by the extent of adverse visual effects if not placed underground.
EI-P6	Effects of other activities and development on energy and infrastructure Manage adverse effects, <u>including reverse sensitivity effects</u>,³⁶ of <u>incompatible</u>³⁷ other activities and development on energy and infrastructure, including by the following: 1. ensuring such effects do not compromise or constrain access to or the safe, effective and efficient operation, maintenance, repair, upgrading and development of energy and infrastructure; and 2. with regards to ~~the National Grid and~~³⁸ major electricity distribution lines, in addition to (1) above, by ensuring that: a. safe buffer distances are identified in the District Plan for managing the effects of incompatible activities and development on ~~the National Grid and~~³⁹ major electricity distribution lines including support structures; b. sensitive activity and development that may compromise ~~the National Grid and~~⁴⁰ major electricity distribution lines, ~~including those associated with~~

²⁷ Consequential amendments from Forest and Bird [192.46] and Fulton Hogan [41.24]

²⁸ Transpower [195.29]

²⁹ Transpower [195.29].

³⁰ Forest and Bird [192.39].

³¹ Consequential amendments from Forest and Bird [192.46] and Fulton Hogan [41.24]

³² Forest and Bird [192.39].

³³ Forest and Bird [192.39].

³⁴ Consequential amendments from Forest and Bird [192.46] and Fulton Hogan [41.24]

³⁵ Transpower [195.29].

³⁶ Christchurch International Airport Ltd [254.31].

³⁷ Christchurch International Airport Ltd [254.31].

³⁸ Transpower [195.30].

³⁹ Transpower [195.30].

⁴⁰ Transpower [195.30].

	~~intensive farming activities~~⁴¹, are excluded from establishing within identified safe buffer distances ~~to the extent reasonably possible~~⁴²; c. changes to existing activities within identified safe buffer distances do not further constrain or restrict the operation, maintenance, ~~repair-replacement~~⁴³, upgrading and development of ~~the National Grid and~~⁴⁴ major electricity distribution lines; and <u>2A. with regards to the National Grid, in addition to (1) above:</u> a. <u>mapping the National Grid and identifying buffer corridors in the District Plan within which sensitive activities, including the expansion of an existing sensitive activity, are not provided for; and</u> b. <u>to the extent reasonably possible, managing other activities to avoid reverse sensitivity effects, on the National Grid and</u>⁴⁵ 3. ensuring buildings, other structures and vegetation do not obstruct or otherwise adversely affect radiocommunication pathways, either individually or cumulatively, including for radiocommunication associated with critical infrastructure, strategic infrastructure, regionally significant infrastructure, a lifeline utility, and for emergency purposes and day to day operations of an emergency service.

Rules

How to interpret and apply the rules

1. The rules in the following District-wide chapters apply in addition to Energy and Infrastructure:

- a. TRAN - Transport;
- b. HS - Hazardous substances;
- c. NH - Natural hazards;
- d. SUB - Subdivision;
- e. LIGHT - Light;
- f. NOISE - Noise; and
- g. SIGN - Signs;

2. The rules in all other chapters not listed in (1) above do not apply to Energy and Infrastructure, except in the following circumstances:

- a. Relocation of any historic heritage listed in HH-SCHED2 must comply with HH-R4, HH-R6 and HH-R8;
- b. Demolition of historic heritage items listed in HH-SCHED2 must comply with HH-R7 and HH-R9; and
- c. Removal of any Notable Tree listed in TREE-SCHED1 must comply with TREE- R6 and TREE-R7; and
- d. Where specified in the Energy and Infrastructure rules.

3. For completeness, all objectives, policies, associated planning map layers, schedules, and appendices apply to Energy and Infrastructure.⁴⁶

⁴¹ Horticulture NZ [295.76], Federated Farmers [414.71], Transpower [195.30].

⁴² Horticulture NZ [295.76].

⁴³ Mainpower [249.60].

⁴⁴ Transpower [195.30].

⁴⁵ Transpower [195.30].

⁴⁶ Chorus, Spark, Vodafone [62.6], Transpower [195.23], Mainpower [249.1].

Activity Rules - General (applicable to all energy and infrastructure)

EI-R1	Maintenance or removal of existing infrastructure and ancillary vehicle access tracks	
	<i>This rule does not apply to widening or extension of existing vehicle access tracks provided for under EI-R2.</i>	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A
EI-R2	Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure	
	<i>This rule applies to the construction of new vehicle access tracks in circumstances other than as provided for under EI-R23.</i>	
All Zones	Activity status: PER Where: 1. <u>the activity is not located in SASM (except where located in a road corridor); and⁴⁷</u> 2. the activity <u>shall comply</u> with Earthworks standards EW-S1 ~~to~~ <u>EW-S2, EW-S4, EW-S5, EW-S6 and⁴⁸ EW-S7, as well as any Earthworks standards in any relevant overlay⁴⁹.</u>	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MCD1 - Historic heritage, cultural values and the natural environment⁵⁰</u> <u>EI-MCD3 - Operational considerations⁵¹</u> EI-MCD9 - Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure ⁵²
EI-R3	Ancillary infrastructure equipment	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A
EI-R4	Customer connection between a building, other structure, site, and infrastructure	
All Zones	Activity status: PER Where: 1. a new customer connection shall not involve alteration to a <u>historic heritage</u> building or other structure <u>listed in HH-SCHED2 with heritage values⁵³</u> ;	<u>Activity status when compliance with (1) is not achieved: CON⁵⁸</u> Activity status when compliance <u>with 2 to 6 are⁵⁹</u> not achieved: RDIS Matters of <u>control/⁶⁰</u>discretion are restricted to:

⁴⁷ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and Mainpower [249.1, 249.24, 249.47, 249.48]

⁴⁸ Chorus, Spark and Vodafone [62.6], Transpower [195.23], Mainpower [249.1].

⁴⁹ Transpower [195.32].

⁵⁰ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁵¹ Chorus, Spark and Vodafone [62.66].

⁵² Chorus, Spark and Vodafone [62.29]

⁵³ Chorus, Spark and Vodafone [62.66].

⁵⁸ Chorus, Spark and Vodafone [62.29]

⁵⁹ Chorus, Spark and Vodafone [62.29]

⁶⁰ Chorus, Spark and Vodafone [62.29]

	2. a new customer connection shall not involve earthworks in the root protection area of a notable tree, except where the works: a. involve installation at least 1m below existing ground level; and b. are limited to hand digging, trenchless means or air spade, hydro vac or directional drilling methods; and c. have an entry point either: i. located outside of the root protection area; or ii. with a maximum area of 1m²; 3. a new customer connection shall not involve earthworks in the following areas (except where earthworks are located in a road corridor or accessway, or where connections are an extension of existing infrastructure adjoining a site, or where connections are undertaken by trenchless means): a. <u>SASM</u>;⁵⁴ b. SNAs; c. ~~places adjoining the coastal marine area~~ <u>the coastal environment</u>;⁵⁵ 4. a new customer connection shall not involve above ground infrastructure in the following areas (except where located in a road corridor): a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC; and	EI-MCD1 - Historic heritage and the natural environment⁶¹ <u>EI-MCD3 - Operational considerations</u>⁶²

⁵⁴ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

⁵⁵ Chorus, Spark and Vodafone [62.6].

⁶¹ Chorus, Spark and Vodafone [62.29]

⁶² Chorus, Spark and Vodafone [62.66].

	c. ~~places adjoining the coastal marine area~~ <u>the coastal environment</u>⁵⁶; 5. above ground infrastructure for a new customer connection shall comply with all other relevant or applicable Energy and Infrastructure rules; <u>and</u> 6. <u>the activity shall comply with Earthworks standards EW-S1, EW-S5, EW-S6, and EW-S7</u>⁵⁷.	
	Advisory Note Check also EI-R45 Requirement to connect to water supply, wastewater system or stormwater infrastructure.	
EI-R5	Meteorological and environmental sensing and monitoring equipment, and navigational aid	
All Zones	Activity status: PER Where: 1. new meteorological and environmental sensing and monitoring equipment, and navigational aid, with a height in relation to infrastructure greater than 1.8m or an area greater than 6m² shall not be located in the following areas (except where located in a road corridor): <u>SASM</u>⁶³; - SNAs; - ONF, ONL and SAL; - areas of ONC, VHNC and HNC; <u>and</u> <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7</u>⁶⁴.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-M~~C~~D1 - Historic heritage and the natural environment⁶⁵
EI-R6	Trimming or removal of trees <u>including notable trees</u>⁶⁶ and vegetation	

⁵⁶ Chorus, Spark and Vodafone [62.6].

⁵⁷ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁶³ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

⁶⁴ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁶⁵ Chorus, Spark and Vodafone [62.29]

⁶⁶ Chorus, Spark and Vodafone [62.6].

All Zones	Activity status: PER Where: 1. the trimming or removal of trees and vegetation is by an operator of an overhead line or other infrastructure or by their nominated contractor or agent, where required for the safe operation or maintenance of overhead lines or other infrastructure. 2. <u>the trimming is undertaken on any Notable Tree the works or maintenance is undertaken by, or supervised by, a suitably qualified and experienced arborist.</u> ⁶⁷	Activity status when compliance not achieved: N/A
	Advisory Notes - This rule applies to situations such as protecting the <u>security</u>⁶⁸, safe operation or maintenance of <u>infrastructure</u>⁶⁹ overhead lines or removing an associated potential ~~fire~~ <u>electrical</u>⁷⁰ risk <u>or risk to the public</u>⁷¹, or maintaining sight lines from an intersection. - A check should be made to determine whether any requirements may apply under the following: - Electricity (Hazards from Trees) Regulations 2003; - Telecommunications Act 2001; and - NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. <u>TREE- R6 and TREE-R7 apply to the Removal of any Notable Tree listed in TREE-SCHED1.</u>⁷²	
EI-R6A ⁷³	<u>Indigenous vegetation clearance outside any Significant Natural Area</u> ⁷⁴	
<u>All Zones</u>	<u>Activity status: PER</u> Where: 1. <u>the indigenous vegetation clearance is not on land above 900m in altitude; and</u> 2. <u>the indigenous vegetation clearance is:</u>	<u>Activity status when compliance not achieved:</u> <u>RDIS</u> <u>Matters of discretion are restricted to:</u> <u>EI-MCD1 - Historic heritage, cultural values and the natural environment</u> ⁸¹

⁶⁷ Chorus, Spark and Vodafone [62.6].

⁶⁸ Transpower [195.33].

⁶⁹ KiwiRail [373.26].

⁷⁰ Transpower [195.33].

⁷¹ Transpower [195.33].

⁷² Chorus, Spark and Vodafone [62.6].

⁷³ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁷⁴ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁸¹ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

	a. <u>required for maintenance, repair or replacement purposes and is:</u> i. <u>within an existing access track;</u> or ii. <u>within 3m of an existing building; or</u> iii. <u>within 2m of an⁷⁵ existing gate, existing fire pond, existing stock yard, existing trough, existing buried pipeline or existing water tank;⁷⁶</u> b. <u>of indigenous vegetation which has been planted or has been planted for amenity purposes or as a shelterbelt;⁷⁷</u> c. <u>required for the operation or development of the National Grid; or⁷⁸</u> d. <u>required for the maintenance, repair, upgrade or replacement purposes of critical infrastructure; and⁷⁹</u> 3. <u>the activity is not located in SASM (except where located in a road corridor).⁸⁰</u>	
EI-R7	Freestanding pole in the road corridor <i><u>This rule does not apply to poles provided for in the activities in the following rules:</u></i> - <i><u>EI-R12 Replacement of a pole or tower</u></i>	

⁷⁵ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁷⁶ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁷⁷ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁷⁸ Transpower [195.74], Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁷⁹ MainPower [249.42], Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁸⁰ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

	- <u>EI-R24 New overhead transmission lines and electricity distribution lines and supporting poles and towers</u> - <u>EI-R26 New freestanding radiocommunication and telecommunication facilities, antennas, and supporting poles and towers</u> - <u>EI-R28 New overhead telecommunication lines and supporting poles</u> - <u>EI-R29 New amateur radio configurations</u> - <u>EI-R41 New small scale free standing wind turbine(s) for small scale or community scale renewable electricity generation</u> - <u>EI-R44 New large scale wind turbine(s) for large scale renewable electricity generation</u>⁸²	
All Zones	Activity status: PER Where: 1. the maximum height in relation to infrastructure of a new freestanding pole in the road corridor shall comply with the following height in relation to infrastructure limits when adjoining: a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration): 18m; ~~and~~ b. all other zones: 25m;⁸³ 2. <u>if the activity is located within an ONL, ONF, or SAL, infrastructure poles and attached equipment within road reserve shall be finished in materials that will naturally weather to a non-reflective colour;</u>⁸³ 3. <u>the activity is not located in SASM (except where located in a road corridor); and</u>⁸⁴ 4. <u>the activity complies with Earthworks standard EW-S7.</u>⁸⁵	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MCD1 - Historic heritage and the natural environment</u>⁸⁶ <u>EI-MCD3 - Operational considerations</u>⁸⁷ <u>EI-MCD14 - Extent of effects</u>⁸⁸

⁸² Clause 16(2)

⁸³ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

⁸⁴ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

⁸⁵ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁸⁶ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

⁸⁷ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁸⁸ Chorus, Spark and Vodafone [62.29]

EI-R8	Installation of new infrastructure within an existing building <i><u>This rule does not apply to customer connections provided for by EI – R4(1) 'New customer connections to a historic heritage building or other structure listed in HH-SCHED2'⁸⁹</u></i>	
All Zones	Activity status: PER Where: 1. new installations shall not involve alteration to a <u>historic heritage building listed in HH-SCHED2 with heritage values⁹⁰</u> .	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment ⁹¹ <u>EI-MCD3 - Operational considerations⁹²</u>
EI-R9	Use of temporary infrastructure <i><u>This rule does not apply to new permanent emergency or back-up electricity generation provided for in EI-R36; or installation, maintenance, repair, upgrading or removal of new infrastructure for assessing a site or technology for suitability for renewable electricity generation provided for in EI-R39.</u></i>	
All Zones	Activity status: PER Where: 1. the temporary infrastructure shall operate for a maximum of 12 months from the commencement of the works or activity, or until the works or activity or a stage of the works or activity for which the temporary infrastructure is required is complete, whichever is greater, at which time the temporary infrastructure shall be removed from the site; 2. <u>the activity is not located in SASM (except where located in a road corridor)⁹³; and</u> 3. <u>the activity complies with Earthworks standards EW-S1, EW-S2, EW-S4,</u>	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MCD1 - Historic heritage, cultural values and the natural environment⁹⁵</u> <u>EI-MCD3 - Operational considerations⁹⁶</u> EI-MCD4 - Health and safety ⁹⁷ EI-MCD14 - Extent of effects ⁹⁸

⁸⁹ Clause 16(2)

⁹⁰ Chorus, Spark and Vodafone [62.66]

⁹¹ Chorus, Spark and Vodafone [62.29]

⁹² Chorus, Spark and Vodafone [62.66].

⁹³ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

⁹⁵ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁹⁶ Chorus, Spark and Vodafone [62.66].

⁹⁷ Chorus, Spark and Vodafone [62.29]

⁹⁸ Chorus, Spark and Vodafone [62.29]

	<u>EW-S5, EW-S6, and EW-S7.</u> ⁹⁴	
EI-R10	Installation of new infrastructure, or upgrading of existing infrastructure, underground	
	<i>This rule does not apply to underground infrastructure established under EI-R45 or EI-R46.</i>	
All Zones	Activity status: PER Where: 1. new installations shall not be located in the following areas (except where located in a road corridor or accessway, or are an extension of existing infrastructure adjoining a site, or where installations are by trenchless means, ~~or are as specified otherwise below~~)⁹⁹: a. the root protection area of a notable tree, except where the installation: i. is at least 1m below ground level; and ii. is limited to hand digging, trenchless means or air spade, hydro vac or directional drilling methods; and iii. has an entry point either: a. located outside of the root protection area; or b. with a maximum area of less than 1m²; b. <u>SASM</u>;¹⁰⁰ c. SNAs;	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-M<u>C</u>D1 - Historic heritage and the natural environment¹⁰⁵ EI-M<u>C</u>D2 - Amenity values, location and design (<u>clause 4 only</u>)¹⁰⁶ EI-M<u>C</u>D3 - Operational considerations¹⁰⁷

⁹⁴ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

⁹⁹ Chorus, Spark and Vodafone [62.30].

¹⁰⁰ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

¹⁰⁵ Chorus, Spark and Vodafone [62.29]

¹⁰⁶ Transpower [195.35].

¹⁰⁷ Chorus, Spark and Vodafone [62.29]

	c. ~~places adjoining the coastal marine area~~ <u>the coastal environment</u>¹⁰¹; 2. <u>upgrades of existing underground infrastructure</u>¹⁰² (except where located in a road corridor or accessway, <u>or are an extension of existing infrastructure adjoining a site, or where installations are by trenchless means</u>), ~~upgrades of existing underground infrastructure~~¹⁰³ shall not increase the area occupied by the infrastructure, or realign or relocate the infrastructure, so that it further encroaches into the areas listed in (1) above; 3. <u>the activity complies with Earthworks standards EW-S1, EW-S2, EW-S5, EW-S6, EW-S7; and</u> 4. <u>for pole foundations, the activity complies with Earthworks standard W-S7.</u>¹⁰⁴	
	Advisory Note See also EI-R11 Relocation of <u>above ground</u>¹⁰⁸ infrastructure; EI-R32 Installation of gas distribution pipeline and fuel systems (including LPG); and EI-R33 An increase in the carrying or operating capacity, efficiency or security of existing gas distribution pipeline and fuel systems.	
EI-R11	Relocation of <u>above ground</u>¹⁰⁹ infrastructure	
All Zones	Activity status: PER Where: the relocation shall be within 5m of the existing alignment or location;	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MCD1 - Historic heritage, cultural values and the natural environment</u>¹¹²

¹⁰¹ Chorus, Spark and Vodafone [62.6].

¹⁰² Chorus, Spark and Vodafone [62.30].

¹⁰³ Chorus, Spark and Vodafone [62.30].

¹⁰⁴ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

¹⁰⁸ Chorus, Spark and Vodafone [62.31].

¹⁰⁹ Chorus, Spark and Vodafone [62.31].

¹¹² Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

	2. <u>the relocation shall not be located in the following areas (except where located in a road corridor):</u> a. <u>root protection area of a notable tree;</u> a. <u>SASM</u>¹¹⁰; 3. <u>the activity complies with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, EW-S7:</u> and 4. <u>For pole foundations, the activity complies with Earthworks standards EW-S7.</u>¹¹¹	<u>EI-MCD3 - Operational considerations</u>¹¹³ EI-MCD10 - Relocation of existing infrastructure¹¹⁴
	Exemption This rule does not apply to transport infrastructure.	
	Advisory Note ~~See also EI-R10 (2) Installation of new infrastructure, or upgrading of existing infrastructure, underground.~~¹¹⁵	
EI-R12	Replacement of a pole or tower	
All Zones	Activity status: PER Where: - a pole shall not be replaced with a tower; - a replacement pole or tower shall not exceed the height in relation to infrastructure of the replaced pole or tower <u>by more than 15%</u>¹¹⁶ <u>as of the date the District Plan was made operative.</u>¹¹⁷ - the diameter or width of a replacement pole shall not exceed twice that of the replaced pole at its widest point; - a single pole may be replaced with a pi-pole <u>(or</u>	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MCD1 - Historic heritage and the natural environment</u>¹²⁴ <u>EI-MCD3 - Operational considerations</u>¹²⁵ EI-MCD14 - Extent of effects¹²⁶

¹¹⁰ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

¹¹¹ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

¹¹³ Chorus, Spark and Vodafone [62.66].

¹¹⁴ Chorus, Spark and Vodafone [62.29]

¹¹⁵ Chorus, Spark and Vodafone [62.31].

¹¹⁶ Transpower [195.37].

¹¹⁷ Transpower [195.37].

¹²⁴ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹²⁵ Chorus, Spark and Vodafone [62.66].

¹²⁶ Chorus, Spark and Vodafone [62.29]

	<u>H-pole</u>¹¹⁸ for safety or structural reasons, <u>and the width of the pi-pole (or H-pole) must not exceed three times that of the replaced single pole at its widest point including the cross arm</u>¹¹⁹; 5. the footprint of a <u>replaced replacement</u>¹²⁰ tower shall not exceed the width of the <u>replaced</u>¹²¹ tower by more than 25%; <u>and</u> 6. a replaced pole or tower shall be removed once its replacement is in place and is operational-; 7. <u>if the activity is located within an ONL, ONF, SAL, the pole or tower must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group C;</u> 8. <u>notwithstanding (7) above, infrastructure poles and attached equipment within road reserve shall be finished in materials that will naturally weather to a non-reflective colour: and</u>¹²² 9. <u>the activity complies with Earthworks standards EW-S7.</u>¹²³	
EI-R13	Addition to a pole or tower	
All Zones	Activity status: PER Where:	Activity status when compliance not achieved: RDIS

¹¹⁸ MainPower [249.72].

¹¹⁹ MainPower [249.72].

¹²⁰ MainPower [249.72].

¹²¹ MainPower [249.72].

¹²² Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹²³ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

	<u>1. the equipment added to a pole or tower does not:</u> (a) <u>exceed a volume of 2m³</u> ~~the combined diameter or width of the existing pole or tower plus the addition (at its widest point) shall not exceed twice that of the existing pole or tower (at its widest point);~~ ~~and~~^{127 128} (b) <u>exceed</u>¹²⁹ <u>the height of the existing pole or tower</u> ~~the combined height in relation to infrastructure of the existing pole or tower plus the addition shall not exceed that of the existing pole or tower;~~¹³⁰ 2. <u>where the equipment is added to a pole or tower located within an ONL, ONF, SAL, it must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group C; and</u> 3. <u>notwithstanding (2) above, where the equipment added to a pole or tower is located within the road reserve, it shall be finished in materials that will</u>	Matters of discretion are restricted to: <u>EI-MCD1 - Historic heritage and the natural environment</u>¹³² <u>EI-MCD2 - Amenity values, location and design</u>¹³³ <u>EI-MCD3 - Operational considerations</u>¹³⁴ <u>EI-MD14 - Extent of effects</u>¹³⁵

¹²⁷ MainPower [249.74].

¹²⁸ MainPower [249.74].

¹²⁹ MainPower [249.74].

¹³⁰ MainPower [249.74].

¹³² MainPower [249.97].

¹³³ MainPower [249.74].

¹³⁴ Chorus, Spark and Vodafone [62.66].

¹³⁵ MainPower [249.74].

	<u>naturally weather to a non-reflective colour.</u> ¹³¹	
EI-R14	Replacement of an antenna	
All Zones	Activity status: PER Where: 1. a replacement antenna shall not increase the diameter of an existing dish antenna or the width of an existing panel antenna by more than 20%¹³¹; 2. <u>if the activity is located within an ONL, ONF, SAL, the replacement antenna must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group C; and</u> 3. <u>notwithstanding (2) above, antennas attached to infrastructure poles within the road reserve shall be finished in materials that will naturally weather to a non-reflective colour.</u>¹³⁶	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MCD1 - Historic heritage and the natural environment</u>¹³⁷ <u>EI-MCD3 - Operational considerations</u>¹³⁸ <u>EI-MCD14 - Extent of effects</u>¹³⁹
EI-R15	Replacement of an infrastructure cabinet, <u>electricity cabinet and kiosk</u>¹⁴⁰ or infrastructure building	
All Zones	Activity status: PER Where: 1. the replacement shall not increase the footprint <u>or height</u>¹⁴¹ of the	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to:

¹³¹ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹³⁶ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹³⁷ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹³⁸ Chorus, Spark and Vodafone [62.66].

¹³⁹ Chorus, Spark and Vodafone [62.29]

¹⁴⁰ MainPower [249.75].

¹⁴¹ MainPower [249.75].

	existing infrastructure cabinet, <u>electricity cabinet and kiosk</u>¹⁴², or infrastructure building by more than 30%; <u>and</u> 2. outside a road corridor, where an existing infrastructure building is located in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the replacement infrastructure building shall comply with the building internal boundary setback and where specified the height in relation to boundary for the zone or adjoining zone in accordance with Appendix APP3;¹⁴³ <u>2A the replacement infrastructure cabinet, electricity cabinet or infrastructure building is within 5m of the location of the original structure.</u>¹⁴⁴ 3. <u>The replacement is not located in the following areas (except where located in a road corridor):</u> <u>(a) root protection area of a notable tree</u> <u>(b) SASM</u>¹⁴⁵. <u>and</u> 4. <u>the activity complies with Earthworks standard EW-S7.</u>¹⁴⁶	<u>EI-MCD1 - Historic heritage and the natural environment</u>¹⁴⁷ <u>EI-MCD2 - Amenity values, location and design</u>¹⁴⁸ <u>EI-MCD3 - Operational considerations</u>¹⁴⁹ <u>EI-MD14 - Extent of effects</u>¹⁵⁰
EI-R16	Upgrading above-ground lines, ducts, cables and pipes	

¹⁴² MainPower [249.75].

¹⁴³ MainPower [249.75].

¹⁴⁴ MainPower [249.75].

¹⁴⁵ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

¹⁴⁶ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

¹⁴⁷ MainPower [249.97].

¹⁴⁸ MainPower [249.75].

¹⁴⁹ Chorus, Spark and Vodafone [62.66].

¹⁵⁰ MainPower [249.75].

All Zones	Activity status: PER Where: 1. upgrading is by: a. ~~the addition of~~ <u>adding</u>¹⁵¹ wires, cables, circuits or conductors; b. the re-conductoring of the line with higher capacity conductors; c. the re-sagging of conductors; d. ~~the addition of~~ <u>installing</u>¹⁵² longer or more efficient insulators; e. ~~the addition of~~ <u>adding</u>¹⁵³ ~~of~~ cross arms; f. the bundling of lines (in the absence of cross arms); g. ~~the addition of~~ <u>adding</u>¹⁵⁴ earth wires (which may contain telecommunication lines, earthpeaks and lightning rods); or h. ~~their~~ replacement <u>of any of the above</u>.¹⁵⁵ 2. the diameter of a replacement conductor or line shall not exceed the diameter of the existing conductor or line, or 50mm, whichever is greater; 3. additional conductors or lines: a. shall not increase the number of conductors or lines by more than 100%; and b. shall each have a maximum diameter of 50mm;	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MCD3 - Operational considerations</u>¹⁵⁶ <u>EI-MCD14 - Extent of effects</u>¹⁵⁷

¹⁵¹ MainPower [249.76].

¹⁵² MainPower [249.76].

¹⁵³ MainPower [249.76].

¹⁵⁴ MainPower [249.76].

¹⁵⁵ MainPower [249.76].

¹⁵⁶ Chorus, Spark and Vodafone [62.66].

¹⁵⁷ Chorus, Spark and Vodafone [62.29]

	4. additional cross arms shall not exceed the length of an existing cross arm by more than 100%, up to a maximum of 4m; 5. the bundling of lines (in the absence of cross arms) shall not exceed 100mm in total; and 6. the diameter of a replacement above-ground duct or pipe shall not exceed the diameter of the existing above-ground duct or pipe by more than 300mm.	
EI-R17	Installation of new mid-span poles	
All Zones	Activity status: PER Where: - the installation of new mid-span poles is to address safety clearances for overhead lines; and - the maximum number of additional mid-span poles shall be 2; <u>the activity is not located in SASM (except where located in a road corridor)¹⁵⁸; and</u> <u>the activity complies with Earthworks standard EW-R7.¹⁵⁹</u>	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MCD1 - Historic heritage and the natural environment¹⁶⁰</u> <u>EI-MCD3 - Operational considerations¹⁶¹</u> EI-MCD14 - Extent of effects¹⁶²
EI-R18	Attachment of pipes, cables, conductors or lines, to bridges, tunnels or culverts	
All Zones	Activity status: PER Where: - pipes, cables, conductors or lines: - shall be attached to the underside of the bridge, or incorporated	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment¹⁶⁴ EI-MCD2 - Amenity values, location and design¹⁶⁵ EI-MCD3 - Operational consideration¹⁶⁶

¹⁵⁸ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

¹⁵⁹ Chorus, Spark and Vodafone [62.6], Transpower [195.23], MainPower [249.1].

¹⁶⁰ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹⁶¹ Chorus, Spark and Vodafone [62.66].

¹⁶² Chorus, Spark and Vodafone [62.29]

¹⁶⁴ Chorus, Spark and Vodafone [62.29]

¹⁶⁵ Chorus, Spark and Vodafone [62.29]

¹⁶⁶ Chorus, Spark and Vodafone [62.29]

	within the bridge, tunnel or culvert structure, or within an existing attached conduit, duct or pipe; b. the maximum diameter of any new conduit, duct or pipe shall be 300mm; <u>and</u> ~~c. any new conduits, ducts or pipes in (b) above shall be in a cluster of no more than two conduits, ducts or pipes in total; and~~¹⁶³ d. shall not be attached to a bridge, tunnel or culvert with heritage values. 	
EI-R19	New infrastructure cabinet	
All Zones	Activity status: PER Where: - a new infrastructure cabinet is located underground; or - a new above-ground infrastructure cabinet shall not exceed the following: - when located in the road corridor adjoining: - Residential Zones: - maximum height in relation to infrastructure: 1.8m; and - maximum floor area (excluding plinths or foundations) : 1.4m²; - all other zones:	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment¹⁷⁰ EI-MCD2 - Amenity values, location and design¹⁷¹ EI-MCD3 - Operational consideration¹⁷²

¹⁶³ Chorus, Spark and Vodafone [62.32].

¹⁷⁰ Chorus, Spark and Vodafone [62.29]

¹⁷¹ Chorus, Spark and Vodafone [62.29]

¹⁷² Chorus, Spark and Vodafone [62.29]

	a. maximum height in relation to infrastructure: 2m; and b. maximum floor area (excluding plinths or foundations) : 2m²; b. when located outside the road corridor in: i. Residential Zones: a. maximum height in relation to infrastructure: 2m; and b. maximum floor area (excluding plinths or foundations) : 2.5m²; ii. all other zones: a. maximum height in relation to infrastructure: 2.5m; and b. maximum floor area (excluding plinths or foundations) : 5m²; ~~and~~ 3. a new infrastructure cabinet shall not be located in the following areas (except where located in a road corridor): a. the root protection area of a notable tree; b. <u>SASM</u>; ¹⁶⁷ c. SNAs; ⁱ 4. <u>If the activity is located within an ONL, ONF, SAL, the activity must be</u>	

¹⁶⁷ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

	<u>finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group C; and</u>¹⁶⁸ <u>5. the activity complies with Earthworks standards EW-S1, EW-S6, and EW-S7.</u>¹⁶⁹	

EI-R19A New electricity cabinets and kiosks ¹⁷³		
All Zones	Activity status: PER <u>Where:</u> 1. <u>The electricity cabinet and kiosk does not exceed:</u> a. <u>2m height in relation to infrastructure; and</u> b. <u>13m² in area; and</u> 2. <u>The electricity cabinet and kiosk is not located in the following areas (except where located in a road corridor):</u> a. <u>The root protection area of a notable tree;</u> b. <u>SASM;</u>¹⁷⁴ c. <u>SNAs;</u>¹⁷⁵ 3. <u>If the activity is located within an ONL, ONF, SAL, the infrastructure cabinet must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour</u>	Activity status when compliance not achieved: RDIS <u>Matters of discretion are restricted to:</u> <u>EI-MCD1 - Historic heritage and the natural environment</u> <u>EI-MCD2 - Amenity values, location and design</u> <u>EI-MCD3 - Operational consideration</u>¹⁷⁸

¹⁶⁸ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹⁶⁹ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹⁷³ MainPower [249.80].

¹⁷⁴ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

¹⁷⁵ MainPower [249.80].

¹⁷⁸ MainPower [249.80].

	<u>Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> <u>a. 60% for greyness groups A or B;</u> <u>b. 40% for greyness group C; and¹⁷⁶</u> <u>4. the activity shall comply with Earthworks standards EW-S1, EW-S6, and EW-S7.¹⁷⁷</u>	

EI-R19B	<u>New, or expansion of existing, transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)¹⁷⁹</u>	
	<u>This rule does not include:</u> <u>new infrastructure buildings provided for in EI-R20</u> <u>new electricity cabinets and kiosks provided for in EI-R19A</u> <u>new permanent emergency or back-up electricity generation provided for in EI-R36.</u>	
All Zones	<u>Activity status: PER</u> <u>Where:</u> <u>the activity shall comply with the following when located in the road corridor:</u> <u>maximum floor area (excluding plinths or foundations): 10m²;</u> <u>maximum height: 3m;</u> <u>the activity shall comply with the following when located outside the road corridor:</u> <u>maximum height: 5.5m;</u> <u>maximum floor area (excluding plinths or foundations): 40m²;</u> <u>in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in</u>	<u>Activity status when compliance not achieved: RDIS</u> <u>Matters of discretion are restricted to:</u> <u>EI-MCD1 - Historic heritage and the natural environment</u> <u>EI-MCD2 - Amenity values, location and design</u> <u>EI-MCD3 - Operational considerations</u> <u>EI-MCD4 - Health and safety</u> <u>EI-MCD5 - Electricity generation¹⁸²</u>

¹⁷⁶ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹⁷⁷ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹⁷⁹ MainPower [249.87].

¹⁸² MainPower [249.87].

	<u>relation to boundary and internal boundary setbacks for the zone or adjoining zone; and</u> 3. <u>the activity shall not be located in the following areas (except where located in a road corridor):</u> a. <u>the root protection area of a notable tree;</u> b. <u>SASM;</u> c. <u>SNAs;</u> d. <u>ONF, ONL and SAL;</u> e. <u>areas of ONC, VHNC and HNC;</u> f. <u>natural character of scheduled freshwater bodies setbacks;</u> g. <u>the coastal environment</u>¹⁸⁰. 4. <u>for new transformers, substations, switching stations, and energy storage batteries (not enclosed within a building), the work shall comply with Earthworks standards EW-S1, EW-S2, EW-S5, EW-S6, and EW-S7;</u>¹⁸¹ and 5. <u>for the expansion of transformers, substations, switching stations, and energy storage batteries (not enclosed within a building), the work shall comply with Earthworks standard EW-S7.</u>	

EI-R20 New infrastructure building		
All Zones	Activity status: PER Where: 1. a new infrastructure	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment¹⁸⁴

¹⁸⁰ Chorus, Spark and Vodafone [62.6].

¹⁸¹ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹⁸⁴ Chorus, Spark and Vodafone [62.29]

	building located in the road corridor shall comply with the following: a. maximum floor area (excluding plinths or foundations): 10m²; and b. maximum height in relation to infrastructure: 3m; 2. a new infrastructure building located outside the road corridor shall comply with the following: a. maximum height in relation to infrastructure: 5.5m; b. maximum floor area (excluding plinths or foundations): 30m²; c. in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in relation to boundary and internal boundary setbacks for the zone or adjoining zone; 3. a new infrastructure building shall not be located in the following areas (except where located in a road corridor): a. the root protection area of a notable tree; b. SASM; c. SNAs; d. ONF, ONL and SAL; and e. areas of ONC, VHNC and HNC; and 4. <u>the activity complies</u>	EI-MCD2 - Amenity values, location and design¹⁸⁵ EI-MCD3 - Operational considerations¹⁸⁶

¹⁸⁵ Chorus, Spark and Vodafone [62.29]

¹⁸⁶ Chorus, Spark and Vodafone [62.29]

	<u>with Earthworks standards EW-S1, EW-S2, EW-S5, EW-S6, and EW-S7.</u> ¹⁸³	
EI-R21	Activities that generate radiofrequency fields	
All Zones	Activity status: PER Where: 1. any activity generating radiofrequency fields shall not exceed the maximum exposure level for the general public in NZS 2772.1:1999 Radiofrequency Fields - Maximum Exposure Levels - Part 1 - 3 kHz to 300 GHz.	Activity status when compliance not achieved: NC
EI-R22	Activities that generate electric and magnetic fields	
All Zones	Activity status: PER Where: 1. any activity generating electric and magnetic fields shall not exceed the maximum exposure levels for the general public, as measured and assessed in accordance with the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No. 238, June 2007).	Activity status when compliance not achieved: NC
EI-R23	Construction of new, <u>or widening or extension of existing</u>¹⁸⁷, vehicle access tracks ancillary to infrastructure <u>which that</u>¹⁸⁸ are located in specified sensitive environments	
All Zones	Activity status: RDIS Where: 1. the new vehicle access	Activity status when compliance not achieved: N/A

¹⁸³ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

¹⁸⁷ Transpower [195.40].

¹⁸⁸ Transpower [195.40].

	track is located within the following areas: - ONF, ONL and SAL; - areas of ONC, VHNC and HNC; - natural character of scheduled freshwater bodies setbacks; - the root protection area of a notable tree; <u>SASM</u>; ¹⁸⁹ - SNAs; and ~~places adjoining the coastal marine area~~ <u>the coastal environment</u> ¹⁹⁰. Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment ¹⁹¹ EI-MCD9 - Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure ¹⁹²	

Activity Rules - Electricity transmission and electricity distribution

EI-R24	New overhead transmission lines and electricity distribution lines and supporting poles and towers	
All Zones	Activity status: PER Where: - the activity shall not be located in the following areas (except where located in a road corridor): - ONF, ONL and SAL; - areas of ONC, VHNC	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment ¹⁹⁶ EI-MCD2 - Amenity values, location and design ¹⁹⁷ EI-MCD3 - Operational considerations ¹⁹⁸ EI-MCD4 - Health and safety ¹⁹⁹

¹⁸⁹ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

¹⁹⁰ Chorus, Spark and Vodafone [62.6].

¹⁹¹ Chorus, Spark and Vodafone [62.29]

¹⁹² Chorus, Spark and Vodafone [62.29]

¹⁹⁶ Chorus, Spark and Vodafone [62.29]

¹⁹⁷ Chorus, Spark and Vodafone [62.29]

¹⁹⁸ Chorus, Spark and Vodafone [62.29]

¹⁹⁹ Chorus, Spark and Vodafone [62.29]

	and HNC; and c. ~~places adjoining the coastal marine area the coastal environment~~¹⁹³; 2. supporting poles and towers shall not be located in the following areas (except where located in a road corridor or accessway, or are an extension of existing infrastructure adjoining a site): a. the root protection area of a notable tree; b. ~~SASM~~¹⁹⁴; c. SNAs; 3. supporting poles and towers shall have the following maximum height in relation to infrastructure in: a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), and Special Purpose Zone (Pines Beach and Kairaki Regeneration): 18m; b. all other zones and the adjoining road corridor: 25m; and 4. ~~the activity complies with Earthworks standards EW-S2, EW-S6, and EW-S7.~~¹⁹⁵	EI-MCD6 - Electricity transmission and electricity distribution²⁰⁰
EI-R25	~~Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)~~²⁰¹	
	~~This rule does not include new permanent emergency or back-up electricity generation provided for in EI-R36.~~	
All Zones	Activity status: PER Where: ~~6. new transformers, substations, switching stations, and energy storage batteries are~~	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: ~~EI-MD1—Historic heritage and the natural environment~~ ~~EI-MD2—Amenity values, location and design~~

¹⁹³ Chorus, Spark and Vodafone [62.6].

¹⁹⁴ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

¹⁹⁵ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²⁰⁰ Chorus, Spark and Vodafone [62.29]

²⁰¹ MainPower [249.87].

	ancillary to electricity transmission and electricity distribution; ~~7. the activity shall comply with the following when located in the road corridor:~~ ~~a. maximum floor area (excluding plinths or foundations): 10m²;~~ ~~b. maximum height in relation to infrastructure: 3m;~~ ~~8. the activity shall comply with the following when located outside the road corridor:~~ ~~a. maximum height in relation to infrastructure: 5.5m;~~ ~~b. maximum floor area (excluding plinths or foundations): 30m²;~~ ~~c. in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration); shall comply with building height in relation to boundary and internal boundary setbacks for the zone or adjoining zone; and~~ ~~9. the activity shall not be located in the following areas (except where located in a road corridor):~~ ~~a. the root protection area of a notable tree;~~ ~~b. SASM;~~ ~~c. SNAs;~~ ~~d. ONF, ONL and SAL;~~ ~~e. areas of ONG, VHNG and HNG;~~ ~~f. natural character of scheduled freshwater bodies setbacks;~~ ~~and~~	EI-MD3 – Operational considerations²⁰²

²⁰² MainPower [249.87].

	~~g. places adjoining the coastal marine area.~~	

Activity Rules - Communication facilities

EI-R26	New freestanding radiocommunication and telecommunication facilities, antennas, and supporting poles and towers	
All Zones	Activity status: PER Where: - the activity shall not be located in the following areas (except where located in a road corridor): - ONF, ONL and SAL; - areas of ONC, VHNC and HNC; - natural character of scheduled freshwater bodies setbacks; ~~places adjoining the coastal marine area~~ <u>the coastal environment</u>²⁰³; - the root protection area of a notable tree; - SASM; - SNAs; <u>1A. if the activity is located within the road corridor within an ONL, ONF, SAL, exterior building materials shall be finished in materials that will naturally weather to a non-reflective colour.</u>²⁰⁴ - in the road corridor: - supporting poles and towers shall have the following maximum height in relation to infrastructure when adjoining: - Residential Zones, Special Purpose Zone	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: - EI-M~~C~~D1 - Historic heritage and the natural environment²⁰⁷ - EI-M~~C~~D2 - Amenity values, location and design²⁰⁸ - EI-M~~C~~D3 - Operational considerations²⁰⁹

²⁰³ Chorus, Spark and Vodafone [62.6].

²⁰⁴ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²⁰⁷ Chorus, Spark and Vodafone [62.29]

²⁰⁸ Chorus, Spark and Vodafone [62.29]

²⁰⁹ Chorus, Spark and Vodafone [62.29]

	(Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration): 18m; ii. all other zones: 25m; b. dish antennas shall have the following maximum diameter when adjoining: i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration): 0.38m; ii. all other zones: 1.2m; 3. outside the road corridor: a. supporting poles and towers shall have the following maximum height in relation to infrastructure in: i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration): 18m ii. Commercial and Mixed Use Zones, Industrial Zones and all other Special Purpose Zones: a. 25m; or b. 30m where two or more	

	infrastructure operators utilise the same structure; iii. Rural Zones: a. 35m; or b. 40m where two or more infrastructure operators utilise the same structure; b. dish antennas shall have the following maximum diameter in: i. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), Special Purpose Zone (Pines Beach and Kairaki Regeneration): 0.6m; ii. all other zones: 1.8m; c. supporting poles and towers in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with the internal boundary building setback requirements for the zone or adjoining zone; 4. any headframe shall have the following maximum diameter in: a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration)	

	<u>and the adjoining road corridor</u>²⁰⁵: 2.5m; b. all other zones and the adjoining road corridor: 6m; 5. omni-directional 'whip' or dipole antennas shall comply with the following: a. maximum height: 1.6m and may extend above the maximum height in relation to infrastructure of the supporting pole or tower; b. maximum diameter: 60mm; c. maximum horizontal length: 1.5m; 6. panel antennas shall comply with either of the following, whichever is the lesser: a. a maximum width of 0.7m and a maximum length of 3.5m; or b. a maximum surface area of the largest face of 1.5m²; and 7. <u>the activity complies with Earthworks standards EW-S6, and EW-S7.</u>²⁰⁶	
EI-R27	New radiocommunication and telecommunication facilities attached to buildings	
All Zones	Activity status: PER Where: 1. dish antennas shall comply with the following maximum diameter in: a. Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration): 0.6m; b. all other zones: 1.8m;	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment²¹¹ EI-MCD2 - Amenity values, location and design²¹² EI-MCD3 - Operational considerations²¹³

²⁰⁵ Chorus, Spark and Vodafone [62.33].

²⁰⁶ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²¹¹ Chorus, Spark and Vodafone [62.29]

²¹² Chorus, Spark and Vodafone [62.29]

²¹³ Chorus, Spark and Vodafone [62.29]

	2. panel antennas shall comply with either of the following, whichever is the lesser: a. a maximum width of 0.7m and a maximum length of 3.5m; or b. a maximum surface area of the largest face of 1.5m²; 3. any antenna shall not exceed a maximum height of 5m above the highest point of attachment to a building; 4. if a building is located in Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the lowest point of attachment for antennas to the building shall be at least 15m above ground level; ~~and~~ 5. new installations shall not involve alteration to a building with heritage values; ~~and~~ 6. <u>if the activity is located within an ONL, ONF, SAL, the new radiocommunication or telecommunication facility must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group C.</u>²¹⁰	
EI-R28	New overhead telecommunication lines and supporting poles	

²¹⁰ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

All Zones	Activity status: PER Where: - the activity shall not be located in the following areas (except where located in a road corridor): <u>SASM</u>²¹⁴ - ONF, ONL and SAL; - areas of ONC, VHNC and HNC; ~~places adjoining the coastal marine area~~ <u>the coastal environment</u>²¹⁵ - supporting poles shall not be located in the following areas (except where located in a road corridor or accessway, or are an extension of existing infrastructure adjoining a site): - the root protection area of a notable tree; <u>SASM</u>²¹⁶ - SNAs; ~~and~~ - supporting poles shall comply with the following maximum height in relation to infrastructure in: - Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration) <u>and the adjoining road corridor</u>²¹⁷: 18m; ~~and~~ - all other zones and the adjoining road corridor: 25m; <u>the activity shall comply with Earthworks standard</u>	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: - EI-MCD1 - Historic heritage and the natural environment²¹⁹ - EI-MCD2 - Amenity values, location and design²²⁰ - EI-MCD3 - Operational considerations²²¹

²¹⁴ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

²¹⁵ Chorus, Spark and Vodafone [62.6].

²¹⁶ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

²¹⁷ Chorus, Spark and Vodafone [62.34].

²¹⁹ Chorus, Spark and Vodafone [62.29]

²²⁰ Chorus, Spark and Vodafone [62.29]

²²¹ Chorus, Spark and Vodafone [62.29]

	s EW-S1, EW-S2, EW-S5, EW-S6, EW-S7; and 5. <u>for pole foundations, the activity shall comply with Earthworks standards EW-S6 and EW-S7.</u>²¹⁸	
EI-R29	New amateur radio configurations	
All Zones	Activity status: PER Where: - the maximum height in relation to infrastructure of any pole shall be 20m; <u>1A unless otherwise specified below, poles shall be exempt from height in relation to boundary requirements but remain subject to boundary setbacks for the zone;</u>²²² ~~there shall be a maximum of one pole per site;~~²²³ - any antenna other than a simple wire dipole <u>or dish antenna</u>²²⁴ shall comply with the following: - any element comprising the antenna shall be a maximum of 0.08m in diameter and 14.9m in length; - for horizontal HF yagi or loop antenna the boom length shall be a maximum of 13m; - no part of any antenna, pole or guy wire shall overhang the boundary of the site; ~~and~~ - any dish antenna <u>with a maximum diameter of 2m or more</u>²²⁵ shall comply with the following:	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment²³³ EI-MCD2 - Amenity values, location and design²³⁴ EI-MCD3 - Operational considerations²³⁵

²¹⁸ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²²² New Zealand Association of Radio Transmitters, Inc. [157.1].

²²³ Waimakariri District Council [367.16].

²²⁴ New Zealand Association of Radio Transmitters, Inc. [157.1].

²²⁵ New Zealand Association of Radio Transmitters, Inc. [157.1].

²³³ Chorus, Spark and Vodafone [62.29]

²³⁴ Chorus, Spark and Vodafone [62.29]

²³⁵ Chorus, Spark and Vodafone [62.29]

	<u>a1. there shall be no more than one such dish antenna;</u> a. <u>the dish antenna shall have</u>²²⁶ a maximum diameter <u>of</u>: 5m; b. <u>the dish antenna shall be pivoted at</u> less than 4m above ~~the~~ ground <u>level</u>; c. in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), <u>the dish antenna</u>²²⁷ shall comply with building height in relation to boundary and boundary setbacks for the zone or adjoining zone; ~~and~~ ~~d. a maximum of one dish antenna per site.~~²²⁸ 5. <u>any dish antenna with a maximum diameter of less than 2m shall comply with the following:</u> a. <u>there shall be no more than two such dish antennas;</u> b. <u>such dish antennas may be mounted on poles or a building;</u> c. <u>such dish antennas shall not exceed a maximum height of 14m;</u> d. <u>such dish antennas shall be exempt from height in relation to boundary requirements but remain subject to</u>	

²²⁶ New Zealand Association of Radio Transmitters, Inc. [157.1].

²²⁷ New Zealand Association of Radio Transmitters, Inc. [157.1].

²²⁸ Waimakariri District Council [367.16].

	<u>boundary setbacks for the zone.</u>²²⁹ 6. <u>if the activity is located within an ONL, ONF, SAL, the amateur radio configurations must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group C;</u>²³⁰ 7. <u>the activity is not located in SASM (except where located in a road corridor);</u>²³¹ <u>and</u> 8. <u>the activity complies with Earthworks standards EW-S1, EW-S6, and EW-S7.</u>²³²	
EI-R30	New communication kiosk	
All Zones	Activity status: PER Where: - the maximum height in relation to infrastructure (excluding any small cell unit or antenna in (3) below) shall be 3.5m; - the maximum area (excluding plinths or foundations) shall be 1.5m²; and - any attached small cell unit or antenna shall be less than 1m in height and shall not have a	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment²³⁹ EI-MCD2 - Amenity values, location and design²⁴⁰ EI-MCD3 - Operational considerations²⁴¹

²²⁹ New Zealand Association of Radio Transmitters, Inc. [157.1].

²³⁰ Transpower [195.84], and Chorus, Spark and Vodafone [62.50 and 62.51].

²³¹ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

²³² Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²³⁹ Chorus, Spark and Vodafone [62.29]

²⁴⁰ Chorus, Spark and Vodafone [62.29]

²⁴¹ Chorus, Spark and Vodafone [62.29]

	horizontal dimension greater than the horizontal dimensions of the communication kiosk; 4. <u>if the activity is located within an ONL, ONF, SAL, the communication kiosk must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> <u>a. 60% for greyness groups A or B;</u> <u>b. 40% for greyness group C;</u> 5. <u>the activity is not located in SASM (except where located in a road corridor)²³⁷; and</u> 6. <u>the activity complies with Earthworks standards EW-S1, EW-S6, and EW-S7.</u>²³⁸	
EI-R31	New small cell unit	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A

Activity Rules - Fuel and energy

EI-R32	Installation of gas distribution pipeline and fuel systems (including LPG)	
All Zones	Activity status: PER Where: - a gas distribution pipeline shall have a maximum gauge pressure of 2,000 kilopascals; - the activity shall not be located in the following	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment²⁴⁵ EI-MCD2 - Amenity values, location and design²⁴⁶ EI-MCD3 - Operational considerations²⁴⁷

²³⁶ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²³⁷ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

²³⁸ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²⁴⁵ Chorus, Spark and Vodafone [62.29]

²⁴⁶ Chorus, Spark and Vodafone [62.29]

²⁴⁷ Chorus, Spark and Vodafone [62.29]

	areas (except where located in a road corridor or accessway, or are an extension of existing infrastructure adjoining a site, or as specified otherwise below): a. the root protection area of a notable tree, except where the installation: i. is at least 1m below ground level; and ii. is limited to hand digging, trenchless means or air spade, hydro vac or directional drilling methods; and iii. has an entry point either: a. located outside of the root protection area; or b. with an area of less than 1m²; b. <u>SASM</u>²⁴²; c. SNAs; d. ~~places adjoining the coastal marine area~~ <u>the coastal environment</u>²⁴³; e. ONF, ONL and SAL; ~~and~~ f. areas of ONC, VHNC and HNC; ~~and~~ 3. <u>the activity complies with Earthworks standards EW-S1, EW-S2, EW-</u>	EI-MCD4 - Health and safety²⁴⁸ EI-MCD7 - Gas distribution²⁴⁹

²⁴² Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

²⁴³ Chorus, Spark and Vodafone [62.6].

²⁴⁸ Chorus, Spark and Vodafone [62.29]

²⁴⁹ Chorus, Spark and Vodafone [62.29]

	<u>S5, EW-S6, and EW-S7.</u> 244	
	Advisory Notes • See also EI-R10 Installation of new infrastructure, or upgrading of existing infrastructure, underground. • A check should be made of the HSNO to ascertain whether any statutory requirements under that Act apply. • Where earthworks may be required, a check should be made of the NESCS to ascertain whether any statutory requirements under the NESCS apply.	
EI-R33	An increase in the carrying or operating capacity, efficiency or security of existing gas distribution pipeline and fuel systems	
All Zones	Activity status: PER Where: 1. if infrastructure is replaced, the replacement shall be of the same or a similar scale and character to that which is replaced.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment ²⁵⁰ EI-MCD2 - Amenity values, locations and design ²⁵¹ EI-MCD3 - Operational considerations ²⁵²
	Advisory Notes • See also EI-R10 Installation of new infrastructure, or upgrading of existing infrastructure, underground; and EI-R11 Relocation of infrastructure. • A check should be made of the HSNO to ascertain whether any statutory requirements under that Act apply. • Where earthworks may be required, a check should be made of the NESCS to ascertain whether any statutory requirements under the NESCS apply.	
EI-R34	New tanks for the storage of gas and fuel (including LPG)	
All Zones	Activity status: PER Where: 1. new above ground tanks shall comply with the built form standards for the relevant zone or overlay; and 2. the activity shall not be located in the following areas: a. SASM; b. SNAs;	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment ²⁵⁵ EI-MCD2 - Amenity values, location and design ²⁵⁶ EI-MCD3 - Operational considerations ²⁵⁷ EI-MCD4 - Health and safety ²⁵⁸

²⁴⁴ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²⁵⁰ Chorus, Spark and Vodafone [62.29]

²⁵¹ Chorus, Spark and Vodafone [62.29]

²⁵² Chorus, Spark and Vodafone [62.29]

²⁵⁵ Chorus, Spark and Vodafone [62.29]

²⁵⁶ Chorus, Spark and Vodafone [62.29]

²⁵⁷ Chorus, Spark and Vodafone [62.29]

²⁵⁸ Chorus, Spark and Vodafone [62.29]

	c. ~~places adjoining the coastal marine area the coastal environment~~²⁵³; d. ONF, ONL and SAL; e. areas of ONC, VHNC and HNC; ~~and~~ f. natural character of scheduled freshwater bodies setbacks; ~~and~~ 3. ~~the activity complies with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.~~²⁵⁴	
	Advisory Notes • A check should be made of the HSNO to ascertain whether any statutory requirements under that Act apply. • Where earthworks may be required, a check should be made of the NESCS to ascertain whether any statutory requirements under the NESCS apply.	
EI-R35	~~Transformers, substations, switching stations, and energy storage batteries (not enclosed within a building)~~²⁵⁹	
	~~This rule does not apply to new permanent emergency or back-up electricity generation provided for in EI-R36.~~	
All Zones	Activity status: PER Where: ~~new transformers, substations, switching stations, and energy storage batteries are ancillary to electricity generation;~~ ~~the activity shall comply with the following when located in the road corridor:~~ ~~maximum floor area (excluding plinths or foundations): 10m²;~~ ~~maximum height in relation to infrastructure: 3m;~~ ~~the activity shall comply with the following when located outside the road corridor:~~	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: ~~EI-MD1—Historic heritage and the natural environment~~ ~~EI-MD2—Amenity values, locations and design~~ ~~EI-MD3—Operational considerations~~ ~~EI-MD4—Health and safety~~ ~~EI-MD5—Electricity generation~~

²⁵³ Chorus, Spark and Vodafone [62.6].

²⁵⁴ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²⁵⁹ MainPower [249.87]

	~~a. maximum height in relation to infrastructure: 5.5m;~~ ~~b. maximum floor area (excluding plinths or foundations): 30m²;~~ ~~c. in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with building height in relation to boundary and internal boundary setbacks for the zone or adjoining zone; and~~ ~~4. the activity shall not be located in the following areas (except where located in a road corridor):~~ ~~a. the root protection area of a notable tree;~~ ~~b. SASM;~~ ~~c. SNAs;~~ ~~d. ONF, ONL and SAL;~~ ~~e. areas of ONG, VHNG and HNG;~~ ~~f. natural character of scheduled freshwater bodies setbacks; and~~ ~~g. places adjoining the coastal marine area.~~	
EI-R36	New permanent emergency or back-up electricity generation	
	<i>This rule does not apply to temporary portable or transportable electricity generation provided for in EI-R9.</i>	
All Zones	Activity status: PER Where: 1. new permanent emergency or back-up electricity generation (including any associated energy storage batteries):	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <u>EI-MCD1 - Historic heritage, cultural values and the natural environment</u>²⁶³ <u>EI-MCD3 - Operational considerations</u>²⁶⁴ EI-MCD14 - Extent of effects²⁶⁵

²⁶³ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²⁶⁴ Chorus, Spark and Vodafone [62.66].

²⁶⁵ Chorus, Spark and Vodafone [62.29]

	a. is not the primary electricity supply to the site; and b. shall comply with the built form standards for the relevant zone or overlay-; 2. <u>if the activity is located within an ONL, ONF, SAL, it must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group C;</u> ²⁶⁰ 3. <u>the activity is not located in SASM (except where located in a road corridor); and</u> ²⁶¹ 4. <u>the activity complies with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.</u> ²⁶²	
EI-R37	New electricity generation other than renewable electricity generation	
	<i>This rule does not apply to temporary portable or transportable electricity generation provided for in EI-R9; or new permanent emergency or back-up electricity generation provided for in EI-R36.</i>	
All Zones	Activity status: NC	Activity status when compliance not achieved: N/A

Activity Rules - Renewable energy

²⁶⁰ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²⁶¹ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

²⁶² Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

EI-R38	New self-contained power unit	
All Zones	Activity status: PER Where: 1. installation shall not involve alteration to a <u>historic heritage</u> structure <u>listed in HH-SCHED2 with heritage values</u> . ²⁶⁶	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment ²⁶⁷
EI-R39	New infrastructure for assessing a site or technology for suitability for renewable energy including renewable electricity generation	
All Zones	Activity status: PER Where: 1. the activity involves installation, maintenance, repair, upgrading or removal of infrastructure for assessing a site or technology for suitability for renewable energy including renewable electricity generation; 2. infrastructure shall be on site for a maximum of 24 months in any 36 month period; 3. the activity shall not involve earthworks (except where located in a road corridor) on SASM; and 4. infrastructure shall not be located in the following areas (except where located in a road corridor): a. SNAs; b. ONF, ONL and SAL; and c. areas of ONC, VHNC and HNC.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment ²⁶⁸ EI-MCD2 - Amenity values, location and design ²⁶⁹ EI-MCD3 - Operational considerations ²⁷⁰
EI-R40	New solar cell(s) for small scale or community scale renewable electricity generation	
All Zones	Activity status: PER Where:	Activity status when compliance not achieved: RDIS

²⁶⁶ Chorus, Spark and Vodafone [62.66].

²⁶⁷ Chorus, Spark and Vodafone [62.29]

²⁶⁸ Chorus, Spark and Vodafone [62.29]

²⁶⁹ Chorus, Spark and Vodafone [62.29]

²⁷⁰ Chorus, Spark and Vodafone [62.29]

	1. the activity involves the installation, maintenance, upgrading or removal of a solar cell(s) in the circumstances specified below; 2. the electricity generated is either: a. solely for use on a site and ancillary to the principal use of the site; or b. for use on a site and ancillary to the principal use of the site, and also for supply to not more than 20 other sites; and c. any surplus of electricity generated may be distributed to the electricity distribution network; 3. if a solar cell(s) is located on the roof of a building in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga), or Special Purpose Zone (Pines Beach and Kairaki Regeneration), the solar cell(s) shall comply with the following (as applicable): a. on new buildings, shall comply with the height in relation to boundary requirement for the zone or adjoining zone; or b. if located on an existing building in or adjoining a zone in (3) above that already breaches the applicable height in relation to boundary requirement, the solar	Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment²⁷⁵ EI-MCD2 - Amenity values, location and design²⁷⁶ <u>EI-MCD3 - Operational considerations</u>²⁷⁷ EI-MCD5 - Electricity generation²⁷⁸

²⁷⁵ Chorus, Spark and Vodafone [62.29]

²⁷⁶ Chorus, Spark and Vodafone [62.29]

²⁷⁷ Chorus, Spark and Vodafone [62.66].

²⁷⁸ Chorus, Spark and Vodafone [62.29]

	cell(s) may also breach it; or c. if located on an existing building in or adjoining a zone in (3) above that does not breach the applicable height in relation to boundary requirement, the solar cell(s) shall also not breach it; and 4. new installations shall not involve alteration to a <u>historic heritage</u> building or other structure <u>listed in HH-SCHED2 with heritage values</u>.²⁷¹ 5. <u>where the activity is located within an ONL, ONF, SAL, the new solar cell must be finished in a colour which, when graded using the British Standard BS5252:1976 Framework for Colour Co-ordination for Building Purposes, has a reflectivity value of a maximum of:</u> a. <u>60% for greyness groups A or B;</u> b. <u>40% for greyness group C</u>.²⁷² 6. <u>the activity is not located in SASM (except where located in a road corridor or on an existing building)</u>.²⁷³ and 7. <u>the activity complies with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7</u>.²⁷⁴	
EI-R41	New small scale free standing and roof mounted ²⁷⁹ wind turbine(s) for small scale or community scale renewable electricity generation	
All Zones	Activity status: PER Where:	Activity status when compliance not achieved: RDIS

²⁷¹ Chorus, Spark and Vodafone [62.66].

²⁷² Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²⁷³ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

²⁷⁴ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

²⁷⁹ Waimakariri District Council [367.50].

	1. the activity involves the installation, maintenance, upgrading or removal of a small scale wind turbine(s) in the circumstances specified below; 2. the electricity generated is either: a. solely for use on a site and ancillary to the principal use of the site; or b. for use on a site and ancillary to the principal use of the site, and also for supply to a maximum of 20 other sites; and c. any surplus of electricity generated may be distributed to the electricity distribution network; 3. if standard (2)(a) above applies, a maximum of one wind turbine shall be erected on a site; 4. if standard (2)(b) above applies, a maximum of one wind turbine shall be erected for each site, with either one turbine placed on each site or the turbines clustered on one or more of the sites; 5. new installations shall not involve alteration to a <u>historic heritage</u> structure <u>listed in HH-SCHED2 with heritage values</u>,²⁸⁰ 6. the activity shall not be located in the following areas: a. ONF, ONL and SAL; b. areas of ONC, VHNC and HNC;	Matters of discretion are restricted to: EI-MCD1 - Historic heritage and the natural environment²⁸⁵ EI-MCD2 - Amenity values, location and design²⁸⁶ EI-MCD3 - Operational considerations²⁸⁷ EI-MCD4 - Health and safety²⁸⁸ EI-MCD5 - Electricity generation²⁸⁹

²⁸⁰ Waimakariri District Council [367.50].

²⁸⁵ Chorus, Spark and Vodafone [62.29]

²⁸⁶ Chorus, Spark and Vodafone [62.29]

²⁸⁷ Chorus, Spark and Vodafone [62.29]

²⁸⁸ Chorus, Spark and Vodafone [62.29]

²⁸⁹ Chorus, Spark and Vodafone [62.29]

	c. <u>SNA's</u>²⁸¹; 7. <u>for free standing wind turbines</u>²⁸² a. each wind turbine (including the full extent of blades) shall comply with road and internal boundary building setback requirements for the zone; and b. the maximum permitted height in relation to infrastructure of each wind turbine (including the full extent of blades) is 20m; 8. <u>for roof mounted wind turbines</u>: a. <u>the maximum permitted height of each wind turbine (including the full extent of the blades) is 3m above the highest point of attachment to the roof of a building;</u> b. <u>there shall be no more than one wind turbine per building;</u> <u>Note: roof mounted wind turbines shall be exempt from height in relation to boundary requirements.</u>²⁸³ 9. <u>the activity complies with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.</u>²⁸⁴	

²⁸¹ Department of Conservation [419.47].

²⁸² Waimakariri District Council [367.50].

²⁸³ Waimakariri District Council [367.50].

²⁸⁴ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

EI-R42	New solar hot water systems	
All Zones	Activity status: PER Where: 1. if located on the roof of a building in or adjoining Residential Zones, Special Purpose Zone (Kāinga Nohoanga) or Special Purpose Zone (Pines Beach and Kairaki Regeneration), shall comply with the following (as applicable): a. on new buildings, shall comply with the height in relation to boundary requirement for the zone or adjoining zone; or b. if located on an existing building in or adjoining a zone in (1) above that already breaches the applicable height in relation to boundary requirement, the solar hot water system may also breach it; or c. if located on an existing building in or adjoining a zone in (1) above that does not breach the applicable height in relation to boundary requirement, the solar hot water system shall also not breach it; and 2. new installations shall not involve alteration to a	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: - EI-MCD1 - Historic heritage and the natural environment²⁹¹ - EI-MCD14 - Extent of effects²⁹²

²⁹¹ Chorus, Spark and Vodafone [62.29]

²⁹² Chorus, Spark and Vodafone [62.29]

	<u>historic heritage</u> building listed in HH-SCHED2 with <u>heritage values</u> . ²⁹⁰	
	Advisory Note The installation of solar hot water systems may also require building consent from the District Council.	
EI-R43	New infrastructure for the generation of renewable energy,²⁹³ including renewable electricity generation,²⁹⁴ from waste	
	<i>This activity includes the use of electricity generated on site, and the supply of any surplus electricity generated to the electricity distribution network.</i>	
All Zones	Activity status: RDIS Matters of discretion are restricted to: - EI-M~~C~~D1 - Historic heritage and the natural environment - EI-M~~C~~D2 - Amenity values, location and design - EI-M~~C~~D3 - Operational considerations - EI-M~~C~~D4 - Health and safety - EI-M~~C~~D5 - Electricity generation - EI-M~~C~~D8 - Water supply, wastewater system, and stormwater infrastructure	Activity status when compliance not achieved: N/A
EI-R44	New large scale wind turbine(s) for large scale renewable electricity generation	
All Zones	Activity status: DIS Where: the activity involves the installation, maintenance, upgrading or removal of a wind turbine(s) other than for small scale or community scale renewable electricity generation from a small scale wind turbine(s) provided for in EI-R41.	Activity status when compliance not achieved: N/A
<u>EI-R44A</u>	<u>Large scale solar electricity generation</u> ²⁹⁵	
All Zones	<u>Activity status: RDIS</u> <u>Where:</u> <u>the activity involves the installation, maintenance,</u>	<u>Activity status when compliance not achieved: N/A</u>

²⁹⁰ Waimakariri District Council [367.50].

²⁹³ RMA Schedule 1 Clause 16(2).

²⁹⁴ RMA Schedule 1 Clause 16(2).

²⁹⁵ Waimakariri District Council [367.15].

	<u>upgrading or removal of solar cell(s) other than for small scale or community scale renewable electricity generation provided for in EI-R40.</u>	

Activity Rules - Water, wastewater, stormwater

EI-R45	Requirement to connect to water supply, wastewater system or stormwater infrastructure <i><u>This rule does not apply to the Heavy Industrial Zone located between Upper and Lower Sefton Roads</u></i> ²⁹⁶	
All Zones	Activity status: PER Where: 1. any new building, other than an accessory building: a. when located in Residential Zones, Commercial and Mixed Use Zones, Industrial Zones or Special Purpose Zones (other than the Special Purpose Zone (Kāinga Nohoanga)), shall be connected to the following, <u>if available</u> ²⁹⁷ : i. a public drinking water supply; ii. a public wastewater system; b. when located in Rural Zones, Special Purpose Zone (Kāinga Nohoanga) or Open Space and Recreation Zones, shall be connected to the following, if available: i. a public drinking water supply; ii. a public wastewater system;	Activity status when compliance not achieved: DIS

²⁹⁶ Daiken NZ [145.18].

²⁹⁷ Daiken NZ [145.18].

	iii. a public drinking water supply is considered to be available in Rural Zones, Special Purpose Zone (Kāinga Nohoanga) or Open Space and Recreation Zones where: a. the drinking water supplier will accept a connection to the supply from the site; and b. the water reticulation network already exists adjacent to the site boundary, or if the amount of new pipework to be installed to provide a connection to the site boundary by extending the supply from the existing network is less than or equal to 250m of new pipework per new building ~~(up to a maximum of 1km)~~^{298.},	

²⁹⁸ Waimakariri District Council [367.24]

	iv. a public wastewater system is considered to be available in Rural Zones, Special Purpose Zone (Kāinga Nohoanga) or Open Space and Recreation Zones where: a. a wastewater pipeline passes within 50m of the site boundary; and b. the wastewater system operator will accept the wastewater from the site; and c. the distance from the wastewater system to the building from which wastewater is generated is less than 100m; v. within the Special Purpose Zone (Kāinga Nohoanga) where a public drinking water supply or public wastewater system is not available, connection shall be to on site water supply and wastewater	

	treatment services; and 2. any new building, other than an accessory building with a floor area of 10m² or less: a. when located in Residential Zones, Commercial and Mixed Use Zones, Industrial Zones or Special Purpose Zones (other than the Special Purpose Zone (Kāinga Nohoanga)), shall be connected to reticulated stormwater infrastructure; ~~and~~ b. when located in Rural Zones, Special Purpose Zone (Kāinga Nohoanga) or Open Space and Recreation Zones, shall manage stormwater on site so that the effects of stormwater at the site boundary (from both peak flow and total flow) are no greater than before the development took place; <u>and</u> 3. <u>the activity complies with Earthworks standards EW-S1, EW-S4, EW-S5, EW-S6, and EW-S7.</u>²⁹⁹	
	Advisory Notes • The Waimakariri Rural Residential Development Strategy June 2019 (p30-32) shows the wastewater, water supply and drainage schemes in the District. • Advice should be sought from the District Council regarding the availability and adequacy of services and any other engineering requirements associated with new connections. • Check also EI-R4 Customer connection between a building, other structure, site, and infrastructure. • Check also any relevant provisions in the Subdivision chapter regarding provision of services to new allotments. • New connections may also require building consent from the District Council.	

²⁹⁹ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

	Check the ECOP for the relevant infrastructure design standard or construction specification standard.	
EI-R46	Construction of new, or renewal or upgrading of existing, water supply, wastewater system, or stormwater infrastructure	
All Zones	Activity status: PER Where: - compliance is achieved with the relevant built form standards for the relevant zone or overlay; - the activity does not involve earthworks in the root protection area of a notable tree, except where located in a road corridor or where the works: - involve installation at least 1m below ground level; and - are limited to hand digging, trenchless means or air spade, hydro vac or directional drilling methods; and - have an entry point either: - located outside of the root protection area; or - with an area of less than 1m²; - the activity does not involve earthworks in the following areas (except where located in a road corridor or accessway, or involve an extension to existing infrastructure adjoining a site, or where works are by trenchless means): - SASM; - SNAs; ~~places adjoining the coastal marine area~~	Activity status when compliance with EI-R46 (1) to (4) and (6) not achieved: RDIS Matters of discretion are restricted to: - EI-MCD1 - Historic heritage and the natural environment³⁰⁵ - EI-MCD2 - Amenity values, location and design³⁰⁶ - EI-MCD3 - Operation considerations³⁰⁷ - EI-MCD4 - Health and safety³⁰⁸ - EI-MCD8 - Water supply, wastewater system, and stormwater infrastructure³⁰⁹ Activity status when compliance with EI-R46 (5) not achieved: DIS

³⁰⁵ Chorus, Spark and Vodafone [62.29]

³⁰⁶ Chorus, Spark and Vodafone [62.29]

³⁰⁷ Chorus, Spark and Vodafone [62.29]

³⁰⁸ Chorus, Spark and Vodafone [62.29]

³⁰⁹ Chorus, Spark and Vodafone [62.29]

	<u>the coastal environment</u>³⁰⁰; 4. new stormwater infrastructure storage, retention, detention or treatment facilities and devices and outfall structures are not located in the following areas: - SASM; - SNAs; 5. new wastewater system treatment plants and outfall structures are not located in the following areas: - SASM; - settings with heritage values, and archaeological sites; - ONF, ONL and SAL; - areas of ONC, VHNC and HNC; - natural character of scheduled freshwater bodies setbacks; - SNAs; ~~places adjoining the coastal marine area~~ <u>the coastal environment</u>³⁰¹; - Residential Zones, Commercial and Mixed Use Zones, Special Purpose Zones, or Open Space and Recreation Zones; <u>within the 'Bird Strike Risk Management Overlay'</u>³⁰²; 6. new water supply storage and treatment facilities are not located in the following areas: - SASM; - ONF, ONL and SAL; - areas of ONC, VHNC and HNC;	

³⁰⁰ Chorus, Spark and Vodafone [62.6].

³⁰¹ Chorus, Spark and Vodafone [62.6].

³⁰² Christchurch International Airport Ltd [254.148]

	d. natural character of scheduled freshwater bodies setbacks; e. SNAs; 7. <u>the construction of new water supply, wastewater system, or stormwater infrastructure complies with Earthworks standards EW-S1, EW-S2, EW-S5, EW-S6, and EW-S7;</u> and ³⁰³ 8. <u>the renewal or upgrading of existing, water supply, wastewater system, or stormwater infrastructure complies with Earthworks standard EW-S7.</u> ³⁰⁴	
	Advisory Notes • Check the ECOP for the relevant infrastructure design standard or construction specification standard. • Check for any relevant Regional Council provisions. • Check any relevant Stormwater Management Plans and Integrated Catchment Management Plans. • May also require building consent from the District Council.	
EI-R47	New rainwater collection systems for non-potable use	
All Zones	Activity status: PER Where: 1. in Residential Zones, Special Purpose Zone (Kāinga Nohoanga), and Special Purpose Zone (Pines Beach and Kairaki Regeneration), new rainwater tanks shall comply with building height, road boundary and internal boundary setback requirements for the relevant zone; 2. <u>the activity is not located in SASM (except where located in a road corridor or</u>	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD14 - Extent of effects³¹² <u>EW-MD1 - Activity operation, scale, form and location</u>³¹³

³⁰³ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

³⁰⁴ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

³¹² Chorus, Spark and Vodafone [62.29]

³¹³ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

	<u>on an existing building</u>)³¹⁰. and 3. <u>the activity shall comply with Earthworks standards EW-S1, EW-S2, EW-S4, EW-S5, EW-S6, and EW-S7.</u>³¹¹	
	Advisory Note The installation of rainwater tanks may also require building consent from the District Council.	
EI-R48	Requirement to provide water supply for firefighting	
All Zones	Activity status: PER Where: - provision for sufficient water supply and access to water supplies for firefighting is available to all buildings (excluding accessory buildings <u>and infrastructure buildings</u>³¹⁴ that are not habitable buildings) via the District Council's reticulated water supply (where available) in accordance with the SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice; or - where a reticulated water supply compliant with SNZ PAS 4509:2008 is not available, or the only supply available is the controlled restricted rural type water supply which is not compliant with SNZ PAS 4509:2008, water supply and access to water supplies for firefighting shall be in accordance with the alternative firefighting water sources provisions of SNZ PAS 4509:2008.	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MCD11 - Requirement to provide water supply for firefighting Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Fire and Emergency New Zealand where the consent authority considers this is required, absent its written approval.

³¹⁰ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

³¹¹ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

³¹⁴ MainPower [249.91].

Activity Rules - Irrigation/stockwater networks

EI-R49	Maintenance, repair, and upgrade of existing community scale irrigation/stockwater networks	
Rural Zones	Activity status: PER Where: 1. the maintenance, repair, and upgrade (where upgrades exclude extension or expansion) is to existing diversion, intake, conveyance, storage, discharge and other ancillary facilities and structures for the reticulation and storage of water for agricultural and horticultural activities including irrigation and stockwater (excluding mobile irrigation equipment for agricultural and horticultural activities) that serves multiple sites and is centrally administered; 2. <u>the activity is not located in SASM (except where located in a road corridor or within the existing footprint of the activity)</u>³¹⁵; 3. <u>EW-S4 and EW-S7 are met;</u> 4. <u>the disposal or stockpiling of any dredged material to land complies with EW-S1, EW-R9 (stockpiling), EW-S2; and</u> 5. <u>the activity is undertaken by the Crown, Regional Council, District Council or their nominated agent.</u> ³¹⁶	Activity status when compliance not achieved: <u>N/A RDIS</u> <u>Matters of discretion are restricted to:</u> <u>EI-MCD1 - Historic heritage and the natural environment</u>³¹⁷
	Advisory Note	

³¹⁵ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

³¹⁶ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

³¹⁷ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

	A check should be made of the Stockwater Race Bylaw 2019 for any other requirements that may apply.	
EI-R50	New, or extension or expansion of existing, community scale irrigation/stockwater networks	
Rural Zones	Activity status: DIS Where: the new, or extension or expansion of existing, diversion, intake, conveyance, storage, discharge and other ancillary facilities and structures is for the reticulation and storage of water for agricultural and horticultural activities including irrigation and stockwater (excluding mobile irrigation equipment for agricultural and horticultural activities) that serves multiple sites and is centrally administered.	Activity status when compliance not achieved: N/A
	Advisory Note A check should be made of the Stockwater Race Bylaw 2019 for any other requirements that may apply.	

~~Activity Rules – Managing effects of activities and development on the National Grid~~

EI-R51	~~Activities and development (other than earthworks) within a National Grid Yard~~	
All Zones	~~Activity status: PER~~ ~~Where:~~ ~~the activities and development within a National Grid Yard in (a) to (i) below comply with the safe electrical clearance distances set out in the NZECP; and where the activities and development in (d) to (i) below are set back 12m from any National Grid support structure:~~ ~~network utilities (other than for the reticulation and storage of water in canals, dams or~~	~~Activity status when compliance not achieved: NC~~ ~~Notification~~ ~~An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.~~

	reservoirs including for irrigation purposes) undertaken by network <u>utility operators</u>; b. ~~fences no greater than 2.5m in <u>height</u> above <u>ground level</u> and no closer than 6m from the nearest <u>National Grid support structure</u>;~~ c. ~~artificial crop protection and support <u>structures</u> between 8m and 12m from a single <u>pole</u> or <u>pi-pole</u> and any associated guy wire (but not a <u>tower</u>) that:~~ i. ~~meets the requirements of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances for separation distances from the <u>conductor</u>;~~ ii. ~~is a maximum of 2.5m in <u>height</u> above <u>ground level</u>;~~ iii. ~~is removable or temporary, to allow clear working space 12m from the <u>pole</u> when necessary for maintenance and <u>emergency</u> repair purposes;~~ iv. ~~allows all weather access to the <u>pole</u> and a sufficient area for maintenance~~	

	equipment, including a crane; d. ~~any new non-habitable building less than 2.5m in height above ground level and 10m² in floor area;~~ e. ~~non-habitable buildings or structures used for agricultural and horticultural activities, provided they are not a milking shed/dairy shed (excluding the stockyards and ancillary platforms), a wintering barn, a building for intensive farming activities, or a commercial greenhouse;~~ f. ~~mobile irrigation equipment used for agricultural and horticultural activities;~~ g. ~~other than reticulation and storage of water in dams or reservoirs in (a) above, reticulation and storage of water for irrigation purposes provided that it does not permanently physically obstruct vehicular access to a National Grid support structure;~~ h. ~~building alteration and additions to an existing building or other structure that does not involve an increase in the height above ground level or footprint of the building or structure;~~ and i. ~~a building or structure where Transpower NZ Ltd has given written approval in accordance~~	

	with clause 2.4.1 of the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.	
All Zones	Activity status: NC Where: 1. activities and development within a National Grid Yard involve the following: a. any activity and development that permanently physically impedes vehicular access to a National Grid support structure; b. any new building for a sensitive activity; c. any change of use to a sensitive activity or the establishment of a new sensitive activity; d. dairy/milking sheds or buildings for intensive farming or wintering barns; and e. any hazardous facility that involves the storage and handling of hazardous substances with explosive or flammable intrinsic properties within 12m of the centreline of a National Grid transmission line. Notification An application under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.	Activity status when compliance not achieved: N/A
	Advisory Note National Grid transmission lines are shown on the planning map.	
EI-R52	<u>Earthworks (other than quarry or landfill) within a National Grid Yard</u>	

All Zones	Activity status: PER Where: 1. ~~around <u>National Grid</u> support towers:~~ a. ~~depth shall be no deeper than 300mm within 6m of a foundation of a <u>National Grid</u> support structure;~~ b. ~~depth shall be no deeper than 3m:~~ i. ~~between 6m and 12m from the foundation of a 220kV or a 350kV <u>National Grid</u> support structure;~~ - or ii. ~~between 6m and 10m from the foundation of a 66kV <u>National Grid</u> support structure;~~ 2. ~~earthworks shall not compromise the stability of a <u>National Grid</u> support structure;~~ 3. ~~earthworks shall not result in a reduction in the ground to <u>conductor</u> clearance distances below what is required by Table 4 of NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and~~ 4. ~~earthworks shall not result in vehicular access~~	Activity status when compliance with EI-R52 (1) not achieved: RDIS Matters of discretion are restricted to: ~~EI-MD12—National Grid~~ Activity status when compliance with EI-R52 (2) to (5) not achieved: NC Notification ~~An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.~~

	~~to a National Grid support structure being permanently obstructed.~~	
EI-R53	Any quarry or landfill on the same site as a National Grid support structure ^{318, 319}	
All Zones	Activity status: RDIS Matters of discretion are restricted to: EI-MD12—National Grid Notification An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to Transpower NZ Ltd where the consent authority considers this is required, absent its written approval.	Activity status when compliance not achieved: N/A
	Advisory Note • National Grid transmission lines are shown on the planning map.	

Activity Rules - Managing the effects of Network utilities activities and development on major electricity distribution lines³²⁰

EI-R54	Earthworks adjacent to a 66kV or 33kV electricity distribution line	
All Zones	Activity Status: PER Where: 1. earthworks shall not exceed 3m in depth between 6m and 10m from the visible outer edge of a foundation of a 66kV or 33kV electricity distribution line pole or tower; 2. earthworks shall not destabilise a 66kV or 33kV electricity distribution line pole, or tower; and 3. earthworks shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 in	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: EI-MD13—Major electricity distribution lines Notification An application for a restricted 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.

³¹⁸ Transpower [195.44].

³¹⁹ Federated Farmers [414.83].

³²⁰ Consequential amendment from MainPower [249.92].

	~~NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances, unless the requirements of Clause 2.2.3 of NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances are met;~~	
	Exemptions This rule does not apply to: ~~• 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 (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes);~~ ~~• earthworks for which a dispensation has been granted by the relevant electricity distribution line operator under the NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances;~~ <del>• vertical holes not exceeding 500mm in diameter provided they: ~~○ are more than 1.5m from the visible outer edge of a pole or stay wire; or~~ ~~○ are a post hole for a farm fence or horticultural structure more than 6m from the visible outer edge of a tower.~~ </del>	
	Advisory Notes ~~• 66kV/33kV electricity distribution lines are shown on the planning map.~~ ~~• 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 NZEC 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 NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.~~	
EI-R55	Network utilities within ~~10m~~ ³²¹ 6m of the centre line of a ~~66kV or 33kV~~ ³²² major electricity distribution line	
All Zones	Activity status: PER Where: - the network utility complies with the NZEC 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. <u>the activity is not located in SASM (except where</u>	Activity status when compliance not achieved: NC <u>Notification</u> <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> ³²⁴

³²¹ MainPower [249.93].

³²² MainPower [249.93].

³²⁴ Chorus, Spark and Vodafone [62.35].

	located in a road corridor)) ³²³ .	
	Advisory Note 66kV/33kV Major³²⁵ electricity distribution lines are shown on the planning map.	
EI-R56	Activities and development (other than earthworks or network utilities) adjacent to a 66kV or 33kV electricity distribution line	
All Zones	Activity status: NC - Where: 1. activities and development adjacent to a 66kV or 33kV electricity distribution line involve the following: a. new sensitive activity and new buildings (excluding accessory buildings) within 10m of the centreline of a 66kV or 33kV electricity distribution line or within 10m of the visible outer edge of a foundation of an associated pole or tower; and b. new fences more than 2.5m high and within 5m of the visible outer edge of a foundation for a 66kV or 33kV electricity distribution line, pole or tower - Notification 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	Activity status when compliance not achieved: N/A

³²³ Chorus, Spark and Vodafone [62.6], Transpower [195.23, 195.68] and MainPower [249.1, 249.24, 249.47, 249.48]

³²⁵ MainPower [249.93].

	~~authority considers this is required, absent its written approval.~~	

	Advisory Notes ~~66kV/33kV electricity distribution lines are shown on the planning map.~~ ~~Vegetation to be planted around electricity distribution lines should be selected and managed to ensure that it will not breach the Electricity (Hazards from Trees) Regulations 2003.~~ ~~The NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances contains restrictions on the location of activities and development in relation to electricity distribution lines. Activities and development in the vicinity of these lines must comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances.~~	

Matters of **Control and**³²⁶ Discretion

EI-MCD1 ³²⁷	Historic heritage, cultural values and the natural environment - The extent of any adverse landscape and visual effects, including cumulative effects, on ONF, ONL and SAL; or on areas of ONC, VHNC or HNC; or on the natural character of scheduled freshwater bodies setbacks; or on the coastal environment. - The extent to which infrastructure has a functional need or operational need for its location, the practicality of avoidance, and the viability of alternative locations, routes, sites, structures and construction methods. - The extent of any effects on SNAs or any notable tree and, the nature of any advice provided by an ecologist with respect to SNAs or indigenous vegetation clearance or arborist with respect to notable trees. - The extent of any social, economic, environmental and cultural benefits. - The extent of any effects on historic heritage, including consideration of the need to impose an accidental discovery protocol or have a cultural or archaeological monitor present (including the resourcing). - Outcomes of any consultation undertaken with Te Ngāi Tūāhuriri Rūnanga and Heritage NZ Pouhere Taonga. - Likely effectiveness of the mitigation proposed, including any cultural or archaeological monitoring. - Any relevant matter set out in NFL-MD1, <u>HH-MD1, TREE-MD1, SASM-MD1, SASM-MD2, SASM-MD3, ECO-MD1, NATC-MD4, CE-MD1, and EW-MD1 - EW-MD8.</u>³²⁸
EI-MCD2 ³²⁹	Amenity values, location and design The practicality and effectiveness of screening the infrastructure, <u>where necessary.</u>³³⁰

³²⁶ Chorus, Spark and Vodafone [62.29]

³²⁷ Chorus, Spark and Vodafone [62.29]

³²⁸ Transpower [195.84] and Chorus, Spark and Vodafone [62.50 and 62.51].

³²⁹ Chorus, Spark and Vodafone [62.29]

³³⁰ Transpower [195.46].

	2. For infrastructure attached to other structures, the extent to which the infrastructure is within the visual envelope of an existing structure, and the extent to which the colour and design of the infrastructure corresponds to the existing structure. 3. The extent of consideration of the number, size, location and design of any other existing infrastructure in the vicinity. 4. The extent to which any adverse effects of the infrastructure have been avoided, remedied or mitigated by the route, site and construction method selection. 5. The extent to which the location and size of the infrastructure impacts on the ability of people to access any existing facility or activity on the site.
EI-MCD3³³¹	Operational considerations 1. The extent to which the location and scale of structures proposed are necessary to meet the operational need or functional need of the infrastructure. 2. The extent to which placing infrastructure underground is unreasonable in terms of technical constraints, additional costs or environmental effects. 3. The extent to which there is any risk to, and effects on, the operation, maintenance, upgrading and development of the infrastructure. 4. The extent to which buildings, other structures or vegetation obstruct or otherwise adversely affect radiocommunication pathways, either individually or cumulatively, and the extent to which such adverse effects can be avoided, remedied or mitigated.
EI-MCD4³³²	Health and safety 1. The extent to which the infrastructure will be located in close proximity to any sensitive activity, and the extent of any effect on human health.
EI-MCD5³³³	Electricity generation 1. The extent to which the infrastructure will make a meaningful contribution to renewable electricity generation targets. 2. The distance between the infrastructure and residences, public places, or places from which the infrastructure would be visible, and the extent to which the infrastructure would pose significant adverse visual effects on or dominate the surrounding landscape. 3. The extent to which views to the infrastructure are expansive or constrained. 4. The extent to which the design, siting and size of the infrastructure responds to its landscape context. 5. The relative elevation of the infrastructure, in relation to residences, public places or place from which the infrastructure will be visible, including the extent to which the infrastructure is located on a ridgeline or series of ridgelines, or would form part of a skyline. 6. Number, design and extent of wind turbines and associated structures, and predominant orientation in relation to the landform. 7. Effects on topography, landforms and geological forms. 8. Ecological effects including any loss of indigenous flora, fauna, habitat and effects on riparian margins. 9. Effects on adjoining land uses of noise levels, noise modulation, glint/glare, and shadow flicker. 10. Need to locate wind turbines and associated structures where the wind resource is available and the quality of the wind resource.

³³¹ Chorus, Spark and Vodafone [62.29]

³³² Chorus, Spark and Vodafone [62.29]

³³³ Chorus, Spark and Vodafone [62.29]

	11. Extent and visibility of roads, access tracks, earthworks and vegetation clearance associated with the construction, operation or maintenance of the infrastructure. 12. For solar cells, as well as the above matters: - the time of day, year, and time per day when adjoining or adjacent sites would be affected by reflected solar glare and the degree of luminescence; - the number of sites affected and their relative proximity; and - whether there is a hazard from any glare. 13. The necessity for electricity generation other than renewable electricity generation in the District's electricity supply network, including for resilience.
EI-MCD6³³⁴	Electricity transmission and electricity distribution <u>1A. The distance between the infrastructure and residences, public places, or places from which the infrastructure would be visible, and the extent to which the infrastructure would pose significant adverse visual effects on or dominate the surrounding landscape.</u>³³⁵ <u>1B. Extent and visibility of roads, access tracks, earthworks and vegetation clearance associated with the construction, operation or maintenance of the infrastructure.</u>³³⁶ ~~1. Extent of effects on access to and the operation, maintenance, upgrade development and structural integrity of the electricity transmission and electricity distribution network.~~³³⁷ 2. Extent of compliance with the NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances. ~~3. Nature of technical advice provided by infrastructure operators and extent of compliance with it.~~³³⁸ 4. Risk of electrical hazards affecting public safety and risk of property damage. <u>5. The benefits of the related infrastructure.</u>³³⁹
EI-MCD7³⁴⁰	Gas distribution pipeline and fuel systems - Effects on access to and the operation, maintenance, upgrade, development and structural integrity of gas distribution pipeline and fuel systems. - Technical advice provided by infrastructure operators. - Hazards affecting public safety and risk of property damage.
EI-MCD8³⁴¹	Water supply, wastewater system, and stormwater infrastructure - The requirements of the ECOP, and any other relevant regulations. - The extent to which the proposed servicing will adequately serve its intended purpose. - The extent to which existing infrastructure is available to connect to. - The extent to which the infrastructure will incorporate existing indigenous vegetation, or proposes new planting of indigenous vegetation naturally occurring within the ecological district within which planting will take place or of ecologically similar origin. - The extent of any actual or potential adverse effects on the capacity, efficiency and function of existing infrastructure. - The provision for, and protection of, the flood storage and conveyance capacity of waterways.

³³⁴ Chorus, Spark and Vodafone [62.29]

³³⁵ Transpower [195.49].

³³⁶ Transpower [195.49].

³³⁷ Transpower [195.49].

³³⁸ Transpower [195.49].

³³⁹ Transpower [195.50].

³⁴⁰ Chorus, Spark and Vodafone [62.29]

³⁴¹ Chorus, Spark and Vodafone [62.29]

	- The requirements of AS/NZS 1547:2012 On-site Domestic Wastewater Management. - The extent to which interference with public use and enjoyment of open space and recreation land is or can be minimised where infrastructure is located or proposed to be located in Open Space and and Recreation Zones. - The extent to which safe and direct access can be provided to enable the maintenance of infrastructure. - The extent to which there will be health and safety adverse effects associated with infrastructure and the extent to which these can be avoided, remedied or mitigated. - The outcome of any consultation undertaken with the District Council regarding the availability, adequacy or suitability of the water supply, wastewater system or stormwater infrastructure servicing proposed.
EI-MCD9³⁴²	Construction of new, or widening or extension of existing, vehicle access tracks ancillary to infrastructure - The ability to integrate with the landscape, follow natural contours, and mitigate adverse effects. - The extent of <u>non-compliance</u>³⁴³ with <u>Earthworks standards EW-S1 to EW-S7</u>.³⁴⁵ - Relevant assessment matters in the Earthworks Chapter <u>and, where resource consent is required by Rules EI-R2 and EI-R23</u>³⁴⁶, for the ³⁴⁷overlay. <u>The benefits of the related infrastructure</u>.³⁴⁸
EI-MCD10³⁴⁹	Relocation of existing infrastructure - The extent to which the existing alignment or location is within a road corridor and relocation over a greater distance is necessary to ensure the infrastructure remains within the road corridor due to road widening or realignment. - The extent to which relocation over a greater distance is necessary for safety, access, operational need or functional need reasons. - The extent to which relocation would result in the infrastructure being located in the following areas, and relocation over a greater distance is necessary to avoid or minimise encroachment into such areas: - the root protection area of a notable tree; - places with heritage values; - Wāhi Tapu sites; and - SNAs. <u>The benefits of the infrastructure</u>.³⁵⁰
EI-MCD11³⁵¹	Requirement to provide water supply for firefighting - The extent to which sufficient firefighting water supply is available to ensure the health and safety of the community, including neighbouring sites. - The suitability of the proposed water supply for firefighting purposes (the District Council may obtain a report from the Chief Fire Officer), including the extent of compliance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.

³⁴² Chorus, Spark and Vodafone [62.29]

³⁴³ Transpower [195.50].

³⁴⁴ Transpower [195.50].

³⁴⁵ Transpower [195.50].

³⁴⁶ Transpower [195.50].

³⁴⁷ Transpower [195.50].

³⁴⁸ Transpower [195.50].

³⁴⁹ Chorus, Spark and Vodafone [62.29]

³⁵⁰ Transpower [195.51].

³⁵¹ Chorus, Spark and Vodafone [62.29]

EI-MCD12³⁵²	National Grid 1. The extent of any impacts on the operation, maintenance, upgrading and development of the National Grid. 2. The risk to the structural integrity of any affected National Grid support structure(s). 3. The extent of any impact on the ability of the National Grid owner (Transpower NZ Ltd) to access the National Grid. 4. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
EI-MD13	Major electricity distribution lines³⁵³ ~~1. The extent of any impacts on the operation, maintenance, upgrading and development of the electricity distribution network.~~ ~~2. The risk to the structural integrity of any affected electricity distribution line support structure(s).~~ ~~3. The extent of any impact on the ability of the relevant electricity distribution network operator to access the electricity distribution network.~~ ~~4. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.~~
EI-MCD134³⁵⁴	Extent of effects 1. The extent of <u>non</u>-compliance³⁵⁵ with the relevant standard(s), and the extent of any effects of non-compliance with the relevant standard(s) including cumulative effects. <u>2. The benefits of the infrastructure.</u>³⁵⁶
EI-MCD14	<u>Bird Strike Risk Management</u> <u>The extent to which the activity has a bird strike risk management plan prepared by a suitably qualified and experienced ecologist with experience in bird strike issues to demonstrate the activity will be designed, operated and managed to minimise the attraction of bird species (such as black-backed gulls) that may pose a bird strike risk to aircraft.</u>³⁵⁷

Related Planning Map Amendments

Delete 'National Grid Yard' mapping layer (but retain National Grid lines)

Delete 'Major Electricity Lines setback corridor' mapping layer (but retain Major Electricity Distribution Lines)

Related Definition Amendments

³⁵² Chorus, Spark and Vodafone [62.29]

³⁵³ MainPower [249.103].

³⁵⁴ Chorus, Spark and Vodafone [62.29]

³⁵⁵ Transpower [195.53].

³⁵⁶ Transpower [195.53].

³⁵⁷ Christchurch International Airport Ltd [254.148]

AMATEUR RADIO CONFIGURATIONS	means the antennas, aerials, and associated <u>support structures</u> ³⁵⁸ <u>including</u> poles which are owned and <u>used</u> <u>operated</u> ³⁵⁹ by licensed amateur radio operators.
ANCILLARY INFRASTRUCTURE EQUIPMENT	means equipment that must be installed with the main components of infrastructure to enable its operation, including (but not limited to): <u>telemetry equipment</u> ³⁶⁰ , valves, fittings, meters, pipework, power distribution units, microwave units, DC and surge arrestors, cable trays, cables, mounts, fibre access terminals, ducting, cable loops, combiner/junction boxes, remote radio units, pole- or tower-mounted amplifiers, lightning surge units, filters, or similar types of equipment required to support its operation, but excluding antennas, self-contained power units or generators.
<u>ELECTRICITY CABINETS AND KIOSKS</u> ³⁶¹	<u>in relation to electricity distribution, means equipment affixed to, or within, the ground that is necessary to operate part of a utility or infrastructure network, including any casing.</u>
ELECTRICITY DISTRIBUTION LINE	means the lines and associated poles, pi-poles and towers <u>that are not part of the National Grid and are</u> ³⁶² utilised by a network utility operator to distribute electricity.
EMERGENCY SERVICE	means an authority or service that is responsible for the safety and welfare of people and property in the community during times of emergency that include, but are not necessarily limited to, <u>fire-service</u> ³⁶³ <u>Fire and Emergency New Zealand</u> ³⁶⁴ , ambulance, police, <u>New Zealand Defence Force</u> ³⁶⁵ and emergency co-ordination authorities or services.
INFRASTRUCTURE	has the same meaning as in section 2 of the RMA and also <u>means</u> <u>includes</u> <u>defence facilities</u> ³⁶⁶ .
INFRASTRUCTURE BUILDING	means a building that serves the same purpose as an infrastructure cabinet but is of a larger scale and is not a habitable building, <u>or an electricity cabinet or kiosk</u> ³⁶⁷ .
INFRASTRUCTURE CABINET	means a casing around equipment that is necessary to operate part of infrastructure but is not an infrastructure building, <u>or an electricity cabinet or kiosk</u> ³⁶⁸ .
<u>MAJOR ELECTRICITY DISTRIBUTION LINES</u>	<u>means an overhead electricity distribution line as shown on the planning maps that is built to operate at a voltage of 33kV or greater.</u>

³⁵⁸ NZ Association of Amateur Radio Transmitters, Inc. [157.1]

³⁵⁹ NZ Association of Amateur Radio Transmitters, Inc. [157.1]

³⁶⁰ MainPower [249.7]

³⁶¹ MainPower [249.9]

³⁶² Transpower [195.5]

³⁶³ Fire and Emergency NZ [303.1]

³⁶⁴ Fire and Emergency NZ [303.3]

³⁶⁵ NZ Defence Force [166.1]

³⁶⁶ NZ Defence Force [166.1]

³⁶⁷ MainPower [249.14]

³⁶⁸ MainPower [249.15]

NATIONAL GRID
SUBDIVISION
CORRIDOR³⁶⁹

means:

- the area 32m either side of the centreline of an above ground 66kV transmission line on towers (including tubular steel towers where these replace steel lattice towers);
- the area 37m either side of the centreline of an above ground 220kV transmission line;
- the area 39m either side of the centreline of an above ground 350kV transmission line.

NATIONAL GRID YARD	means: 1. the area located 12m in any direction from the outer <u>visible</u>³⁷⁰ edge of a <u>foundation of a</u>³⁷¹ ~~220kV or a 350kV~~³⁷² National Grid ~~transmission line~~³⁷³ support structure; ~~or~~ 2. ~~the area located 10m in any direction from the outer edge of a 66kV National Grid transmission line support structure; and~~³⁷⁴ 3. the area located 10m either side of the centreline of an overhead 66kV National Grid transmission line; ~~on towers (including tubular steel towers where these replace lattice steel towers); or~~³⁷⁵ 4. the area located 12m either side of the centreline of any overhead 220kV or 350kV National Grid transmission line ~~on towers (including tubular steel towers where these replace lattice steel towers);~~³⁷⁶

REGIONALLY SIGNIFICANT INFRASTRUCTURE	means: 1. strategic land transport network and arterial roads; 2. ~~Timaru Airport~~³⁷⁷ 3. ~~Port of Timaru~~³⁷⁸ 4. ~~commercial maritime facilities at Kaikoura;~~³⁷⁹ 5. telecommunication and radiocommunication facilities; 6. national, regional and local renewable electricity generation activities of any scale; 7. the electricity transmission and distribution network; 8. sewage collection, treatment and disposal networks; 9. community land drainage infrastructure; 10. community potable water systems; 11. established community-scale irrigation and stockwater infrastructure; 12. transport hubs; 13. bulk fuel supply infrastructure including terminals, wharf lines and pipelines; and 14. strategic infrastructure.

³⁶⁹ Transpower [195.18]

³⁷⁰ Transpower [195.9].

³⁷¹ Transpower [195.9].

³⁷² Transpower [195.9].

³⁷³ Transpower [195.9].

³⁷⁴ Transpower [195.9].

³⁷⁵ Transpower [195.9].

³⁷⁶ Transpower [195.9].

³⁷⁷ Department of Conservation [419.22].

³⁷⁸ Department of Conservation [419.22].

³⁷⁹ Department of Conservation [419.22].

ANNEXURE D - LIST OF NAMES AND ADDRESSES OF PERSONS TO BE SERVICED WITH A COPY OF THIS NOTICE

Number	Submitter name	Address for service
S41	Fulton Hogan C/- Tonkin Taylor Attention: Tim Ensor	tensor@tonkintaylor.co.nz
S62	Chorus New Zealand Limited, Spark New Zealand Trading Limited, Vodafone New Zealand Limited C/- Incite Attention: Chris Horne	chris@incite.co.nz
S111	CA and GJ McKeever	candg.mckeever@gmail.com
S192	Royal Forest and Bird protection Society of New Zealand Inc. (Forest and Bird) Attention: Nicky Snoyink	n.snoyink@forestandbird.org.nz
S195	Transpower New Zealand Limited C/- AM Consulting Attention: Ainsley McLeod	ainsley@amconsulting.co.nz
S254	Christchurch International Airport Limited C/- Chapman Trip Attention: Jo Appleyard / Meg Davidson	jo.appleyard@chapmantripp.com
S256	C Chai and M McKitterick	mckitterick.mark@gmail.com
S275	W J Winter and Sons Ltd Attention: Des and Dave Winter	winterd@extra.co.nz
S284	Clampett Investments Limited (CIL) C/- Novo Group Attention: Jeremy Phillips	jeremy@novogroup.co.nz
S295	Horticulture New Zealand Attention: Sarah Cameron	Sarah.Cameron@hortnz.co.nz
S303	Fire and Emergency New Zealand C/- Beca	jacob.yee@beca.com

S325	Kainga Ora - Homes and Communities Attention: Mel Rountree	developmentplanning@kaingaora.govt.nz
S326	Rolleston Industrial Developments Limited C/- Chapman Tripp Attention: Jo Appleyard / Meg Davidson	Jo.Appleyard@chapmantripp.com meg.davidson@chapmantripp.com
S373	KiwiRail Holdings Limited	environment@kiwirail.co.nz
S418	K Godwin	admin@christchurchrefrigeration.co.nz
S419	Department of Conservation	rma@doc.govt.nz
FS83	FS Federated Farmers of NZ - North Canterbury Province	lhume@fedfarm.org.nz
FS110	Waka Kotahi NZ Transport Agency	environmentplanning@nzta.govt.nz
FS92	Transpower	environment.policy@transpower.co.nz
FS99	KiwiRail	environment@kiwirail.co.nz
FS63	Momentum Land Ltd	teresa@rmgroup.co.nz
S210	Waimakariri Irrigation Limited C/- Chapman Tripp Attention: Ben Williams	Ben.Williams@chapmantripp.com
S276	Z Energy Limited, BP Oil New Zealand Limited, Mobil Oil New Zealand Limited C/- 4Sight Consulting Limited Attention: Miles Rowe	miles.rowe@slrconsulting.com
FS104	Z Energy NZ, BP Oil NZ, Mobil Oil NZ	miles.rowe@slrconsulting.com
S46	A Giles	andrew@mhire.co.nz
S207	Summerset Retirement Villages (Rangiora) Ltd C/- Boffa Miskell Attention: Stephanie Styles	stephanie.styles@boffamiskell.co.nz
S88	P Zimmerman	maxxi20@hotmail.com

S347	Ravenswood Developments Limited (RDL) C/- Anderson Lloyd Attention: Sarah Eveleigh	sarah.eveleigh@al.nz
S162	J Stevenson	jorostev@gmail.com
S166	New Zealand Defence Force C/- Tonkin + Taylor Attention: Wendy Macdonald	wmacdonald@tonkintaylor.co.nz
FS118	Fulton Hogan Ltd	tensor@tonkintaylor.co.nz
FS88	K Manson & N Kuru	kimmanson88@hotmail.com
FS2	M McKitterick	mckitterick.mark@gmail.com
S316	Environment Canterbury Regional Council Attention: Jeff Smith	regional.planning@ecan.govt.nz
FS37	R & G Spark	fiona@astonconsultants.co.nz
FS89	M & J Schluter	sarah.eveleigh@al.nz
S414	Federated Farmers of New Zealand Inc. Attention: Eleanor Scott	elinscott@fedfarm.org.nz