

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I TE KOTI TAIAO O AOTEAROA
KI ŌTAUTAHU**

IN THE MATTER of the Resource Management Act 1991

A N D

IN THE MATTER of an appeal pursuant to clause 14(1) of Schedule
1 of the Act in relation to the decision on the
proposed Timaru District Plan

BETWEEN

**FEDERATED FARMERS OF NEW ZEALAND
INCORPORATED**

Appellant

AND

TIMARU DISTRICT COUNCIL

Respondent

NOTICE OF APPEAL

13 May 2026



444 Anglesea Street
Hamilton Central
Hamilton 3204
Phone: 0800 327 646
Email: fcasey@fedfarm.org.nz
Contact: 0275373385

NOTICE OF APPEAL TO ENVIRONMENT COURT AGAINST DECISION ON THE PROPOSED TIMARU PLAN

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

To: The Registrar
Environment Court
CHRISTCHURCH

1. Federated Farmers of New Zealand Incorporated (**Federated Farmers**) appeals against part of the decision of the Timaru District Council (**Respondent**) on the Timaru Proposed District Plan (**the Proposed Plan**).
2. Federated Farmers made a submission on the Proposed Plan dated 15 December 2022 (submitter number 182) and further submissions dated 4 August 2023 (further submitter number 182).
3. Federated Farmers is not a trade competitor for the purpose of section 308D of the Resource Management Act 1991 (**RMA**).
4. Federated Farmers received notice of the Respondents' decision on 19 March 2026.

The decision (or parts of the decision) that Federated Farmers is appealing:

5. The specific provisions of the Proposed Plan that Federated Farmers are appealing are set out in the table attached as **Appendix 1** to this appeal notice. The general reasons for the appeal are set out below.

The reasons for the appeal are as follows:

6. The general reasons for the appeal are that the Proposed Plan:
 - (a) does not promote sustainable management of natural and physical resources as required by section 5 of the RMA, as certain provisions do not appropriately enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety while managing adverse effects;
 - (b) may impose undue costs, consent requirements and uncertainty for landowners and plan users;

- (c) does not represent the most appropriate means of exercising the Councils' functions, having regard to the efficiency and effectiveness of other reasonably practicable options under sections 32 and 32AA of the RMA;
 - (d) does not achieve integrated management of the effects of the use, development and protection of land, as required by section 31 of the RMA;
 - (e) across the Natural Features and Landscapes (**NFL**) and Natural Character (**NATC**) provisions, there is a consistent reliance on fixed spatial thresholds and activity-based controls rather than effects-based management tailored to actual landscape and natural character values, resulting in overly precautionary and spatially expansive provisions that are not demonstrably necessary to achieve their stated objectives; and
 - (f) a recurring issue in the Proposed Plan is the treatment of public access provisions, where the absence of explanatory wording or qualifiers may imply broader access rights than exist in law, creating avoidable uncertainty and a risk of misinterpretation, particularly in relation to Sites and Areas of Significance to Māori (**SASM**) and Public Access provisions.
7. Without limiting the generality of the above, further specific grounds of appeal are set out in Appendix 1.

Federated Farmers seeks the following relief:

- 8. The relief sought is set out against each provision in the table attached as Appendix 1. Where specific wording changes are sought as relief, Federated Farmers, in the alternative, seeks any wording that would adequately address the reasons for its appeal.
- 9. Federated Farmers also seek such consequential amendments or related relief as may be necessary to give effect to the concerns described in this notice of appeal, including consequential changes needed to policies or other provisions as a result of rules being amended.
- 10. Federated Farmers would be prepared to be involved in negotiations and mediations with the Respondents and other parties if this path was chosen

as a way to address issues raised in appeals.

ATTACHMENTS

11. The following documents are attached to this Notice:

- (g) Appendix 1: table of relief sought by provision with reasons provided.
- (h) Appendix 2: a copy of Federated Farmers submission and further submission.
- (i) Appendix 3: a copy of the relevant decisions.
- (j) Appendix 4: a list of the names and contact details of persons who made submissions and further submissions on the Proposed Plan.

Signature of person authorised to sign on behalf of the appellant:



Frances Casey
Policy Advisory/Resource Management Solicitor

Dated 13 May 2026

Address for Service of Appellant:

44 Anglesea Street
Hamilton Central
Hamilton 3204
Phone: 0800 372 646
Email: fcasey@fedfarm.org.nz

Advice to recipients of copy of notice of appeal

How to become a party to proceedings

You may be a party to the proceedings 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).

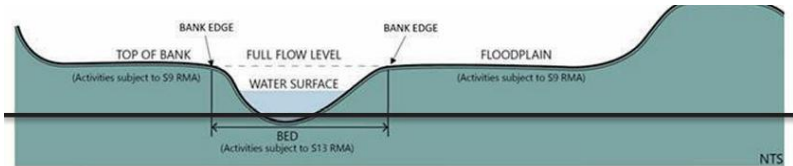
How to obtain copies of documents relating to appeal

The copy of this notice served on you does not attach a copy of the appellant's submission and 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.

Appendix 1: Table of relief sought by provision with reasons provided

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
Part 1 – Interpretation			
1	Definition of Riparian Margin	Federated Farmers are concerned that the definition of ‘riparian margin’ extends 100m from the banks of the Rangitata; Ōpihi; and Ōrāri Rivers, and 50m from any wetland. Our submission sought this be reduced to 20m to better reflect the functional extent of riparian effects and to avoid unnecessary capture of productive farmland. We consider the extent of land captured by this definition to be uncertain, as it depends on the precise location of the bank, which is not always clearly identifiable, particularly with braided rivers. We are also uncertain as to the meaning “of the bank” which appears to differ to “from the bank”. Both of these issues create avoidable ambiguity in the application of the rule. Noting these uncertainties, our spatial analysis of rivers indicates that around 6500ha of land is captured by this 100m extent, of which 4700ha is farmland (3100ha being short rotation crops and high producing exotic grassland). We have not completed an analysis of wetlands as no spatial data is available. Overly broad spatial extent The current 100m and 50m setbacks apply a uniform spatial control that captures extensive areas of modified and productive rural land, without clear differentiation between land that contributes to natural character values and land that does not. While braided river systems may exhibit wider landscape and ecological influence zones, the analysis does not demonstrate that natural character values extend uniformly across the full setback area. Effects-based evidence not adequately considered Our submission referenced Landcare Research advice (Tasman District Council, 2020), identifying functional riparian buffer widths in the order of 10–20m for achieving recreational, cultural, aesthetic, and landscape outcomes. While not	Federated Farmers seeks that the definition of ‘riparian margin’ be amended as follows: (a) <i>10m of the bank of that part of a river that is up to 3m wide (and is not listed in (c) below); and/or</i> (b) <i>20m of the bank of that part of a river that is greater than 3m wide (and is not listed in (c) below); and/or</i> (c) <u>20m ~~100m~~ of the banks of the Rangitata; Ōpihi; and Ōrāri Rivers and of any wetland.</u> <u>50m of any wetland</u> 

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		determinative, this provides relevant evidence of effects-based riparian management. This material has not been substantively engaged with in the section 42A report, which instead relies on a generalised assumption that a 100m margin is necessary to capture natural values. Inadequate section 32 evaluation The section 32 analysis does not adequately test: - the proportion of the riparian margin that is modified or productive land; - whether natural character values justify a uniform 100m setback across all river segments; or - alternative, effects-based or graduated buffer approaches Instead, it adopts a precautionary spatial approach rather than demonstrating that the extent of the margin is necessary or efficient under the RMA. Inconsistency with national policy direction The 50m wetland setback is significantly more conservative than the approach taken under the National Environmental Standards for Freshwater (NES-F), which applies a 10m setback for certain activities. While recognising different regulatory purposes, this highlights the lack of consistent justification for expanded buffers in all cases. The NES-F is not even identified as a relevant requirement by the section 32 analysis.	
Part 2 – District-Wide Matters - Strategic Direction			
2	Objectives – Mana whenua- SD-O5	The Proposed Plan signals that access may be “enhanced” wherever it is “safe,” but omits any recognition that access must also be lawful. This is a recurring issue across the Proposed Plan (see appeal point 16 for more detailed reasons regarding Federated Farmers concerns). That creates a risk that plan users interpret the provision as	Federated Farmers seeks that objective SD-O5 be amended as follows: <i>The mana whenua status of Kāti Huirapa is recognised and their historic and contemporary relationship with the District's land, water bodies and wetlands, coastal environment, and indigenous species is recognised and provided for by ensuring: ...</i> 4. Kāti Huirapa retains, and where it can be undertaken safely and

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		supporting access across private land without consent – especially where other policies use directive language about ensuring or enabling access. This also creates the potential for health and safety issues occurring on private land along with security issues related to stock and residents.	<u>subject to the rights of landowners and any necessary agreements, is able to enhance access to their SASM; and ...</u> 6. <u>where it can be undertaken safely, and subject to the rights of landowners and any necessary agreements, Kāti Huirapa is able to carry out customary and cultural activities in accordance with tikaka; and ...</u>
Part 2 – District-wide matters – Historical and Cultural Values – Sites and Areas of Significance to Māori (SASM)			
3	SASM Overview	A SASM chapter recognises and provides for Māori values and sets up a workable framework for managing effects. If the overview reads as if SASM exist in a vacuum, it can create ambiguity. Adding a brief acknowledgement improves: (a) Accuracy, by recognising that many SASM are on private land and avoiding any implicit suggestion they sit solely in the public domain. (b) Clarity of roles, by signalling landowners are part of the delivery framework – contributing to protection, day-to-day management, and access - alongside council and mana whenua. (c) Implementation, by aligning expectations that access and protection measures are achieved through lawful mechanisms (such as agreements, easements, reserves and consent conditions), rather than by implication. (d) Reducing friction, as a neutral statement in the overview can help head off potential disputes without weakening the substantive policies. Omitting recognition that many SASMs are located on privately owned land, and that access must also be lawful, is a recurring issue across the Proposed Plan (see appeal point 16 for more detailed reasons regarding Federated Farmers' concerns).	Federated Farmers seeks the SASM Overview be amended by inclusion of the following text: <i>As part of fulfilling its obligations under sections 6(e), 6(f), 7(a) and 8 of the RMA, the Council has developed this chapter (and provisions in other chapters) together with runaka for the purpose of managing activities that have potential adverse effects on the values of sites and areas that are significant to Kati Huirapa (SASM).</i> <u>SASM occur across a range of land tenures, including land in public and private ownership. The identification of SASM in this Plan recognises their cultural significance to Kāti Huirapa and does not, of itself, create a right of access to sites on private land. The protection and management of SASM is achieved through plan provisions and other mechanisms, and where SASM are located on private land, landowners have an important role in their ongoing stewardship. Any access to SASM on private land occurs with landowner agreement or is otherwise provided for through lawful mechanisms.</u> <i>Where an activity is proposed within a SASM which requires resource consent under another chapter in the District Plan ...</i>
4	SASM-O2	While we support amendments by the decision to avoid	Federated Farmers seeks objective SASM-O2 be amended as follows:

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		"implying that Kāti Huirapa "are able to" access SASMs", we consider the drafting of the objective remains ambiguous. Ambiguity in an objective can cascade through the whole plan. This objective does not articulate the limits or mechanisms by which that outcome can be achieved. As a result, it risks being interpreted as supporting outcomes that cannot lawfully occur without landowner agreement or statutory processes. Omitting recognition that many SASMs are located on privately owned land, and that access must also be lawful is a recurring issue the Proposed Plan (see appeal point 16 for more detailed reasons regarding Federated Farmers' concerns).	<i>Access to, and use of, resources and areas of cultural value by Kāti Huirapa, within identified SASM, for customary use and cultural purposes, is maintained and, where appropriate, enhanced, <u>without creating any expectation or requirement for access to private property other than in accordance with existing legal rights or with landowner consent.</u></i>
5	SASM-P1	The policy provides for engagement with Kāti Huirapa only and does not recognise affected landowners in the identification of SASM, given that these areas are predominantly on private land. This approach is unnecessarily narrow and risks resulting in a process that lacks transparency, limits opportunities for constructive engagement, and undermines confidence in the identification of SASM. Failure to promote a collaborative approach to identification, and risks outcomes that are less robust and less enduring.	Federated Farmers seeks that policy SASM-P1 be amended as follows: <i>Work with Kāti Huirapa to identify and list SASM in SCHED6 - Schedule of Sites and Areas of Significance to Kāti Huirapa and recognise and provide for the exercise of rakitirataka by Kāti Huirapa in decisions made in relation to these sites and areas, <u>in a manner that supports collaboration with landowners.</u></i>
Part 2 – District-wide matters – Natural Environment Values – Ecosystems and Indigenous Biodiversity (ECO)			
6	ECO-P6	Federated Farmers supported a submission seeking a new policy that provided for indigenous biodiversity clearance outside of SNAs and other sensitive areas, that <i>provided for</i> low impact activities, and <i>enabled</i> existing activities. The policy is called "Maintaining Indigenous Biodiversity" but, as amended, is framed predominantly as a restrictive provision focused on limiting vegetation clearance. This does not appropriately reflect the purpose of the RMA, which is to achieve sustainable management, including enabling people and communities to provide for their social, economic, and cultural well-being. Indigenous biodiversity provisions are not solely directed at	Federated Farmers seeks that policy ECO-P6 is amended as follows: <u>ECO-P6 maintaining indigenous biodiversity providing for indigenous biodiversity outside of sensitive areas</u> ~~Limit~~ <u>Provide for the clearance of indigenous vegetation outside areas identified in ECO-P1, ECO-P3 and ECO- P8, in order to maintain indigenous biodiversity, taking into account the value of such biodiversity where it will result in no more than minor adverse effects on indigenous biodiversity, including where necessary to enable existing lawful activities.</u>

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		protection in all locations, but at managing effects in a manner that is proportionate to the values present. Outside areas of identified significance or sensitivity (policies ECO-P1, ECO-P3 and ECO-P8), the policy framework should appropriately provide for low impact activities and existing lawful land use where adverse effects are no more than minor. As currently drafted, the policy risks treating all indigenous vegetation outside identified areas as requiring restriction, without sufficient recognition that such areas may have lower biodiversity values and can be appropriately managed through an effects-based approach. This results in a policy framework that is overly precautionary, insufficiently enabling, and not fully aligned with the integrated and balanced approach required under sections 5 and 7 of the RMA. It is also not fully aligned with the rule that gives effect to the policy, being rule ECO-R1.4, which provides for vegetation clearance for various existing and new activities.	
Part 2 – District-wide matters – Natural Environment Values – Natural Character (NATC)			
7	NATC-Overview	Federated Farmers are concerned that the introduction to the NATC chapter is incomplete and unbalanced. It focuses on the adverse effects of land use and development without recognising that some activities have a functional or operational need to be located within riparian margins of rivers and wetlands. By omitting any reference to such activities, the chapter fails to appropriately reflect the requirement under the RMA to “recognise and provide for” both the preservation of natural character and the ability for people and communities to provide for their social, economic, and cultural wellbeing. It creates a risk that plan users and decision-makers interpret the chapter as signalling that all activities within riparian margins are inappropriate, regardless of their necessity or effects. As well, the introduction should be consistent with the objectives and policies of the chapter which have provided for	Federated Farmers seeks the NATC Overview be amended by inclusion of the following text: <i>A range of land use and subdivision activities can have adverse effects on the natural character of rivers and wetlands. These include but are not limited to subdivision; the construction of buildings and structures; earthworks and cultivation; the planting of vegetation and the clearance of indigenous vegetation. <u>It is recognised that while some subdivision, use and development may be inappropriate in these environments, other activities have a functional or operational need to be located within the coastal environment, wetlands, and rivers and their margins. Such activities can be appropriate where they are designed and managed to avoid, remedy, or mitigate adverse effects on natural character values.</u> The provisions of this chapter seek to manage those activities within the riparian margins of rivers and wetlands to ensure that the elements, patterns, processes and experiential qualities that contribute to the natural character values of the District’s rivers and wetlands are preserved.</i>

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		certain activities having a functional or operational need to locate within riparian margins, and that these activities can be appropriate where their adverse effects on natural character are appropriately managed. For example, policy NATC-P5. This lack of recognition is particularly problematic in a rural district context, where activities such as farming, stock access, infrastructure, and river management often have a functional need to locate near waterbodies. Without this acknowledgement, the introduction sets an unduly restrictive tone that is not carried through in a balanced way in the provisions that follow.	...
Part 2 – District-wide matters – Natural Environment Values – Natural Features and Landscapes (NFL)			
8	NFL-Overview	The NFL chapter introduction is incomplete and unbalanced. It focuses solely on the identification and protection of Outstanding Natural Features (ONF), Outstanding Natural Landscapes (ONL) and Visual Amenity Landscapes (VAL) without recognising the role that private landowners have played, and continue to play, in the maintenance of the values for which these areas are identified. While the Proposed Plan correctly responds to section 6(b) of the RMA by providing for the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development, it does not acknowledge that many of these landscapes are located on and managed within working private land. In many cases, the identified values are the result of ongoing land management practices, including farming and stewardship, rather than the absence of human activity. The omission of this context creates an unbalanced narrative that may lead to the interpretation that land use and development are inherently incompatible with landscape values and does not adequately reflect the requirement to enable people and communities to provide for their social and economic wellbeing.	Federated Farmers seeks the NFL Overview be amended by inclusion of the following text: <i>These overlays apply to areas which have been assessed and identified as having high levels of biophysical, sensory or associative landscape values, which makes them either outstanding (ONFs or ONLs) or deserving of identification as a VAL. These overlays also include land which provides habitat to indigenous flora or fauna, areas which have highly legible geological features, and sites that are of significance to mana whenua (SASM). The process supporting the identification of these overlays and the associated values is described in the Landscape and Coastal Natural Character Assessment, June 2020.</i> <u><i>It is recognised that many of the areas identified as ONFs, ONLs and VALs are located on privately owned and managed land, and that the values for which they are identified have often been maintained, and in some cases enhanced, through ongoing land use and stewardship. The continued management of these areas, including farming and other activities, can be compatible with landscape values where adverse effects are appropriately managed.</i></u> <i>The District's ONLs are identified in SCHED8...</i>

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
9	NFL-R2.2	Rule NFL-R2.2 does not permit any “new” earthworks, including those required for routine farm infrastructure such as tracks, water supply, and drainage. Requiring consent for all such earthworks in a VAL is inappropriate for the following reasons: Existing landscape Earthworks are an established and integral component of the existing rural landscape. They contribute to the functioning of the productive environment that the overlay seeks to manage, rather than detract from it. The VAL is not a pristine or unmodified environment; it is a working rural landscape where landform modification associated with farming forms part of the established character. Ongoing earthworks are therefore an anticipated component of that landscape. Functional necessity Earthworks are integral to pastoral farming, enabling the establishment and maintenance of tracks, water supply infrastructure, and drainage. These activities are necessary for stock management, health and safety, and efficient land use. Requiring consent for all such activities creates practical constraints on routine farm operations. Lack of effects-based approach and inadequate section 32/32AA analysis The rule is not effects-based and applies uniformly to all earthworks, regardless of scale, location, or actual effects. It captures low-impact, visually contained activities that are unlikely to adversely affect landscape values. The approach is not supported by a robust evaluation of the extent of land affected or the implications for farm management within the VAL. The evaluation also fails to adequately consider reasonably practicable alternatives, such as permitted activity standards based on volume, location, or	Federated Farmers rule NFL-R2.2 be amended as follows: <i>Activity status: Permitted</i> <i>Where:</i> <i>PER-1</i> <i>The earthworks are <u>ancillary rural earthworks</u> or for the purpose of maintenance and repair of any of the following:</i> <i>1. existing fences; or</i> <i>2. existing farm tracks; or</i> <i>3. existing walking/cycling tracks; or</i> <i>4. existing roads; or</i> <i>5. existing reticulated stock water systems including troughs; or</i> <i>6. existing natural hazard mitigation works; or</i> <i>PER 2</i>

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		visibility, or a more tailored activity status. Overly restrictive framework In the absence of sufficient enabling provisions for routine rural land use, the rule contributes to an overly restrictive framework that limits the ability to undertake typical farming activities. When combined with other constraints on rural development, it reduces the flexibility available to landowners to manage land efficiently. Inefficiency Requiring resource consent for all new earthworks is inefficient. It imposes unnecessary cost, delay, and uncertainty on landowners for routine activities where effects are generally well understood and often minor. It also creates an unnecessary administrative burden for the Council. Disproportionate response The permitted activity framework for VAL is the same as that applied to more sensitive landscapes, despite the lower threshold of effects anticipated in a VAL. Potential effects on landscape values are predictable and can be appropriately managed through permitted activity standards. A blanket consent requirement is a blunt and disproportionate response.	
10	NFL-R5	The rule provides for new shelterbelts below 500m in the upper Rangitata (ONL-1) and in VAL as a controlled activity, and in ONL-2 as a restricted discretionary activity, with matters of control or discretion including effects on landscape values and measures to control wilding spread. Requiring consent for shelterbelts on farmland is inappropriate for the following reasons: Existing landscape Shelterbelts are an established and integral component of the existing rural landscape within the ONL and VAL overlays.	Federated Farmers seeks rule NFL-R5 be amended by permitting the planting of shelterbelts below 900m, for animal welfare or soil erosion management purposes, subject to any necessary conditions preventing the planting of pest species or requiring wilding control measures.

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		They contribute to the character and functioning of the productive environment that the landscape overlay seeks to manage, rather than detract from it. The ONL and VAL are not pristine or unmodified environments; they are working rural landscapes where vegetation patterns, including shelterbelts, form part of the established visual and cultural character. Functional necessity Shelterbelts are integral to pastoral farming, providing for stock shelter and assisting with soil conservation. The Animal Welfare Act 1999 requires adequate protection from adverse conditions, with increasing emphasis on managing heat stress and exposure through shelter, including trees and built structures. This is particularly important in the upper Rangitata catchment, which experiences extreme nor'wester conditions. Elevation threshold and inadequate section 32/32AA analysis The 500-metre threshold is unsupported by robust analysis. While based on a distinction between valley floors and slopes, there is no assessment of the extent of farmland affected or implications for farm management. Substantial farmland lies above 500 metres. If an elevation control is retained, a higher threshold (e.g. 900 metres) would better reflect the transition from developed pastoral landscapes to more natural high-country environments. The decision also fails to consider reasonably practicable alternatives, such as effects-based standards, or to evaluate costs and efficiency. Overly restrictive framework When read with NFL-R1 and NFL-S2/S3, which constrain new buildings to existing clusters and – in ONLs – to below 500m, and in the absence of strong enabling policy support for appropriate rural land use, the Proposed Plan significantly limits practical options for providing stock shelter. This unduly	

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		restricts legitimate farming activities. Inefficiency Controlled activity status is inefficient: consent must be granted, yet landowners incur unnecessary cost, delay and uncertainty, for a routine, necessary activity where anticipated effects are well understood. Disproportionate response Potential effects, including landscape and wilding risks, are predictable and can be managed through permitted activity standards. A consent requirement is a blunt and unnecessary response.	
11	NFL-R6	The rule requires resource consent where farming introduces any new areas of irrigation or cultivation beyond those existing as at 22 September 2022. Requiring consent for these activities is inappropriate for the following reasons: Existing use and landscape context Farming is the established use of land within the ONL. Irrigation and cultivation are integral to that use and form part of the existing rural landscape, which is a working, not static, environment. Functional necessity and adaptability The ability to adjust irrigation and cultivation is essential to maintain viable and resilient farming systems. Fixing these activities to a historic baseline limits the ability to respond to climate, environmental, and market changes. Inadequate section 32/32AA analysis The section 32 evaluation identifies that some forms of farming intensification may adversely affect ONL values, particularly at a large scale. However, it does not assess which activities, at what scale, or in which locations those effects are likely to arise. Instead, it adopts a blanket approach that captures all changes to irrigation and cultivation, regardless of their actual	Federated Farmers seeks removal of rule NFL-R6.

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		or potential effects. The evaluation relies on high-level landscape advice and does not adequately test reasonably practicable alternatives, such as effects-based standards, thresholds, or more spatially targeted controls. It also does not assess the implications for farm management, adaptability, or efficiency. As a result, the analysis does not demonstrate that the rule is the most appropriate method as required by the RMA. Not effects-based The rule applies regardless of scale or actual effects, assuming any expansion is inappropriate. This is inconsistent with the effects-based approach of the RMA. Inefficiency and discretion Requiring consent for routine changes imposes cost and uncertainty, effectively leaving decisions on farming practices to case-by-case judgement.	
12	NFL-S3	NFL-S3 requires new buildings and structures to be clustered with existing development, with restricted discretionary status where this cannot be achieved. While clustering can manage landscape effects, the rule is overly rigid and does not reflect the functional needs of farming. Animal shelters and other welfare infrastructure often need to be located where stock are grazed, which may be far from existing buildings. When read with NFL-R5, which restricts shelterbelts, the framework significantly limits farmers ability to provide adequate shelter, creating tension with obligations under the Animal Welfare Act 1999. The rule therefore imposes unnecessary consenting requirements for routine, necessary activities, increasing cost and uncertainty despite effects being predictable and capable of management through more enabling standards.	Federated Farmers seeks amendment of NFL-S3 to provide greater flexibility for the location of buildings necessary for farming and animal welfare, including by: (a) enabling such buildings outside existing clusters as a permitted activity where effects are appropriately managed; or (b) introducing a specific exemption or standard for animal welfare and operational farm structures.

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
Part 2 – District-wide matters – Subdivision (SUB)			
13	SUB-S2	Federated Farmers submits that the decision to add a new matter of discretion to the subdivision standard for stormwater servicing, being “the effects of discharge”, is inappropriate as it extends beyond the proper scope of a territorial authority’s functions under the RMA. The management of discharge effects is a function of regional councils under section 30(1)(f), and its inclusion here creates inappropriate jurisdictional overlap, duplication, and uncertainty. It is not necessary for subdivision control under section 31 and extends beyond the proper scope of district plan discretion. Accordingly, the reference should be deleted.	Federated Farmers seeks standard SUB-S2 be amended to remove the fifth matter of discretion as follows: <i>Matters of discretion are restricted to:</i> 1. any relevant matters of discretion for non-compliance with the stormwater standards in the Stormwater Management Chapter; and 2. the extent to which stormwater runoff from the allotment may adversely affect adjoining properties; and 3. any adverse effect on the need for a reticulated stormwater network; and 4. the need for the stormwater network to be upgraded or extended in order for the allotments to be served; and ~~5. the effects of the discharge on the values of Kāti Huirapa.~~
14	SUB-S4	Federated Farmers submits that the decision to add a new matter of discretion to the subdivision standard for wastewater servicing, being “the effects of discharge”, is inappropriate as it extends beyond the proper scope of a territorial authority’s functions under the RMA. The management of discharge effects is a function of regional councils under section 30(1)(f), and its inclusion here creates inappropriate jurisdictional overlap, duplication, and uncertainty. It is not necessary for subdivision control under section 31 and extends beyond the proper scope of district plan discretion. Accordingly, the reference should be deleted.	Federated Farmers seeks standard SUB-S4 be amended to remove the third matter of discretion as follows: <i>Matters of discretion are restricted to:</i> 1. the need for a wastewater disposal system; and 2. the suitability of an alternative wastewater disposal system; and ~~3. the effects of the discharge on the values of Kāti Huirapa.~~
Part 2 – District-wide matters – Natural Environment Values – Public Access			
15	Public Access Overview	The s42A report recommended an explanatory note clarifying that public access to private properties requires landowner	Federated Farmers seeks the overview be amended to include the following statement:

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		permission. The Panel rejected this stating “There is nothing in a District Plan that removes private property rights to manage access to private land and all persons seeking to access private land require landowner approval, that is the law” (paragraph 74 of the Decision). However, when read in isolation, strongly worded objectives and policies may imply unqualified public access. Federated Farmers are appealing for the following reasons: Misunderstanding the role of plan provisions The Panel erred in treating the absence of legal effect as a reason to exclude clarification. Plans commonly include interpretive guidance to avoid misunderstandings. The fact that “that is the law” is not a sufficient reason to omit it. Lack of certainty and usability References to “access” in SASM and Public Access provisions are unqualified. This risks plan users inferring a greater entitlement of access than exists, creating dispute and potentially inconsistent administration. Inadequate section 32AA evaluation The proposed amendment is a simple, low-impact solution. Its benefits were not properly assessed. Instead, it was dismissed on the basis that the law already provides protection. Reliance on assurances instead of plan text The Panel relied on evidence that there is “no expectation of access as of right”, but this is not reflected in the Proposed Plan. Plans must be clear on their face, not dependent on external material. Risk of misinterpretation The decision does not address the risk that “access” provisions may be read as creating expectations inconsistent with private property rights.	<u><i>For the avoidance of doubt, nothing in this chapter creates a right of access to private land. Any access to sites or areas on private land is to occur with the agreement of the landowner, except where access is provided for through a legal mechanism.</i></u>

Appeal point #	Provision Appealed	Reasons for Appeal	Relief Sought
		Proportionate relief The proposed wording is limited and does not weaken access provisions. It simply clarifies that access occurs with landowner agreement or through lawful mechanisms where appropriate. Rejecting it results in unnecessary uncertainty.	



Federated Farmers of New Zealand

Submission on the Proposed Timaru District Plan 2022

15 December 2022

SUBMISSION

TELEPHONE 0800 327 646 | WEBSITE WWW.FEDFARM.ORG.NZ

Form 5

Submission on publicly notified proposal for policy statement or plan Clause 6 of First Schedule, Resource Management Act 1991

To: Timaru District Council
2 King George Street
Private Bag 522
Timaru 7940
Via email: pdp@timdc.govt.nz

Submission on: **Proposed Timaru District Plan 2022**

Date: 15 December 2022

Submission by: South Canterbury Federated Farmers of New Zealand

GREG ANDERSON

SOUTH CANTERBURY PROVINCIAL PRESIDENT

Federated Farmers of New Zealand

E jsutherland@fedfarmers.org.nz

Address for service: **JAMES SUTHERLAND**

GRADUATE POLICY ADVISOR REGIONAL

Federated Farmers of New Zealand

M 027 387 8909

E jsutherland@fedfarmers.org.nz

1. South Canterbury Federated Farmers of New Zealand (Federated Farmers) could not gain an advantage in trade competition for this submission.
2. Please refer to the attached table for the specific provisions of the Proposed District Plan that our submission relates to.
3. Refer to the table attached for the details of Federated Farmers' submission and whether we support or oppose the specific provisions we have submitted on.
4. The decisions sought by Federated Farmers are outlined in the table attached to this submission.
5. We wish to be heard in support of this submission.
6. Federated Farmers seeks any consequential changes necessary to give effect to the relief sought in each of the individual submission points made.

1.0 Introduction

- 1.1 South Canterbury Federated Farmers (**Federated Farmers**) welcomes the opportunity to submit on the Timaru District Council's (**Council**) on its Proposed District Plan (**District Plan**).
- 1.2 Federated Farmers are a primary sector organisation with a long and proud history of representing the needs and interests of New Zealand farmers involved in a range of rural businesses.
- 1.3 In South Canterbury, Federated Farmers has a membership base of over 550 members who are involved in a wide range of land use activities in South Canterbury including largely pastoral farming with dry stock, dominating the alpine areas, and dairy occurring on the flats, horticulture and lifestyle. We also represent rural communities and our rural contractors who are also a part of the Federated Farmers as members.
- 1.3 Federated Farmers aim to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
 - (a) our members may operate their business in a fair and flexible commercial environment;
 - (b) our members' families and their staff have access to services essential to the needs of the rural community; and
 - (c) our members adopt responsible management and environmental practices.
- 1.4 Federated Farmers acknowledges any submissions submitted by individual members.
- 1.5 Federated Farmers is actively involved in district plan reviews across New Zealand. Primary production activities from our members make a significant contribution to the economic, social, and cultural well-being of New Zealand.
- 1.6 Our members want district plans that balances environmental, cultural, social, and economic values while ensuring rules are equitable, cost-effective, pragmatic and effects based. They also want district plans that are easy to use and understand; acknowledge and reward the positive effects farming has on conservation; and recognise the importance of collaborating with rural communities to achieve desired environmental outcomes.
- 1.7 A lot of regulation has come at a significant cost to financial and mental health within the primary sector. Many of the costs are unnecessary and place additional pressure on the primary industry. Areas of discussion around climate change, biodiversity, outstanding natural features, and general land use activities need to be carefully considered to ensure that decision making with the consideration of the impacts of Councils decisions economically, socially, and environmentally.

- 1.8 There is an expectation that Councils, when undertaking a plan review, will adopt a no-frills approach and only target what is necessary to manage and resolve any issues occurring in the district and to meet their responsibilities under the Resource Management Act 1991 (**RMA**).

2.0 Key Points of discussion

Mapping and layers

- 2.1 Federated Farmers position on mapping and identifying sites of significance in the district is to ensure that Council makes landowners involved, educated, and knowledgeable of the area of significance to them. It is also important that any restrictions that are placed across the private property is accurate and able to be backed by hard evidence.

Activity status use

- 2.2 Federated Farmers supports the Council's intention for having many activities able to occur without having an activity classification assigned to them. This recognises that there are activities which can occur without creating adverse effects on the environment and without the need to have controls specified in the District Plan. We also support the use of the permitted activity classification where some control is required.
- 2.3 Federated Farmers seeks that where a consent status is required, Council uses controlled status rather than restricted discretionary and or discretionary which allows Council the ability to decline. This would assist the Council in future proofing the plan for when the Natural and Built Environment Act comes into force which has indicated the removal of the restricted discretionary activity classification.
- 2.4 Controlled activities require resource consent but are always granted by the consent authority. The application for a resource consent will be assessed according to specified matters over which the Council will exercise its control. Controlled activity consents give certainty to users that the resource consent will be granted provided certain conditions are met. This is appropriate for activities that will have no more than minor effects on the environment and where the non-compliance with the permitted activities rules is minor. We would not support Council moving from permitted activity to restricted discretionary and discretionary activity status without the allowance for a controlled activity.
- 2.5 Federated Farmers seeks that the rules in the District Plan:
- (a) are written clearly and concisely;
 - (b) have conditions that are able to be complied with and are enforceable;
 - (c) are consistent with objectives and policies contained in the District Plan;
 - (d) avoid the reservation of the council's discretion where it is not required or appropriate;
 - (e) are consistent with the rules of other authorities such as the National Grid provider;
 - (f) are consistent with the national direction set through National Environmental Standards and National Policy Statements; and
 - (g) minimise the use of prohibited activity status which place unwarranted barriers for resource consent applicants.
- 2.7 It is important to remember that the resource consent process can be costly and result in significant time delays. The more restrictive activity classifications should only be imposed where there is evidence to support that there is a need for the Council to have reserved its discretion over several matters which need to be met.
- 2.8 In respect of our submissions, our suggested amendments are shown with ~~strikeout~~ for deletions and underlining for additional wording. In each of the individual submission points made, the decision sought includes any consequential amendments that may be required to any and all other related elements in the proposed plan.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
General				
Whole of Plan	1	Support in part	Federated Farmers seeks that the District Plan contains a resource management policy framework that enables primary production in rural areas to occur as existing uses where it is already established and with as few barriers where it is sought to establish new primary production activities.	Federated Farmers seeks the following relief: (a) That the district plan includes a <u>clear pathway</u> for existing primary production activities to continue in the rural zones of the Timaru district; and (b) any consequential amendments required as a result of the relief sought.
Part One – Introduction and General Provisions				
Part 1 – Introduction and General Provisions – Description of the plan – Rural Areas	2	Support	Federated Farmers generally supports this chapter of the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the rural areas chapter as currently written or with wording of similar intent; and (b) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions – Interpretation – Definition – Accessway / Access way	3	Support	Federated Farmers supports the inclusion of a definition for ‘Accessway / Access way’.	Federated Farmers seeks the following relief. (a) retention of the proposed definition for ‘Accessway / Access Way’ or amended wording that has the same intent. (b) Any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions – Interpretation – Definition –	4	Support in part	Federated Farmers supports the inclusion of definitions for ‘Amenity Planting’ in the proposed District Plan. The definition are clear, concise, and easy to understand. It would be appropriate to add further to the definition that appropriately includes farms as actively amenity planting within the definition.	Federated Farmers seeks the following relief: (a) the inclusion of a definition for ‘Amenity Planting’ as outlined below or with similar wording: <u>‘Amenity Planting’</u> • means any vegetation and/or trees planted in the immediate vicinity of a residential unit, or rural residential development, to provide

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Amenity Planting				<i>aesthetic appeal, shelter or domestic food supply. Amenity planting includes any woodlot, orchard or vineyard (to a maximum combined area of 1ha) planted within 100m of a residential ~~unit~~ or rural residential development.</i> (b) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions – Interpretations - Definitions – Ancillary Rural Earthworks	5	Support	Federated Farmers seeks the inclusion of a definition for ‘Ancillary Rural Earthworks’ into the district plan. Off-stream farm water storage dams for stock and domestic water storage are commonplace on many farms. Farm quarries are also part of normal day to day farming operation. Activities such as these which support the main existing land use of farming and primary production should not have to apply for resource consent. Other district plans have made allowance for permitted farm quarries at a scale which is appropriate in the context of the wide-open spaces of the rural environment. The definition should encompass the activities listed below along with any related definitions that are required. • The tilling or cultivation of soil for the establishment and maintenance of crops and pasture, • Harvesting of crops, • The planting and removal of trees.(e.g Pest species (willows), and riparian planting), • Horticultural root ripping, • The digging of offal pits, • Burying dead stock and plant waste, • Digging post holes and drilling bores,	Federated Farmers seeks the following relief: (a) the inclusion of a definition for ‘Ancillary Rural Earthworks’ as outlined below or with similar wording: <u>ANCILLARY RURAL EARTHWORKS means</u> • <u>any earthworks or disturbance of soil associated with cultivation, land preparation (including the establishment of sediment and erosion control measures), for planting and growing operations of crops and pasture;</u> • <u>the harvesting of agricultural and horticultural crops (farming) and forests (forestry); and planting trees, removing trees and horticultural root ripping;</u> • <u>the maintenance and construction of facilities typically associated with farming and forestry activities. This includes (but is not limited to): farm/forestry tracks, roads, vehicle manoeuvring areas and landings, stock marshalling yards, stock races, silage pits, offal pits, farm effluent ponds, feeding pads, digging post holes, fencing and sediment control measures, drilling bores, the installation and maintenance of services such as water pipes and troughs, off-stream farm water storage dams, hard stand areas for stock, fertiliser storage pads, airstrips and helipads; and</u>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			- Installing and maintaining services such as water pipes and troughs, - Farm quarries where excavated material is not removed from the farm site.	<u>farm quarries where quarry winnings are only used within the farm quarry;</u> and (b) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions – Interpretations – Definitions – Clearance of Indigenous Vegetation	6	Oppose in part	Federated Farmers opposes in part the definition of ‘Clearance of Indigenous Vegetation’. This definition has been slightly taken out of context from the ‘<i>National Policy Statement for Improved Pastures</i>’. This partial use of the definition can create confusion among farmers. It is helpful if the definition does cover the needs for the farm systems in the district, whilst also tying into the national requirements and regulation. We urge the council to propose another definition or remove it from the proposed district plan.	Federated Farmers seeks the following relief: (a) the amendment of the definition for ‘Clearance of Indigenous Vegetation’ or deletion of the definition or with similar wording: <u>Clearance of Indigenous Vegetation means:</u> ~~means the clearing or removal of ‘indigenous vegetation’ by any means, including grazing, cutting, crushing, cultivation, spraying, irrigation, chemical application, artificial drainage, overplanting, over sowing, or burning.~~ (a) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions – Interpretations – Definitions – Cultivation	7	Support in part.	Federated Famers seeks to amend the definition of ‘Cultivation’ to better fit the process of cultivation, that better represents the process occurring in the district.	Federated Farmers seeks the following relief: (a) the inclusion of a new definition for ‘Cultivation’ as outlined below or with similar wording: <u>Cultivation means:</u> <u>means any process that involves the turning or tilling the land. It can include:</u> <u>Pasture renewal</u> <u>Cropping (such as maize)</u> <u>Intensive farming (such as commercial vegetable growing)</u> ~~means the alteration of 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.~~

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
				(b) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions – Interpretations – Definitions – Earthworks	8	Oppose	Federated Farmers seeks to see this definition removed. This definition is already well covered in the proposed amendments by Federated Farmers in the ‘Ancillary Rural Earthworks’.	Federated Farmers seeks the relief of: ~~(a) 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 the soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.~~ (b) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions – Definition – Farm Quarry	9	Strongly Support	Federated Farmers supports the inclusion of a definition for ‘Farm Quarry’.	Federated Farmers seeks the retention of the proposed definition for a ‘Farm Quarry’ or amended wording that has the same intent.
Part 1 – Introduction and General Provisions – Definition – Fertiliser	10	Strongly Support	Federated Farmers supports the inclusion of a definition for ‘Fertiliser’.	Federated Farmers seeks the retention of the proposed definition for a ‘Fertiliser’ or amended wording that has the same intent.
Part 1 – Introduction and General Provisions – Definition – Intensive Indoor	11	Oppose	Federated Farmers seeks to remove this definition as it can be defined within the definition of ‘Intensive Primary Production’.	Federated Farmers seeks the relief of the proposed definition for ‘Intensive Indoor Primary Production’.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Primary Production				
Part 1 – Introduction and General Provisions – Definition – Intensive Outdoor Primary Production	12	Oppose	Federated Farmers seeks to remove this definition as it can be defined within the definition of ‘Intensive Primary Production’.	Federated Farmers seeks the relief of the proposed definition for ‘Intensive Outdoor Primary Production’.
Part 1 – Introduction and General Provisions – Definition – Intensive Primary Production	13	Support in part	Federated Farmers seeks that the following definition be encompassed into the broader definition of ‘Intensive Primary Production’. • Intensive Indoor Primary Production, • Intensive Outdoor Primary Production, • Intensively Farmed Stock, There is no need to break-down a definition. This creates confusion amongst rate payers. The inclusion of feeding ‘<i>supplementary feed during adverse weather events such as drought or snow</i>’, we strongly oppose. This captures more than intended under the definition. Supplementary feed in an adverse weather event is critical for stock welfare. To restrict a landowner's ability to provide welfare to their stock is something that we discourage the council from engaging in. We also urge the council caution as the proposed definitions could have major unintended consequences such as capturing dairy grazing bulls which are not seen as intensively farmed animals.	Federated Farmers seeks the following relief: (a) the inclusion of a definition for ‘Intensive Primary Production’ as outlined below or with similar wording: <u>‘Intensive Primary Production’ means:</u> <i>refers to any of this following:</i> (a) <u>commercial livestock kept and fed permanently in buildings or indoor enclosures on a particular site, where the stocking density precludes the maintenance of pasture or ground cover (e.g pig farming)</u> (b) <u>Land and buildings used for the commercial boarding and/or breeding of cats, dogs and other domestic cover</u> (c) <u>farming of mushrooms or other fungi</u> (d) <u>dairy cattle, including cows, that are being milked on irrigated land.</u> (e) <u>Intensive winter grazing, that does not follow council rules.</u> (f) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			Federated Farmers raises that dry cattle stock on non-irrigated land are not intensively farmed in a way similar to those who are dairy and cattle on irrigated land. It would be premature to classify dry stock into this category. This should not be discouraged by the District Plan.	
Part 1 – Introduction and General Provisions – Definition – Light Sensitive Areas	14	Support in part	Federated Farmers supports the inclusion of definitions for ‘Light Sensitive Areas’ in the proposed district plan. The definition is clear, concise, and easy to understand. It would be appropriate to add further to the definition that appropriately includes farms as excluded from Light sensitivity for purpose of primary production within the definition. Federated Farmers also finds it concerning that there is light sensitivity for the SNA areas. Farms need light to operate safely and conduct their business (e.g harvesting), this should not be restricted by council, we urge that council do not try and regulate such areas. We see no justification in capturing SNA, which mostly includes cabbage trees. We oppose the inclusion of SNA in this definition.	Federated Farmers seeks the following relief: (a) the inclusion of a definition for ‘Light Sensitive Areas’ as outlined below or with similar wording: <u>‘Light Sensitive Areas’ means:</u> - includes land in the following areas outside the Port Zone, <u>unless the land is needed for primary production, including but not limited to dairy sheds, pest control, rural aviation needs, security, harvesting of crops, primary production needs where seen fit, whilst taking into consider the overlays.:</u> - Wahi tapu, Wahi taoka and Wai taoka Overlays, - Significant Natural Areas Overlay - Visual Amenity Landscape Overlay - The Rural Lifestyle Zone; and - The Natural Open Space Zone. - any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions – Definition – National Grid Subdivision Corridor	15	Support in part	Federated Farmers supports in part the inclusion of these as means of safety for lines maintenance. We do urge the council to be cautious and not to extend these corridors any further than what is minimally necessary, especially on private property.	Federated Farmers seeks the retention of the proposed definition for a ‘National Grid Subdivision Corridor’ or amended wording that has the same intent.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Part 1 – Introduction and General Provisions – Definition – National Grid Yard	16	Oppose in part	Federated Farmers opposes the definition of The ‘National Grid Yard’ needs to be amended so it is consistent with NZECP34 Code of Practice for Electrical Safe Distances, particularly Section 2.4.1 around support structures. This definition and the yard widths are not consistent and unnecessarily onerous compared to the Code and need amendment. It is vital to remember that the National Grid runs over private property, and farmers will be overwhelmingly affected by any regulation that exceeds the Code. The Code requires a safe distance of 8m around a 110kv pole, which is the most common structure on the FHL-WDV-A and B lines across Timaru District. Requiring a yard of 12m in the District Plan is excessive. Towers may have the safe distance of 12m, as this is consistent with the Code requirements. The reason the National Grid Yard must be consistent with, and not more onerous than, the Code, is because otherwise it will create a regulatory anomaly where an activity is permitted by the Code but not by the District Plan. This is untenable, as there is no reason why the Council should require or decline consent when the Code permits the activity and the National Grid operator cannot refuse permission.	Federated Farmers seeks the following relief: (a) the inclusion of the definition ‘National Grid Yard’ as worded, or of similar wording; <i>means, as depicted in Diagram 1:</i> <i>the area located within ~~10m~~ 8m of either side of the centreline of an above ground 110kV electricity transmission line on single poles;</i> <i>the area located within 12m either side of the centreline of an above ground transmission line on pi-poles or towers that is 110kV or greater;</i> <i>the area located within 12m in any direction from the outer visible edge of an electricity transmission pole or tower foundation, associated with a line which is 110kV or greater.</i> <i>The measurement of setback distances from National Grid transmission lines must be undertaken from the centre line of the National Grid transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.</i> <i>Note: the National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.</i> <i>Diagram 1 – National Grid Yard and National Grid Subdivision Corridor.</i> (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought												
			TABLE 1 MINIMUM SAFE DISTANCES BETWEEN BUILDINGS AND OVERHEAD ELECTRIC LINE SUPPORT STRUCTURES <table><tr><th>Circuit Voltage</th><th>Pole</th><th>Tower (pylon)</th></tr><tr><td>11 kV to 33 kV</td><td>2 m</td><td>6 m</td></tr><tr><td>Exceeding 33 kV to 66 kV</td><td>6 m</td><td>9 m</td></tr><tr><td>Exceeding 66 kV</td><td>8 m</td><td>12 m</td></tr></table> Section 2.1.1 of NZECP34 states one of its purposes is to ensure that the support structures can be accessed for inspection and maintenance. These setbacks have been developed by engineers, and there is nothing to suggest that the Code’s setback distances are deficient.	Circuit Voltage	Pole	Tower (pylon)	11 kV to 33 kV	2 m	6 m	Exceeding 33 kV to 66 kV	6 m	9 m	Exceeding 66 kV	8 m	12 m	
Circuit Voltage	Pole	Tower (pylon)														
11 kV to 33 kV	2 m	6 m														
Exceeding 33 kV to 66 kV	6 m	9 m														
Exceeding 66 kV	8 m	12 m														
Part 1 – Introduction and General Provisions – Definition – Non-Intensive Primary Production.	17	Support	Federated Farmers supports the inclusion of a definition for ‘Non-Intensive Primary Production’.	Federated Farmers seeks the retention of the proposed definition for a ‘Non-Intensive Primary Production’ or amended wording that has the same intent.												
Part 1 – Introduction and General Provisions – Definition – Plantation Forestry	18	Support in part	Federated Famers seeks to amend the definition of ‘Plantation Forestry’, that better represents the process occurring in the district. Federated Framers recognises this definition from the <i>National Environmental Standards for Plantation Forestry</i>, however the 1ha minimum will mean that farm forestry is inappropriately captured when it is only part of an existing farm. This will lead to farm forestry becoming restricted by CE-R2 for the Coastal Environment and viewed as an activity that is incompatible with the landscape values. Farm	Federated Farmers seeks the following relief: (a) the inclusion of a definition for ‘Plantation Forestry’ as outlined below or with similar wording: <i>as defined in the Resource Management (National Environment Standards for Plantation Forestry) Regulations 2017 (as set out below) means a forest deliberately established for commercial purposes, being—</i> a) <i>at least ~~1 ha~~ 50ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and</i>												

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			forestry is distinct from large scale forestry where whole properties are forested. There is no purpose for farm forestry to be so restricted in ordinary Rural Zoned land, and farm forestry should be recognised as consistent with the amenity of the rural zones. Support is given for shelterbelts and soil conservation planting being excluded from the definition of 'Plantation Forestry'.	<i>b) includes all associated forestry infrastructure; but</i> <i>c) does not include—</i> <i>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</i> <i>ii. forest species in urban areas; or</i> <i>iii. nurseries and seed orchards; or</i> <i>iv. trees grown for fruit or nuts; or</i> <i>v. long-term ecological restoration planting of forest species; or</i> <i>vi. willows and poplars space planted for soil conservation purposes</i> <i>(b) any consequential amendments required as a result of the relief sought.</i>
Part 1 – Introduction and General Provisions – Definition – Land-based Primary Production	19	Support	Federated Farmers supports the inclusion of a definition for 'Land-based primary production. <i>The National Policy Statement for Highly Productive Land</i> came into force on 12 October 2022 and contains an appropriate definition for land-based primary production that can be used. The District Plan contains a definition for 'Primary Production' which includes non-land-based activities as well as the initial processing of goods. The definition is not easy to understand or to work out what it is covered and what is not. Given that there is now national direction on how to address highly productive soils, it would be appropriate to use the definitions in the national policy statement to achieve consistency in the district plan.	Federated Farmers seeks the following relief: (a) the inclusion of the definition for 'Land-based Primary Production' as defined in the <i>National Policy Statement for Highly Productive Land 2022</i> into the District Plan; and (b) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General	20	Support in part	Federated Farmers supports the inclusion of definitions for 'Quarry and Quarrying Activities' in the proposed district	Federated Farmers seeks the following relief:

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Provisions - Definitions - Quarry and Quarrying Activities			plan. The definitions are clear, concise, and easy to understand. It would be appropriate to add to both definitions that 'Farm Quarries' are excluded from them so that there is an appropriate cross reference between the definitions.	(a) the addition of the statement <i>"This definition specifically excludes farm quarries and their activities"</i> at the end of the definitions for 'Quarry and Quarrying Activities'; and (b) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions - Definitions – Reverse Sensitivity	21	Strongly Support	Federated Farmers support the inclusion of the definition for 'Reverse Sensitivity' is an important resource management issue for Federated Farmers, we consider this definition accurately describes 'Reverse Sensitivity'.	Federated Farmers seeks the following relief: (a) retention of the proposed definition for a 'Reverse Sensitivity' or amended wording that has the same intent. (b) any consequential amendments required as a result of the relief sought.
Part 1 – Introduction and General Provisions - Definitions – Riparian Margin	22	Support in part	Federated Famers seeks to amend the definition of 'Riparian Margin', this definition is too prescriptive and creates unnecessary margins for the definitions. We acknowledge the RMA, <i>Stock Exclusion Regulation 2020</i> , which states a 3-meter setback. However, we urge the council to follow advice set out by the Landcare report to the Tasman District Council in 2020 ¹ . This report outlines a recommend riparian margin setback of between 10-20 meters. We urge the council to follow this advice and change the definition to the 20-meter setback. Also, it is important to state that Natural Character-P2(6) states that "riparian margins provide a buffer from activities that may adversely affect the natural character values of the river or wetland". We are perplexed on why the district council requires/needs another 100m buffer?	Federated Farmers seeks the following relief: (a) the addition to the definition so it reads the following or with similar wording; <i>means land that is within:</i> <i>10m of the bank of that part of a river that is up to 3m wide (and is not listed in (c) below); and/or</i> <i>20m of the bank of that part of a river that is greater than 3m wide (and is not listed in (c) below); and/or</i> <i><u>20m 100m of the banks of the Rangitata; Ōpihi; and Ōrāri Rivers and of any wetland.</u></i> ~~<i>50m of any wetland.</i>~~ (b) any consequential amendments required as a result of the relief sought.

¹ [LandCare Report \(envirolink.govt.nz\)](https://envirolink.govt.nz)

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			<i>Riparian margins are key to filtering out nutrients and toxins before they hit the waterways. A riparian margin that is planted too far from the water source is unable to catch those toxins and nutrients that leach before they hit the waterways. Council have created unnecessary regulation on private property and we urge council to reconsider this definition.</i>	
Part 1 – Introduction and General Provisions – Definitions – Riparian Zone	23	Oppose	Federated Farmers opposes this definition as it is not included anywhere in the proposed district plan. Creating definitions for the sake of definitions is not helpful and creates anxiety for ratepayers.	Federated Farmers proposed that this definition be removed from the proposed district plan.
Part 1 – Introduction and General Provisions – Definitions – Shelter Belt	24	Support in part	Federated Farmers supports the inclusion of definitions for ‘shelter belt’ in the proposed district plan. The definition is clear, concise, and easy to understand. It would be appropriate to add to acknowledge the ecological importance that shelter belts bring to biodiversity. They create habitats for fauna (eg tui, korimako, insects etc). In times of drought these can also be used as feed, whilst protecting crops from extreme weather, increasing yields. Shelter belts are also a key requirement for animal welfare. It would be appropriate for the definition to be amended to acknowledge these considerations.	Federated Farmers seeks the following relief: (a) the inclusion of a definition for ‘Shelter Belt’ as outlined below or with similar wording: <u>‘Shelter Belt’ means:</u> means any trees planted primarily to provide shelter for stock, crops, <u>creating ecological habitats for insects, providing a food source in drought-like events, or buildings from the prevailing wind(s), or extreme climatic events.</u> Shelter belts are no greater than 30 meters in width and are not clear felled (unless the clear is for replanting of a new shelterbelt, <u>or for purposes such as health and safety for the farm).</u> (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters				

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Strategic Direction				
Part 2 – District-wide Matters – Strategic Direction – SD Strategic Direction – Objectives – Residential Areas and Activities- SD-O1	25	Support in part	Federated Farms support the directions set in the strategic overview. We strongly support the inclusion of the limited rural lifestyle development opportunities are provided in the residential areas, encroaching on rural land. This ensure that farmland is protected, and urban areas are better developed/planned. However, direction 2 inside SD-O1 does need to be strengthen to the idea that land could be needed for houses as urban sprawl is eventual as populations change. The council needs to acknowledge that there needs to be protection from urban sprawl on highly productive land.	Federated Farmers seeks the following relief: (a) the amendment of direction 1 so that it reads: <i>limited rural lifestyle development opportunities are provided where they concentrate and are attached to existing urban areas, achieve coordinated pattern of development and are capable of efficiently connecting to reticulate sewer and water infrastructure, <u>while recognising the productive capabilities of the soils and location.</u></i> (b) any consequential amendments required as a result of the relief sought.
Part 2 – District-wide Matters – Strategic Direction – SD Strategic Direction – Objectives – The Natural and Historic Environment- SD-O2	26	Strongly Support	Federated Farmers supports the natural and historic environment as it is currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the overview as currently drafted or wording with similar effect; and (b) any consequential amendments required because of the relief sought.
Part 2 – District-wide Matters – Strategic Direction – SD Strategic Direction – Objectives –	27	Support in part	Federated Farmers acknowledges the role tangata whenua play and often lead for outcomes for the district. We suggest minor amendments to the objectives to recognise that involvement of iwi and hapu alongside communities will enable better outcomes for the district. It is important for the council to recognises that many of these sites of significance are on private property and that tangata whenua, cannot use private property as an access-	Federated Farmers seeks the following relief: (a) the amendment of objective SD- O5 -iii so that it read as follows: <i>Kati Huirapa retains, and ~~where~~ if appropriate, <u>agreed to by private landowners, the ability to enhance access to their sites and areas of significance. Kati Huirapa recognises many of these are on private land and must form relationships between landowner and hapu on a case-by-case basis. Kaiti</u></i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Mana Whenua-SD-O5			way to these sites and areas of significance. These are working properties and farmers must take into consideration the animal welfare, health and safety of the business they are running. Relationships to develop accessways need to be between the private landowner and hapu, this is something that cannot be created or forced by council. We strongly urge the council to allow these relationships to be created.	<u>Huirapa recognises that accessway may be denied for health and safety or animal welfare by the landowner, access is a privilege, not a right.</u> (b) any consequential amendments required as a result of the relief sought.
Part 2 – District-wide Matters – Strategic Direction – SD Strategic Direction – Objectives – Rural Areas- SD-O9	28	Support in part	Federated Farmers supports proposed objectives SD-09 recognising the importance of the primary production sector and the need to protect highly protective soils from inappropriate development. We are living in rapidly changing world where it has reached the point where we must adapt to meet the needs and constraints of the environment. Federated Farmers seeks the inclusion of an additional objective to recognise the importance of providing for and supporting land practice change to address biosecurity, climate, and environmental demands both from regulation and consumer demand. As regulation and markets are driving certain change and practices, the district plan needs to provide for this change to ensure economic viability for rural producers.	Federated Farmers seeks the following relief: (a) the addition of new objective SD-09- vii which reads: <u>Primary production activities are supported by Council to adapt to change required by regulatory and consumer demands.</u> or wording with a similar intent; and (b) any consequential amendments required as a result of the relief sought.
UFD – Urban Form and Development				
Part 2 – District Wide Matters-Strategic Direction-UFD Urban Form and Development-Settlement Patterns	29	Strongly Support	Federated Farmers generally supports this chapter of the proposed district plan as drafted.	Federated Farmers seeks the following relief: (a) the retention of the minimises the loss of versatile soils as currently written or with wording of similar intent; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Hazards and Risks				
Natural Hazards				
Part 2 – District Wide Matters – Hazards and Risks – NH – Natural Hazards – Overview	30	Support	Federated Farmers supports the accurate mapping of the flood and coastal hazard areas and would expect engagement to occur to the relevant impacted landowners who are located within those areas. We support the use of the precautionary approach in respect of natural hazards. The approach taken by the Council is consistent with regional and national policy documents as well as what is being done internationally. Federated Farmers also supports the approach proposed by the Council that the focus will be placed on vulnerable activities (e.g., liveable dwellings) and it will be these activities that will have the more stringent plan controls placed on them. Federated Farmers supports enabling non-liveable farm ancillary buildings as permitted activities within the natural hazard areas as long as this has been clearly communicated to the landowners along with the associated risks of doing so. This means the landowner is fully informed when they make the decision to locate ancillary buildings that have a functional need to be located in or around coastal and flood hazard areas.	Federated Farmers seeks the following relief: (a) the retention of the overview as currently drafted or wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Hazards and Risks – NH – Natural Hazards – Objectives	31	Support	Federated Farmers supports objectives NH-O1 to NH-O3 as currently drafted.	Federated Farmers seeks the following relief: (a) the retention of objectives NH-O1 to NH-O3 as currently drafted or wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters –	32	Support	Federated Farmers supports policies NH-P1 to NH-P11 as currently drafted.	Federated Farmers seeks the following relief:

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Hazards and Risks – NH – Natural Hazards – Policies				(a) the retention of objectives NH-P1 to NH-P11 as currently drafted or wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Hazards and Risks – NH – Natural Hazards – Rules	33	Support	Federated Farmers supports the inclusion of rules NH-R1 to NH-R9 as currently worded in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of rules NH-R1 to NH-R9 as currently drafted or wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Hazardous Substances				
Part 2 – District Wide Matters – Hazards and Risks – HS – Hazardous Substances – Overview	34	Support	Federated Farmers supports the precautionary approach in respect of natural hazards. Federated Farmers also supports the approach proposed by the Council that the focus will be placed on vulnerable activities (e.g., liveable dwellings) and it will be these activities that will have the more stringent plan controls placed on them. Federated Farmers supports enabling non-liveable farm ancillary buildings as permitted activities within the natural hazard areas as long as this has been clearly communicated to the landowners along with the associated risks of doing so. This means the landowner is fully informed when they make the decision to locate ancillary buildings that have a functional need to be located in or around coastal and flood hazard areas.	Federated Farmers seeks the following relief: (a) the retention of the overview as currently drafted or wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Hazards and Risks – HS – Hazardous	35	Support	Federated Farmers supports objectives HS-O1 to HS-O3 as currently drafted. In particular, we support objective HS-O3 which recognises that there may be a functional need for new infrastructure to be located within identified hazard areas.	Federated Farmers seeks the following relief: (a) the retention of objectives HS-O1 to HS-O4 as currently drafted or wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Substances – Objectives				
Part 2 – District Wide Matters – Hazards and Risks – HS – Hazardous Substances – Policies	36	Support	Federated Farmers supports policies HS-P1 to HS-P4 as currently drafted.	Federated Farmers seeks the following relief: (a) the retention of objectives HS-P1 to HS-P4 as currently drafted or wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Hazards and Risks – HS – Hazardous Substances – Rules HSR	37	Support	Federated Farmers supports rules HS-R1 and HS-R4 as currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the Rules HS-R1 and HS-R4 as currently drafted or wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Historic Heritage				
Part 2 - District wide matters - Historical and cultural values – HH- Historic heritage - Overview	38	Oppose in part	Federated Farmers is concerned that the Council is using regulatory methods as a means to manage historic heritage without the non-regulatory methods supporting in the background. Council needs to utilise more non-regulatory methods for managing historical heritage. Landowner engagement and education should be the first approach to the effective management of historic heritage rather than the Council relying on regulatory methods which will only work where there is damage and change to the historic heritage features. As well, the overview needs to be consistent with the requirements of s6(f) of the Resource Management Act 1991. Section 6(f) requires the recognition and provision of the protection of historic heritage from inappropriate subdivision, use and development. Only inappropriate	Federated Farmers seeks the following relief: (a) the amendment of the overview section to the historic heritage chapter so that it promoted the use of non-regulatory methods as well as ensuring that historic heritage will be protected from inappropriate subdivision, use and development; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			activities that could cause more than minor effects on heritage and cultural values should be managed. Existing use rights of lawfully established activities also need to be recognised and protected.	
Part 2 - District wide matters - Historical and cultural values – HH- Historic heritage – Objectives	39	Support	Federate Farmers supports the objectives as drafted for the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the objectives as proposed or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters - Historical and cultural values – HH- Historic heritage – Policies	40		Federated Farmers supports the Policies as written in the proposed district plan. Federated Farmers wishes to acknowledge the balance between land use and heritage values in its proposed policies.	Federated Farmers seeks the following relief: (a) the retention of the policies as proposed or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters - Historical and cultural values – HH- Historic heritage – Rule HH-R1,HH-R2,HH-R3,HH-R4,HH-R5	41	Support	Federated Farmers supports the rule, HH-R1,HH-R2,HH-R3,HH-R4, and HH-R5 as written in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the rules, HH-R1,HH-R2,HH-R3,HH-R4 and HH-R5 as proposed or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 - District wide matters - Historical and cultural values – HH- Historic	42	Oppose	Federated Farmers opposes the rules HH-R10, and HH-R16, which restricts the subdivision of land where a heritage site and value is present. Heritage New Zealand states in their ' <i>Sustainable Management to Heritage Guidance</i> ', 'states that	Federated Farmers seeks relief on the following; (a) the removal of rules HH-R10, and HH-R16, as it is already covered in other regulation.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
heritage – Rule HH-R10, and HH-R16			Subdivision that results in positive outcomes for historic heritage should be encouraged'. It is over regulatory for the council to restrict development if it will benefit the historical area. Private landowners should have the rights to subdivide land which will enhance an area.	(b) any consequential amendments required as a result of the relief sought.
Notable Trees				
Part 2- District Wide Matters – Historical and Cultural Values – Trees- Notable Trees – Overview	43	Support	Federated Farmers supports the recognition and identification of notable trees which are of importance to the district and its communities. However, it is considered that it will be important if the notable tree/s is/are located on private land that engagement between the Council and landowners needs to occur to ensure that the tree is best managed for future generations. This can be achieved through a mixture of regulatory and non-regulatory methods.	Federated Farmers seeks the following relief: (a) the inclusion of a sentence in the overview that discusses the need for engagement to occur between the Council and landowners over how best to achieve the protection of a notable tree or trees, or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – Trees- Notable Trees – Rule 3	44	Support in part	Federated Farmers supports in part Rule TREES-R3 as it is currently drafted in the proposed district plan. The rule does not provide for mechanical cultivation within the rootzone of a notable tree or trees as a permitted activity. A rootzone area can be 3 times the area of the trees canopy and can vary significantly between tree species. Federated Farmers recommends that the rule is amended to provide for mechanical cultivation within the rootzone area. As well, it is recommended that the Council uses the term 'tree protection zone' instead of the rootzone area. The term 'tree protection zone' is used in a number of plans and policies in New Zealand. It is a term that is recognised by suitably qualified arborists and can easily be calculated by (a) canopy drip line + 1m; (b) trunk diameter at 1.4m height multiplied by 12; and (c) tall narrow trees = ½ x Height.	Federated Farmers seeks the following relief: (a) the amendment of rule TREES-R3 as follows: <i>PER-1</i> <i>The activity or development ~~is not for any of~~ takes into consideration The Tree Protection Area of notable Tree or Trees while the following could occur;</i> <i>1. any earthworks including trenching;</i> <i>2. establishment of new impervious surface; or</i> <i>3. new buildings, with consent; or</i> <i>4. new structures including fences and signs, (temporary and permanent)</i> or wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			The tree protection zone will ensure that areas critical to the tree's health are protected and that resource users are able to understand the setbacks required.	
Sites and Significance to Māori				
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori	45	Support in part	Federated Farmers fully supports the identification and protection of wāhi tapu, wāhi tapu and sites and areas of significance to Māori. What the overview does not highlight is that the identification and protection occurs as a result of effective engagement and creation of an enduring relationship between tangata whenua and the landowner where the wāhi tapu, wāhi taonga and sites and areas of significance are located. It is disappointing that the Council appears to only be prepared to use regulatory methods via consent processes to create opportunities for good faith and understanding to develop. Landowners should have more of a say in matters such as these as they are not someone with greater rights than those of the general public when it comes to their land. Council needs to be prepared to provide sufficient information to landowners on the location and extent of sites or areas of Significance to Māori on their property needs to be provided so that they are aware of any restrictions that apply, and any obligations that they may have. Council should be working to facilitate better outcomes so that the best possible outcomes are achieved.	Federated Farmers seeks the following relief: (a) the inclusion of appropriate wording in the overview that recognises the role that landowners of private property have to play in the identification and protection of sites and areas of significance to Māori; and (b) the inclusion of appropriate wording which essentially states that the Council will play a major role in facilitating a enduring relationship and promoting effective engagement between tangata whenua, landowners and the Council in the identification and protection of sites and areas of significance to Māori; and (c) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori –	46	Support in part	Federated Farmers supports the need for protection of Sites and Areas of Significance to Māori that have been identified with precision. We are also supportive of measures agreed upon by the landowners for Kati Huirapa having access to significant sites for cultural purposes, within reason. However, some of objectives and policies are too far reaching and create anxiety for rural communities.	Federated Farmers seeks the following relief: the addition of new policy SASM-P9 that reads: (a) <u>Provide recognition for grazing and farming activities that have not increased in their scale or intensity of effects from commencement date of the plan.</u> or with wording to similar effect; and

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Objectives and Policies			There are concerns that the objectives and policies do not provide for existing activities to continue. There needs to be an additional policy that recognises and provides for existing activities such as grazing and other farming activities to continue as long as the scale and intensity of effects do not/have not increased following the commencement date of the plan. There are also concerns around access to private property to the sites of significance. Property rights need to be recognised and respected. It is important that relationships are formed on a private landowner and Kati Huirapa scale. There needs to be an understanding of access when and where, otherwise illegal access could be seen as trespassing.	(b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Objectives – O1	47	Support in part	Federated Farmers understands the importance of decision making in/around the sites of significance. However this can be far overreaching and invasive to farm operations. It is important to recognise the intergenerational view that farmers hold in protecting their land for future generations. Many farmers in the district have farmed the same land for more than 150 years. Landowners appreciate the creation of enduring relationships, recognised as a directly affected party hosting wider benefit resources, not just someone with no greater rights than those of the general public.	Federated Farmers seeks the following relief: (a) the amendment of objective SASM- O1 so that it read as follows: <i>Kaiti Huirapa are actively involved in decision making that affects the values of the identified Sites and Areas of Significance to Kati Huirapa, <u>not extending to existing use rights, the value of landowners land, and only when required at no cost to the landowner.</u></i> (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites	48	Support in part	Federated Farmers acknowledges the need to access these sites for maintenance and for cultural needs. However, we stress that it is important to acknowledge that many of these sites reside on large scale working farms. Access to	Federated Farmers seeks the following relief: (a) the amendment of objective SASM- O2 so that it read as follows:

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
and Significance to Māori – Objectives – O2			these sites on private property can only be via consultation and permission of the landowner. Relationships need to be developed, rather than council applying regulatory methods that create reactive environments for farmers to operate in. The council needs to acknowledge the effort that farmers put into the protection of their land/resources for future generations. Council also needs to provide landowners with detail specific on where the site are located, how big is it, and what this site was used for. Mapping large areas, if not whole farms is inappropriate, if specific detail cannot be supplied to landowner.	<i>Kaiti Huirapa are able to access <u>if appropriate agreed to by private landowner, the ability to, maintain and use resources and areas of cultural values within the identified Sites and Areas of Significance, access to sites that need to be identified in detail to landowners.</u> ~~to~~ Kaiti Huirapa, <u>following health and safety of the landowner, whilst not disturbing the welfare of animals and farm operations.</u></i> (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Objectives – O3	49	Support in part	Federated Farmers acknowledges the importance of these sites to Kaiti Huirapa are and their identity to the land. We do stress that it is important that it does not affect the existing use rights of landowners and their operations on the farm. Climate Change is an issue that is going to affect the district in various of ways. Māori have made it clear that they need environments to become resilient to protect their cultural and historical values. To recognise the issue of climate change will give landowners an option to better mitigate the effects of this under the proposed plan.	Federated Farmers seeks the following relief: (a) the amendment of objective SASM-03 so that it read as follows: <i>The values of identified areas and sites of significance to Kaiti Huirapa are recognised and protected from inappropriate subdivision, use and development, <u>unless it fits within the existing rights of the landowner, or as a mitigation to the effects of climate change.</u></i> (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance	50	Support in part	Federated Farmers acknowledges Māori as first people of the land. If land cannot be correctly identified with accuracy and be site specific, we suggest surrounding land is not classified under the layers of SASM.	Federated Farmers seeks the following relief: (a) the amendment of policy SASM- P1 so that it read as the following: <i>Work with Kaiti Huirapa to identify and list Sites and Areas of Significance to Kaiti Huirapa in SCHED6- Schedule of Sites and Areas of Significance to Kaiti Huirapa , and</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
to Māori – Policies – P1			This is counterproductive to the formation of relationships, especially when this is whole private properties. Federated Farmers acknowledges that these are significant sites but urge caution to allowing Chiefdom to be exercised on private property without consultation or consent from landowners. Relations to be proactive than reactive due to council regulation.	~~recognise and provide for the with landowners in consultation with the identified sites and areas, managing the resources inside that site in relationship building. Exercise of rangitirataka by Kati Huirapa in decisions made in relation to these sites and areas.~~ (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Policies – P2	51	Strongly Agree	Federated Farmers support is extended to this policy. Developing protocols and key contact people will give landowners some confidence when wanting to conduct activities near SASM. Consultation should be outside a council setting away from bureaucracy, and the basis should be developed on an individual relationship between hapu and landowner.	Federated Farmers seeks the following relief: (a) the addition of policy SASM – P2 so it read as the following: <i>Encourage and facilitate consultation and engagement between landowners and applicants with Kati Huirapa, prior to applying for consent and/or undertaking activities within or adjacent to the identified site and areas listed in SCHED6- Schedule of Sites and Areas Significant to Kati Huirapa, as being the most appropriate way to obtain understanding of the potential impact of any activity on the site of area. To establish a schedule of key hapū / tangata whenua representatives who will be notified of, or consulted on, applications received for subdivision consents or resource consents relating to proposals affecting or potentially affecting wāhi tapu, wāhi taonga, or site(s) of significance.</i> (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance	52	Support	Federated Farmers support is extended to this policy. Developing protocols and key contact people will give landowners some confidence when wanting to conduct activities near sites.	Federated Farmers seeks the following relief: (a) the retention of SASM – P3 as currently written or with wording of similar intent; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
to Māori – Policies – P3				
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Policies – P4	53	Support	Federated Farmers supports this policy as it stands. Putting aside any issues with the accuracy of the schedule it is important to ensure the rules are linked to SASM-SCHED6 to provide certainty and focus limited resources. Landowners will prefer a direct relationship with local runanga, and we have heard of very positive relationships where both parties have an interest in an area of land and have negotiated directly with outcomes that suit both. Council is often an unnecessary intermediary party in some cases.	Federated Farmers seeks the following relief: (a) the retention of SASM – P4 as currently written or with wording of similar intent; and (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Policies – P5	54	Support in part	Federated Farmers supports this policy as it stands but seeks relief and addition of some wording. Federated Farmers as mentioned above sees it as vital that landowners are included in conversations and decisions regarding the SASM on their lands. These sites need to be protected however it needs to be a conversation between the local tangata whenua and landowners, not council. Farmers understand the value they add to their local history and as intergenerational landowners it adds more importance to the legacy they leave when land is passed down.	Federated Farmers seeks the following relief: (a) the retention of the SASM -P5 as currently written or with wording of similar intent, with one addition. <i>‘3. Maintenance of enhancement of access by whanau for customary use and cultural purpose, <u>if on private land in agreement with the landowner</u>; and</i> (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance	55	Support in part	Federated Farmers supports this policy as it stands. Putting aside any issues with the accuracy of the schedule it is important to ensure the rules are linked to SASM-SCHED6 to provide certainty and focus limited resources. Protection of these sites for cultural values needs to be not funded by the private landowners, adequate funds need	Federated Farmers seeks the following relief: (a) the addition of policy SASM – P2 so it read as the following: <i>‘Recognise the significance to Kati Huirapa of the wahi tupuna areas listed in SCHED6 – Sites and Areas of Significance to Kati Huirapa and Protect the identified</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
to Māori – Policies – P6			made available to ensure that these sites that are pinpoint identified can be protected. Federated Farmers urges the council to recognise that farms still need to be able to operate economically around these SASM's	<i>values of these areas by avoiding significant adverse effects of activities in, or in close proximity to, wahi tupuna areas on the connections of Kati Huirapa to these areas and the ability of the areas to support taoka species and mahika kai, <u>unless there is already a pre-existing use of the land which has minimal or no effect on the site. Existing use is always taken into consideration when protecting the sites.</u></i> (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Policies – P7	56	Strongly Support	Federated Farmers support the SASM – P7 as it stands. We seek that once sites are identify of their exact location then they can be protected and enhanced for future generation to enjoy. We urge this be done in collaboration with the landowner and hapu, as relationships can be formed in the protections of SASM. Council should make available funds to protects these sites. This should not be something that comes at the cost of the private landowner. Non-regulatory methods should be the preference.	Federated Farmers seeks the following relief: (a) the retention of SASM – P7 as currently written or with wording of similar intent; and (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Policies – P8	57	Support in part	Federated Farmers supports the policy as it stands. Support for promoting awareness and understanding of sites; however it looks as though it will only be implemented though a regulatory consent application framework, which should be the last option - not first and only. Non-regulatory methods should be the preference. Accidental discovery of unrecorded heritage or cultural sites can be worrying for landowners. Unknown costs of having to get an archaeologist, heritage or cultural expert in to assess the site, unknown cost and time delay of having to obtain a resource consent in order to complete	Federated Farmers seeks the following relief: (a) the addition of policy SASM – P8 so it read as the following: <i>2. an accidental discovery protocol is prepared and adopted for any earthworks <u>and assist resource users conducting activities near recorded sites and in the event of a discovery of unrecorded sites.</u></i> (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			the works started before the discovery, and unknown outcome of a resource consent application can all contribute to a view that heritage or cultural sites are a liability and a burden on the discoverer. We do not think this outcome serves anyone well. An option that can be provided as a management tool that should be included is a cost-sharing between the regulatory body and individual resource users. Councils could offer to waive a resource consent fee in the event of accidental discovery of a heritage site during works, and a cost-share arrangement for an archaeological or cultural impact assessment. Including this as an option will remind landowners that council understands their concerns and may prevent negative consequences that can sometimes occur.	
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Rules – R1	58	Oppose in part	Federated Farmers is concerned over policies that seek to restrict certain activities and farm practices on private property. Care needs to be taken when developing policies for district plans, that the rights of private landowners to carry out lawful activities are not unnecessarily restricted or prohibited through the council seeking to protect SASM, without proper identifications of sites, seems premature. Policies in the proposed district plan should be consistent with policies contained in national policy instruments and national environmental standards. The council also needs to recognise that for the rural sector to operate effectively, the sector requires an environment which is fair and justifiable. To place regulation of private property that is far-reaching is unjustifiable if actual key areas are not identified. It is unjust for council to create regulation of	Federated Farmers seeks the following relief: (a) the addition of SASM-R1, PER-1 so it read as the following: <i>'The activity is either: earthworks, including those associated with and under new buildings/structures and those necessary for the installation of infrastructure/ utilities, do not exceed a maximum area of ~~750m~~²-1000m², recognising the needs of rural structures; earthworks for the purpose of maintaining existing roads, tracks, or natural hazard mitigations works, and area within the footprint or modified ground comprised by existing road, track, <u>animal welfare needs</u>, or natural hazard mitigation works; We oppose any rules in the wahi tapu and wai tapu overlays unless areas can be more clearly identified.</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			large swads of areas which the closets SASM could be 3km away. Federated Farmers mostly supports the proposed permitted activities PER-1 – PER 4, with the exemption of wording changes. As written the permitted activities under this rule will stifle farm management and growth, create conditions which put the health and safety of those on the farm at risk, as well as stock. The permitted activity 1 proposed creates unworkable condition for earthworks around new/existing structures. Many heritage woolshed/farm sheds from colonial era have a square footage including yards of greater than 750m². As a council which wants to protect both its colonial and whenua heritage this is a fine balance. The permitted activity proposed would place far reaching restrictions of farm buildings which are needed to safely operate their business. We urge the council to have approached farmers in the drafting of these rules to get their views, and into the future.	(b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Rules – R2	59	Oppose in part	Federated Farmers is concerned about the added regulation that seeks to restrict farm activities. Council when developing policy needs to consult those that are affected in the drafting process. Having a heavy – handed approach when the plan is proposed is disappointing. We have issues with the accuracy of the overlays and where sites are located. Without definitive locations in the wahi taoka overlay, we find the rules detrimental to the operations of a farm. We urge the council to go back to Kati Huirapa and ask for clarification on where sites are inside certain layers. This gives farmers a better idea on what to protect and work with Kati Huirapa to put protections, enhance the area, and create relationships	Federated Farmers seeks the following relief: (a) the addition of SASM-R2, PER-1 so it read as the following: <i>For buildings or structures located outside of the residential zones, Commercial and mixed use zones, Industrial; zones or Port Zone, the following limitations apply:</i> <i>1. The maximum height of buildings and structures does not exceed ~~5m~~ <u>10m</u> above ground level; and</i> <i>2. Buildings and structures are not located within 20m vertical or 100m</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			with Kati Huirapa. When an overlay covers 100% of privately owned land with no pinpointed location of significant, this is concerning.	<i>horizontal of any ridgeline, unless it is a pre-existing structure, or a new structure with little to no impact on the aesthetics of the environment; and</i> 3. <i>Buildings and structures are not located at any point above ~~900m~~ 1100m above sea level; and</i> 4. <i>The maximum footprint of any building or structure does not exceed 300m².</i> (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Rules – R3	60	Support in part	Federated Farmers supports the inclusion of R3 into the proposed plan. We acknowledge the importance of protecting and conserving native bush for future generations to enjoy. Many farmers across your district already do so for amenity or ecological purposes. However, we would like to see minor amendments to reflect the need to remove native bush on land under existing use rights for clearance of regrowth.	Federated Farmers seeks the following relief: (a) the addition of SASM-R3, PER-6 so it read as the following: <i>The indigenous vegetation clearance is necessary in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993, or where this occurs as part of indigenous biodiversity restoration or enhancement, or exercising existing use rights.</i> (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Rules – R4	61	Support in part	Federated Farmers supports this rule, with the addition of minor changes to reflect property ownership on private land. Federated Farmers also acknowledges the importance of cultural events are important to occur, for strengthen bonds, education, and culture among people. To have a blanket rule, without taking into consideration private ownership would be neglectful. Instead of	Federated Farmers seeks the following relief: (a) the addition of SASM-R4, PER-1 so it read as the following: <i>Any temporary event where there is limited to a cultural event undertaken in accordance with tikanga, if required on private property consent from private landowner is gained prior to the event occurring.</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			regulation we would urge the development of relationships between iwi and local landowners where sites are located.	(b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Rules – R5	62	Support in part	Federated Farmers supports the inclusion of Mining and Quarrying, however, seeks that farm quarry is removed from the inclusion in the Mining and Quarrying. Farm quarriers are small and are used for on farm purposes that do not have the same impact on the environment as commercial mining operations.	Federated Farmers seeks the following relief: (a) the addition of SASM – R5 so it reads as the following: <i>The mining and/or quarrying do not exceed a maximum area of 750m² in commercial mining operations, excluding rural on-farm mines; and</i> (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Rules – R6	63	Strongly Oppose	Federated Farmers seeks the removal of unreasonable bureaucratic restrictions of land use and management. Farms who have been farming stock on their land for generations. Most farmers in the district have an intergenerational approach to land management, they want/need to protect their land for their future generations to inherit. Without the identification of pin-pointed sites of significance, it is impudent to allow for whole farms to have restrictions on their land. Federated Farmers seeks the development of a relationship between runanga and private landowners to locate, identify and protect sites, rather than bureaucratic top-down approach from council. Federated Farmers acknowledges the importance to protect former pa sites, rock art bring protected.	Federated Farmers seeks the removal from this chapter. Intensively farmed stock should not be restricted under the current overlays, until more information has been provided by the runanga, to properly identify the sites of significance.
Part 2- District Wide Matters –	64	Oppose	Federated Farmers seeks to oppose this rule. It is important to allow small subdivisions to occur on farms.	Federated Farmers seeks the following relief;

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Historical and Cultural Values – SASM – Sites and Significance to Māori – Rules – R7			Intergenerational farms need to subdivide to allow the building of an additional dwelling to allow multiple generations to live on the farm is common. Under this propose rule, it would not allow for the subdivision of land, restricting the ability for generations to live alongside one another.	(a) the addition of SASM – R7 so it reads the following: <i>Subdivision occurring in rural areas where housing is required on intergenerational farms, farm housing for employees, or as required for the operations for safe farm management housing.</i> (b) any consequential amendments required as a result of the relief sought.
Part 2- District Wide Matters – Historical and Cultural Values – SASM – Sites and Significance to Māori – Rules – R8 & 9	65	Strongly oppose	Federated Farmers seeks to oppos restrictions of shelterbelts, woodlots, or plantation forestry. Restrictions of shelterbelts are seen as heavy-handed approach taken by council, without the consideration of implications these will on farm operations, especially the welfare of stock. We urge the development of relationships between runanaga and private landowners to develop a relationship on what/type of shelterbelt plantation can occur in the wahi tapu overlay, to have a blanket regulation over the sites is underdeveloped policy. Council does not need to regulate this process.	Federated Farmers seeks the following relief; (a) the addition of SASM – R8 & 9 so it reads the following: <i>the addition of shelterbelts for the protection of crops, welfare of animals, creating ecological habitats on farm in consultation with iwi through a relationship to which trees can be planted around these sites of significance.</i> (b) Any consequential amendments required as a result of the relief sought.
Natural Environment Values				
Ecosystems and Indigenous Biodiversity				
Part 2 – District Wide Matters – Natural Environment Values – ECO-Ecosystems and Indigenous Biodiversity – Overview	66	Support in part	Federated Farmers has a significant interest in this chapter of the proposed district plan. The preservation of indigenous ecosystems and biodiversity has and will continue to create tensions between private landowners, Iwi and Councils. The approach taken to indigenous ecosystems and biodiversity is that landowners should it as a valuable asset rather than a hindrance. As part of this, it is important that activities such as lambing, calving, shelter, water supply and	Federated Farmers seeks the following relief: (a) the retention of objectives ECO-01,ECO-02, and ECO-03 as proposed, or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			takes, fencing, access and works for access and fire breaks are permitted throughout the plan.	
Part 2 – District Wide Matters – Natural Environment Values – ECO-Ecosystems and Indigenous Biodiversity – Objectives	67	Support	Federated Farmers supports objectives ECO-01, ECO-02, and ECO-03 for Ecosystems and indigenous biodiversity.	Federated Farmers seeks the following relief: (a) the retention of objectives ECO-01, ECO-02, and ECO-03 as proposed, or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – ECO-Ecosystems and Indigenous Biodiversity – Policies	68		Federated Farmers supports the priority that has been given to Significant Natural Areas in Rules ECO-P1, ECO-P2, and ECO-P5. We are also supportive of many of the suggested non-regulatory tools in which Council has suggested improves biodiversity outcomes for the district. Policy related to active management of pest plants and animal is also supported as with increased native corridors risks creating pathways for pest species to move around rural areas. There are concerns that the policies do not provide for existing activities to continue.	Federated Farmers seeks the following relief: (a) the addition of new policy ECO-P2 that reads: <u>Provide recognition for grazing and farming existing activities that have not increased in their scale or intensity of effects from commencement date of the plan.</u> or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – ECO-Ecosystems and Indigenous Biodiversity – Rules 2,3,4,6,7	69	Support	Federated Farmers supports rules 2,3,4,6,7 currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the rules 2,3,4,6,7 as proposed, or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Part 2 – District Wide Matters – Natural Environment Values – ECO-Ecosystems and Indigenous Biodiversity – Rules – R1- Part 2	70	Oppose in part	Federated Farmers opposes in part the rule as it stands with permitted clearance within 50m of any wetland. The setback is excessive. NESFW 2020 only requires 10m. Why the district council is requiring five times the setback is unclear and unjustified. Federated Farmers support PER-2 and PER-4D, which does provide farmers the opportunity for clearance for improved pasture. We urge the council to be wary about other submissions to have mapped improved pasture as what has occurred in the Mackenzie District. It is expensive and unnecessary for councils.	Federated Farmers seeks the following relief; (a) the removal of the 50m setback from this rule, or with wording to a similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – ECO-Ecosystems and Indigenous Biodiversity – Rules – R5	71	Oppose	Federated Farmers oppose R5 as it is currently drafted in the proposed district plan. This rule goes against routine maintenance, repair and replacement for all existing lawful activities which should be permitted, not restricted discretionary. This rule also has a type, which states 'Activity status where compliance not achieved: Restricted discretionary'. We assume this should be discretionary to align with the two activities stated in the rule.	Federated Farmers seeks the following relief; (a) the removal of the rule, as it is already a lawful activity. Fix the typo in the plan to read more clearly. (b) any consequential amendments required as a result of the relief sought.
Natural Character				
Part 2 – District Wide Matters – Natural Environment Values – NATC – Natural Character – Overview	72	Support in part	Natural character is a matter that Federated Farmers and its members are heavily invested in. This is a significant proportion of natural character located in the Timaru District and which has been preserved on farmland throughout the district. Our members are constantly improving riparian margins and natural character on their land through planting, fencing, and retiring land with natural character from use. All this is done largely at their expense. Federated Farmers	Federated Farmers seeks the following relief: (a) the addition of a sentence in the overview for natural character that recognises that some activities will have a functional need to be located within an area of natural character; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			supports the use non-regulatory measures to assist landowners to continue this journey. It is important that the Council recognises and provides for in the district plan for activities that have a functional need to be located within an area of natural character. These activities are required to be located next to the resources that they utilise and cannot be located anywhere else. These activities need to be provided for as they form part of a working landscape. Farmland is intrinsically part of the natural character and will assist in its preservation and protection from inappropriate subdivision, use and development, we urge that this is recognized by council. Rural zone provisions will manage the scale and density of buildings, earthworks, forestry, and subdivision, which are part of existing farming land uses that must be provided for as a right in the district plan. The Council appears to have taken the approach that all existing activities will adversely impact on areas of natural character without considering that these areas may be located on private property and have existing activities occurring in them.	
Part 2 – District Wide Matters – Natural Environment Values – NATC – Natural Character – Objectives	73	Support	Federated Farmers supports the retention of the objectives as written under section 6(a) of the Resource Management Act 1991 which requires the protection of natural character from inappropriate subdivision, use, development.	Federated Farmers seeks the retention of the proposed objectives for NATC-01, or amended wording that has the same intent.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Part 2 – District Wide Matters – Natural Environment Values – NATC – Natural Character – Policies – NATC-P1	74	Support	Federated Farmers supports the retention of this policy as reads. It is important that natural character values are protected and recognized. Many farmers around the district recognise this as well through land management on their properties.	Federated Farmers seeks the retention of this proposed policy, or amended wording that has the same intent.
Part 2 – District Wide Matters – Natural Environment Values – NATC – Natural Character – Policies – NATC-P2	75	Support	Federated Farmers supports the retention of this policy as reads. It is important that these sites are restored and enhanced to protect the natural character of the area.	Federated Farmers seeks the retention of this proposed policy, or amended wording that has the same intent.
Part 2 – District Wide Matters – Natural Environment Values – NATC – Natural Character – Policies – NATC-P3	76	Support in part	Federated Farmers supports the retention of this policy as it reads with minor amendments. It is important that council recognises the role the private landowner has had in the management of these areas of natural character, well before council started regulating it. Federated Farmers does not think the incentives go further enough for private landowners and thinks that a rates relief would be more beneficial than having expert advise, as many landowners in the rural sector pay significant amounts of rates already to council. Many farmers who hold intergenerational for their lands and will want to protect the land for generations who come after them. Federated Farmers would also like to thank the council for including incentives to farmers for doing the right thing.	Federated Farmers seeks the following relief; (a) the addition of NATC-P3 so it reads the following; <i>Encourage and support the restoration and enhancements of natural character values through such measures as:</i> 1. <i>reducing or waiving consent application costs;</i> <i>and/or</i> 2. <i>providing funding, grants and other incentives;</i> <i>and/or</i> 3. <i>providing expert advise;</i> 4. <u><i>providing significant rates relief.</i></u> (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Part 2 – District Wide Matters – Natural Environment Values – NATC – Natural Character – Policies – NATC-P5	77	Support in part	Federated Farmers seeks the relief of this rule to have the addition of the vegetation clearance to remove pest species, alongside exotic species. The policy needs to be developed to have a wider scope than what is being prescribed. By having a wider scope, it allows for the grazing/mowing of grasses to reduce the fire risk and other exotic species which suppress biodiversity, providing cover for predators. Whilst some of this is provided for in R1, ideally, we would like to see this covered in the scope of this policy. Federated Farmers would also like to see point 5 in the policy extended to include vegetation clearance. We are concerned that the council is only providing for earthworks, when vegetation clearance is an anticipated process in relation to the maintenance and repair of fences, tracks etc.	Federated Farmers seeks the relief of the following; (a) the addition of NATC-P5 so it reads the following; <i>Provide for activities in riparian margins which are appropriate for safety, enhancement, wellbeing or customary reasons, by enabling:</i> <i>activities which are undertaken by a local authority for the purpose of natural hazard mitigation works, and where possible, any adverse effects on natural character are minimised;</i> <i>vegetation clearance to remove pest <u>and/or exotic</u> species</i> <i>vegetation clearance for mahika kai purposes;</i> <i>planting of indigenous species that is for the purpose of restoration and enhancement activities; and</i> <i><u>Vegetation clearance and</u> earthworks that are for the purpose of maintenance and repair of existing fences, tracks, roads or for limited new fencing and tracks.</i> (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – NATC – Natural Character – Rules – Overview	78	Support	Federated Farmers supports the rules proposed and seeks to retain them as written. Federated Farmers commends the council for finding a balance of between conservation and also current land uses working alongside one another in this chapter. We do ask the council to clarify NATC-R4 PER1, which states 'the fence is a post and wire fence only'. We would like clarity to see if this includes rabbit-proof netting as well.	Federated Farmers seeks the retention and clarification of NATC-R4 PER1 of these proposed rules, or amended wording that has the same intent.
Natural Features and Landscapes				

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Overview	79	Oppose	While Federated Farmers supports the protection of outstanding natural features and landscapes, it considers that this must be done through the appropriate identification of the features and landscapes as well as with consultation with the impacted landowners who are the ones with the role of protecting such areas. Rural landowners are generally the ones who have preserved the landscapes and features on their properties around their working rural environment which is why such areas still exist today. If it was not for the landowners and the ability to graze around such areas the land would not be economically viable resulting in inappropriate subdivision, use and development to fund such land ownership. Federated Farmers strongly opposes placing restrictions on farming activities within outstanding natural landscapes and features. Farming activities are appropriate land use activities that still preserves the character and amenity value of such areas of significance.	Federated Farmers seeks the following relief: (a) the amendment of the overview to recognise and acknowledge the role that landowners have played and still play in the preservation of outstanding natural landscapes and features; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Objectives – NFL-01 and NFL-02	80	Support	Federated Farmers seek to support the objectives as written in the proposed district plan.	Federated Farmers seeks following relief; (a) the retention of the proposed objectives for NFL-01 and NFL-02, or amended wording that has the same intent. (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural	81	Support	Federated Farmers seek to support the policies NFL-P1, and NFL-P3 as written in the proposed district plan.	Federated Farmers seeks following relief;

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Environment Values – NFL – Natural Features and Landscapes – Policies – NFL-P1, and NFL-P3.				(a) the retention of the proposed objectives for NFL-P1, and NFL-P3, or amended wording that has the same intent. (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Policies – NFL-P2.	82	Support in part	Federated Farmers seeks relief of the removal of the word non-intensive from the policy. Should there already be intensive primary production in a VAL or outstanding natural features or landscape, the council should not be able to cease the activity from continuing. Council should note especially if the landscape still merits the classification.	Federated Farmers seeks the following relief; (a) the amendment of the policy NFL-P2 so it reads the following, or has wording of the same intent. <i>‘Enable certain activities in Visual Amenity Landscapes, Outstanding Natural Features and Outstanding Natural Landscapes, including existing ~~non-intensive~~ primary production, small scale earthworks, maintenance of existing tracks and fences, and underground utilities, that are consistent with:’</i> (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Policies – NFL-P4	83	Support in part	Federated Farmers seeks the amendment to policy NFL-P4. The policy needs to focus on mitigating inappropriate subdivision, use and development within the two layers while recognising certain activities can occur as long as they are appropriate for the areas, within reason.	Federated Farmers seeks the following relief: (a) the amendment of policies NFL-P4 to achieve consistency with section 6 of the Resource Management Act 1991 and to recognise the need to allow appropriate subdivision, use and development; and (b) amend policy NFL-P4 to read: <i><u>Avoid Mitigate inappropriate subdivision, use and development within outstanding natural features and outstanding natural landscapes, within reason, not to stifle development that area</u></i> <i>not provided in NFL-P2, unless it:</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
				1. demonstrates how the identified values and characteristics of the outstanding natural landscapes and outstanding natural features described in SCHED8 – Schedule of outstanding natural landscapes and SCHED9 – Schedule of outstanding natural features will be protected; and 2. is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change; and 3. can be visually integrated into the landscape and will not break the skyline or ridgelines; and 4. will maintain natural landforms, natural processes and vegetation areas and patterns, Or wording to similar effect; and (c) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Rules – NFL-R1	84	Support in part	Federated Farmers supports the policy in part, but seeks the removal of PER-2. It creates unnecessary regulation for the farmer. Instead we hope through the addition of water-management and allocation in their farm plan's would be more beneficial and that farm plans already take into consideration the natural features and landscapes when planning for stock. For some farms a blanket ban would affect a whole farm operation and its existing use.	Federated Farmers seeks the following relief: (a) the amendment of the NFL-R1 to remove the over-regulatory clause about irrigation structures. PER-1 <i>The building or structure is either:</i> 1. a farm building or structure associated with an existing ~~non-intensive~~ primary production, including residential units permitted in the applicable zones, and including earthworks associated with the building/structure; or 2. a public amenity building, including earthworks associated the building; or PER-2 ~~The structure is an irrigator that is not a travelling, mobile or pivot irrigator; and~~

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
				PER-3 ~~The activity does not require the clearance of any indigenous vegetation.~~ PER-4 NFL-S1, NFL-S2, (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Rules – NFL-R2, to NFL-R10	85	Support	Federated Farmers seek to support the rules NFL-R2 to NFL-R10 as written in the proposed district plan.	Federated Farmers seeks following relief; (a) the retention of the proposed rules from NFL-R2 to NFL-R10, or amended wording that has the same intent. (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Rules – NFL-R2	86	Oppose	Federated Farmers seeks the following relief for NFL-R2,2 VAL overlay. The rule is very similar to that already outlined in the previous chapter. VAL (amenity landscapes) are a matter that is covered within s7(c) of the RMA. These are matters that councils shall have particular regard to. However not a matter deemed to be of national significance as applied to outstanding natural features and landscapes. Planting restrictions for these secondary landscapes should not be provided with similar levels as that is provided for outstanding natural features and landscapes in this proposed district plan.	Federated Farmers seeks following relief; (a) the deletion of this proposed section in R2. (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural	87	Support in part	Federated Farmers seeks clarification with NFL-R4 PER 1. The rule states that ‘the fence is a post and wire fence’. Clarification is needed if the wire fence includes netting.	Federated Farmers seeks the following relief;

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Environment Values – NFL – Natural Features and Landscapes – Rules – NFL-R4			Netting fences are used for deer but also used for pest proofing land from rabbits and wallabies.	(a) the retention of the propose rule NFL-R4, with clarification given in the rule around the use of ‘post and wire fence’ and if that includes netting fencing. (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Rules – NFL-R5	88	Support in part	Federated Farmers has concerns with the outstanding natural features and landscapes overlay. There are no provisions for the planting of shelterbelts in the outstanding natural landscapes. Given that outstanding natural landscapes include the Rangitata catchment where there are fierce nor westers that blow through. It is concerning that council is not providing for shelterbelts could result in increased soil erosion and animal welfare issues. Requiring a consent for planting of shelterbelts is inappropriate, especially as existing primary production is enabled as per Policy 2.	Federated Farmers seeks the following relief; (a) the retention of the proposed rule as drafted with the inclusion shelterbelts as a permitted activity in the ONFL overlay as a way for soil and stock management. (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Rules – NFL-R6	89	Oppose	Federated Farmers seeks the following relief in NFL – R6 PER 2. This rule does not allow primary production to adopt to new technology or innovation or adapt to changing market patterns and customer preferences. It also stifles the ability of landowners to respond to and become more resilient against other factors such as climate change. The proposed rule locks in the current farming practice. Normal primary production activities should be able to continue without hindrance by over-regulation. Having a status as either permitting or non-complying is disproportionate. Restricted Discretionary would be more reasonable.	Federated Farmers seeks the following relief; (a) the removal of the rule as drafted in the proposed district plan. (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Rules – NFL-R8	90	Oppose in part	Federated Farmers seeks the following relief that farm tracks should be removed from this rule as their impact on the landscape will be far less than that of a new road, walking/cycle track. If farm tracks remain in this rule, then VAL's and outstanding natural features and landscapes are receiving the same protection. Farm tracks in VAL's should be permitted or controlled at most.	Federated Farmers seeks the following relief; (a) the retention of the proposed rule with the removal of farm tracks or amended wording that has the same intent. (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – NFL – Natural Features and Landscapes – Rules – NFL-S3	91	Oppose	Federated Farmers seeks relief on this standard as the council has a role to managing the effects of buildings on landscapes, not confining them to one location. The council could change the wording of this standard to similar wording as The Queenstown Lakes District Plan which acknowledges farming and enables activities, especially with outstanding natural landscapes, which most of their district is comprised of. <i>“21.2.1 Objective – A range of land uses, including farming and established activities, are enable while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.</i> <i>21.2.1.2 Policy – Allow farm buildings associated with landholdings of 100 hectares or more in area while managing effects of the location, scale and colour of the buildings on landscape values.”</i>	Federated Farmers seeks the following relief; (a) the deletion of the standard or amend the standard as following the QLDC wording which enables activities such as farming in the district. (b) any consequential amendments required as a result of the relief sought.
Public Access				

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Part 2 – District Wide Matters – Natural Environment Values – PA – Public Access – Overview	92	Oppose in part	The District Plan needs to be clear that access is not available across private land unless it is with permission from the landowner. The landowner should not be compelled by the District Plan to always provide access across what is essentially their business and home. Many rural landowners, particularly coastal or riparian margin landowners, have encounters with unwelcome trespassers, some with dogs, that are disruptive to their farming operations, create security issues for themselves and their stock, have put themselves into dangerous situations, or created nuisance effects like littering or human waste. It is appropriate and legal to limit access across private property when this access will be unsafe or will disrupt farming activities, such as when tree felling or earthmoving is occurring, or during harvest or lambing activities.	Federated Farmers seeks the following relief: (a) the amendment of the overview so that it addresses the issue of public access across private property and the need to ensure that this access is provided with the agreement of the landowner where it is practicable to provide that access; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – PA – Public Access – Objectives	93	Support in part	Federated Farmers supports objectives PA-O1 and PA-O2 as they are currently drafted in the proposed district plan. However, there is a need for an additional objective to be included that provides recognition for private property rights as well as the additional impacts public access may also have on the amenity value of selected landscapes and areas. The landowner’s private property rights are a key area of focus which needs to be considered within this chapter.	Federated Farmers seeks the following relief: (a) the retention of objectives PA-O1 as currently drafted with wording to similar effect; and (b) the addition of a new objective PA-O2 that reads as follows: <u>Practical and safe public access to and along the margins of lakes and rivers and the coastal environment is provided in a way that respects private property and does not result in adverse effects on natural character, landscape, indigenous biodiversity, historical heritage, or cultural values.</u> or wording to similar effect; and (c) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment	94	Support in part	Federated Farmers supports policies PA-P1 to PA-3 as they are currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of policies PA-P1 to PA-P3 as currently drafted with wording to similar effect; and

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Values – PA – Public Access – Policies			The policy section needs to include private property as a consideration when providing public access to ensure that it does not cause damage or create security risks. As a group, farmers provide more public access across their private property than other landowners (such as residential or industrial). Farmers are familiar with the adverse effects that result from public access such as rubbish, weed incursions and nuisance effects on their homes and places of work. The provision of public access also provides for weed incursions which are of particular concern with Chilean Needle Grass and Yellow Bristle Grass now in the region, which can create significant damage to livestock welfare and pasture quality.	(b) the addition of a new policy PA-P4 that reads as follows: <u>To provide information and education to the public regarding where public access is available, and that access over private land is only by the permission of the landowner.</u> or wording to similar effect; and (c) any consequential amendments required as a result of the relief sought.
Versatile Soils				
Part 2 – District Wide Matters – Natural Environment Values – VS – Versatile Soils – Overview	95	Support	Federated Farmers supports the chapter as drafted for the proposed district plan. It is important that council has recognised the importance of versatile soils in the primary industry and its needs. Federated Farmers commends the council on this chapter.	Federated Farmers seeks following relief; (a) the retention of the proposed chapter for versatile soils, or amended wording that has the same intent. (b) any consequential amendments required as a result of the relief sought.
Subdivision				
Part 2 – District Wide Matters – Natural Environment Values – SUB – Subdivision – Overview	96	Support in part	Federated Farmers believes that council subdivision and development policies and planning should provide for managed growth in rural communities. While acknowledging that the loss of productive land can impact on the region's economy, there is also a need to recognise that farmers undertake small lot subdivision to provide for farm succession, dispose of surplus dwellings and for providing on-farm accommodation for employees. There should also needs to be acknowledgement that considered well managed growth in rural communities provides for	Federated Farmers seeks the following relief: (a) the amendment of the overview to the subdivision chapter to acknowledge the need to provide a framework for the managed growth of rural communities; and (b) the expansion of the issue of reverse sensitivity in the rural environment so that it is addressed in detail and clearly sets out why the issue needs to be acknowledged and addressed; and (c) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			diversity and vibrancy in rural areas, sustains essential community infrastructure, and provides employment flexibility and opportunities. One major concern with subdivision in rural areas is the issue of reverse sensitivity. Rural residential activities are often incompatible with rural production activities. Federated Farmers advocates for reverse sensitivity protection for rural land use so that the introduction of residential activities in rural areas will not negatively impact on the current use of rural land for production purposes. Federated Farmers wants to ensure that any objectives, policies, and relevant rules consider and mitigate the potential for reverse sensitivity issues to arise, where practical.	
Part 2 – District Wide Matters – Natural Environment Values – SUB – Subdivision – Objectives	97	Support	Federated Farmers supports the objectives SUB-O1 to SUB-O5 as they are drafted in the proposed district plan. In particular we support the recognition of highly productive land and the reverse sensitivity issues that arise from subdivision in rural areas.	Federated Farmers seeks the following relief: (a) the retention of objectives SUB-O1, SUB-O2, SUB-O3, SUB-O4, and SUB-O5 as currently drafted in the subdivision chapter or with wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – SUB – Subdivision – Policies – SUB-P1 to SUB-P6	98	Support	Federated Farmers supports the policies SUB-P1 to SUB-P6 as they are drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of policies SUB-P1 to SUB-P6 as currently drafted in the subdivision chapter or with wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural	99	Oppose in Part	Federated Farmers raises concerns around the right of public access. The landowner should not be compelled by	Federated Farmers seeks the following relief: (a) the amendment of the policy SUB-P7 so that it addresses the issue of public access across private property and the need

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Environment Values – SUB – Subdivision – Policies – SUB-P7			the District Plan to always provide access across what is essentially their business and home.	to ensure that this access is provided with the agreement of the landowner where it is practicable to provide that access to public land if access cannot be gained through public land in a safe manner; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – SUB – Subdivision – Policies – SUB-P14 to SUB-P15	100	Support	Federated Farmers supports the policies SUB-P14 to SUB-P15 as they are drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of policies SUB-P14 and SUB-P15, as currently drafted in the subdivision chapter or with wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – SUB – Subdivision – Rules – SUB-R1 to SUB-R3	101	Support	Federated Farmers supports the rules SUB-R1 to SUB-R3 as they are drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of rules SUB-R1 and SUB-R3, as currently drafted in the subdivision chapter or with wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 – District Wide Matters – Natural Environment Values – SUB – Subdivision – Standards – SUB-S1	102	Support in part	Federated Farmers supports rule SUB-R3 in general but does support the proposed 40ha rural production-controlled standard in SUB-S1. The 40ha requirement is overtly limiting and would require farmers to sacrifice more productive land for subdivision. This will leave less productive farmland on the working farm and more productive land on a smaller lifestyle property. We seek that the 40ha requirement in SUB-S1 is amended to 20ha. This will ensure that landowners have suitable	Federated Farmers seeks the following relief: (a) the amendment of the minimum allotment size for rural production land in SUB-S1 from 40ha to 20ha; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			options available to react to economic, environmental and farm succession changes as required.	
Part 2 – District Wide Matters – Natural Environment Values – SUB – Subdivision – Standards – SUB-S2 to SUB-S8	103	Support	Federated Farmers supports the Standards SUB-S2 to SUB-S8 as they are drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of standards SUB-S2 and SUB-S8, as currently drafted in the subdivision chapter or with wording with similar effect; and (b) any consequential amendments required as a result of the relief sought.
Coastal Environment				
Part 2 - District Wide Matters – General District-Wide Matters – CE- Coastal Environment - Overview	104	Oppose	Federated Farmers has identified that both coastal environment and coastal hazard layers have captured areas of rural farmland. It is important that the Council provides for everyday agricultural activities to occur in the coastal environment, many of which already do. The amount of land captured is small and would allow the Council to engage individually with each landowner to provide necessary education and information on the particular challenges and restrictions placed on their land. Federated Farmers seeks that the areas of high natural character are deleted from this section as the coastal environment, outstanding natural character and indigenous biodiversity rules are consistent with section 6(a) of the Resource Management Act 1991 in protecting these areas from inappropriate subdivision and development. Without the high natural character layer, the District Plan still meets the Council's obligations under the New Zealand Coastal Policy Statement as well as the Northland Regional Policy Statement.	Federated Farmers seeks the following relief: (a) the deletion of all references in the coastal environment chapter to high character areas; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Part 2 - District Wide Matters – General District-Wide Matters – CE- Coastal Environment – Objectives	105	Support	Federated Farmers supports the inclusion of these objectives in the proposed district plan. We see no need to make any further amendments on these.	Federated Farmers seeks the following relief; (a) the retention of the objectives as drafted, or amended to similar intent; and (b) any consequential amendments required as a result of the relief sought.
Part 2 - District Wide Matters – General District-Wide Matters – CE- Coastal Environment – Policies - CE-R13	106	Oppose	Federated Farmers supports the right of existing farm activities to occur as permitted activities within the coastal environment. We recognise that the majority of the high and outstanding natural character layers capture biodiversity and non-farming land as well as farmland. Federated Farmers wishes to ensure that any existing farming activities and farmland located in these overlays within the coastal environment are permitted to continue. It is not appropriate for the district plan not to provide for existing, lawfully established farming activities to continue in the coastal environment. It is important to ensure that existing farmland is preserved and allowed to continue for future generations with a balance needing to achieve with the maintenance of the existing values formed by the coastal area.	Federated Farmers seeks the following relief: (a) the amendment of rule CE-R13 to provide for existing farming activities (including farm quarries) and farmland as permitted activities within the coastal environment; and (b) many consequential amendments required as a result of the relief sought.
Earthworks				
Part 2 - District Wide Matters – General District-Wide Matters – EW – Earthworks – Objectives and Policies	107	Support	Federated Farmers supports objectives and policies as currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of objectives and policies as currently drafted or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Part 2 - District Wide Matters – General District-Wide Matters – EW – Earthworks – Rules	108	Support	Federated Farmers the rules as currently drafted in the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention the rules as currently drafted or with wording to similar effect; and (b) any consequential amendments required as a result of the relief sought.
Part 2 - District Wide Matters – General District-Wide Matters – EW – Earthworks – Standards – EW-S1	109	Support in part	Federated Farmers supports the increase of the maximum earthwork thresholds for the rural production zone of 5000m ³ in volume and 2500m ² in area for all earthworks undertaken on a site in a single calendar year. This would less constrain farmers and the needs they may to do earthworks on their land.	Federated Farmers seeks the following relief: (a) the increase of the proposed maximum volume to 5000m ³ and maximum area of 2500m ² for the rural production zone as set out in standard EW-S1; and (b) any consequential amendments required as a result of the relief sought.
Part 2 - District Wide Matters – General District-Wide Matters – EW – Earthworks – Standards – EW-S5	110	Support in part	Federated Farmers supports in part the EW-S5, however would like to see the 12 metres distances from transmission lines change to the safety standard of 8m, as we have previously submitted on in this submission. We reiterate this is over-regulatory.	Federated Farmers seeks the following relief: (a) the changing of wording in the SW-R5 to read as the following; <i>‘Earthworks within ~~12~~ 8 metres of the centre line of a 110kV or a 220kV National Grid transmission line or within 10 metres of the centre line of a 66kV transmission line must’</i> , or wording of similar intent; and (b) any consequential amendments required as a result of the relief sought.
Light				
Part 2 - District Wide Matters – General District-Wide Matters – EW – Light –	111	Support in part	Federated Farmers supports the policy with the addition of wording which gives primary production the ability to function when required to use lighting to aid in primary production purpose. These could include harvesting, dairy sheds to maintain a health and safety for both animals and workers.	Federated Farmers seeks the following relief: (a) the changing of wording in the LIGHT-P1 to read as the following; <i>Provide for lighting appropriate to its environment that:</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Policies – LIGHT-P1				<i>provides for the safe and efficient use of the outdoors for a range of activities, including for night-time working, recreation and entertainment activities; and</i> <i>maintains the character and qualities of the surrounding area; and</i> <i>supports the social, cultural, and economic wellbeing and health and safety of people and communities, including road safety; and</i> <i>minimises sky glow and light spill, and</i> <i>protects the identified values and qualities of light sensitive areas; and</i> <i><u>activities associated with primary production.</u></i> (b) any consequential amendments required as a result of the relief sought.
Noise				
Part 2 - District Wide Matters – General District-Wide Matters – EW – Noise – Policies – NOISE-Noise-R1	112		Federated Farmers supports the intent of rule Noise – R1. However, we seek clarification on the exceptions listed in performance standard PER-2. PER-2 states that the rule does not apply to cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within Significant Natural Area on a seasonal, temporary, or intermittent basis for a period up to 30 days in any 12-month period. The exception is broad in its application in that it does not say what state what scale is applicable. Is the exception to be applied on a site-by-site basis so that it is intended to cover the land of a farm owned by one person. Alternatively, is it meant to apply on a larger scale so that if a person owned land in more than one title, the 30	Federated Farmers seeks the following relief: - clarification from the Timaru District Council on the application of the third exception under PER-2 and how the Council intends to apply and enforce this exception; and - the amendment of the definition for farming to include aircraft and helicopter movements where these are being used for operations as a part of farming on rural airstrips and landing areas; and - any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			days apply to all of that land regardless of it being in different certificates of title. The district plan needs to provide for the continuance of existing, lawfully established activities such as farming. The rule as currently drafted is confusing, particularly when regard is had to the text under the heading 'Rules' and before the rules themselves. The text states that the noise rules and standards do not apply for agriculture, horticulture and pastoral farming activities undertaken for a limited duration, including using agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis, forestry planting and forestry harvesting in the Rural Production, Horticulture and Horticulture Processing zones.	
Part 3 – Areas Specific Matters – Zones				
General Rural Zone				
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Overview	113		Federated Farmers supports the recognition in the overview of the fact it is important to differentiate the general rural zone from the rural lifestyle zone. We also support the strong recognition that has been given to rural land as an important resource. The proposed district plan has strayed into private property rights through dictating what can and cannot be done on rural production land. Returns from farming are variable due to a variety of factors including weather conditions, economic conditions, individual property circumstances and market demands. Like any business, diversification, flexibility, responsiveness, and cash flow are critically important to retaining their viability. Farmers undertake low impact subdivision for a variety of reasons. These vary from diversifying their business into	Federated Farmers seeks the following relief: (a) the amendment of the overview, objectives, policies, rules, and standards in the rural production chapter to recognise and provided for private property rights and allow landowners to subdivide land in the rural production zone for specific purposes such as creating lifestyle lots and lots for family members (amongst other matters); and (b) any consequential amendments required as a result of the relief sought.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
			tourism operations (luxury lodges and or associated tourism development and infrastructure), providing for disposing of a surplus dwelling on the property where a neighbouring farm is purchased, providing for a family member or staff member to live on the farm or to implement a succession plan for multiple siblings through small lot subdivision. The proposed chapter has taken away any flexibility for farmers to subdivide their land for specific purposes without undermining the primary production or life-style value of the remaining land. The chapter as drafted, adds another layer complexity on top of the regulations and provisions that exist in regional council planning documents and in National Policy Statements. The Council seems intent of duplicating provisions which may have already been dealt with at regional and national levels.	
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Objectives – GRUZ, 01,02,03,05,06	114	Support	Federated Farmers supports the inclusion of these objectives in the proposed district plan. We see no need to make any further amendments on these.	Federated Farmers seeks the retention of the proposed objectives for GRUZ, 01,02,03, or amended wording that has the same intent.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone	115	Support in part	Federated Farmers supports in part the objective for GRUZ-04, 'Protecting sensitive activities and sensitive zones', there needs to be recognition that bureaucracy cannot be placed on private landowners without proper remuneration for the land being retired or lost as a result from existing primary production use.	Federated Farmers seeks the following relief; (b) the addition of GRUZ-04 so it reads the following; <i>Intensive primary production, mining, quarrying and other intensive activities generates no or minimal adverse effects on:</i> 5. <i>sensitive activities; and</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
– Objectives – GRUZ 04			We seek to make minor amendments to this objective to better represent the rural zone.	6. <i>land close to Residential, Rural settlement, Māori Purpose and Open space zones, <u>unless the existing activities still occur.</u></i> (c) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Policies – GRUZ-P1	116	Support in party	Federated Farmers supports this policy in general. The policy should go further than simply <i>allowing</i> primary production and should <i>enable</i> it instead, as per the enabling intent of Section 5 of the RMA.	Federated Farmers seeks relief of the following; (a) the addition of GRUZ-P1 so it reads the following; <i>Enable a range of primary production activities, where they:</i> ~~allow~~ <i>enable for the ongoing productive use of land for present and future generations;</i> <i>maintain the character and qualities of the General Rural Zone; and</i> <i>meet the standards and requirements to minimise adverse effects on sensitive activities and the environment.</i> (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Policies – GRUZ-P2	117	Support	Federated Farmers supports the policy. It is key to ensuring that the character and qualities of the general rural zone are protected from urban creep and development which could occur within the urban zone.	Federated Farmers seeks the retention of the proposed policy for GRUZ-P2, or amended wording that has the same intent.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone	118	Support	Federated Farmers seeks to retain the proposed policy. This policy is important in making sure that development is in line with what occurs within the zone and will not affect the primary operations within the zone.	Federated Farmers seeks the retention of the proposed policy for GRUZ-P3, or amended wording that has the same intent.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
– Policies – GRUZ-P3				
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Policies – GRUZ-P4	119	Support	Federated Farmers supports to retain this policy. It is important for any sector of New Zealand to have proper access to emergency facilities. Many of these are supported by farmer volunteers.	Federated Farmers seeks the retention of the proposed policy for GRUZ-P4, or amended wording that has the same intent.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Policies – GRUZ-P5	120	Support in part	Federated Farmers supports this policy in general. The policy should go further than simply <i>avoiding</i> primary production and should <i>enable</i> it instead, as per the enabling intent of Section 5 of the RMA.	Federated Farmers seeks the relief of the following; (a) the addition of GRUZ-P5 so it reads the following; <i>Manage sensitive activities in the zone to ensure:</i> 1. <i>they are located to ~~avoid~~ enable management of adverse effects on primary production;</i> 2. <i>if avoidance is not possible, the sensitive activity includes mitigation measures so that there is minimal potential for adverse effects on the sensitive activity from primary production.</i> (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Policies – GRUZ-P6	121	Support in part	Federated Farmers supports this policy in general. The policy should go further, rather than putting landowners off using their land as a diversification of income for the district, we should enable such production, as per enabling intent of Section 5 of the RMA.	Federated Farmers seeks the relief of the following; (a) the addition of GUAZ-P6 so it reads the following; (1) <i>Enable small scale quarry activities (up to 2,000m²), subject to requirements to protect the environment and sensitive activities.</i> (2) <i>Only allow mining and other quarry activities in the General rural zone where:</i> a. <i>adverse effects on sensitive environment and sensitive activities are ~~avoided~~ managed, or if</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
				~~avoidance management~~ is not possible minimised; and b. adverse effects on primary production and other activities are managed in accordance with appropriate management plans; and c. vehicle access is suitable and safe, and the traffic generation can be safely and efficiently accommodated by the surrounding road network; and d. adverse effects on protected rock art and archaeological sites and local character and qualities are ~~avoided~~ minimised; and e. ~~adverse effects on local character and qualities are minimised; and~~ f. sites are progressively rehabilitated to enable the establishment of a land use consistent with the surrounding area. (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Policies – GRUZ-P7	122	Support	Federated Farmers supports the policy as it stands with a minor change to the addition of enable in the policy when talking about primary production, as per enabling intent.	Federated Farmers seeks the relief of the following; (a) the addition of GRUZ-P7 so it reads the following; (1) only allow rural industries and other activities (not listed in the rules) in the General Rural Zone where: a. the activity i. was legally established use not permitted in the zone; or ii. supports <u>and enables</u> primary production <u>functions</u>; or (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ-	123	Support in part	Federated Farmers supports the inclusion of this policy. However see the policy could go further to encourage farmers to diversify the income streams from their land, in	Federated Farmers seeks the following relief; (a) the addition of GRUZ-P8 so it reads the following;

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Rural Zones – SETZ – Settlement Zone – Policies – GRUZ-P8			order to better accommodate the changed environment they work in. Farmers need to be able to subdivide up land to create revenue streams and also for generational use on the land. It is important that the rules seek to reflect it.	<i>Provide for residential activities in the General rural zone where:</i> <i>1. fragmentation of rural land for non-primary production activities is ~~avoided~~ managed; and</i> <i>2. the character and qualities of the general rural zone are maintained; and</i> <i>3. the requirements of GRUZ-P5 are met; and</i> <i>4. any minor residential unit is ancillary and subordinate to the site's principle residential unit.</i> (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Policies – GRUZ-P9	124	Support	Federated Farmers supports to retain this policy. It is important for landowners who require staffing for their land to have the ability to properly care for and enable people to move to prospective employment where housing may be an issue.	Federated Farmers seeks the retention of the proposed policy for GRUZ-P9, or amended wording that has the same intent.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Policies – GRUZ-P9	125	Support	Federated Farmers supports to retain this policy.	Federated Farmers seeks the retention of the proposed policy for GRUZ-P9, or amended wording that has the same intent.
Part 3 – Areas Specific Matter	126	Support in part	While Federated Farmers supports the permitted activity classification for rural produce retail, we question the	Federated Farmers seeks the following relief:

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
– Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R1			requirement in performance standard PER-1 for this to be set back a minimum of 30m from any internal boundaries. Stands and stalls for farm produce need to be located where they are visible from the road. A 30m setback is onerous and unrealistic.	(a) the deletion of the 50m and 200m setback requirement from PER-1 and PER-4 of rule GRUZ-R1; or (b) if the Council is not inclined to accept the relief outlined in (a) above, we seek the reduction of the setback from 30m to 5m; and (c) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R2	127	Oppose in part	Federated Farmers opposes the current rule in its draft form. It is over prescriptive and creates far reaching regulation which puts landowners off the diversification of their income streams. To restrict the sale of free-range pigs from farm to farm is ill-conceived, furthering the bureaucracy that is being placed on farmers. It is also important the rules fit in line with what industry has recommended, along with over regional councils. A 100m boundary from unworkable and not proposed under many district plans, which has a 50m boundary. We urge the council to be in line with what is already occurring in industry. Federated Farmers seeks the relief of unworkable rules and seek to propose the following amendments.	Federated Farmers seeks the relief of the following; (a) the addition of GRUZ-R2 so it reads the following; <i>PER-1</i> ~~The pigs are for the subsistence of the people residing on the site; and are not sold to anyone not residing on the site; and~~ <i>PER - 2</i> <i>There are no more than ~~six~~ twenty five pigs located on the site and the pigs are setback a minimum distance of 25m from a building containing an existing sensitive activity on a separate site under different ownership; or</i> <i>PER- 3</i> <i>There is ~~between 7 and~~ 25 pigs on the site and the pigs are setback a minimum distance of:</i> <i>(a) 50m of a building containing and existing sensitive activity on a separate site under different ownership; and</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
				(b) ~~100m~~ <u>50m</u> of the boundary with a Residential, Rural Lifestyle, Rural Settlement, Māori Purpose or Open Space Zone (c) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R3	128	Support in part	Federated Farmers supports this rule as it stands. However PER-4 is over prescriptive and creates regulation that is not in line with is being proposed with other district councils in their plans. 100m is over prescriptive, where most councils ask for 25-50m from boundary fences. This rule would severely restrict small farmland blocks which in sometimes have 200-300m each side of their boundary fences.	Federated Farmers seeks the following relief; (a) the addition of GRUZ-3 so it reads the following; <i>PER-4</i> <i>No roosters are kept within ~~100m~~ <u>25-50m</u> from the notional boundary of an existing sensitive activity on a separate site under different ownership; and</i> (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R10	129	Support	Federated Farmers strongly supports the inclusion of this rule into the district plan. We would like to see the inclusion of recognition of agricultural conservation activities through the use of aviation. Farmers hold intergenerational views and conservation is a way to ensure their land is protected, left in a better state for future generations to enjoy.	Federated Farmers seeks the following relief: (a) the addition of GRUZ-10 so it reads the following: <i>PER-10</i> <i>Land, buildings and structures are used for:</i> <i>- Preservation, protection, restoration, promulgation or enhancement of indigenous species or habitats of indigenous fauna; or</i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
				- pest control; or - conservation education; or - observation or surveying; or - <u>agricultural aviation conservation</u> - walking tracks, board walks, pedestrian bridge. (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R12	130	Support in part	Federated Farmers supports the policy with some minor changes. It is important that rural producers are given conditions to enter a market of producer to consumer becomes more predominant. Feedback from people with these stalls see 10m as too prescriptive and would like to see minor changes to reflect that 10m is not obtainable on all highways and byways of the district. It is important that council enables the conditions of growth for these stalls and not stifle.	Federated Farmers seeks the following relief; (a) the addition of GRUZ-R12 so it reads the following; <i>PER-1</i> <i>The retail area has a maximum gross floor area of 100m² and is set back a minimum of ~~10m~~ 8m from a road boundary, <u>where deemed safe</u>; and,</i> (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R14	131	Oppose in part	Federated Farmers stands with submission by the New Zealand Agricultural Aviation Association and oppose PER1 and PER 2 removed and replaced with alternative wording. It is important the insert of a definition inserted which will support the permitted activity defined in the rule. We are in support of PER-3 as written and seek to make no further changes to it's wording.	Federated Farmers seeks the following relief; (a) the addition of GRUZ-14 so it reads the following; <i><u>“Agricultural aviation activities of the purpose of primary production or conservation on a seasonal temporary or intermittent basis for a period up to 30 days in any 12 month period or 315 aircraft hours (whichever is greater).”</u></i>

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
				<u>Aircraft means, any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth.</u> <u>Agricultural aviation activity means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production, 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> <u>A "Day" as it relates to agricultural aircraft activities means 10.5 hours aircraft hours conducted between the beginning of civil morning twilight (MCT) and the end of civil evening twilight (ECT).</u> <u>NOTE. A day is defined in the Civil Aviation rules as: the hours between—</u> <u>(1) the beginning of morning civil twilight, which is when the centre of the rising sun's disc is 6 degrees below the horizon; and</u> <u>(2) the end of evening civil twilight, which is when the centre of the setting sun's disc is 6 degrees below the horizon</u> (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ-	132	Oppose in part	This standard is very specific and detailed, and perhaps overly prescriptive for a minor effect, and an activity that is already regulated under Property Law Act. The policy	Federated Farmers seeks relief on the following;

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R15			restricts that matter to shading of property and roads, so the rule must only be for this purpose. Farm shelterbelts will be restricted, meaning farmers will not be able to provide shade and shelter for livestock welfare.	(a) the addition of GRUZ-R15 so it reads the following; ~~PER-1~~ ~~The height of any trees located within 100m of a residential unit on an adjoining site are contained within an envelope defined by a recession plane of 1m vertical for every 3.5m horizontal that originates from the closest point of the residential unit; and~~ - ~~PER-2~~ ~~Trees are not in such a position that they cause icing of a road as a result of shading the road between 10 am and 2 pm on the shortest day.~~ (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ-Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R16	133	Support	Federated Farmers supports to retain this rule.	Federated Farmers seeks the retention of the proposed rule for GRUZ-R16, or amended wording that has the same intent.
Part 3 – Areas Specific Matter – Zones – RURZ-Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R18	134	Support in part	Federated Farmers supports to retain this policy. However we urge council to be careful with permitting restricted discretionary activity such as shading on roads. This is covered in regulation already and does not need a double up.	Federated Farmers seeks the retention of the proposed policy for GRUZ-R18, or amended wording that has the same intent.

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R21	135	Support	Federated Farmers supports farming activity being classified as a permitted activity in the rural production zone.	Federated Farmers seeks the following relief: (a) the retention of the permitted activity classification status for farming activities in rule GRUZ-R21; and (b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ – Settlement Zone – Rules – GRUZ-R23	136	Support in part	Farm quarries need to be clearly differentiated from industrial extractive quarries. Although there is a separate definition for <i>farm quarries</i>, they need to be clearly excluded from this definition. Farm quarries are: small scale; the winnings are used on the property; the winnings not for sale but for personal use; used intermittently when needed; ancillary to existing farm land use; effects are contained within the property. This contrasts with industrial quarries that are: large scale; winnings are for sale; winnings are transported off the property using roads; used daily/weekly; permanent presence of equipment and employees; a commercial enterprise in own right; and effects can extend beyond the site/property. A definition that does not exclude farm quarries will behold them to the same level of regulation as a commercial quarry like Winstone Aggregates as if they have the same level of effects, which is inequitable and onerous.	Federated Farmers seeks the following relief; (a) the addition of GRUZ-R23 so it reads the following; <i>RDIS-1</i> <i>The entirety of the existing quarry operation has an existing land use consent from Timaru District Council, <u>on all land, excluding farm quarries</u>; and</i> (b) any consequential amendments required as a result of the relief sought.
Rural Lifestyle Zone				
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones –	137		Federated Farmers generally supports this chapter of the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the rural lifestyle chapter as currently written or with wording of similar intent; and

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
RLZ Rural Lifestyle Zone -				(b) any consequential amendments required as a result of the relief sought.
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – RLZ Rural Lifestyle Zone- R16	138	Support in part	Federated Farmers supports to retain this policy. However, we urge council to be careful with permitting restricted discretionary activity such as shading on roads. This is covered in regulation already and does not need a double up.	Federated Farmers seeks the retention of the proposed policy for GRUZ-R18, or amended wording that has the same intent.
Settlement Zone				
Part 3 – Areas Specific Matter – Zones – RURZ- Rural Zones – SETZ Settlement Zone - Overview	139	Support	Federated Farmers generally supports this chapter of the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the Settlement Zone chapter as currently written or with wording of similar intent; and (b) any consequential amendments required as a result of the relief sought.
Natural Open Space Zone				
Part 3 – Area Specific Matters – Zones – OSRZ – Open Space and Recreation Zones – NOSZ – Natural Open Space Zone – Overview	140	Support	Federated Farmers generally supports this chapter of the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the Natural Open Space Zone chapter as currently written or with wording of similar intent; and (b) any consequential amendments required as a result of the relief sought.
Open Space Zone				
Part 3 – Area Specific Matters – Zones – OSRZ –	141	Support	Federated Farmers generally supports this chapter of the proposed district plan.	Federated Farmers seeks the following relief: (a) the retention of the Open Space Zone chapter as currently written or with wording of similar intent; and

Proposed District Plan provision	Submission Point	Support/ Oppose	Federated Farmers Submission	Relief Sought
Open Space and Recreation Zones – OSZ-Open Space Zone – Overview				(b) any consequential amendments required as a result of the relief sought.



Timaru District Council
2 King George Place
Timaru 7910
Phone: 03 687 7200

Further Submission in Support of, or in Opposition to the Proposed Timaru District Plan

Clause 8 of Schedule 1, Resource Management Act 1991

Further submissions close on Friday 4 August 2023 at 5pm

To: Timaru District Council

This is a further submission in support of, or in opposition to, a submission on the **Proposed Timaru District Plan**.

Full name of person making further submission:

Federated Farmers of New Zealand

Organisation name and contact (if representing a group or organisation):

Angela Johnston
Senior Policy Advisor
Federated Farmers of New Zealand
M 021 518 271
E ajohnston@fedfarm.org.nz
Federated Farmers of New Zealand PO Box 5242
Dunedin 9058 New Zealand

Only certain persons can make a further submission. Please select the option that applies.

I am:

- ☒ a person representing a relevant aspect of the public interest;
- ☒ a person who has an interest in the proposal that is greater than the interest the general public has;
- ☐ the local authority for the relevant area.

Please explain why you come within the category selected above:

Federated Farmers of New Zealand is a representative body for farmers, so both represents a relevant aspect of the public interest and has an interest in the proposal that is greater than the interest that the general public has.

Federated Farmers supports or opposes the submissions of: Submitters stated in the table attached to this further submission.

The particular parts of the submissions Federated Farmers supports or opposes are: Variously stated with respect to respective submitters in the table attached to this further submission.

The reasons for our support or opposition are: Variously stated with respect to respective

submitters in the table attached to this further submission.

We seek that the whole or part of the submissions be accepted or rejected: As variously stated with respect to respective submitters in the table attached to this further submission.

Federated Farmers wishes to be heard in support of its further submission. If others make a similar submission, we will consider presenting a joint case with them at a hearing.

We acknowledge that by taking part in this public submission process the submission (including names and addresses) will be made public.

Hearing options

I wish to be heard in support of my further submission? ☒ Yes ☐ No

If others make a similar further submission, I will consider presenting a joint case with them at a hearing.

☒ Yes ☐ No

Signature: jsutherland Date: 4.08.2023

(of person making submission or person authorised to make decision on behalf)

PLEASE NOTE - A signature is not required if you submit this form electronically. By entering your name in the box above you are giving your authority for this application to proceed.

Electronic address for service of person making further submission: jsutherland@fedfarm.org.nz

Telephone: 0273878909

Postal address (or alternative method of service under section 352 of the Act): Federated Farmers of New Zealand PO Box 5242 Dunedin 9058 New Zealand

Contact person: *[name and designation, if applicable]:* James Sutherland

You have served a copy of the further submission on the original submitter (this is required under the Resource Management Act 1991 Schedule 1, s8A(2) to be completed within 5 working days after it is served on the Timaru District Council)

☒ Yes ☐ No

Further submissions close on Friday 4 August 2023 at 5pm.

Name of person making further submission: Federated Farmers of New Zealand						
This further submission is in relation to the original submission of:	This further submission is in relation to the original submission Number:	The particular parts of the original submission I/we support /oppose are:	My/our position on the original submission is:	The reasons for my/our support/ opposition to the original submission are:	Allow or disallow the original submission (in full or in part)	Give precise details (which can include tracked changes) of the decision you want the Council to make in relation to the original submission point
Timaru District Council	42.36	Modify NFL-S6 to allow for sufficient depth. Amend NFL-S6 Earthworks: Earthworks shall comply with all of the following: 1. the depth of the earthworks shall not exceed ~~1m~~ <u>2m</u> below the original surface of the ground; and	Support	Agree that 2m is a sufficient depth	Allow	Insert amendment as per the submission point
Timaru District Council	42.46	Due to climate change, the risk associated with wildfires is expected to increase across many parts of the District. Additionally, such risks further increase when vegetation planting occurs in close proximity to where people live and work. This matter is not sufficiently addressed in the	Oppose	Fire is captured within the the National Planning Standards definition of Natural Hazard . Any associated policies or rules regarding fire should sit within	Disallow	Any new policies and rules regarding fire should be contained in the Natural Hazard chapter, as this hazard applies to all areas, not just the General Rual Zone.

		PDP. A new policy and rule and changes to the introduction of this chapter are suggested to capture this.		this chapter. NH-P1 refers to "taking into consideration the effects of climate change...". NH-P3 is titled Role of natural features and vegetation in hazard mitigation. The risk of wildfire applies to all zones, not just GRUZ.		
Royal Forest and Bird Protection Society	156.20	Delete the definition of Improved Pasture , and include a new definition as follows: ~~means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production, and species composition and growth has been modified and is being managed, for livestock grazing.~~ means an area where indigenous vegetation has been fully removed and the vegetation converted to exotic pasture or crops at the time this plan was written, and that has been mapped.	Oppose	The notified definition is the definition used in the NPS for Freshwater Management 2020, therefore for consistency the same definition should be used. Also requiring the area to be mapped is unnecessary, inappropriate and cost prohibitive.	Disallow	Retain the notified definition
Royal Forest and Bird Protection Society	156.21	Add Improved Pasture to the Planning Maps.	Oppose	Requiring mapping of improved pasture is	Disallow	No action required if relief sought is disallowed

				unnecessary, inappropriate and cost prohibitive.		
Royal Forest and Bird Protection Society	156.22	Amend Indigenous Vegetation definition as follows: means <u>a community of</u> vascular ~~and nonvascular~~ plants, <u>mosses and/or lichens or fungi</u> that, ~~in relation to a particular area,~~ <u>includes species</u> ~~are~~ native to the ecological district, ~~in which that area is located.~~ <u>The community may include exotic species.</u>	Oppose	The notified definition is the definition used in the NPS Indigenous Biodiversity, therefore for consistency the same definition should be used.	Disallow	Retain the notified definition
Royal Forest and Bird Protection Society	156.106	Add a new policy to the ECO - Ecosystems and Indigenous Biodiversity Chapter, as follows: <u>ECO-PX Outside of SNAs and sensitive areas provide for low impact activities that may have less than minor adverse effects on indigenous biodiversity values, where these are of wider environmental or community benefit, or enable existing activities.</u>	Support	We agree that there should be policy direction for indigenous biodiversity clearance outside SNAs and sensitive areas.	Allow in part	Insert new policy, or wording with similar intent. We do not support the mapping of improved pasture for reasons outlined previously.
Royal Forest and Bird Protection Society	156.116	Add a new rule/s to the ECO - Ecosystems and Indigenous Biodiversity Chapter, regarding general indigenous vegetation clearance that maintains indigenous biodiversity outside	Support	With a new policy regarding indigenous biodiversity clearance outside SNAs and sensitive	Allow in part	Permit vegetation clearance in these other areas and have limits on indigenous vegetation clearance. As per the associated policy reasoning we do not support the mapping of improved pasture/fully converted farmland.

		of sensitive areas and SNAs.		areas, it follows there should be an associated rule.		
Penny Nelson, DirectorGeneral of Conservation Tumuaki Ahurei	166.6	Delete the definition of Department of Conservation Activity and replace with the new definition as follows: <u>Conservation Activity Means the use of land for any activity undertaken for the purposes of management, maintenance and enhancement of ecological values for indigenous vegetation and fauna and their habitats. Examples of component activities of conservation are: • Restoration planting • Pest and weed control • Track construction and maintenance • Fencing.</u>	Support	Agree that many other stakeholders undertake conservation activities	Allow	Replace Department of Conservation Activity with the proposed definition for Conservation Activity. Any subsequent amendments as necessary.
Horticulture New Zealand	245.4 6	Amend EI-R27 Buildings or structures within the National Grid Yard	Support	Agree that seeking to limit reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes in the National Grid Yard is an unreasonable limitation.	Allow	Replace notified EI-R27 with submitters proposed amendments

Horticulture New Zealand	245.47	Amend the title of EI-R28 as follows: EI-R28 Earthworks, and land disturbance ~~for the installation of fence posts~~ within the National Grid Yard.	Support	Agree that the rule should apply to all earthworks and land disturbance	Allow	Replace notified EI-R28 with submitters proposed deletion
Horticulture New Zealand	246.65	Amend SUB-O3 Rural subdivision 4. ~~minimise-avoid~~ reverse sensitivity effects on <u>primary production including</u> intensive primary production.	Support	Agree that this objective should relate to all primary production	Allow	Replace notified SUB-O4 with submitters proposed amendments
Horticulture New Zealand	245.68	Amend SUB-P5 Reverse Sensitivity as follows: Only allow subdivision that does not result in reverse sensitivity effects that would compromise the operation of regionally significant infrastructure/facilities and legally established <u>primary production including</u> intensive primary production.	Support	Agree that this policy should related to all primary production	Allow	Replace notified SUB-P5 with submitters proposed amendments
Horticulture New Zealand	245.80	Amend EW-S5 as follows: EW-R5 Earthworks in proximity of the National Grid ~~and/or a 66kV electricity distribution line~~ , excluding earthworks for:	Support	Agree there is no policy framework for the inclusion of 66kV lines	Allow	Delete all references to and associated setbacks for 66kV lines
Opuha Water Limited	181.58	Amend SASM-O2 Access and Use as follows: ~~Where appropriate~~ , Kāti Huirapa are able to access, maintain and use resources and areas of	Support	Agree that only access should be given to private property where appropriate, and agreed upon by the	Allow	Insert amendment as per the submission point.

		cultural value within identified Sites and Areas of Significance to Kāti Huirapa.		land owners.		
Te Tumu Paeroa, Office of the Māori Trustee	240.6	Amend SASM-O2 as follows: SASM-O2 Access and use Kāti Huirapa are able to, in agreement with affected landowners , access, maintain and use resources and areas of cultural value within identified Sites and Areas of Significance to Kāti Huirapa.	Support	Agree that access can only be obtained onto private properties in agreeance with affected landowners.	Allow	Insert amendment as per submission point.
Dairy Holdings Limited	89.9	Amend SASM-R1 Earthworks not including quarrying and mining as follows: [...] 2. Wāhi Taoka and Wai Taoka Overlay Permitted Where: PER-1 The earthworks are for ancillary rural earthworks or are for the purpose of maintenance, repair, or replacement, of any of the following: 1. existing fencing; or 2. existing tracks or roads; or 3. existing reticulated stock water systems including troughs; or 4. existing natural hazard mitigation works; and [...]	Support	Agree that ancillary rural earthworks are needed for basic maintenance on farm.	Allow	Inset amendment as per submission point.

DEFINITIONS	
ABRASIVE BLASTING	means the cleaning, smoothing, roughening, cutting or removal of part of the surface of any article by the use, as an abrasive, of a jet of sand, metal, shot or grit or other material propelled by a blast of compressed air or steam or water or by a wheel.
ACCESS WAY / ACCESSWAY	~~M~~ means that area of land over which vehicular, pedestrian and/or livestock access to a legal road is obtained and extends to include, as the context requires: an access leg; access lot; private way; land shown on a cross lease or company lease definition plan as being available for use for that purpose; and land shown as common land on a unit plan under the Unit Titles Act 1972 ~~2010~~ ¹ which is used for that purpose.
ACCESSIBLE PARKING SPACE	means a parking space designed and reserved for the exclusive use of people whose mobility is restricted and who have a mobility permit issued. It also means 'mobility park/parking' and 'disabled/disability park/parking' as referred to in various external standards and guidance documents.
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.
ACTIVE TRANSPORT	~~M~~ means transport modes that rely predominantly on human power, primarily walking and cycling, and including micro mobility devices.
AFFORESTATION	has the same meaning as in section 3 of the Resource Management (National Environmental Standards for ~~Commercial Forestry Plantation Forestry~~) Regulations 2017: - means planting and growing ~~commercial forestry plantation forestry~~ trees on land where there is no ~~commercial forestry plantation forestry~~ and where ~~commercial forestry plantation forestry~~ harvesting has not occurred within the last 5 years; but - does not include vegetation clearance from the land before planting.
AIRCRAFT	<u>has the same meaning as in section 2 of the Resource Management Act 1991: means – any machine that can derive support in the atmosphere from the reactions of the air otherwise than by reactions of the air against the surface of the earth.</u> ²
AIRCRAFT AND HELICOPTER MOVEMENT	~~M~~ means a single aircraft flight operation (landing or departure). Maintenance procedures are excluded. ³
ALLOTMENT	has the same meaning as in section 218 of the RMA (as set out ~~in the box~~ ⁴ below): - In this Act, the term allotment means— - 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—

¹ MFL [60.1]² Helicopters Sth Cant. [53.3] and NZAAA [132.2]³ Evans, J [45.1], McAuley, S [57.1], Aubrey, L [59.1], Station Air [61.1], Pemberton, S [64.1], Cessna 180/185 Group et al [201.1], Coldicott, J. M. [118.1], Coldicott, G [254.1]⁴ [Schedule 1, cl16\(2\)](#)

	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. 2. For the purposes of subsection (2), an allotment that is— 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. 3. 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.
AMATEUR RADIO CONFIGURATION	means the antennae, aerials (including rods, wires and tubes) and associated supporting structures which are owned and used by licensed amateur radio operators.
AMENITY PLANTING	means any vegetation and/or trees planted in the immediate vicinity of a residential unit, primarily to provide aesthetic appeal, shelter or domestic food supply. Amenity planting includes any woodlot, orchard or vineyard (to a maximum combined area of 1ha) planted within 100m of a residential unit.
AMENITY VALUES	has the same meaning as in section 2 of the RMA (as set out in the box⁵ below); 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.
ANCILLARY ACTIVITY	means an activity that supports and is subsidiary to a primary activity.
ANCILLARY RURAL EARTHWORKS	means any earthworks associated with the maintenance and construction of facilities typically associated with <u>farming primary production</u> ⁶ activities, including, but not limited to, farm tracks/roads (up to 6m wide), landings, stock races, silage pits, farm drains, farm effluent ponds, feeding pads, fencing and erosion and sediment control measures, and burying of material infected by unwanted organisms (as declared by Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993).

⁵ Schedule 1, cl16(2)⁶ Hort NZ [245.5]

ANNUAL EXCEEDANCE PROBABILITY	means the probability that a flood event of a certain scale will occur at a specified location in any year. For example: a. 5% AEP event has a 5% chance of occurring in any one year (or is a 1 in 20 year flood event); b. 0.5% AEP event has a 0.5% chance of occurring in any one year (or is a 1 in 200 year flood event); and c. 0.2% AEP event has a 0.2% chance of occurring in any one year (or is a 1 in 500 year flood event).
ANTENNA	has the same meaning as in Regulation 4 of the National Environmental Standards for Telecommunications Facilities 2016, which means: a device that receives or transmits radiocommunication or telecommunication signals, but 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.
<u>ARCHAEOLOGICAL SITE</u>	has the same meaning as in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014: <u>means –</u> a. <u>any place in New Zealand, including any building or structure (or part of a building or structure), that:</u> i. <u>was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900;</u> and ii. <u>provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</u> b. <u>includes a site for which a declaration is made under section 43(1) of the Heritage New Zealand Pouhere Taonga Act 2014.</u>⁷
ARTIFICIAL CROP PROTECTION STRUCTURE	means structures with material used to protect crops and/or enhance growth (excluding greenhouses).
AVAILABLE RETICULATED STORMWATER NETWORK	means a reticulated stormwater network where: a. a conveyance structure that forms part of the reticulated stormwater network passes within 50m of the property boundary; and b. stormwater is able to be conveyed into the reticulated network under gravity; and c. the network operator will accept the stormwater from the property; and d. the distance between the conveyance structure and the source of the stormwater is less than 100m.
AVAILABLE SEWERAGE NETWORK	means a community or territorial authority reticulated sewerage network where: ~~1.~~ <u>a.</u> a pipeline passes within 50-m of the property boundary; ~~2.~~ <u>b.</u> the network operator will accept the wastewater from the property; and ~~3.~~ <u>c.</u> the distance from the network to the building from which wastewater is generated is less than 100-m.
BANK [IN RELATION TO ANY RIVER, LAKE AND WATERWAYS] ⁸	in relation to any river, lake and waterbody, means the outermost part of the bed of the river that comprises an acclivity or elevation of land above the level

⁷ Heritage NZ [114.3]⁸ **Schedule 1, cl16(2)**

	of the adjacent land or water and creates a boundary sufficient to prevent the water in the river from flowing into the neighbouring land at its fullest flow.
BAT ROOST TREE IN RELATION TO THE LIGHT CHAPTER ⁹	in relation to the Light Chapter, means a tree that is located within the Long-Tailed Bat Habitat Protection Area overlay on the Planning Maps, that is either a confirmed bat roost tree denoted with a sign, or is: 1. a native tree with a trunk circumference of more than 31.5cm, when measured at 1.5m above ground level; or 2. an exotic tree, excluding willow, with a trunk circumference of more than 70cm, when measured at 1.5m above ground level greater; or 3. any willow tree with a trunk circumference of more than 120cm, when measured at 1.5m above ground level.
BED	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ¹⁰ below); means— a. in relation to any river— 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.
BEST PRACTICABLE OPTION	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ¹¹ below); 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.
BIODIVERSITY / BIOLOGICAL DIVERSITY	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ¹² below);

⁹ Clause 10(2)(b) relating to Dir. General Conservation [166.8]- Joint Witness Statement Planning, dated 17 June 2025.

¹⁰ Schedule 1, cl16(2)

¹¹ Schedule 1, cl16(2)

¹² Schedule 1, cl16(2)

	means the variability ~~of~~ <u>among</u> living organisms, and the ecological complexes of which they are a part, including diversity within species, between species and of ecosystems. ¹³
BIODIVERSITY MANAGEMENT PLAN	means a document prepared to direct development within one or more properties for the purpose of maintenance and protection of indigenous biodiversity
BIRD SCARING DEVICE	~~M~~ means a device used for the purpose of disturbing or scaring birds including gas guns <u>and</u> ¹⁴ avian distress alarms when being used specifically for bird scaring.
BLASTING	means the detonation of a single explosive charge within a formed blast-hole or a series of connected explosive charges within an array of blast-holes.
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.
BOUNDARY ADJUSTMENT	means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.
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.
BUILDING COVERAGE	means the percentage of the net site area covered by the building footprint.
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.
CABINET	has the same meaning as in clause 2 of the National Environmental Standards for Telecommunications Facilities 2016, which means: a casing around equipment that is necessary to operate a telecommunication network, but not any of the following: a. ~~A~~ <u>a</u> casing around an antenna, a small cell unit, ancillary equipment, or any part of a telecommunication line. b. ~~A~~ <u>a</u> casing that is wholly underground. c. ~~A~~ <u>a</u> casing that is inside a building. d. ~~A~~ <u>a</u> building.
CAFE	means a small food and beverage outlet that primarily provides breakfast, lunch, light meals, snack foods and drinks for sale.
CAR PARKING FACILITY OR PARKING FACILITY	means land and buildings where the principal activity is the parking of vehicles.

¹³ Forest and Bird [156.9]¹⁴ Hort NZ [245.7]

CEMETERY	~~has~~ has the same meaning as <u>section 2</u> of the Burial and Cremation Act 1964 ~~},~~ <u>which</u> means: any land held, taken, purchased, acquired, set apart, dedicated, or reserved, under the provisions of any Act or before the commencement of this Act, exclusively for the burial of the dead generally, and, where the context so permits, includes a closed cemetery.
CHILD CARE SERVICES	means the care or education of children and includes: a. creches; b. early childhood centres; c. day care centres; d. kindergartens; e. Kohanga Reo; f. playgroups; g. day nurseries; and h. home-based childcare and education activities.
CLEANFILL AREA	means an area used exclusively for the disposal of cleanfill material.
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; 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.
CLEARANCE OF INDIGENOUS VEGETATION	means the <u>destruction</u> ¹⁵ , clearing or removal of ' <i>indigenous vegetation</i> ' by any means, including grazing, cutting, crushing, cultivation, spraying, irrigation, chemical application, artificial drainage, overplanting, over sowing, or burning.
COASTAL WATER	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ¹⁶ below); means seawater within the outer limits of the territorial sea and includes— a. seawater with a substantial fresh water component; and b. seawater in estuaries, fiords, inlets, harbours, or embayments.
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).
COMMERCIAL FOREST OR COMMERCIAL FORESTRY	<u>has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Commercial Forestry Plantation Forestry) Regulations 2017:</u> <u>means exotic continuous-cover forestry or plantation forestry.</u> ¹⁷

¹⁵ Dir. General Conservation [166.5]¹⁶ Schedule 1, cl16(2)¹⁷ TRoNT [185.105] - Evidence of Rachel Pull, paras 112-117.

COMMERCIAL RECREATIONAL ACTIVITIES	~~It~~ means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes. ¹⁸
COMMUNITY ACTIVITY	means recreational, sporting, cultural, safety, health, welfare, or worship activities undertaken by members of the community.
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.
COMMUNITY DRINKING WATER SUPPLY	means a drinking water supply that provides no fewer than 25 people with drinking water for not less than 60 days each calendar year and is: ~~4.~~ <u>a.</u> recorded in the drinking water register maintained by the Chief Executive of the Ministry of Health (the Director-General) under section 69J of the Health Act 1956; or ~~2.~~ <u>b.</u> registered under section 23 of the Water Services Act 2021; or ~~3.~~ <u>c.</u> is classified as a drinking water supply under the methodology set out in Schedule 1 of the Canterbury Land and Water Regional Plan.
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.
COMMUNITY GARDEN	means land used as a garden operated by a group or collective for the purpose of growing plants, vegetables or fruit on a not for profit basis and excludes any retail activity.
COMMUNITY WASTEWATER TREATMENT SYSTEM	means a wastewater treatment system owned and operated by a group, institution, territorial authority or company that primarily treats domestic effluent and serves more than one site, but does not include the pipework and sewers running from individual sites to the collection and treatment system.
COMPOSTING FACILITIES <u>IN RELATION TO THE DRINKING WATER PROTECTION CHAPTER</u> ¹⁹	~~In relation to the Drinking Water Protection Chapter, For the purposes of the DWP Chapter, means:~~ buildings, grounds and equipment used for the receiving of organic material, manufacture of compost, storage and disposal of more than 20m ³ of composted material, but does not include domestic composting activities or where compost is stored on an impervious surface and stormwater runoff is appropriately collected and treated. ²⁰
CONDUCTOR	~~It~~ has the same meaning as conductor in the National Environmental Standard for Electricity Transmission Activities 2009 (as set out below): a. Means a wire or cable used for carrying electric current along a transmission line; and b. Includes any hardware and insulation associated with the wire or cable.
CONTAMINANT	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ²¹ below):

¹⁸ Rooney Holdings [174.84], Rooney, G.J.H. [191.84], Rooney Group [249.84], Rooney Farms [250.84], Rooney Earthmoving [251.84], TDL [252.84]

¹⁹ Schedule 1, cl16(2)

²⁰ TDC [42.41]

²¹ Schedule 1, cl16(2)

	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.
CONTAMINATED LAND	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ²² below); 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.
CONVENIENCE ACTIVITY	means the use of land and/or buildings to provide retail activities and commercial services required on a day to day basis.
CONVENIENCE STORE	~~Means~~ means a dairy/superette, newsagent/stationer, post office, hairdresser, drycleaner or pharmacy, or a store engaged in specialised foot retailing, liquor retailing, takeaway food retailing, video hire, shoe repair or key cutting.
CORRELATED COLOUR TEMPERATURE	~~means~~ ~~Correlated colour temperature (CCT) defines~~ the colour appearance of a light source in degrees Kelvin; a warm white light is around 2700K-3000K, moving to neutral white at around 4000K, and to cool white, at 5000K or more.
CROP SUPPORT STRUCTURE	means an open structure on which plants are grown.
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.
CULTURAL ACTIVITY	means the use of land and/or existing buildings for public performances, demonstrations or displays/exhibitions of cultural, historic, scientific or artistic significance, whether a charge is made for admission or not, but does not include the construction of any new buildings or structures. ²³
CUSTOMER CONNECTION	means part or all of any structure, pipe, equipment or cable that relates to: • <u>a.</u> radio communication or telecommunication lines; <u>or</u> • <u>b.</u> wastewater or stormwater treatment or disposal; <u>or</u> • <u>c.</u> ~~or~~ water; <u>or</u> • <u>d.</u> gas or electricity; that connects a network utility to a premises for the purpose to provide services to a customer(s).
DAIRY PROCESSING ACTIVITIES	<u>Means:</u> a. <u>The processing, testing, storage, handling, packaging or distribution of product associated with dairy product processing.</u> ²³ b. <u>Any ancillary activity, limited to:</u> i. <u>Infrastructure for wastewater, sewerage, stormwater, water supply and renewable energy generation.</u>

²² Schedule 1, cl16(2)²³ Technical correction, Minute 55

	ii. <u>Any laboratory or facility for research and development related to the dairy processing activity.</u> iii. <u>Any office or facility required for the administration and management of the dairy processing activity, and the marketing, sales, and distribution of dairy products.</u>²⁴
DEMOLITION ~~NOT IN RELATION TO A HERITAGE ITEM~~ ²⁵	not in relation to a heritage item, means the permanent destruction, in whole or in part, of a building or structure. ²⁶
DEMOLITION ~~IN RELATION TO A HERITAGE ITEM~~ ²⁷	in relation to a heritage item, means permanent destruction, in whole or a substantial part, which results in complete or significant loss of the heritage fabric and/or form of the item.
DEPARTMENT OF CONSERVATION ACTIVITY	~~is an activity listed in APP1 – Work or activities of the Department of Conservation. The list includes activities specifically provided for in the Canterbury (Waitaha) Conservation Management Strategy 2016 which it considers meets the requirements of Section 4(3) of the Resource Management Act 1991 for exemptions from land use consents.~~ ²⁸
DEPARTMENT STORE	<u>means a business primarily engaged in selling a wide range of nongrocery and non-food merchandise including worn and carried apparel, household appliances, furnishings and equipment, personal goods and giftware as otherwise described and classified as ANZSIC category 5210, in individual retail premises of no less than 2,000 sqm of gross floor area.</u> ²⁹
DEVELOPMENT CAPACITY	has the same meaning as in clause 1.4 of the National Policy Statement on Urban Development 2020: development capacity means the capacity of land to be developed for housing or for business use, based on: - the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and - the provision of adequate development infrastructure to support the development of land for housing or business use.
DISCHARGE	has the same meaning as in section 2 of the RMA ~~(as set out in the box below)~~ ; ³⁰ includes emit, deposit, and allow to escape.
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.
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.
DRINKING WATER PROTECTION AREA	means identified protection areas around community drinking water supplies and private drinking water supplies, as shown on the Drinking Water Protection Area overlay of the Planning Maps.

²⁴ Fonterra [165.1]²⁵ Schedule 1, cl16(2)²⁶ Clause 16(2) relating to NZHHA [182.2]²⁷ Schedule 1, cl16(2)²⁸ Dir. General Conservation [166.6]²⁹ Clause 10(2)(b) relating to Redwood Group [228.1]

DRY ABRASIVE BLASTING	means abrasive blasting using materials to which no water has been added.
DTR, 2M, NT, W + CTR	means the Weighted Standard Level Difference of the external building envelope (including windows, walls, roof / ceilings and floors where appropriate) and is a measure of the reduction in sound level from outside to inside a building, assessed in accordance with ISO 140-5: 1998 Acoustics - Measurement of sound insulation in buildings, and of building elements - Part 5 and ISO 717-1: 2013 Acoustics - Rating of sound insulation in buildings and building elements - Part 1. $D_{tr,2m,nT,w} + C_{tr}$ is also known as the external sound insulation level.
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.
EARTHQUAKE FAULT AWARENESS AREA	means land located on either side of an ~~identified active~~ <u>a known or suspected active earthquake</u> fault line ~~that is mapped to ensure that land owners and service providers are aware of the presence of a fault line before they decide to build~~ <u>could be permanently deformed (ripped, buckled or wrapped) during an earthquake on that fault.</u> ³⁰
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.
EDUCATIONAL FACILITY	means land or buildings used for teaching or training by child care services, schools, or tertiary education services, including any ancillary activities.
EFFECT	has the same meaning as in section 3 of the RMA (as set out ~~in the box~~ ³¹ below); 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.
EMERGENCY SERVICES FACILITY	means fire stations, ambulance stations, police stations and associated ancillary facilities. Note: ~~This~~ definition is ~~an~~ subset of 'Community Facility'.
ENVIRONMENT	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ³² below); includes—

³⁰ ECan [183.148]³¹ Schedule 1, cl16(2)³² Schedule 1, cl16(2)

	a. ecosystems and their constituent parts, including people and communities; and b. all natural and physical resources; and c. amenity values; and d. the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.
ESPLANADE RESERVE	has the same meaning as in section 2 of the RMA (as set out in the box³³ below); means a reserve within the meaning of the Reserves Act 1977— a. which is either— i. a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or ii. a reserve vested in the Crown or a regional council under section 237D; and b. which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229.
ESPLANADE STRIP	has the same meaning as in section 2 of the RMA (as set out in the box below); means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229.
<u>EXOTIC CONTINUOUS-COVER FOREST OR EXOTIC CONTINUOUS-COVER FORESTRY</u>	has the same meaning as in section 3 of the Resource Management (National Environmental Standards for <u>Commercial Forestry Plantation Forestry</u>) Regulations 2017: a. <u>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> i. <u>will not be harvested or replanted; or</u> ii. <u>is intended to be used for low-intensity harvesting or replanted; and</u> b. <u>includes all associated forestry infrastructure; but</u> c. <u>does not include—</u> i. <u>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> ii. <u>forest species in urban areas; or</u> iii. <u>nurseries and seed orchards; or</u> iv. <u>trees grown for fruit or nuts; or</u> v. <u>long-term ecological restoration planting of indigenous forest species; or</u> vi. <u>willows and poplars space planted for soil conservation purposes.</u>³⁴
EXTENSIVE PIG FARMING	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.

³³ Schedule 1, cl16(2)³⁴ TRoNT [185.105] - Evidence of Rachel Pull, paras 112-117.

FARM EFFLUENT DISPOSAL AREA	means an area used for the collection, storage, treatment and the permanent application of liquid and slurry animal effluent or solid effluent onto production land.
FARM QUARRY	~~It~~ means the extraction of aggregates which are: a. taken for use ancillary to farming and horticulture, including for farm and forestry tracks, access ways and hardstand areas and b. only used within the property of extraction, and c. not sold, exported or removed from the property of origin. Note: This definition is a subset of quarrying activities.
FENCE	~~It~~ means a largely free standing structure, including walls, intended to prevent escape or intrusion, mark a boundary or provide shelter or privacy.
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.
FLOOD ASSESSMENT AREA	means areas that ~~are highly likely to may~~ ³⁵ be subject to flooding and inundation but which require site specific assessment to determine the level of risk to people and property.
FLOOD RISK ASSESSMENT ³⁶ CERTIFICATE	means a certificate issued by Timaru District Council which specifies: a. the flood event risk level for specific land (being either land not subject to flooding in a 0.5% AEP flood event, or land subject to flooding in a 0.5% AEP flood event, or land within a High Hazard area); and b. where a. above identifies that the specific land is subject to flooding in a 0.5% AEP flood event, the minimum finished floor level for any new building or structure (or part thereof) on the specific land to provide at least 300mm freeboard above the flood level in a 0.5% AEP flood event; and ~~c. if the specific land is within 150m of a stopbank, the minimum finished floor level for any new building or structure (or part thereof) on the specific land to avoid risk from a stopbank failure; and~~³⁷ d. <u>c.</u> whether the specific land is located within an overland flow path.
FLOOD PROTECTION WORKS	means works, structures and plantings for the protection of property and people from floods and includes: a. areas of vegetation maintained or planted in beds and margins of rivers, b. the clearance of vegetation and debris from river fairways, c. works to prevent or minimise river bed or bank erosion,

³⁵ Technical correction, Minute 55³⁶ ECan [183.108]³⁷ ECan [183.50]

	d. the construction, use, maintenance and removal of defences against water, and e. any access tracks required to undertake these works and activities.
FLOOD RESILIENT	~~Flood resilient~~ means the use of materials, construction systems and design types that are capable of withstanding direct and prolonged contact with floodwaters without sustaining damage that would result in the need to replace the materials used in the building. This can be achieved by: - utilising suitable materials comprising stainless or galvanized steel, aluminum, closed cell foam panels, stone, concrete, pressure treated or marine-grade plywood, fibre cement sheeting, and / or other non-porous materials; - locating all electrical and data outlets and appliances above predicated flood levels (0.2% AEP), including heat pump and air conditioning compressors and electrical switchboards.³⁸
FOOD AND BEVERAGE	means a commercial activity involving the sale of food and, or beverages prepared for immediate consumption on or off the premises including restaurants, taverns, cafes and takeaway bars but does not include supermarkets, dairies or bottle stores.
FREE RANGE POULTRY FARMING	means the primary production of poultry for commercial purposes, where: - all of the birds farmed have access to open air runs; and - permanent vegetated ground cover exists on the land where birds are permitted to range; and - the stocking rate of the runs and weatherproof shelter to which the birds have access does not exceed the industry standard for the relevant bird type.
FRESHWATER	has the same meaning as fresh water in section 2 of the RMA (as set out in the box³⁹ below); means all water except coastal water and geothermal water.
FULLY SHIELDED [IN RELATION TO A LIGHT SOURCE] ⁴⁰	in relation to a light source, means fully shielded means the light source is screened and its light directed in such a way that no light is emitted above the horizontal plane passing through the lowest light-emitting portion of a fixture.
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.
GENERAL RETAIL	means the use of land and/or buildings for displaying or offering goods for sale or hire to the public. It excludes individual tenancies with a GFA over 450m² (see large format retail), trade suppliers and service stations. Note: This definition is a subset of retail activity.
GLARE	Condition of vision in which there is discomfort or a reduction in ability to see, or both, caused by an unsuitable distribution of luminance, or to extreme contrasts in the field of vision.
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:

³⁸ PrimePort [175 - various] and Timaru District Holdings [186 - various]³⁹ Schedule 1, cl16(2)⁴⁰ Schedule 1, cl16(2)

	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.
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.
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 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.
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.
GROUNDWATER	means water occupying openings, cavities, or spaces in soils or rocks beneath the surface of the ground.
GYMNASIUMS	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.
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.
HARD ENGINEERING [IN RELATION TO NATURAL HAZARD MITIGATION WORKS] 41	in relation to natural hazard mitigation works, 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 stopbanks, seawalls, gabions, breakwaters and groynes
HAZARD OVERLAY	means an area subject to a natural hazard related overlay including: a. Earthquake Fault (Infrastructure or Facilities) Awareness Areas; b. Earthquake Fault (Subdivision) Awareness Areas; c. Flood Assessment Area; d. High Hazard Area Sea Water Inundation area;

⁴¹ Schedule 1, cl16(2)

	e. Liquefaction Awareness Area; and f. Coastal Erosion area.⁴²
HAZARDOUS FACILITY	means a facility or activity that involves the use, storage or disposal of any hazardous substance, but excludes: 1. the incidental use and storage of hazardous substances in minimal domestic scale quantities; 2. retail outlets for hazardous substances intended for domestic usage (e.g. supermarkets, hardware stores and pharmacies); 3. the incidental storage and use of agrichemicals, fertilisers and fuel for land based primary production activities and the incidental storage of agrichemicals, fertilisers and fuel for land based primary production activities which are not located in a ~~d~~Drinking ~~w~~Water Protection Area⁴³ Overlay;⁴⁴ 4. pipelines used for the transfer of hazardous substances such gas, oil, trade waste and sewage; 5. fuel in motor vehicles, boats, airplanes and small engines; 6. the use, transportation, or storage of any hazardous substance for any temporary military training activity; 7. the transportation of hazardous substances (e.g. in trucks or trains); or 8. mixing and application of hazardous substances solely for the purpose of controlling plant and animal pests on site-; 9. emergency services facilities and emergency management activities;⁴⁵ 10. existing municipal waste transfer stations and Redruth Landfill⁴⁶ and Resource Recovery Facility in Timaru.⁴⁷
HAZARDOUS SUBSTANCE	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~⁴⁸ below); 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).

⁴² **Technical correction, Minute 55**⁴³ **Schedule 1, Clause 16(2)**⁴⁴ Timaru District Council [42.5]⁴⁵ FENZ [131.2]⁴⁶ EnviroNZ [162.3]⁴⁷ **Panel Decision Report Part 5, Section 2.8.2**⁴⁸ **Schedule 1, cl16(2)**

HEALTH CARE FACILITY	means land and/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) or its successors. These include: a. medical practitioners; b. dentists and dental services; c. opticians; d. physiotherapists; e. medical social workers and counsellors; f. midwives; g. paramedical practitioners h. pharmacists; and include the following facilities: i. diagnostic laboratories; ii. day care facilities for the elderly and disabled; iii. accessory offices and retail activity to the above; but exclude facilities used for: i. the promotion of physical fitness, such as gymnasiums and/or pools (except where ancillary to a hospital service or treatment programme); ii. beauty clinics; and iii. health care within retirement villages.
HEIGHT	means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.
HEIGHT FOR NETWORK UTILITY STRUCTURE	~~It~~ means, the height of the structure (to the highest point, including conductors, but excluding ancillary utility equipment, omni directional 'whip' antennas, GPS antennas, earth peaks and lightning rods) when measured from ground level or the top of a plinth or foundation, if there is one.
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.
HERITAGE FABRIC	means any physical aspect of a heritage item or heritage setting which contributes to its heritage values. Heritage fabric includes: a. material and detailing that forms part of, or is attached to, the interior or exterior of a building, structure or feature; b. the patina of age resulting from the weathering and wear of construction material over time; c. fixtures and fittings that form part of the design or significance of a heritage item, but excludes inbuilt museum and artwork exhibitions and displays; and d. for open space heritage items, built or non-built elements independent of buildings, structures or features, such as historic paths, paving and garden layout.
HERITAGE SETTING	means an area of land around and adjacent to a heritage item that is identified spatially as the Heritage Item Setting Extent ⁴⁹ in the District Plan <u>maps</u> . ⁵⁰

⁴⁹ **Schedule 1 cl16(2) relating to Heritage NZ [144.5].**

⁵⁰ TDC [42.2]

HIGH HAZARD AREA	~~means flood hazard areas subject to inundation events 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>means:</u> <u>land likely to be subject to coastal erosion; or</u> <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 than next 100 years (based on latest national guidance) and all sources of flooding (including fluvial, pluvial, and coastal) must be accounted for.</u>⁵¹
HIGH NATURALNESS WATER-BODIES (HNWB)	means the surface water-bodies which are identified: - As a High Naturalness Water-B~~o~~dy in the Canterbury Land and Water Regional Plan; and - In Schedule 1 and items 1 and 2 in Schedule 2 of the Water Conservation (Rangitata River) Order 2006 as having outstanding characteristics or features including wild, scenic and other natural characteristics and amenity and intrinsic values. being: - Clyde River and all tributaries; - Havelock Rivers and all tributaries; - Ōrāri River and tributaries From the mouth of the gorge (at or about BY19:553-335 5133500N 1455300E) to the headwaters; and - Milford Lagoon and Ōrakipaoa Creek From the mouth of the lagoon (at or about 5095987N 1468610E) to the confluence of Burkes Creek and Ōrakipaoa Creek (at or about 5097932N 1467093E). - Rangitata River main stem from confluence with Clyde and Havelock Rivers to the top of the gorge (at or about J36:636174) “upper Rangitata”; - Rangitata River main stem from the top of the gorge (at or about J36:636174) to the water level recorder at Klondyke (at or about J36:666149) “the gorge”.
<u>HIGHLY PRODUCTIVE LAND</u>	<u>has the same as in section 1.3 of the National Policy Statement for Highly Productive Land 2022 (as set out in the box⁵² below):</u> <u>means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)</u>⁵³
HISTORIC HERITAGE	has the same meaning as in section 2 of the RMA (as set out in the box⁵⁴ below);

⁵¹ ECan [183.14], Silver Fern Farms [172.2] and Alliance Group [173.3]

⁵² [Schedule 1, cl16\(2\)](#)

⁵³ Hort NZ [245.29], Forest and Bird [156.34], Speirs, B [66.12 and 66.13], ECan [183.12]

⁵⁴ [Schedule 1, cl16\(2\)](#)

	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.
HISTORIC HERITAGE AREA	means an area of land that is identified in SCHED4 — Schedule of Historic Heritage Areas and which comprises an inter-related group of historic places, buildings, structures and/or sites that make a significant contribution to an understanding and appreciation of Timaru District's history, identity and cultures.
HISTORIC HERITAGE ITEM	means an entry in SCHED3 — Schedule of Historic Heritage Items which has met the assessment criteria and significance threshold for scheduling in the District Plan. Historic heritage items can be: a. a building, buildings or group of interrelated buildings; b. a structure or feature, such as a bridge, monument, gun emplacement, whale pot or lamp stand; and c. an open space, such as a square, park, garden or cemetery. Historic heritage items only include scheduled interior elements where these elements are specifically listed in an addendum to the assessment report for that heritage item.
HOLIDAY HUT	~~M~~means a building within the holiday hut precinct that has habitable rooms including kitchens and bathrooms that is used as living accommodation on a temporary basis. Note: This definition is a subset of 'residential unit'
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.
HOUSING RECOVERY TEMPORARY ACCOMMODATION	~~M~~means buildings and facilities that provide temporary accommodation for displaced residents following an emergency event that either: ~~4~~ <u>a</u> been declared as a state of emergency; or ~~2~~ <u>b</u> has entered into the transitional period in accordance with the Civil Defence Emergency Act 2002.
IMPERVIOUS SURFACE	~~M~~means an area with a <u>man-made surfaces, such as compacted gravel, chip seal or asphalt</u>,⁵⁵ which prevents or significantly reduces the soakage or filtration of water into the ground. It includes: - <u>a</u> ~~R~~oofs;

⁵⁵ Kainga Ora [229.24]. Also, see the evidence of Ms Seaton for Hearing E dated 23 January 2025

	- <u>b. P</u>paved areas including driveways and sealed or compacted metal parking areas and patios; - <u>c. S</u>sealed outdoor sports surfaces; - <u>d. S</u>sealed and compacted-metal roads, <u>carparks, and yards and other trafficked hardstand areas</u>;⁵⁶ <u>and</u> - <u>e. E</u>ngineered layers such as compacted clay. It excludes: - <u>a. G</u>grass or bush areas; - <u>b. G</u>ardens and other landscaped areas; - <u>c. P</u>ermeable paving and green roofs; - <u>d. P</u>ermeable artificial surfaces, fields or lawns, including permeable crop protection cloth; - <u>e. S</u>latted decks; - <u>f. S</u>wimming pools, ponds and dammed water; and - <u>g. R</u>ain tanks.
IMPROVED PASTURE	means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production, and species composition and growth has been modified and is being managed, for livestock grazing.
INDIGENOUS VEGETATION	means vascular and non-vascular plants that, in relation to a particular area, are native to the ecological district in which that area is located.
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.
INDUSTRIAL 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.
<u>INFRASTRUCTURE</u>	<u>has the same meaning as in section 2 of the Resource Management Act 1991:</u> <u>means:</u> <u>a. pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy;</u> <u>b. a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001;</u> <u>c. a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;</u> <u>d. facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—</u> <u>(i) uses them in connection with the generation of electricity for the person's use; and</u> <u>(ii) does not use them to generate any electricity for supply to any other person:</u>

⁵⁶ This change has been proposed to the JWS agreed definition after the JWS was signed in order to link the definition back to the SW Policies and matters of discretion which refer to "trafficked hardstand areas"

	e. <u>a water supply distribution system, including a system for irrigation:</u> f. <u>a drainage or sewerage system:</u> g. <u>structures for transport on land by cycleways, rail, roads, walkways, or any other means:</u> h. <u>facilities for the loading or unloading of cargo or passengers transported on land by any means:</u> i. <u>an airport as defined in section 2 of the Airport Authorities Act 1966:</u> j. <u>a navigation installation as defined in section 2 of the Civil Aviation Act 1990:</u> k. <u>facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988:</u> l. <u>anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.</u>⁵⁷
INSTRUCTIONAL SIGN	~~It~~ means any static sign on a site which primarily provides information or direction relating to wayfinding, instructions or warnings relevant to the site's operation, including signs that identify business entrances, exists and carparks and signs for security purposes. ⁵⁸
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.
INTENSIVE OUTDOOR PRIMARY PRODUCTION	~~means primary production activities involving the keeping or rearing of livestock that principally occurs outdoors, where the regular feed source for the livestock is substantially provided from off-site sources, but excludes:~~ ~~a. calf rearing for three months in any calendar year;~~ ~~b. pig production for domestic self-subsistence home use;~~ ~~c. extensive pig farming;~~ ~~d. free range poultry farming; and~~ ~~e. the feeding of supplementary feed during adverse weather events such as drought or snow.~~⁵⁹
INTENSIVE PRIMARY PRODUCTION	means primary production activities that: ~~4- a. involve the keeping or rearing of livestock that principally occurs outdoors, where the regular feed source for the livestock is substantially provided from off-site sources, but excludes:~~ ~~i. calf-rearing for three months in any calendar year;~~ ~~ii. pig production for domestic self-subsistence home use;~~ ~~iii. extensive pig farming;~~ ~~vi. free range poultry farming; and~~ ~~v. the feeding of supplementary feed during adverse weather events such as drought or snow or while stock are temporarily held prior to processing~~ ~~2- b. are defined as intensive indoor primary production.~~ ~~means any activity defined as intensive indoor primary production or intensive outdoor primary production.~~⁶⁰

⁵⁷ Radio NZ [152.24]⁵⁸ Evidence of PrimePort and NZTA [Hearing F, Interim Reply]⁵⁹ Clause 10(2)(b) relating to Te Rūnanga o Ngāi Tahu [185.11], Federated Farmers [182.15]⁶⁰ Te Rūnanga o Ngāi Tahu [185.11], Federated Farmers [182.15]

INTENSIVELY FARMED STOCK	means: a. ~~cattle or deer grazed on irrigated land or contained for break-feeding of winter feed crops; and~~ b. ~~dairy cattle, including cows, whether dry or milking, and whether on irrigated land or not; and~~ c. ~~Pig farming (except pig farming for domestic self-subsistence home use);~~ ~~any stock that is associated with an intensive primary production.~~⁶¹
INTRINSICALLY DARK LANDSCAPE	~~intrinsically dark~~ means any landscapes ~~are those~~ entirely, or largely, uninterrupted by artificial light.
KEEPING OF ANIMALS	means the keeping of animals for domestic purposes as part of a residential activity.' Note: This definition is a subset of residential activity.
LA90	has the same meaning as the 'Background sound level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.
LAEQ	has the same meaning as 'time-average A-weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics - Measurement of Environmental Sound.
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.
LAKE	has the same meaning as in section 2 of the RMA (as set out in the box below); means a body of fresh water which is entirely or nearly surrounded by land.
LAND	has the same meaning as in section 2 of the RMA (as set out in the box)⁶² below); 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.
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.
LAND TRANSPORT INFRASTRUCTURE	means any infrastructure, land, building, equipment or devices that support the movement of people and goods by land including: a. cycle facilities including cycleways, cycle parking, cycle hire stations and cycle maintenance stands; b. pedestrian facilities and accessways including footpaths, footways and footbridges; c. railway tracks, bridges, tunnels, signalling, access tracks and facilities;

⁶¹ EJAPS [4.2], Hargreaves, T [29.2], Beattie, D M [238.4], Pye Group [35.2], Fenlea Farms [171.31], Alliance Group [173.49], Rooney, A J [177.13], KJ Rooney [197.6], Bonifacio, P [36.24], Stack, D [50.8], Hart, J [58.7], Moore, D and J [100.6], Rangitata Dairies [44.15]

⁶² **Schedule 1, cl16(2)**

	d. roads including carriageways, pavements, bridges, tunnels, retaining walls, underpasses, overpasses, verge and berms; e. 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; f. safety devices including hand rails, bollards, cameras, road markings, rumble strips, barriers, fences, speed tables and speed cushions and traffic separators; g. other traffic control devices including traffic islands, level crossings, pedestrian crossings, roundabouts and intersection controls, traffic and cycle monitoring devices; h. parking control devices; i. site access including <u>vehicle crossings</u>; j. street and railway furniture, artworks, passenger shelters and ticketing and tolling facilities; k. ancillary equipment and structures associated with <u>public transport</u> systems including seats, shelters, real time information systems and ticketing facilities, bicycle storage and cabinets; l. noise attenuation walls or fences; and m. stormwater management facilities, ventilation structures, drainage devices and erosion control devices.
<u>LAND-BASED PRIMARY PRODUCTION</u>	has the same meaning as in section 1.3 of the National Policy Statement for Highly Productive Land 2022 (as set out <u>in the box⁶³</u> below): <u>means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land.</u>⁶⁴
LANDFILL	means an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas.
LANDSCAPING	means the provision of tree and shrub plantings which may be interspersed with ground cover plants including lawn, arranged to improve the visual amenity of the site, including to partially or wholly screen activities or buildings on the site.
LARGE FORMAT RETAIL	means any individual retail tenancy with a GFA greater than 450 square metres. Note: This definition is a subset of retail activity.
LARGE SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITY	means electricity generation activities utilising renewable energy sources with a capacity of 20kW or greater for the purpose of exporting electricity directly into the distribution network or National Grid. It includes all ancillary components and activities such as substations, climate/environmental monitoring equipment, earthworks, roading, maintenance buildings, temporary concrete batching plants, internal transmission and fibre networks, vegetation clearance, and site rehabilitation works.
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.

⁶³ Schedule 1, cl16(2)⁶⁴ NZ Pork [247.11] and Silver Fern Farms [172.69]

LICENSED PREMISES	has the same meaning as section 5 of the Sale and ~~Supply~~ of Alcohol Act 2012, which means:- any premises for which a licence is held.
LIFELINE UTILITIES	means <u>infrastructure that delivers a service operated by a lifeline utility</u>⁶⁵ (those entities listed in Part A, or described in Part B, of Schedule 1 to the Civil Defence Emergency Management Act 2002 that are within the Timaru District). These are as follows: Schedule 1 Lifeline utilities Part A Specific entities 1. Radio New Zealand Limited and Television New Zealand Limited. 6. The port company (as defined in section 2(1) of the Port Companies Act 1988) that carries out port-related commercial activities at Auckland, Bluff, Port Chalmers, Gisborne, Lyttelton, Napier, Nelson, Picton, Port Taranaki, Tauranga, Timaru, Wellington, Westport, or Whangarei. Part B Entities carrying on certain businesses 1. An entity that produces, supplies, or distributes manufactured gas or natural gas (whether it is supplied or distributed through a network or in bottles of more than 20 kg of gas). 2. An entity that generates electricity for distribution through a network or distributes electricity through a network. 3. An entity that supplies or distributes water to the inhabitants of a city, district, or other place. 4. An entity that provides a waste water or sewerage network or that disposes of sewage or storm water. 5. An entity that provides a telecommunications network (within the meaning of the Telecommunications Act 2001). 6. An entity that provides a road network (including State highways). 7. An entity that produces, processes, or distributes to retail outlets and bulk customers any petroleum products used as an energy source or an essential lubricant or additive for motors for machinery. 8. An entity that provides a rail network or service.
LIGHT SENSITIVE AREA ⁶⁶	~~Includes land in the following areas outside of the Port Zone:~~ ~~a. Wāhi tapu, Wāhi taoka and Wai taoka Overlays~~ ~~b. Significant Natural Areas Overlay~~

⁶⁵ TDC [42.4]⁶⁶ Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

	~~c. Outstanding Natural Landscapes Overlay~~ ~~d. Visual Amenity Landscape Overlay~~ ~~e. the Rural Lifestyle Zone; and~~ ~~f. the Natural Open Space Zone.~~
~~SPILL~~ LIGHT <u>SPILL</u>	means light emitted by a lighting installation that falls outside of the design area. ~~Spill~~ <u>Light spill</u> may or may not be obtrusive depending on what it effects.
LIQUEFACTION AWARENESS AREA	means land ~~at risk from~~ where liquefaction and lateral spreading is possible during an earthquake, but which requires site specific assessment to determine the <u>actual</u> level of risk to property. ⁶⁷
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, whether covered or not. Such loading space must be provided with vehicular access to a road or service lane by way of a vehicle crossing, driveway and/or right of way. Loading space is also referred as car bay and heavy vehicle bay. (partly from Christchurch CP)
LPEAK	has the same meaning as 'Peak sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.
LUMINANCE	~~Luminance is~~ <u>means</u> the measure of the intensity of light in a given direction per unit area, measured in Candela/m ² (Cd/m ²)
MAINTENANCE	~~4.~~ In relation to values, means the act of making a state or situation continue.⁶⁸ ~~2.~~ In relation to an object (such as a structure, building or infrastructure) means the work required to keep the object in good condition or operation but it does not include any upgrading or expansion ~~or replacement~~ of the existing object, <u>or replacement where this involves upgrading.</u>⁶⁸
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.
MĀORI LAND	~~It~~ means land within the Māori Purpose Zone that is: 1. owned by the Rūnaka; or 2. Māori communal land gazetted as Māori reservation under <u>section</u> 338 Te Ture Whenua Maori Act 1993; or 3. Māori customary land and Māori freehold land as defined in <u>section</u> 4 and <u>section</u> 129 Te Ture Whenua Maori Act 1993; or 4. ~~Owned~~ by a person or persons with evidence of whakapapa connection to the land (where documentary evidence of whakapapa connection is provided from either the Māori Land Court or the Te Rūnanga o Ngāi Tahu Whakapapa Unit);~~or~~ 5. ~~is~~ vested in a Trust of Māori incorporation under the Te Ture Whenua Maori Act 1993.

⁶⁷ ECan [183.7]⁶⁸ Transpower [159.24], the Telcos [176.25, 208.25, 209.25 and 210.25] and BP Oil, et al [196.15]

MARAE COMPLEX	means land and buildings generally associated with hapū or iwi, which are used for whanau, community, cultural, social and educational gatherings; including marae, wharenui, wharekai, manuhiri noho (guest accommodation, whether for a tariff or not) and associated facilities.
METEOROLOGICAL ACTIVITIES	means the establishment and operation of facilities and installations or equipment to measure, collect and distribute meteorological information. This includes telecommunications, radio and satellite links.
MINING	means any activity which involves the taking, winning, or extraction by whatever means, of a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance, excluding quarrying activities. Mining also includes prospecting and exploration activities.
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.
MOTOR GARAGE	means land and/or buildings used for the servicing, repair (including panel beating and spray painting repair) of motor vehicles, agricultural machinery or boats and ancillary activities (including the sale and/or fitting of accessories).
MOTOR VEHICLE	has the same meaning as in section 2(1) of the Land Transport Act 1998: a. means a vehicle drawn or propelled by mechanical power; and b. includes a trailer; but c. does not include— i. a vehicle running on rails; or [Repealed] ii. a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force; or iii. a trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or iv. a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or v. a pedestrian-controlled machine; or vi. a vehicle that ~~NZTA the Agency~~ has declared under section 168A is not a motor vehicle; or vii. a mobility device.
MOTORSPORT EVENT	means competitive sporting events which primarily involve the use of motorised vehicles, whether for racing or nonracing competition. It includes any ancillary activities.
MOTORSPORT FACILITY	means a recreation facility used for participating in or viewing land-based motor sports activities. It includes, but is not limited to, car, truck, go-kart and motorbike racing tracks and accessory facilities such as club rooms/clubhouses, spectator stands, lighting and associated support structures, mechanical workshops and fuel storage and pumps.
NATIONAL GRID	has the same meaning as given in the National Policy Statement on Electricity Transmission (2008): means the assets used or owned by Transpower <u>New Zealand</u> Limited.

**NATIONAL GRID
SUBDIVISION
CORRIDOR**

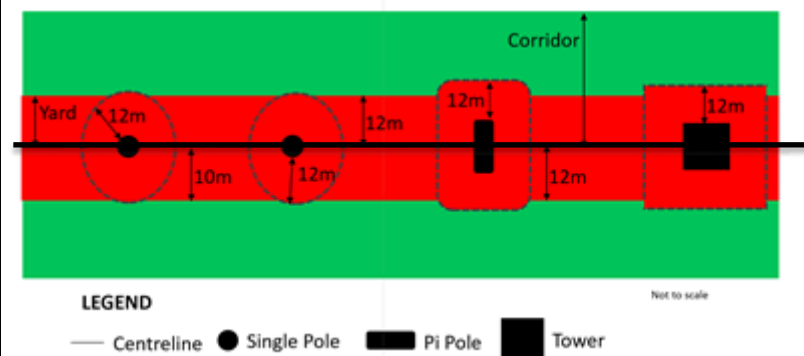
means, as depicted in Diagram 1, the area measured either side of the centre line of any above ground electricity transmission line as follows:

- 14m of a 110kV transmission line on single poles;
- 16m of a 110kV transmission line on pi poles;
- 32m of a 110kV transmission line on towers (including tubular steel towers where these replace steel lattice towers);
- 37m of a 220kV transmission line (including tubular steel towers where these replace steel lattice towers);
- 39m of a 350kV transmission line (including tubular steel towers where these replace steel lattice towers).

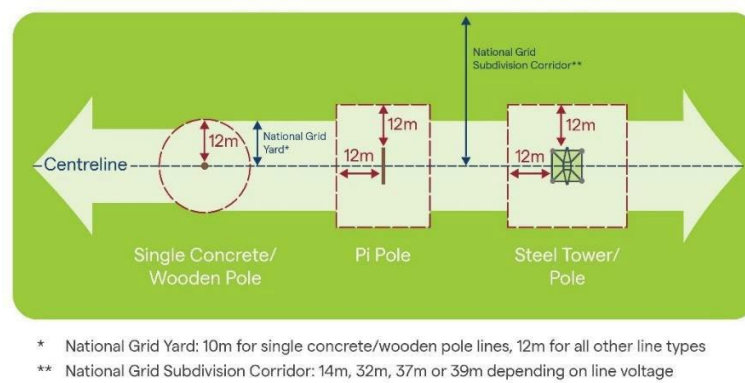
The measurement of setback distances from National Grid transmission lines shall be undertaken from the centre line of the National Grid transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

Note: The National Grid Subdivision Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated.

Diagram 1 – National Grid Yard and National Grid Subdivision Corridor



Replace diagram with the following:⁶⁹

**NATIONAL GRID YARD**

means, as depicted in Diagram 1:

- the area located within 10m of either side of the centreline of an above ground 110kV electricity transmission line on single poles;

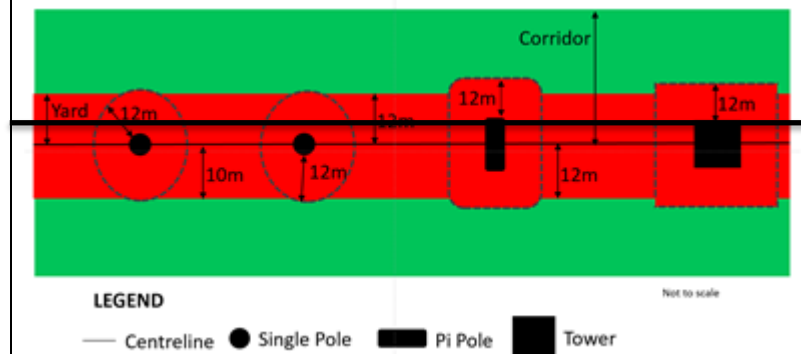
⁶⁹ Transpower [159.10]

- b. the area located within 12m either side of the centreline of an above ground transmission line on pi-poles or towers that is 110kV or greater (including tubular steel towers where these replace steel lattice towers); ⁷⁰
- c. the area located within 12m in any direction from the outer visible edge of an electricity transmission pole or tower foundation, associated with a line which is 110kV or greater.

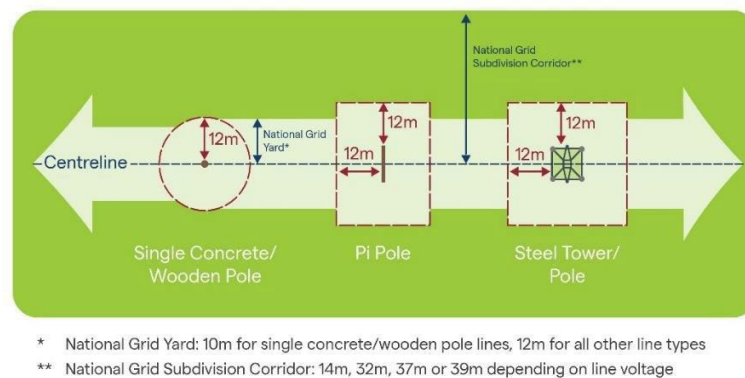
The measurement of setback distances from National Grid transmission lines must be undertaken from the centre line of the National Grid transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

Note: ~~†~~The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.

Diagram 1 – National Grid Yard and National Grid Subdivision Corridor=



Replace diagram with the following: ⁷¹



NATURAL DEFENCES

Natural defences include dunes, beaches, estuaries, wetlands, intertidal areas, coastal vegetation, natural ponding areas and water-body margins. It excludes artificial water races and drainage infrastructure such as swales and stormwater management areas. ⁷²

⁷⁰ Transpower [159.11]

⁷¹ Transpower [159.11]

⁷² Dir. General Conservation [166.109]

NATURAL AND PHYSICAL RESOURCES	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ⁷³ below); includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.
NATURAL HAZARD	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ⁷⁴ below); 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 which adversely affects or may adversely affect human life, property, or other aspects of the environment.
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 <u>works</u> ⁷⁵ and hard engineering natural hazard mitigation <u>works</u> , <u>retaining walls, stop banks, and flood protection works</u> . ⁷⁶ 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 flood assessment certificate are excluded from this definition.
NATURAL HAZARD SENSITIVE ACTIVITY BUILDING ⁷⁷	means: <u>any B</u> buildings which: 1. <u>is/are used as part of the primary activities on the site; or</u> 2. <u>contains ~~one or more~~ habitable rooms; and / or</u> 3. <u>buildings which are connected to a potable water supply and wastewater system.</u> 4. ~~contain two or more employees on a full time basis; and / or~~ 5. ~~are a place of assembly;~~ ~~but excludes regionally significant infrastructure and garages that are either detached or attached that do not meet the building code requirements for a habitable space.~~ <u>For the purposes of clause 1, the following buildings are not included.</u> i. <u>farm sheds used solely for storage; or</u> ii. <u>animal shelters which comply with v below; or</u> iii. <u>carports; or</u> iv. <u>garden sheds; or</u> v. <u>any buildings with a dirt/gravel or similarly unconstructed floor; or</u> vi. <u>any buildings or extensions with a building floor area less than 30m²;</u> <u>or</u>⁷⁸ vii. <u>~~R~~egionally ~~S~~ignificant ~~I~~nfrastructure.⁷⁹</u>

⁷³ Schedule 1, cl16(2)⁷⁴ Schedule 1, cl16(2)⁷⁵ Clause 16(2)⁷⁶ EnviroWaste [162.4] and ECan [183.14A]⁷⁷ Panel Decision Report Part 8 Section 2.8.1⁷⁸ Clause 16(2) amendment to change the location of the floor area from the rule into the definition and ECan [183.1] to refer to building floor area⁷⁹ ECan [183.173] and ECan [183.127]

	<u>Note: This definition also applies to the conversion of existing buildings into natural hazard sensitive buildings and extensions greater than 30m² to existing natural hazard sensitive buildings.</u> ⁸⁰
NAVIGATIONAL AID	has the same meaning as in section 2 of the <u>Marine Transport Act</u> ~~MARITIME TRANSPORT ACT~~ 1994, which means:— a device or system (such as a radar beacon) that provides an aviation operator with data to support navigation of aircraft; or 'navigational aid' as defined in the Maritime Transport Act 1994.
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.
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.
NETWORK UTILITY	means a project, work, system or structure that is a network utility operation undertaken by a network utility operator.
NETWORK UTILITY OPERATOR	has the same meaning as in s166 of the RMA (as set out <u>in the box</u> ⁸¹ 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

⁸⁰ ECan [183.38] and [183.125]⁸¹ Schedule 1, cl16(2)

	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.
NOISE	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ⁸² below); includes vibration.
NOISE SENSITIVE ACTIVITY	means: a. ~~R~~esidential activities; b. ~~V~~isitor accommodation; c. ~~E~~ducational facility; d. ~~H~~health care activities; and e. ~~S~~leeping areas within ~~M~~arae complexes⁸³ (building only).
NON-INTENSIVE PRIMARY PRODUCTION	means primary production that is not defined as intensive primary production.
NOTIONAL BOUNDARY	means a line 20m ~~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.
~~OFFAL PITS~~ ~~IN~~ ~~RELATION TO THE~~ ~~DRINKING WATER~~ ~~PROTECTION~~ ~~CHAPTER~~ ⁸⁴	~~F~~or the purposes of the ~~DWP Chapter~~, in relation to the Drinking Water Protection Chapter, means: a simple pit or trench, dug into the ground for disposing of animal parts or an animal which has died or been killed on the farm, but does not include burial of a single animal provided this complies with the following conditions: a. ~~T~~he dead animal results from agricultural production on the same property; and b. ~~T~~he dead animal is buried in a pit which does not contain any water, and is immediately and completely covered by sufficient soil or plant material so as to prevent discharge of odour to air, or other nuisance; and c. ~~T~~he burial location is not within any area or zone identified in a proposed or operative district plan for residential, commercial or industrial purposes; and d. ~~T~~he burial site is at least 50m from any: i. surface water-body; or ii. bore used for water abstraction; or iii. property boundary.⁸⁵
OFFENSIVE TRADES	means activities listed as offensive trades in Schedule 3 of the Health Act 1956 (as set out ~~in the box~~ ⁸⁶ below);

⁸² Schedule 1, cl16(2)⁸³ Clause 16(2)⁸⁴ Schedule 1, cl16(2)⁸⁵ TDC [42.41]⁸⁶ Schedule 1, cl16(2)

	a. Blood or offal treating; b. Bone boiling or crushing; c. Collection and storage of used bottles for sale; d. Dag crushing; e. Fellmongering; f. Fish cleaning; g. Fish curing; h. Flax pulping; i. Flock manufacturing, or teasing of textile materials for any purpose; j. Gut scraping and treating; k. Nightsoil collection and disposal; l. Refuse collection and disposal; m. Septic tank desludging and disposal of sludge; n. Slaughtering of animals for any purpose other than human consumption; o. Storage, drying, or preserving of bones, hides, hoofs, or skins; p. Tallow melting; q. Tanning; r. Wood pulping; <u>and</u> s. Wool scouring;
OFFICE	means any of the following: a. ~~A~~administrative offices where the administration of an organisation, whether trading or non-trading, is conducted; b. ~~C~~ommercial offices such as bank, insurance agents, typing services, duplicating service and estate agents, being places where trade (other than that involving the immediate exchange of money for goods or the display or production of goods) is transacted; <u>or</u> c. ~~P~~rofessional offices such as the offices of accountants, solicitors, architects, surveyors, engineers, where a professional service is available and carried out.
OFFICIAL SIGN	means all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety.
OFF-SITE SIGN	means any sign that is used to advertise activities, goods and services that are not undertaken, sold or provided on the site on which the sign is located <u>but excludes any temporary sign.</u> ⁸⁷
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.
ORIGINALLY RARE ECOSYSTEM ~~IN~~ <u>RELATION TO TERRESTRIAL ECOSYSTEMS</u> ⁸⁸	In relation to terrestrial ecosystems, “originally” means the ecosystem type was present when Māori arrived, and still exists today. “Rare” means the total extent of each originally rare ecosystem type is less than 0.5% ~~percent~~ of New Zealand’s total area – that is, less than 134,000ha ~~hectares~~. A published list of originally rare terrestrial ecosystem types has been compiled by Landcare Research and is available from that organisation.⁸⁹

⁸⁷ Clause 16(2) Amendment⁸⁸ Schedule 1, cl16(2)⁸⁹ Clause 10(2)(b) relating to Frank, H [90.23], Forest and Bird [156.3, 156.116], Dir. General Conservation [166.29] - Evidence of Elizabeth Williams, paras 46-52; Speaking notes of Forest and Bird, para 27

OUTDOOR LIGHTING	means any <u>fixed</u> ⁹⁰ exterior or interior lighting that emits directly into the outdoor environment.
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.
<u>OVERGRAZING / TRAMPLING</u>	<u>means the practice of confining farm stock to an area of land resulting in the depletion or destruction of indigenous vegetation by intensive grazing and/or trampling.</u> ⁹¹
OVERLAND FLOW PATH	means the route <u>at a low point or terrain</u> ⁹² along which stormwater flows over land in a rain event, and excludes permanent watercourses or intermittent rivers or streams.
PAPAKĀIKA (PAPAKĀINGA)	~~It~~ means any buildings associated with any activity undertaken in the traditional rohe of mana whenua to sustain themselves, and may include (but is not limited to) residential, social, cultural, economic, conservation and recreation activities including: a. whare (household unit); b. home businesses; c. marae complexes; d. manuhiri noho; e. whare taoka; f. urupā; g. pouwhenua; h. mahika kai; i. community facilities; j. kōhanga reo (preschool); k. kura kaupapa (education activity and facilities); l. whare hauora (health care facilities); m. Māori cultural activities, including art and wānanga; n. ~~H~~hākinakina (recreation activities and facilities, excluding commercial recreation and motorised sports);⁹² and o. ahuhenua (primary production).
PARK MANAGEMENT ACTIVITY	means the day to day management, operations and maintenance of parks and reserves. It includes: a. ~~R~~repair, maintenance and development of facilities, structures and buildings; b. ~~P~~planting, removal, trimming and maintenance of turf, trees (except Protected Trees) and other non-indigenous vegetation and associated earthworks; c. ~~A~~animal and pest control operations; and d. ~~R~~repair, maintenance and development of walkways, cycleways, or vehicle tracks and associated earthworks.
PEAK PARTICLE VELOCITY	means, to the extent used for the assessment of the risk of structural damage to a fixed structure, the instantaneous maximum velocity reached by a vibrating surface as it oscillates about its normal position.

⁹⁰ Fenlea Farms [171.5], Rooney Holdings [174.9], Rooney, A J [177.6] Rooney, GJH [191.9], Rooney Group [249.9], Rooney Farms [250.9], Rooney Earthmoving [251.9], TDL [252.9]

⁹¹ Hart, JR [149.2]

⁹² ECan [183.6]

<u>PERMANENT AIRSTRIP OR HELICOPTER LANDING SITE</u>	~~It~~ means any defined area of land intended or designed to be used, whether wholly or partly, used for the landing or departure of aircraft. ⁹³
PERMANENT WORKERS ACCOMODATION	means a residential unit for the purpose of accommodating a permanent full time worker(s) of a primary production activity, and their family.
PERSONAL SERVICES	means an activity which provides individual service to people and includes hairdressers, beauticians and photographers.
~~PERSONAL SERVICES~~	~~means a commercial activity which provides individual service to people and includes hairdressers, beauticians and photographers.~~ ⁹⁴
PLACE OF ASSEMBLY	means land and buildings used for gathering of people, including cinemas, theatres, concert venues, conference and private function facilities, arts and cultural centres, places of worship, community centres and halls.
PLANTATION FORESTRY	~~It~~ has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017. ⁹⁵ means a forest deliberately established for commercial purposes, being— a. at least 1-ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and b. includes all associated forestry infrastructure; but c. does not include— i. a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30-m; or ii. forest species in urban areas; or iii. nurseries and seed orchards; or iv. trees grown for fruit or nuts; or v. long-term ecological restoration planting of forest species; or vi. willows and poplars space planted for soil conservation purposes
PLAYGROUND EQUIPMENT	means equipment designed for recreation and play, including, but not limited to, swings, slides, seesaws and merry go rounds.
<u>POLE IN RELATION TO INFRASTRUCTURE AND THE ENERGY AND INFRASTRUCTURE CHAPTER</u> ⁹⁶	in relation to <u>the</u> Energy and <u>I</u> nfrastructure <u>C</u> hapter, means a ~~non-lattice~~ ⁹⁷ 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 guywires.
PORT ACTIVITY	means the use of land, buildings and structures for: a. cargo handling, including the loading, unloading, storage, processing and transit of cargo; b. passenger handling, including the loading, unloading and transit of passengers;

⁹³ Evans, J [45.1], McAuley, S [57.1], Aubrey, L [59.1], Station Air [61.1], Pemberton, S [64.1], Cessna 180/185 Group et al [201.1], Coldicott, J. M. [118.1], Coldicott, G [254.1]

⁹⁴ Clause 10(2)(b) relating to Redwood Group [228.1]

⁹⁵ Correction of a minor error as outlined within RMA Schedule 1, Section 16(2)

⁹⁶ Schedule 1, cl16(2)

⁹⁷ The Telcos [176.15, 208.15, 209.15 and 210.15]

	c. maintenance and repair activities, including the maintenance and repair of vessels; d. port administration; e. marine-related trade and industry training activities; f. marine-related industrial activities, including ship and boat building, and fish processing; g. warehousing and container storage in support of a.-f., h., i. and j., and distribution activities, including bulk fuel storage and ancillary pipeline networks; h. log storage; i. facilities for recreational boating, including yachting; j. activities associated with the surface navigation, berthing, manoeuvring, refuelling, storage, servicing and providing of vessels, cargo certification, Customs and other Government activities associated with Port activities; k. ancillary transport infrastructure, buildings, structures, signs, utilities, parking areas, landscaping, hazardous facilities (excluding major hazard facilities) and service stations, offices and other facilities, and earthworks; l. Meteorological activities; m. ancillary food and beverage outlets in support of the above; n. Telecommunication and radio communication facilities; and o. Ancillary office and commercial activity, including ancillary trade suppliers, in support of the above.
<u>POST-HARVEST FACILITY</u>	<u>means any Building operated by any number of growers and used for the storage, packing, washing, inspecting and grading of eggs, fruit, vegetables, or other (natural and unprocessed) primary produce brought to the post-harvest facility from a range of locations, and includes all activities that are an integral aspect of post-harvest operations.</u> <u>Includes:</u> <u>a. use of the site for the collection and distribution of horticultural products;</u> <u>b. slicing and dicing agricultural products in preparation for distribution to retail outlets, including the disposal of associated waste material from these activities;</u> <u>c. preparation and shrink-wrapping horticultural products in preparation for distribution to retail outlets;</u> <u>d. collection and distribution of agricultural products including the cross loading of trucks used in the collection and delivery of horticultural products; and</u> <u>e. the on-site servicing and maintenance of vehicles and equipment associated with the activities.</u>⁹⁸
POTENTIALLY CONTAMINATED LAND	means land on which an activity or industry that is described in Appendix 2 - Hazardous Activities and Industries List is being, has been or is more likely than not to have been undertaken. This definition does not include land for which a detailed site investigation demonstrates that any contaminants present are at, or below, background concentrations.
PRESCHOOL	means a <u>child care services</u> of three or more children (in addition to any children <u>who</u> resident on the site) and would not operate for any continuous period of more than seven consecutive days.

⁹⁸ Hort NZ [245.24]

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); <u>and</u> 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.
PRIVATE DRINKING WATER SUPPLY	means a drinking water supply from a bore / well that provides 1 to 24 people with drinking water for not less than 60 days each calendar.
PRIVATE WAY	~~It~~ has the same meaning as in section 315 of the Local Government Act 1974: means any way or passage whatsoever over private land within a district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the use of the public generally; and includes any such way or passage as aforesaid which at the commencement of this Part exists within any district.
PUBLIC AMENITY BUILDING	means buildings/structures providing for public toilets, information buildings and shelters, that are available to the community or visitors, and includes publicly available tramping huts.
PUBLIC ARTWORK	means any object, figure, image, character, outline, spectacle, display, delineation, audio or visual installation (including projection or illumination, static or otherwise), announcement, poster or sculpture that is used principally to enhance public spaces, whether it is placed on, affixed or tethered to any land, building, footpath or pavement (subject to any Council bylaws or traffic management requirement) and/or incorporated in the design of any building (whether by painting or otherwise). It excludes use as a sign or for any purpose other than as public artwork.
PUBLIC TRANSPORT	(a) means, subject to paragraph (b), a service for the carriage of passengers for hire or reward by means of— a. a large passenger service vehicle; or b. a small passenger service vehicle; or c. a ferry; or d. a hovercraft; or e. a rail vehicle; or f. any other mode of transport (other than air transport) that is available to the public generally; but (b) in relation to Part 5, does not include— a. an excluded passenger service; or b. a shuttle service 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.
QUALIFIED ARBORIST	means a person who has a recognised arboricultural qualification and practical experience with the tasks, equipment and hazards involved in arboricultural activities; and has demonstrated competency to Level 4 NZQA Certificate in Horticulture Services (Arboriculture) standard (or an equivalent arboricultural

	standard) or a person recognised as suitably qualified by ~~Timaru District Council~~ .
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.
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.
QUEUEING SPACE	means the length of a vehicle access internal to the site, between the road boundary and the vehicle control point, available for the circulation and queuing of vehicles.
<u>RADIO COMMUNICATIONS</u>	has the same meaning as in the <u>Radio Communications Act 1989</u> (as set out in the box⁹⁹ below); means any transmission or reception of signs, signals, writing, images, sounds, or intelligence of any nature by radio waves.¹⁰⁰
RAFT	has the same meaning as in section 2 of the RMA (as set out in the box¹⁰¹ below); 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.
RAILWAY LINE	As defined in Section 4 of the Railways Act 2005: - means a single rail or set of rails, having a gauge of 550=mm or greater between them, laid for the purposes of transporting people or goods by rail; and - includes— - sleepers, associated formation and ballast, tunnels, and bridges; and - in relation to a single rail or set of rails that are laid on a road for the purposes of 1 or more light rail vehicles,— - any area between the rails; and - the area that extends 500=mm outside the extremity of any light rail vehicle being used on that single rail or set of rails; and - a set of rails, having a gauge of less than 550=mm between them, that is designated as a railway line in regulations made under section 59(l); and

⁹⁹ Schedule 1, cl16(2)¹⁰⁰ The Telcos [176.27, 208.27, 209.27, 210.27]¹⁰¹ Schedule 1, cl16(2)

	iv. except as provided in subparagraph (ii), any area within 5-m of a single rail or within 5-m of a line drawn midway between a set of rails; but c. excludes— - a railway line that is part of a railway used as an amusement device; - a railway line excluded by regulations made under section 59(m); - a railway line that exclusively serves private cable cars.
REAL ESTATE AND DEVELOPMENT SIGN	means a sign that is erected to: - advertise the sale or rental of a property; or - other relevant information related to any construction or demolition works on a site.
RECLAMATION	means the manmade formation of permanent dry land by the positioning of material into or onto any part of a waterbody, bed of a lake or river or the coastal marine area, and: - includes the construction of any causeway; but - 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.
RECREATION ACTIVITY	means the use of land, water-bodies and/or buildings for the purpose of the active or passive enjoyment of organised sports (excluding motorsport), recreation or leisure, whether competitive or non-competitive, and whether a charge is made for admission or not.
REGIONALLY SIGNIFICANT INFRASTRUCTURE	Regionally Significant Infrastructure is: ~~the Strategic land transport network, including National Routes, Regional Arterials and District Arterials, and arterial roads~~¹⁰²; ~~Richard Pearce (Timaru) Airport;~~ ~~Port of Timaru;~~ ~~the Telecommunication facilities network~~¹⁰³; ~~National, regional and local renewable electricity generation activities of any scale;~~ ~~the National Grid electricity transmission network~~¹⁰⁴; ~~Sewage collection, treatment and disposal networks;~~ ~~Community land drainage infrastructure;~~ ~~Community potable water systems;~~ ~~Established community-scale irrigation and stockwater infrastructure;~~ ~~Transport hubs;~~ ~~Bulk fuel supply infrastructure including terminals, wharf lines and pipelines;~~ ~~the electricity distribution network~~¹⁰⁵; and ~~For the purposes of the SD-08 and the Energy and Infrastructure Chapter~~¹⁰⁶ ~~The Redruth Landfill and Resource Recovery Facility in Timaru.~~¹⁰⁷
RELOCATABLE ~~IN RELATION TO THE NATURAL HAZARDS~~	~~Relocatable: for the purposes of the Natural Hazards and Coastal Environment Chapters, in relation to the Natural Hazards Chapter and Coastal Environment~~

¹⁰² TDC [42.1]¹⁰³ Evidence of Mr Anderson for the Telcos [176.16, 208.16, 209.16 and 210.16] Hearing E, dated 23 January 2025 at paragraphs 16 to 20¹⁰⁴ Transpower [159.14]¹⁰⁵ Alpine Energy [55.1]¹⁰⁶ Panel Decision Report Part 5 Section 2.8.2¹⁰⁷ Enviro NZ [162.2]

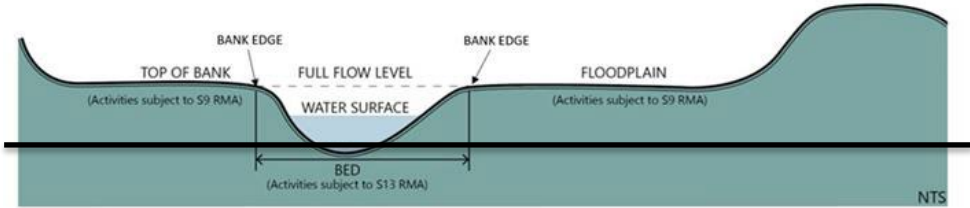
CHAPTER AND COASTAL ENVIRONMENT CHAPTER ¹⁰⁸	<u>Chapter means a building that is intended for relocation, either in part or whole, to another site and demonstrates compliance with the following:</u> ~~1.~~ <u>a. the building shall be generally of timber or metal framing and excludes any structures that have cast in situ concrete walls, concrete block walls, brick stone walls (including brick veneer), which would enable at least the greater part of the building to be relocated if required;</u> ~~2.~~ <u>b. the building can be removed from the site in less than seven consecutive days;</u> ~~3.~~ <u>c. the building is fully self-contained or able to disconnect from Council reticulated services in less than two days; and</u> ~~4.~~ <u>d. has a building footprint of less than 150m².</u> ¹⁰⁹
RELOCATED BUILDING	means any building that is relocated, in whole or in part, from one site to another site, but excludes: a. shipping containers; and b. new buildings specifically constructed for relocation to another site; and c. non-motorised caravans; <u>and</u> d. <u>heritage buildings listed in SCHED3 – Schedule of Historic Heritage Items.</u> ¹¹⁰
RENEWABLE ELECTRICITY GENERATION	~~It~~ <u>has the same meaning as renewable electricity generation in the National Policy Statement for Renewable Electricity Generation 2011 (as set out below):</u> means generation of electricity from solar, wind, hydroelectricity, geothermal, biomass, tidal, wave, or ocean current energy sources.
RENEWABLE ELECTRICITY GENERATION ACTIVITY	~~It~~ <u>has the same meaning as renewable electricity generation activities in the National Policy Statement for Renewable Electricity Generation 2011 (as set out below):</u> means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.
REPAIR	means ~~to~~ mending or fixing something that is decayed or damaged. It includes temporarily securing the object such as making a structure safe or weathertight. It does not include upgrading or replacement.
REPLACEMENT	~~It~~ <u>means replacing an object or its parts with another of the same or similar location, height, size, capacity, footprint and scale and for the same or similar purpose. It does not include repair.</u> ¹¹¹
RESIDENTIAL ACTIVITY	means the use of land and building(s) for people's living accommodation.
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 [Schedule 1, cl16\(2\)](#)

¹⁰⁹ PrimePort [175 - various] and Timaru District Holdings [186 - various]

¹¹⁰ Heritage New Zealand [114.7]

¹¹¹ Transpower [159.18]

RESIDENTIAL VISITOR ACCOMMODATION	means the use of a residential unit for temporary accommodation advertised for a tariff to paying guests that is secondary and incidental to the use of the residential unit as a permanent residence.
RETAIL ACTIVITY	means any activity that involves the display or offer for sale or hire to the public of goods, merchandise or equipment and any ancillary work rooms. It includes general retail, large format retail, and trade and yard based retail, but excludes service stations.
RETICULATED STORMWATER NETWORK	means a network of pipes, swales, drains, kerbs and channels owned or operated by a network utility operator that collects stormwater within areas used or proposed to be used for urban-residential, commercial or industrial and rural lifestyle purposes and conveys that stormwater to any device, wetland, retention or detention pond or infiltration basin for the treatment of stormwater, prior to a discharge to land, groundwater or surface water. It excludes any rural land drainage system that has been constructed for the primary purpose of collection, conveyance or discharge of land drainage water, or any natural waterbody.
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.
REVERSE SENSITIVITY	means the potential for ~~the operation of an existing lawfully established, approved (whether by consent or designation) or permitted activity, or a permitted or authorised activity activities otherwise anticipated by the Plan,~~ to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing <u>that</u> activity. ¹¹²
RIPARIAN MARGIN	means land that is within: 10m of the bank edge of a river that is up to 3m wide (and is not listed in (c) below); and/or 20m of the bank edge of a river that is greater than 3m wide (and is not listed in (c) below); and/or 100m of the bank edges of the Rangitata; Ōpihi; and Ōrāri Rivers; and/or; 50m of any wetland. The bank edge is illustrated by the following figure¹¹³ 

¹¹² Alliance Group [173.9], Silver Fern Farms [172.10], KiwiRail [187.13]¹¹³ Speirs, B [66.6]

RIPARIAN ZONE [IN RELATION TO A RIVER OR LAKE]	(RPS definition) ~~means the area of land within their beds and adjacent to the beds where direct interaction occurs between aquatic and terrestrial ecosystems. The riparian zone includes the banks of a river and the margin of a lake. Wetlands and islands may also be part of the riparian zone~~¹¹⁴
RIVER	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~¹¹⁵ below); 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).
ROAD	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~¹¹⁶ below); 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 Roding 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— a. immediately before the commencement of this Part was a road or street or public highway; or b. immediately before the inclusion of any area in the district was a public highway within that area; or 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 Roding Powers Act 1989 Section 2(1) of the Government Roding 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

¹¹⁴ Federated Farmers [182.26]¹¹⁵ Schedule 1, cl16(2)¹¹⁶ Schedule 1, cl16(2)

	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.
ROAD BOUNDARY	means any boundary of a site abutting a legal road, road reserve or road designation. Frontage, road frontage or street frontage shall have the same meaning as road boundary.
ROOT PROTECTION AREA	means the circular area surrounding a 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.
RURAL INDUSTRY	means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.
RURAL PRODUCE	means fruit, vegetables, flowers or other similar farm products primarily grown and/or processed on a property in a rural zone.
RURAL PRODUCE MANUFACTURING	means the use of land and/or buildings for the manufacturing of products from rural produce grown on the same site or: a. on other sites in the same ownership; or b. on other sites leased by the owner of the primary site.
RURAL PRODUCE RETAIL	means the use of land and/or buildings on, or within which, rural produce grown or produced on-site, and products manufactured from it, are offered for sale.
RURAL RESIDENTIAL DEVELOPMENT	(RPS definition) ~~means zoned residential development outside or on the fringes of urban areas which for primarily low density residential activities, ancillary activities and associated infrastructure.~~¹¹⁷
RURAL TOURISM ACTIVITY	means the use of land or buildings for people to visit and experience places of interest within the rural area. It does not include: a. ~~R~~rural production retail; b. ~~R~~rural production manufacturing; c. ~~V~~visitor accommodation; <u>or</u> d. ~~H~~home business.
SCHEDULED INTERIOR ELEMENT	~~i~~ n relation to the heritage item, means identified heritage fabric within a heritage item that is specifically listed in an addendum to the assessment report for that heritage item.
SEASONAL WORKERS ACCOMMODATION	means the use of land and buildings for the sole purpose of accommodating the short-term labour requirement of a primary production activity, rural industry or post-harvest facility.
SELF-CONTAINED POWER UNIT	has the same meaning as in Regulation 4 of the NESTF as set out below:

¹¹⁷ ECan [183.11]

	means equipment installed with a facility for the purpose of generating power for that facility (such as solar panels), including cables connecting the equipment to the facility.
SENSITIVE ACTIVITY	means: ~~a. Residential~~ activities; ~~b. Education~~ facilities and preschools; ~~c. Guest and~~¹¹⁸ ~~visitor~~ accommodation; ~~d. Health~~ care facilities which include accommodation for overnight care; ~~e. Hospitals~~; ~~f. Marae~~ (building only); or ~~g. Place~~ of assembly. except that: 1. subclause f. ¹¹⁹ above is not applicable in relation to ~~electronic~~electricity¹²⁰ transmission. 2. subclause g. ¹²¹ above is not applicable in relation to noise or ~~electronic~~electricity¹²² transmission.
SENSITIVE ENVIRONMENT	means 1. areas within the following overlays identified on the Planning map: a. Coastal Environment; and b. Coastal High Natural Character Areas; and c. Drinking Water Protection Area; and d. Heritage Item; and e. Heritage Item ~~extent~~ Setting¹²³; and f. Outstanding Natural Features; and g. Outstanding Natural Landscapes; and h. Sites and ~~a~~Areas of Significance to Māori; and i. Significant Natural Areas; and j. Visual Amenity Landscapes; and k. Earthquake Fault Awareness Area; and ~~l. High Hazard Areas; and~~ m. Flood Assessment Area; and n. Seawater Inundation Overlay; and ~~o. Within 250m from Major Hazard Facilities; and~~ ~~p. Long-Tailed Bat Habitat Protection Area Overlay; and~~¹²⁴ 2. the below areas: a. ~~The~~ area within 100m from the edge of a ~~Riparian~~ ~~M~~margin; and b. ~~The~~ area within 100m from the edge of a ~~Wetland~~ ~~A~~area; and c. High Hazard Areas identified in a Flood <u>Assessment</u> Certificate issued under NH-S1.
<u>SENSITIVE LOCATIONS</u>	<u>means:</u> 1. <u>~~A~~areas within the following ~~O~~overlays identified on the Planning map, ~~but~~ excluding the <u>Port Zone</u> <u>PORTZ</u>:</u> a. <u>~~A~~n the Earthquake Fault Awareness Overlay; and</u> ~~b. A High Hazard Area Overlay; and~~

¹¹⁸ Transpower [159.20] and Hort NZ [245.25]¹¹⁹ MoE [106.6], BP Oil et al [196.11] and Radio NZ [152.20]¹²⁰ Transpower [159.20] and correction of minor error as per Schedule 1, Clause 16(2) RMA¹²¹ MoE [106.6], BP Oil et al [196.11] and Radio NZ [152.20]¹²² Transpower [159.20] and correction of minor error as per Schedule 1, Clause 16(2) RMA¹²³ Heritage NZ [144.5]¹²⁴ Dir. General Conservation [166.11]

	c. ~~The~~ <u>Sea Water Inundation Overlay</u>; and d. ~~The~~ <u>Coastal Erosion Overlay</u>; and e. ~~A~~ <u>the Drinking Water Protection Area Overlay</u>; and f. ~~The~~ <u>area within 250m of an MHF</u>; and 2. <u>the below areas</u>: a. ~~The~~ <u>area within 100m from the edge of a Riparian ~~M~~margin or wetland area</u>; and b. <u>High Hazard Areas identified in a Flood Assessment Certificate issued under NH-S1.</u>¹²⁵
SERVICE LANE	~~It~~ has the same meaning as in section 315 of the Local Government Act 1974: means any lane laid out or constructed either by the authority of the council or the Minister of Works and Development or, on or after 1 April 1988, the Minister of Lands for the purpose of providing the public with a side or rear access for vehicular traffic to any land.
SERVICE STATION	means any site primarily used for the retail sale of motor vehicle fuels, including petrol, LPG, CNG and diesel and may include any one or more of the following activities, where they are ancillary to the retail sale of fuels: • ~~a. Sale~~ <u>sale or hire of kerosene, alcohol-based fuels, lubricating oils, tyres, batteries, vehicle spare parts, trailers and other accessories normally associated with motor vehicles;</u> • ~~b. Truck~~ <u>truck stops;</u> • ~~c. Trailer~~ <u>trailer hire; and</u> • ~~d. The~~ <u>the ancillary sale of other goods for the convenience and comfort of service station customers;</u> but shall not include any industrial activity. Note: This definition is a subset of ~~retail~~ <u>'eCommercial'</u>¹²⁶ <u>Activity</u>.
SEWAGE	means human excrement and urine.
SHELTER BELT	means any trees planted primarily to provide shelter for stock, crops or buildings from the prevailing wind(s). Shelterbelts are no greater than <u>30m</u> ~~metres~~ in width and are not clear felled (unless ~~the~~ <u>clear felled</u> if for replanting of <u>a</u>¹²⁷ new shelterbelt).
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.
SIGNAGE	has the same meaning as sign.

¹²⁵ PrimePort [175.32] and TDH [186.17]¹²⁶ BP Oil et al [196.13]¹²⁷ Correction of a minor error as outlined within RMA Schedule 1, Clause 16(2)

SIGNIFICANT NATURAL AREA OR [SNA]	means identified areas of significant indigenous vegetation and significant habitats of indigenous fauna, as set out in ECO-SCHED27 ¹²⁸ and shown on the Planning Maps.
SILAGE STORAGE ~~IN RELATION TO THE DRINKING WATER PROTECTION CHAPTER~~ ¹²⁹	~~For the purposes of the DWP Chapter, in relation to the Drinking Water Protection Chapter, means:~~ silage storage of more than 20m ³ where contaminants are able to leach into the ground, and excludes wrapped silage and storage of silage on an impervious surface where stormwater runoff is appropriately collected and treated. ¹³⁰
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 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.
SITE COVERAGE	means the combined total of building footprint and impervious surfaces.
SKY GLOW	~~means Artificial sky glow is defined as~~ that part of the sky glow that is attributable to man-made sources of radiation (e.g. outdoor lighting), including radiation that is emitted above the horizontal and radiation that is reflected from the surface of the earth.
SMALL CELL UNIT	has the same meaning as in Regulation 4 of the NESTF as set out below: means a device— a. that receives or transmits radiocommunication or telecommunication signals; and b. the volume of which (including any ancillary equipment, but not including any cabling) is not more than 0.11m³.
SMALL FIXED-WING AIRCRAFT	means an aeroplane that has a certified take-off weight for the aeroplane and its contents of 5,700kg or less. ¹³¹
SMALL SCALE RENEWABLE ELECTRICITY GENERATION	means renewable electricity generation at a capacity of no greater than 20 kW for the purpose of using or generating electricity on a particular site, or supplying an immediate community, or connecting into the distribution network, and includes generation using solar, wind, hydro and biomass energy resource.
SOFT ENGINEERING ~~IN RELATION TO NATURAL HAZARD~~	in relation to natural hazard mitigation works 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.

¹²⁸ Dir. General Conservation [166.12], Fenlea Farms [171.6, 171.32], Rooney, A J [177.14], K J Rooney Ltd [197.7]

¹²⁹ Schedule 1, cl16(2)

¹³⁰ TDC [42.41]

¹³¹ Evans, J [45.1], McAuley, S [57.1], Aubrey, L [59.1], Station Air [61.1], Pemberton, S [64.1], Cessna 180/185 Group et al [201.1], Coldicott, J. M. [118.1], Coldicott, G [254.1]

MITIGATION WORKS 132	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.
SPECIAL AUDIBLE CHARACTERISTIC	has the same meaning as ‘special audible characteristic’ in section 6.3 of New Zealand Standard 6802:2008 Acoustics – Environmental Noise.
SPECIFIED MĀORI LAND	means land that is any of the following: (a) Māori customary land and Māori freehold land (as defined in Te Ture Whenua Māori Act 1993); (b) land set apart as a Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993 or its predecessor, the Māori Affairs Act 1953; (c) land held by or on behalf of an iwi or a hapū if the land was transferred from the Crown, a Crown body, or a local authority with the intention of returning the land to the holders of mana whenua over the land; (d) land vested in the Māori Trustee that is constituted as a Māori reserve by or under the Māori Reserved Land Act 1955, and remains subject to that Act; (e) land that forms part of a natural feature that has been declared under an Act to be a legal entity or person (including Te Urewera land within the meaning of section 7 of the Te Urewera Act 2014); (f) the maunga listed in section 10 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014; and (g) Treaty settlement land, being land held by a post-settlement governance entity (as defined in the Urban Development Act 2020) where the land was transferred or vested and held (including land held in the name of a person such as a tipuna of the claimant group, rather than the entity itself); (i) as part of redress for the settlement of Te Tiriti o Waitangi/ Treaty of Waitangi claims; or (ii) by the exercise of rights under a Treaty settlement Act or Treaty settlement deed.¹³³
STATE HIGHWAY	has the same meaning as in ~~section 5~~ ^{in section 134} 5 of the Land Transport Management Act 2003: means a road, whether or not constructed or vested in the Crown, that is declared to be a ~~S~~state highway under section 11 of the National Roads Act 1953, section 60 of the Government Roding Powers Act 1989 (formerly known as the Transit New Zealand Act 1989), or under section 103; and includes— 1. all land along or contiguous with its route that is the road; and 2. any part of an intersection that is within the route of the ~~S~~state highway; and 3. for the purposes of regional land transport plans, the national land transport programme, and any expenditures approved under section 20 by the Agency, a proposed ~~S~~state highway; and 4. land that becomes a ~~S~~state highway under section 88(2) of the Government Roding Powers Act 1989.
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.

¹³² Schedule 1, cl16(2)¹³³ Clause 10(2)(b) relating to Dir. General Conservation [166.38]¹³⁴ Waka Kotahi [143.17]

STORMWATER MANAGEMENT AREA	means an area specifically designated to contain stormwater or floodwaters.
STORMWATER NEUTRALITY	~~means that post-development stormwater runoff rates and volumes do not exceed the pre-development stormwater runoff rates and volumes.~~ <u>means the management of stormwater runoff from a site during one or more specific rainfall events to restrict post-development peak flows and/or volumes to pre-development flows and/or volumes.</u> ¹³⁵
STORMWATER NEUTRALITY DEVICE	<u>means</u> <u>A</u> device or natural system which retains (re-use) or detains the stormwater discharge from the site, and slows the release of the stormwater at a rate that is no more than the site's original discharge.
STORMWATER UTILITY AREA	<u>means</u> <u>A</u> ny area used for mitigation or treatment of stormwater as part of the development.
STRENGTHENING <u>IN RELATION TO THE HISTORICAL HERITAGE CHAPTER</u> ¹³⁶	in relation to the Historical Heritage Chapter, means increasing the seismic resilience of a structure to an approved standard.
STRUCTURE	has the same meaning as in section 2 of the RMA (as set out <u>in the box</u> ¹³⁷ below); means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.
SUBDIVISION	has the same meaning as “subdivision of land” in section 218 of the RMA (as set out <u>in the box</u> ¹³⁸ below); means— 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.
SUPERMARKET	means a retail activity primarily involved in the sale of groceries, including fresh produce, meat, fish, dairy food and delicatessen items, beverages, general household and personal goods, as otherwise described and categorised as

¹³⁵ Kāinga Ora [229.4], PrimePort [175.23] and Timaru District Holdings [186.9]¹³⁶ Schedule 1, cl16(2)¹³⁷ Schedule 1, cl16(2)¹³⁸ Schedule 1, cl16(2)

	ANZSIC category 5110, in individual premises of no less than 1,500m ² of gross floor area.
SUPPORTED RESIDENTIAL CARE ACTIVITY	~~M~~ means land and buildings in which residential accommodation, supervision, assistance, care and/or support are provided by another person or agency for residents.
SUSTAINABLE MANAGEMENT	has the same meaning as in section 5 of the RMA (as set out in the box ¹³⁹ below); 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.
TELECOMMUNICATION KIOSK	means any structure intended for public use to facilitate telecommunication and includes boxes or booths for telephone, video or internet services.
<u>TELECOMMUNICATION LINE</u> ¹⁴⁰	<u>(a) means a wire or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, instruction, information, or intelligence of any nature by means of any electromagnetic system; and</u> <u>(b) includes—</u> <u>(i) any pole, insulator, casing, fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any of those wires or conductors; and</u> <u>(ii) any part of a telecommunication line.</u>
TEMPORARY ACTIVITY	~~M~~ means an activity that has a short duration, limited frequency and is not an ancillary activity to a permanent activity that occurs on the site.
<u>TEMPORARY CULTURAL EVENT</u>	<u>means an event undertaken by Kāti Huirapa in accordance with tikanga which relates to the expression of Māori culture and the relationship that Kāti Huirapa have with places of customary importance, and includes Mahika kai activities and ceremonial activities.</u> ¹⁴¹
<u>TEMPORARY</u> ¹⁴² <u>EMERGENCY SERVICES TRAINING ACTIVITY</u>	~~M~~ means a temporary activity undertaken for training purposes by emergency services, including but not limited to, Fire and Emergency New Zealand, the New Zealand Police, St John/Hato Hone and Civil Defence. ¹⁴³

¹³⁹ Schedule 1, cl16(2)¹⁴⁰ Evidence of Tom Anderson for the Telcos [176.40, 208.40, 209.40, 210.40], Hearing E dated 23 January 2025 at paragraphs 12 to 15¹⁴¹ Clause 16(2)¹⁴² Clause 16(2) Amendment¹⁴³ FENZ [131.4]

TEMPORARY EVENT	means a type of temporary activity that is a planned public or social¹⁴⁴ occasion and includes carnivals, fairs, markets, auctions, displays, rallies, shows, commercial filming or video production, gymkhanas (equestrian), dog trials, concert, and other recreational and sporting activities, public meetings, public meetings, <u>and hui, and emergency services training events</u>, but excludes motorsport events¹⁴⁵ <u>and private social occasions held on private property where attendance is by invitation only.</u>¹⁴⁶ Note: This <u>definition</u> is a subset ~~definition~~ of <u>'Temporary Activity'</u>.
TEMPORARY MILITARY TRAINING ACTIVITY (TMTA)	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: - the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any <u>Act</u>; - the protection of the interests of New Zealand, whether in New Zealand or elsewhere; - the contribution of forces under collective security treaties, agreements, or arrangements; - 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; - the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency; <u>and</u> - the provision of any public service.
TEMPORARY SIGN	means a sign that is erected for no more than 60 days in one calendar year for the purpose of advertising a one-off or temporary activity or temporary event.
TERRITORIAL AUTHORITY	has the same meaning as in section 5 of the Local Government Act <u>2002</u> (as set out <u>in the box</u>¹⁴⁷ below); means a city council or a district council named in Part 2 of Schedule 2.
TERTIARY EDUCATION SERVICES	<u>means the use of land and/or buildings for the purpose of facilitating tertiary education, training, development, and instruction and/or related research and laboratories; and includes ancillary and accessory administrative, cultural, commercial, community, staff and student facilities, conferencing, accommodation, retail and recreational facilities.</u> Note: <u>This definition is a subset of 'Educational Facility'.</u>¹⁴⁸
TOWER <u>IN RELATION TO THE ENERGY AND INFRASTRUCTURE CHAPTER</u> ¹⁴⁹	in relation to the Energy and Infrastructure <u>Chapter</u>, means a steel-lattice structure that supports <u>electricity infrastructure, such as</u> conductors, lines, <u>or</u> cables <u>or antennas (other than telecommunication equipment).</u>¹⁵⁰ A tower includes <u>the</u> foundations and hardware associated with the structure such as insulators, cross arms and guy-wires.

¹⁴⁴ Technical correction, Minute 55 (retained 'or social' as notified)

¹⁴⁵ FENZ [131.5]

¹⁴⁶ Panel Decision Report, Part 6, Section 3.13

¹⁴⁷ Schedule 1, cl16(2)

¹⁴⁸ Te Pukenga [215.1]

¹⁴⁹ Schedule 1, cl16(2)

¹⁵⁰ Panel Decision, Part 5, Section 2.9.2 relating to The Telcos [176.24, 208.24, 209.24, 210.24]

TRADE SUPPLIER	~~It~~ means a retail activity that involves the sale of wholesale goods to businesses, as well as limited retail sales to the general public, which fall into the following categories: a. automotive and marine suppliers; b. building suppliers; c. catering equipment suppliers; d. farming and agricultural suppliers; e. garden and patio suppliers; f. hire premises (except hire or loan of books, video, DVD and other home entertainment items); g. industrial clothing and safety equipment suppliers; h. landscape suppliers; and i. office furniture, equipment and systems suppliers.
TRANSMISSION LINE	~~It~~ has the same meaning as in the National Environment Standards for <u>Electricity Transmission Activities</u> ~~ELECTRICITY TRANSMISSION ACTIVITIES~~ 2009, which ~~means~~ <u>means</u> ¹⁵¹ : a. the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the national grid; and b. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies; but c. does not include an electricity substation.
UNACCEPTABLE RISK <u>IN RELATION TO HAZARDOUS SUBSTANCES</u> ¹⁵²	~~It~~ in relation to major hazard facilities, means exposure of sensitive activities (including residential <u>units</u> ~~dwelling~~) to an individual fatality risk level exceeding 1×10^{-6} per year (one in a million). ¹⁵³
UNDERMINE	means lessen the effectiveness, power, or ability of, especially gradually or insidiously.
UPGRADING / UPGRADE	~~It~~ means the ~~replacement, renewal or~~ improvement of infrastructure that results in an increase in carrying capacity <u>and size</u> , ¹⁵⁴ <u>and may include replacement and renewal</u> . ¹⁵⁵ but excludes repair and maintenance.
URBAN AREA	means towns with a population of 1,000 or more. In the Timaru District, it includes Timaru, Pleasant Point, Temuka and Geraldine as shown on the <u>District</u> ¹⁵⁶ Planning Map.
URBAN DEVELOPMENT	~~has the same meaning as in section 9 of the Urban Development Act 2020 which includes:~~ ~~a. development of housing, including public housing and community housing, affordable housing, homes for first home buyers, and market housing;~~

¹⁵¹ Transpower [159.23]¹⁵² Schedule 1, cl16(2)¹⁵³ Bruce Speirs [66.9]¹⁵⁴ The Telcos [176.25, 208.25, 209.25, 210.25]¹⁵⁵ Transpower [159.24], The Telcos [176.25, 208.25, 209.25, 210.25] and BP Oil, et al [196.15]¹⁵⁶ Schedule 1, cl16(2)

	~~b. development and renewal of urban environments, whether or not this includes housing development:~~ ~~c. development of related commercial, industrial, community, or other amenities, infrastructure, facilities, services, or works.~~ means development within an area zoned as a Residential Zone, Settlement Zone, Commercial and Mixed Use Zone, General Industrial Zone, Special Purpose Port Zone, and Māori Purpose Zones, and Open Space Zone or a Sport and Active Recreation Zone that are adjacent to the aforementioned zones. It also includes development outside of these zones which is not of a rural or rural-lifestyle character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. For the avoidance of doubt, it does not include the provision of regionally significant infrastructure in Rural Zones.¹⁵⁷
URBAN ZONE / URBAN ZONED AREAS <u>IN RELATION TO THE ENERGY AND INFRASTRUCTURE, NATURAL HAZARD AND COASTAL ENVIRONMENT CHAPTERS</u> ¹⁵⁸	~~Urban zone or urban-zoned areas: for the purpose of in relation to the Energy and Infrastructure,~~¹⁵⁹ Natural Hazard and Coastal Environment chapters, means all zones with the exception of the General Rural Zone, Rural Production Zone, Rural Lifestyle Zone, Future Urban Zone, and Open Space and Recreation zones that do not share at least 50% of their boundary with a qualifying zone.¹⁶⁰
VEGETATION CLEARANCE <u>IN RELATION TO THE DRINKING WATER PROTECTION CHAPTER</u> ¹⁶¹	~~For the purposes of the Drinking Water Protection Chapter, in relation to the Drinking Water Protection Chapter,~~ means the removal of vegetation by physical, mechanical, chemical or other means but excludes: ~~cultivation for the establishment of, or harvesting of, crops or pasture;~~ ~~clearance for the establishment or maintenance of network utilities or structures;~~ ~~removal of a species listed in the Biosecurity NZ Register of Unwanted Organisms or the Canterbury Pest Management Strategy;~~ ~~clearance for the purposes of maintaining existing fence lines, vehicle tracks, firebreaks, drains, ponds, dams or crossings;~~ ~~domestic gardening and the maintenance of amenity planting;~~ ~~clearance by, or on behalf of, the Canterbury Regional Council for the purposes of maintaining the flood-carrying capacity of a river;~~ ~~exotic vegetation clearance by the Department of Conservation or Land Information New Zealand for the purposes of pest management and maintenance of public access; and~~ ~~vegetation clearance by chemical means where this is more than 50m from a drinking water supply bore.~~¹⁶²
VEHICLE ACCESS WAY / VEHICLE ACCESSWAY	means that area of land which is included in the ownership of that lot or site, over which vehicular access to legal road is obtained.

¹⁵⁷ ECan [183.9]¹⁵⁸ Schedule 1, cl16(2)¹⁵⁹ PrimePort [175.20]¹⁶⁰ Te Rūnanga o Ngāi Tahu [185.46]¹⁶¹ Schedule 1, cl16(2)¹⁶² TDC [42.41]

VEHICLE CROSSING / VEHICLE ACCESS POINT	means the formed and properly constructed vehicle entry/exit point from the carriageway of any road up to and including that portion of the road boundary of the site across which a vehicle entry or exit point is permitted or consented. It includes any culvert, bridge or kerbing.
VEHICLE MOVEMENT	means a single journey to or from a particular site by a person or persons within a motor vehicle. Vehicle trip has the same meaning.
VEHICLE PARKING AND MANOEUVRING ¹⁶³ AREA	means that part of a site or building within which vehicle parking and manoeuvring are accommodated. <i>Note: ~~This~~ definition change also requires the rule references in all chapters to be amended to refer to “vehicle parking and manoeuvring area”.</i>
VERSATILE SOIL	~~means land classified as Class 1 or 2 under the land use capability classification system, as set out in Lynn I.H., Manderson A.K., Page M.J., Harmsworth G.R., Eyles G.O., Douglas G.B., Mackay A.D., Newsome P.J.F. (2009). Land Use Capability Survey Handbook—a New Zealand handbook for the classification of land. 3rd ed. Hamilton, AgResearch Ltd; Lincoln, Landcare Research New Zealand Ltd; Lower Hutt, Institute of Geological and Nuclear Sciences Ltd.¹⁶⁴~~
VISITOR ACCOMMODATION	means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.
VISUALLY PERMEABLE [IN RELATION TO A FENCE]	in relation to a fence, means the ability to clearly see through a fence, from one side to the other, and is determined by a comparison of the solid portion of the fence structure against any gaps provided within the structure, or between fence structures.
WAREHOUSING AND STORAGE	means an industrial activity that ~~storing~~ and ~~sorting of~~ materials, goods or products pending distribution.
WASTEWATER	means any combination of two or more the following wastes: sewage, greywater or industrial and trade waste.
WATER	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ¹⁶⁵ below): 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.
WATER SENSITIVE DESIGN	means design that seeks to protect and enhance natural freshwater systems, sustainably manage water resources, and mimic natural processes to achieve enhanced outcomes for ecosystems and communities.
WATERBODY	has the same meaning as in section 2 of the RMA (as set out ~~in the box~~ ¹⁶⁶ below):

¹⁶³ Bruce Spiers [66.11]¹⁶⁴ Hort NZ [245.29], Forest and Bird [156.34], Speirs, B [66.12 and 66.13], ECan [183.12]¹⁶⁵ Schedule 1, cl16(2)¹⁶⁶ Schedule 1, cl16(2)

	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.
<u>WELL-FUNCTIONING URBAN ENVIRONMENT</u> ¹⁶⁷	<u>Has the meaning as in clause 1.4 in the National Policy Statement on Urban Development (2022). For the purposes of FDA-O3 and FDA-P5 the requirement to achieve a well-functioning urban environment relates to those towns with a population of 1,000 or more being Timaru, Pleasant Point, Temuka and Geraldine.</u> ¹⁶⁸
WET ABRASIVE BLASTING	means abrasive blasting using material to which water has been added.
WETLAND	has the same meaning as in section 2 of the RMA (as set out in the box ¹⁶⁹ below); 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.
WORKERS ACCOMODATION	includes permanent workers accommodation and seasonal workers accommodation.

Note Other Changes:

SITE	Remove the link to the definition of 'site' where the word is used in the SASM Chapter (except where it is used in SASM-R1.1 PER1.1) ¹⁷⁰
HISTORIC HERITAGE	Remove the hyperlink associated with the word 'site' within this definition.

¹⁶⁷ TDC [42.7]¹⁶⁸ Matt Bonis Hearing G Reply 25 August 2025¹⁶⁹ Schedule 1, cl16(2)¹⁷⁰ Heritage NZ [114.30]

STRATEGIC DIRECTION

Introduction

This section sets out the overarching directions for the sustainable management of growth, land use and development of the ~~Timaru~~ District. The section is arranged in two chapters: Strategic Directions and Urban Form and Development. The Strategic Directions:

1. are strategically important for achieving integrated management and for ensuring the RMA's purpose is achieved;
2. give effect to relevant higher order documents such as ~~NPSs national policy statements~~ and the ~~CRPS and taking¹ into account the Iwi Management Plan of Kāti Huirapa² Canterbury Regional Policy Statement~~; and
3. provide a basis for how decisions relating to resource use will be made in the District over the life of the District Plan.

Focusing as it does on high level strategic directions, this section leaves the articulation of activity-specific and location-specific objectives and policies to the subsequent chapters of this District Plan.

These provisions have been informed by the ~~GMS Timaru District 2045 Growth Management Strategy~~ which addresses growth and development in the ~~dDistrict~~ and sets out a spatial framework for its management. They support achieving a ~~dDistrict~~ that has a sustainable lifestyle, a thriving and innovative economy and a strong identity.

Interpretation

For plan development, including plan changes, the objectives in the Strategic Directions and Urban Form and Development chapters provide direction for the development of the more detailed provisions contained elsewhere in the District Plan in relation to strategic issues. For plan implementation (including the determination of resource consent applications and the consideration of notices of requirement for designations)³:

1. the strategic objectives provide high level direction on what the related objectives and policies in other chapters of the District Plan are seeking to achieve in relation to the strategic issues. The topic and geographic-specific chapters provide the detailed guidance; and
2. the relevant objectives and policies of the District Plan (including strategic objectives in these chapters) are to be considered together. No fixed hierarchy exists between the strategic objectives or between the strategic objectives and the objectives and policies in other chapters of the District Plan.⁴

The Strategic Directions and Urban Form and Development Chapters include some terms that are not defined (for example 'unacceptable' in SD-O4(#2)). This is purposeful, as the interpretive guidance for these terms is provided by the topic specific chapters (for example the Natural Hazards Chapter).⁵

¹ Technical correction, Minute 55

² Panel Decision Report Part 2, Section 8.3.1

³ Transpower [159.25]

⁴ Transpower [159.25]

⁵ Te Rūnanga o Ngāi Tahu [185.19]

Objectives

SD-O1	Residential Areas and residential Activities
1.	There is sufficient residential development capacity in existing and proposed urban areas to meet demand and household choice, provided through: a. ~~the use of~~⁶ existing zoned greenfield areas; <u>and</u> b. a range of densities in existing urban areas; ~~and~~⁷ <u>and</u> c. higher residential densities in close proximity to the Timaru and Geraldine town centres, and Highfield Village Mall; <u>and</u> d. the new ~~Future Development Areas~~ identified for the General Residential Zone; <u>and</u> e. the Maori Purpose Zone.⁸ 2. <u>L</u>imited rural lifestyle development opportunities are provided where they: a. concentrate and are attached to existing urban areas; <u>and</u> b. achieve a coordinated pattern of development; <u>and</u> c. ~~avoid significant reverse sensitivity effects on existing and permitted rural activities do not limit or preclude the operation or establishment of rural production activities;~~⁹ <u>and</u> d. <u>recognises</u>¹⁰ the productive capabilities of the soils and location;¹¹ <u>and</u> e. are capable of efficiently connecting to ~~reticulated~~¹² sewer and water infrastructure; ~~and~~ <u>and</u> 3. <u>L</u>imited residential opportunities are maintained in existing rural settlements, subject to adequate servicing; <u>and</u> 4. <u>T</u>he location of new residential areas and activities avoids creating significant conflict with incompatible zones and activities.¹³

⁶ RMA Schedule 1, Clause 16(2)⁷ RMA Schedule 1, Clause 16(2)⁸ TRONT [185.17]⁹ Fonterra [165.25]¹⁰ RMA Schedule 1, Clause 16(2)¹¹ Federated Farmers [182.28]¹² Clause structure reordered under RMA Schedule 1, Clause 16(2)¹³ Silver Fern Farms [172.12] and Alliance Group [173.11]

SD-O2	The Natural and Historic Environment
The District's natural and historic environment is managed so that: 1. the health and wellbeing of the community are recognised as being linked to the natural environment; <u>and</u> 2. an integrated management approach is adopted that recognises that all parts of the environment are interdependent (<u>Ki uta ki tai</u>)¹⁴; <u>and</u> 3. the natural character of the coastal environment, wetlands and waterbodies is preserved and protected from inappropriate subdivision, use, and development; <u>and</u> 4. important landscapes and features <u>and their values</u>¹⁵ are protected from inappropriate subdivision, use, and development; <u>and</u> 5. <u>outside of the National Grid</u>,¹⁶ <u>indigenous biodiversity is maintained and enhanced and restored where necessary so that there is at least no overall loss</u>;¹⁷ <u>and</u> 6. <u>significant indigenous vegetation and significant habitats of indigenous fauna are identified and their values recognised, protected and where appropriate, enhanced, and where ecological integrity is degraded outside of the National Grid</u>¹⁸, <u>restored</u>;¹⁹ <u>and</u> 6 <u>the life-supporting capacity of ecosystems and resources is safeguarded for future generations; and</u> 7 <u>the important contribution of historic heritage to the District's character and identity is recognised, and significant historic heritage and its values are is</u>²⁰ protected from inappropriate subdivision, use, and development.²¹	
SD-O3	Climate Change
The effects of climate change are recognised and an integrated management approach is adopted, including through: 1. taking climate change into account in natural hazards management; <u>and</u> 2. enabling the community <u>and activities</u>²² to adapt to climate change; <u>and</u> 3. encouraging efficiency in urban form and settlement patterns <u>and encouraging activities which reduce or mitigate</u>²³ <u>carbon emissions</u>²⁴; <u>and</u> 4. <u>manage indigenous biodiversity to promote resilience to the effects of climate change</u>;²⁵ <u>and</u> 5. <u>recognising the important role renewable electricity plays in achieving New Zealand's net carbon zero target by providing for renewable electricity generation, electricity transmission and electricity distribution</u>.²⁶	
SD-O4	Natural Hazards
Natural hazards risks are addressed so that: 1. areas subject to natural hazards and risk are identified; <u>and</u> 2. development is avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and 3. for other areas, natural hazards risks are appropriately mitigated.	

¹⁴ TRONT [185.18]¹⁵ TRONT [185.18]¹⁶ Transpower [159.26]¹⁷ Dir. General Conservation [166.18]¹⁸ Transpower [159.26]¹⁹ Dir. General Conservation [166.18]²⁰ Panel Decision Report, Part 2, section 8.5.1²¹ Fonterra [165.26]²² Hort NZ [245.38]²³ Port Blakely [94.2]²⁴ Port Blakely [94.2]²⁵ Forest & Bird [156.39]²⁶ Transpower [159.27]

SD-O5	Mana W~~h~~enua
The mana whenua status of Kāti Huirapa is recognised and their historic and contemporary relationship with the District's land, water-bodies and wetlands, coastal environment, and indigenous species is recognised and provided for by ensuring: 1. mahika kai resources and habitats of indigenous species are sustained and opportunities for their enhancement or restoration are encouraged; <u>and</u> 2. the health of water-bodies²⁷ and wetland environments is protected from adverse effects of land use and development; <u>and</u> 3. the values of identified sites and areas of significance to Kāti Huirapa are recognised and protected; <u>and</u> 4. ~~where appropriate,~~²⁸ Kāti Huirapa retains, and where it can be undertaken safely ~~appropriate~~²⁹ is able to enhance access to their ~~sites and areas of significance (SASM);~~ <u>and</u> 5. Māori reserve lands ~~are~~ <u>is</u> able to be used by Kāti Huirapa for ~~its~~ <u>their</u>³⁰ intended purposes;³¹ <u>and</u> 6. ~~where it can be undertaken safely,~~³² Kāti Huirapa ~~is~~ <u>are</u>³³ able to carry out customary <u>and cultural activities</u>³⁴ in accordance with tikanga tikaka;³⁵ <u>and</u> 7. Kāti Huirapa ~~is~~ <u>are</u>³⁶ actively involved in decision making that affects their values and interests in these matters and are able to exercise their kaitiakitaka responsibilities; <u>and</u> 8. ~~The culture and identity of Kāti Huirapa's culture and identity~~³⁷ <u>is recognised in the design of Future Development Areas.</u>³⁸	
SD-O6	Business A~~r~~ea~~s~~ and A~~a~~ctivities
Business and economic prosperity in the District is enabled in appropriate locations, including by: 1. providing <u>at least</u>³⁹ sufficient <u>and appropriately located</u> land ~~for to meet the operational requirements of~~ a range of <u>existing and new</u> business activities to cater for projected growth;⁴⁰ <u>and</u> 2. providing opportunities for a range of business activities <u>and other compatible activities</u>⁴¹ to establish and prosper, provided that commercial activities outside of commercial areas are limited so they do not detract from the role and function of the City Centre <u>Zone</u> and Town Centre ~~z~~<u>Zones</u>, ~~or the industrial zones.~~^{42 43 44}; <u>and</u> 3. <u>the use and development of commercial and mixed use zones and industrial zones is not compromised by the establishment of sensitive activities.</u>⁴⁵	
SD-O7	Centres

²⁷ Schedule 1 cl16(2)²⁸ OWL [181.22]²⁹ OWL [181.22] | TRONT [185.20]³⁰ Technical correction, Minute 55³¹ TRONT [185.20]³² OWL [181.22]³³ Technical correction, Minute 55³⁴ TRONT [185.20]³⁵ TRONT [185.20]³⁶ Schedule 1 cl16(2)³⁷ Schedule 1 cl16(2)³⁸ TRONT [185.20]³⁹ White Water [248.2]⁴⁰ Fonterra [165.30]⁴¹ Dept. Corrections [239.7]⁴² Synlait [163.2]⁴³ Fonterra [165.30]⁴⁴ Silver Fern Farms [172.15] and Alliance Group [173.13]⁴⁵ Fonterra [165.30]

The District's city and town centres:

1. are maintained and enhanced as vibrant, attractive community focal points, providing a high level of amenity and opportunities for social interaction; and
2. are the primary focus for retail activities, office and other commercial activities and community activities;⁴⁶ and
3. provide for the highest density of business, residential and visitor accommodation, and for intensification opportunities.

SD-O8**Infrastructure**

Across the District:

1. improved accessibility and multimodal connectivity is provided through a safe and efficient transportation network that is able to adapt to technological changes; and
2. the provision of new network infrastructure is integrated and co-ordinated with the nature, timing and sequencing of both new development and the growth or change⁴⁷ of existing development;⁴⁸ and
3. drinking water supplies are protected from the adverse effects of subdivision, use and development; and
4. the benefits of regionally significant infrastructure and lifeline utilities are recognised and their safe, efficient and effective establishment, operation, maintenance, renewal and upgrading and development is enabled while managing adverse effects, including reverse sensitivity effects, appropriately.^{49 50}

SD-O9**Rural Areas**

A range of primarily productive activities are enabled in the rural environment to ~~enable~~ prioritise⁵¹ the ongoing use of land for primary production for present and future generations, while:

1. protecting ~~versatile soils~~ highly productive land⁵² for productive uses; and
2. managing the adverse effects of intensive primary production^{53 54} activities on existing⁵⁵ sensitive activities; and
3. managing the adverse effects, including reverse sensitivity effects,^{56 57} of new sensitive activities so that these do not limit or preclude the operation or establishment of rural production activities; on primary production;⁵⁸ and
4. avoiding activities that have no functional need/operational need, or locational need⁵⁹ to locate in the rural area; and
5. identifying and maintaining the character, qualities and amenity values of rural areas, including their natural environment values;⁶⁰ and
6. ensuring the⁶¹ Future Development Area Overlay remains available for future urban or rural lifestyle development.

⁴⁶ Dept. Corrections [239.8]

⁴⁷ Fonterra [165.31]

⁴⁸ Fonterra [165.31]

⁴⁹ Enviro NZ [162.5]

⁵⁰ KiwiRail [187.16]

⁵¹ NZ Frost Fans [255.2]

⁵² Hort NZ [245.40]

⁵³ Helicopters Sth Cant., [53.12] and the NZAAA [132.12]

⁵⁴ Hort NZ [245.40]

⁵⁵ Silver Fern Farms [172.16] and Alliance Group [173.14]

⁵⁶ Helicopters Sth Cant., [53.12] and NZAAA [132.12]

⁵⁷ Ballance [86.4]

⁵⁸ Fonterra [165.32]

⁵⁹ Panel Decision Report, Part 2, section 8.12.1

⁶⁰ Forest & Bird [156.45]

⁶¹ Schedule 1, cl16(2)

SD-O10**Community and Open Space**

A range of recreational, social and community facilities and open spaces that meet the long-term needs of the community are enabled, including:

1. where appropriate,⁶² the provision of public access to and along the coastal marine area (CMA) and margins of identified rivers; and
2. the provision of a network of facilities and open spaces to support densification and new growth areas, including co-location.

⁶² PrimePort [175.16]

This section has rules that have legal effect. Please check the ePlan to see what the legal effect is or subject to appeal.

SITES AND AREAS OF SIGNIFICANCE TO MĀORI

Introduction

The hapū who hold mana whenua in the ~~Timaru~~ District are Kāti Huirapa. The rohe of Kāti Huirapa extends over the area from the Rakaia River in the north to the Waitaki River in the south. The Papatipu Rūnaka that represents Kāti Huirapa is Te Rūnanga o Arowhenua.

As part of fulfilling its obligations under sections 6(e), 6(f), 7(a) and 8 of the RMA, the Council has developed this chapter (and provisions in other chapters) together with rūnaka for the purpose of managing activities that have potential adverse effects on the values of sites and areas that are significant to Kāti Huirapa (SASM).

Where an activity is proposed within a SASM which requires resource consent under another chapter in the District Plan, the objectives and policies in this chapter may also be relevant to consideration of that activity. There are also rules in other chapters, including the Natural Character, Natural Features and Landscapes, Coastal Environment and Earthworks chapters which manage activities that occur in SASMs. These SASM chapter should therefore be read alongside other sections of the District Plan which also consider the effects on SASMs.¹ Indigenous vegetation clearance within any SASM is managed in the ECO chapter.²

Kāti Huirapa worked and travelled extensively across South Canterbury and, as a result, they have historical and cultural connections with land and waterways throughout the ~~Timaru~~ District. To appropriately reflect the depth and breadth of their relationship with the ~~District~~, the approach taken is to firstly identify areas of association, referred to as 'wāhi tūpuna'. This term describes an area with significant associations to cultural traditions, history or identity. Typically, wāhi tūpuna encompass multiple related sites with connections to cultural beliefs, values and uses.

Some smaller areas have been identified because they have highly significant values that Kāti Huirapa consider require special protection. These are categorised as:

- 1. Wāhi taoka — places that are treasured due to their high intrinsic values and their role in maintaining a balanced and robust ecosystem, sustaining quality of life and providing for the needs of present and future generations. Examples include repo raupō, wai puna and mahika kai; and/or
- 2. Wāhi tapu - sacred sites or areas held in reverence according to whakapapa. They may be associated with tākata whenua creation stories, particular events or ceremonies, or valued resources, and include sites such as urupā, pā, Kā tuhituhi o neherā and tauraka waka.

Significant ~~waterways~~ waterbodies³ and their margins are also separately identified and are similarly categorised as wai taoka or wai tapu.

The sites and areas identified as being significant to Māori have been grouped in the following categories: wāhi tūpuna, wāhi taoka, wai taoka, wāhi tapu and wai tapu. More detail on each of these is found in MW2.1.7 and MW2.1.9⁴.

In parallel with the process of identifying SASM ~~significant sites and areas~~, threats to the values of the sites and areas from a range of land use activities have been considered. Based on this, the approach

¹ Clause 10(2)(b) relating to TRoNT [185.1, 185.3, 185.7], Westgarth et al [200.7]

² Technical correction, Minute 55.

³ Schedule 1, cl16(2)

⁴ Panel Decision Report, Part 6, Section 3.3

to the management of activities agreed with Kāti Huirapa is a layered approach with the following characteristics:

1. identification of broad wāhi tūpuna areas within which provisions are used to identify activities that pose particularly serious threats to values and make them subject to a different consent threshold or a more onerous activity status in these areas, or to trigger consultation with mana whenua when resource consent is already needed for some other reason; and
2. identification of particularly important or vulnerable areas as wāhi tapu, wāhi taoka, wai tapu and/or wai taoka where resource consent is needed for a range of activities that could adversely affect cultural values of these areas; and
3. across the District as a whole, policies and matters of discretion provide for consideration of effects on cultural values, particularly when consent is required for key activities with the potential to impact on cultural values, and there are also enabling provisions for customary harvest or other cultural practices of benefit to rūnaka.

With respect to access to SASM sites and areas of significance, it should be noted that there is no general right of public access across private land, and landowner consent must be obtained to access any private properties.⁶

Note: Wai t Taoka overlay consists of an area overlay and a line overlay.

Objectives

SASM-O1 Decision making

Kāti Huirapa are actively involved in decision making that affects the values of the identified SASM Sites and Areas of Significance to Kāti Huirapa.

SASM-O2 Access and use

Kāti Huirapa's are able to⁷ Access to, maintain and use of, resources and areas of cultural value by Kāti Huirapa, within identified SASM Sites and Areas of Significance to Kāti Huirapa, for customary use and cultural purposes,⁸ is maintained and, where appropriate, enhanced⁹.

SASM-O3 Protection of Sites and Areas of Significance to Kāti Huirapa

The values of identified SASM areas and sites of significance to Kāti Huirapa are recognised and protected from inappropriate subdivision, use and development.

Policies

SASM-P1 Involvement of Kāti Huirapa in resource management decisions

Work with Kāti Huirapa to identify and list SASM Sites and Areas of Significance to Kāti Huirapa in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, and recognise and provide for the exercise of rangitirataka¹⁰ by Kāti Huirapa in decisions made in relation to these sites and areas.

SASM-P2 Consultation and engagement with Kāti Huirapa

⁵ Federated Farmers [182.82, 182.95] – Evidence of Rachel Thomas and Greg Anderson, paras 22-24

⁶ Panel Decision Report, Part 6, Section 3.3.2

⁷ Stack, D [50.4], Digby, M E [122.1], OWL [181.58], Federated Farmers [182.82], Westgarth et al [200.2], Te Tumu Pareora [240.6], Jeaffreson, D and A [244.2]

⁸ Clause 10(2)(b) relating to Te Rūnanga o Ngāi Tahu [185.95]

⁹ Stack, D [50.4], Digby, M E [122.1], OWL [181.58], Federated Farmers [182.82], Westgarth et al [200.2], Te Tumu Pareora [240.6], Jeaffreson, D and A [244.2]

¹⁰ Clause 16(2)

Encourage and facilitate consultation and engagement between landowners/and applicants with and Kāti Huirapa to:

1. facilitate a better understanding of the values of the ~~SASM sites and areas~~ listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa and the potential impact of activities on the site or area; and¹¹
2. recognise that consultation prior to applying for consent and/or undertaking activities within or adjacent to¹² the identified ~~SASM sites and areas~~ listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, as being is the most appropriate way to obtain understanding of the potential impact of any activity on the site or area; and
3. ensure that where an activity requiring resource consent is proposed within any ~~SASM sites and areas~~ listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, there is engagement with Te Rūnanga o Arowhenua to understand the effects of the activity on the identified values of the site or area.¹³

SASM-P3 Use of sites and areas for cultural practices

Enable Kāti Huirapa to undertake customary harvest and other cultural practices in identified SASM sites and areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, in accordance with tikaka.

SASM-P4 Cultural access

Maintain existing access, and encourage landowners and applicants to explore opportunities and methods to enhance access, for Kāti Huirapa to the identified SASM sites and areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa for customary use and cultural purposes.¹⁴

SASM-P5 Protection of values of Sites and Areas of Significance to Kāti Huirapa

Where an activity is proposed within any wāhi taoka, wāhi tapu, wai taoka or wai tapu overlay¹⁵ Protect the identified values of the sites and areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, protect the identified values of the site or area, through:

1. requiring adherence to¹⁶ on the Accidental Discovery Protocol set out in Appendix 4 accidental discovery protocol for any earthworks¹⁷; and
2. avoiding adverse effects on identified values¹⁸ which would compromise the¹⁹:
 - 1-a. retention of connections to whakapapa, history and cultural tradition; and
 - 2-b. protection of mauri and intangible values; and
3. maintenance or enhancement of access by whānau for customary use and cultural purposes; and²⁰
 - 4-c. protection of site integrity; and
 - 5-d. ensuring sustainability of ecosystems supporting taoka species and mahika kai resources; unless it can be demonstrated that²¹:

¹¹ Rangitata Dairies [44.12, 44.13]

¹² Bonifacio, P [36.18]

¹³ Clause 10(2)(b) relating to Westgarth et al [200.6]

¹⁴ Te Rūnanga o Ngāi Tahu [185.95]

¹⁵ Shifted from SASM-P8

¹⁶ Heritage NZ [114.33]

¹⁷ Shifted from SASM-P8

¹⁸ Shifted from SASM-P8

¹⁹ Clause 10(2)(b) relating to Fenlea Farms [171.30] Rooney, A J [177.12] and K J Rooney [197.5]

²⁰ Clause 10(2)(b) relating to Stack, D [50.4], Digby, M E [122.1], OWL [181.58], Federated Farmers [182.82, 182.88], Westgarth et al [200.2], Te Tumu Pareora [240.6], Jeaffreson, D and A [244.2]

²¹ Shifted from SASM-P8

- i. ~~due to the functional needs or operational needs²² of the activity, it is not possible²³ practicable²⁴ to avoid all adverse effects²⁵; and~~
- ii. ~~any residual effects that cannot be practicably avoided are mitigated, as far as possible²⁶ practicable²⁷, in a way that protects, maintains or enhances the overall values of the site or area²⁸; or~~
- iii. ~~for infrastructure, adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure²⁹, or for the National Grid, EI-PX5 Managing adverse effects of the National Grid³⁰.~~

SASM-P6 Protecting cultural values in wāhi tūpuna areas

Recognise the significance to Kāti Huirapa of the wāhi tūpuna areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa and protect the identified values of these areas by avoiding significant adverse effects of activities in, or in close proximity to, wāhi tūpuna areas on the connections of Kāti Huirapa to these areas and the ability of the areas to support taoka species and mahika kai.

SASM-P7 Sustainability of ecosystems that support taoka and mahika kai

Within identified ~~SASM sites and areas~~ listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa that support taoka species and mahika kai resources:

1. ~~avoid adverse effects on taoka species and access for mahika kai except in relation to infrastructure that can demonstrate that adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure^{31,32}, or for the National Grid, EI-PX5 Managing adverse effects of the National Grid³³; and~~
2. enable the maintenance and enhancement of these areas.

SASM-P8 Protection of wāhi taoka, wāhi tapu, wai taoka and wai tapu sites and areas³⁴

~~Where an activity is proposed within any of the wāhi taoka sites, wāhi tapu sites, wai taoka areas and wai tapu areas listed in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa, ensure that:~~

- ~~1. there is engagement with Te Rūnanga o Arowhenua to understand the effects of the activity on the identified values of the site or area, including the connections of Kāti Huirapa to the site or area, the mauri of the site or area, site integrity, and the ability of the site or area to support taoka species and mahika kai; and~~
- ~~2. an accidental discovery protocol is prepared and adopted for any earthworks; and~~
- ~~3. any adverse effects on identified values are avoided unless it can be demonstrated that:

 - a. due to the functional needs of the activity, it is not possible to avoid all adverse effects; and
 - b. any residual effects that cannot be practicably avoided are mitigated, as far as possible, in a way that protects, maintains or enhances the overall values of the site or area; and
 - c. where any historical loss of values can be remediated.~~

²² Transpower [159.67]

²³ Evidence of Rachael Pull, paras 104-106

²⁴ ~~Transpower [159.67]~~

²⁵ Shifted from SASM-P8

²⁶ Evidence of Rachael Pull, paras 104-106

²⁷ ~~Transpower [159.67]~~

²⁸ Shifted from SASM-P8

²⁹ TDC [42.43], OWL [181.59] and KiwiRail [187.53]

³⁰ Transpower [159.67]

³¹ TDC [42.43], OWL [181.59] and KiwiRail [187.53]

³² TDC [42.43], OWL [181.59] and KiwiRail [187.53]

³³ Transpower [159.67]

³⁴ Clause 10(2)(b) relating to Fenlea Farms [171.30] Rooney, A J [177.12] and K J Rooney [197.5]

Rules

Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

SASM-R1	Earthworks not including quarrying and mining	
1. <u>Within the General Rural Zone or Rural Lifestyle Zone and within one or more of the following:</u>³⁵ <u>Wāhi Tūpuna Overlay (outside an ONL or VAL overlay)</u>³⁶ <u>(excluding the Māori Purpose Zone)</u>	Note: ~~For~~ earthworks associated with quarrying and mining, see <u>SASM-R4 and SASM-R5</u>. Activity status: Permitted Where: PER-1 The activity is either: 1. earthworks, including those associated with and under new buildings/structures and those necessary for the installation of infrastructure / <u>network</u>⁴¹ utilities, do not exceed a maximum area of <u>750⁴²2000m² in any 12-month period per site⁴³</u>; or 2. earthworks for the purpose of maintaining, <u>repairing</u>⁴⁴ or <u>replacing</u>⁴⁵ existing <u>fences</u>⁴⁶, roads, tracks, <u>pipelines</u>⁴⁷, buildings⁴⁸, <u>rock weirs</u>⁴⁹ or natural hazard mitigation works, and are within the footprint or <u>the area of</u>	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and 2. ~~whether a cultural impact assessment has been undertaken and~~⁵⁶ the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and 3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values ~~as identified through engagement with Te Rūnanga o Arowhenua~~⁵⁷; and 4. ~~effects on sites where there is the potential for kōiwi or artefacts to be discovered, including consideration of the need to implement an accidental~~

³⁵ Fonterra [165.79], Silver Fern Farms [172.46] and Alliance Group [173.45, 173.46], Westgarth et al [200.7], Aitken et al [237.14]

³⁶ Westgarth et al [200.7]

⁴¹ Broughs Gully [167.48]

⁴² Bonifacio, P [36.21], Rooney Holdings [174.28], GJH Rooney [191.28], Rooney Group [249.28], Rooney Farms [250.28], Rooney Earthmoving [251.28], TDL [252.28]

⁴³ Z Energy [116.12], Te Rūnanga o Ngāi Tahu [185.98]

⁴⁴ Pye Group [35.1], Connolly, S [136.1]

⁴⁵ Rangitata Dairies [44.14]

⁴⁶ Pye Group [35.1]

⁴⁷ Pye Group [35.1], Rangitata Dairies [44.14]

⁴⁸ Te Kotare [115.28], Waipopo Huts [189.40]

⁴⁹ **RDRML [234.1]**

⁵⁶ Clause 16(2)

⁵⁷ Clause 16(2)

<u>Wāhi taoka overlay</u>	ground previously⁵⁰ modified ground comprised⁵¹ by the existing <u>fence</u>,⁵² road, track, <u>pipeline, building</u>⁵³ or natural hazard mitigation works; <u>or</u> 3. <u>earthworks authorized by the Canterbury Regional Council for maintenance of existing rock weirs and river works to the same level and extent as occurring as at 1 January 2000;</u>⁵⁴ and	discovery protocol or have a cultural monitor present, and whether an accidental discovery protocol has been agreed with Te Rūnanga o Arowhenua; and⁵⁸ 5. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the <u>SASM site or area of significance</u>; and 6. the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol;⁵⁹ and 7. whether <u>the extent to which</u> the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the <u>SASM site/area</u>, and any potential to: a. affirm the connection between mana whenua and place; or b. enhance the cultural values of the <u>SASM site/area</u>; or c. provide for the relationship of Kāti Huirapa with their taoka; <u>or</u> d. <u>maintain or enhance the ability of Kāti Huirapa to access and use the SASM Site or Area of Significance</u>;⁶⁰ commensurate with the scale and nature of the proposal; and 8. <u>any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance</u>; and⁶¹ 9. where the earthworks will remove indigenous vegetation, the nature of
<u>Wai taoka overlay (outside the bed of a river or³⁷ a riparian margin)</u> ³⁸	3. <u>earthworks authorized by the Canterbury Regional Council for maintenance of existing rock weirs and river works to the same level and extent as occurring as at 1 January 2000;</u>⁵⁴ and	
<u>Wai tapu overlay (outside the bed of a river or³⁹ a riparian margin)</u> ⁴⁰	PER-2 Except where an Archaeological Authority has been obtained from <u>Heritage New Zealand Pouhere Taonga HNZPT</u>, <u>t</u>he earthworks are undertaken in accordance with the Accidental Discovery Protocol commitment form, contained within APP4 - <u>Form confirming a commitment to adhering to an Accidental Discovery Protocol</u>, has been completed and submitted to Council, at least 2 weeks prior to the commencement of any earthworks.⁵⁵	

³⁷ RDRML [234.1]³⁸ Westgarth et al [200.7]³⁹ RDRML [234.1]⁴⁰ Westgarth et al [200.7]⁵⁰ Clause 16(2)⁵¹ Clause 16(2)⁵² Clause 10(2)(b) relating to Pye Group [35.1]⁵³ Clause 10(2)(b) relating to Pye Group [35.1], Rangitata Dairies [44.14]⁵⁴ RDRML [234.1]⁵⁵ Pye Group [35.1], NZDF [151.11], Alliance Group [173.46], Rooney Holdings [174.98], GJH Rooney [191.98], Rooney Group [249.98], Rooney Farms [250.98], Rooney Earthmoving [251.98] and TDL [252.98]⁵⁸ Clause 16(2)⁵⁹ Clause 16(2)⁶⁰ Clause 16(2)⁶¹ Clause 16(2)

		any effects on mahika kai and other customary uses; and 10. in respect of <u>network</u>⁶² utilities, the extent to which the proposed <u>network</u>⁶³ utility has functional needs <u>or operational needs</u>⁶⁴ for its location; <u>and</u> 11. <u>for regionally significant infrastructure, the extent of any local, regional or national benefits, including the potential impact on the wellbeing, health and safety of people and communities if the work is not undertaken</u>⁶⁵. Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.
2. Wāhi Taoka and Wai Taoka Overlay⁶⁶	Activity status: Permitted Where: PER-1 The earthworks are for the purpose of maintenance, repair, or replacement, of any of the following: 1. existing fencing; or 2. existing tracks or roads; or 3. existing reticulated stock water systems including troughs; or 4. existing natural hazard mitigation works; and PER-2 The earthworks are only undertaken within the footprint or modified ground comprised by the existing item; and PER-3 Any replacement item is of the same nature, character and scale of the item being replaced; and PER-4 The Accidental Discovery Protocol commitment form, contained within APP4—	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and 2. whether a cultural impact assessment has been undertaken and the proposal's consistency with the values identified in SCHED6—Schedule of Sites and Areas of Significance to Kāti Huirapa; and 3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua; and 4. effects on sites where there is the potential for koiwi or artefacts to be discovered, including consideration of the need to implement an accidental discovery protocol or have a cultural monitor present, and whether an accidental discovery protocol has been

⁶² Broughs Gully [167.48]

⁶³ Broughs Gully [167.48]

⁶⁴ Transpower [159.69]

⁶⁵ Transpower [159.68, 159.69] - Evidence of Ainsley McLeod, paras 72-80.

⁶⁶ Westgarth et al [200.7]

	Form confirming a commitment to adhering to an Accidental Discovery Protocol, has been completed and submitted to Council, at least 2 weeks prior to the commencement of any earthworks	agreed with Te Rūnanga o Arowhenua; and ~~5. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the site or area of significance; and~~ ~~6. the appropriateness of any mitigation measures proposed; and~~ <del>7. whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to: ~~1. affirm the connection between mana whenua and place; or~~ ~~2. enhance the cultural values of the site/area; or~~ ~~3. provide for the relationship of Kāti Huirapa with their taoka; commensurate with the scale and nature of the proposal; and~~ </del> ~~8. any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and~~ ~~9. where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and~~ ~~10. in respect of utilities, the extent to which the proposed utility has functional needs for its location.~~ Note: ~~Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.~~
--	--	---

32. Wāhi tapu and wai tapu⁶⁷ overlays	Activity status: <u>Permitted Restricted Discretionary</u> Where: RDISPER-1 Except where an Archaeological Authority has been obtained from <u>Heritage New Zealand Pouhere Taonga HNZPT</u>, the⁶⁸ earthworks are undertaken in accordance with the <u>Accidental Discovery Protocol</u> contained within APP4; and PER-2 All earthworks, including those associated with and under new buildings/structures, and including those necessary for the installation of infrastructure/ utilities. Within SASM-1a, SASM-4a, and SASM-4c, <u>SASM-8 and SASM-9, the⁶⁹ earthworks are for the purpose of maintaining, repairing or replacing existing fences, roads, tracks, pipelines, buildings, rock weirs or natural hazard mitigation works, and are within the footprint or the area of ground previously modified by the existing fence,⁷⁰ road, track, pipeline, building or natural hazard mitigation works⁷¹; or</u> PER-3 Within SASM-8 and SASM-9, all earthworks, including those associated with and under new buildings/structures and those necessary for the installation of infrastructure/network utilities, do not exceed a maximum area of 2,000m² in any 12-month period per site.⁷² Matters of discretion are restricted to: whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to	Activity status when compliance not achieved: <u>Not applicable Restricted Discretionary</u> Matters of discretion are restricted to: - whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and - the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and - the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and - whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the <u>SASM site or area of significance</u>; and - the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol; and - the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the <u>SASM site/area</u>, and any potential to: - affirm the connection between mana whenua and place; or - enhance the cultural values of the <u>SASM site/area</u>; or - provide for the relationship of Kāti Huirapa with their taoka; or - maintain or enhance the ability of Kāti Huirapa to access and use the <u>SASM Site or Area of Significance</u>
---	---	--

⁶⁷ Rooney Holdings [174.28], GJH Rooney [191.28], Westgarth et al [200.7], Rooney Group [249.28], Rooney Farms [250.28], Rooney Earthmoving [251.28], TDL [252.28]

⁶⁸ Clause 10(2)(b) relating to Pye Group [35.1], NZDF [151.11], Alliance Group [173.46], Rooney Holdings [174.98], GJH Rooney [191.98], Rooney Group [249.98], Rooney Farms [250.98], Rooney Earthmoving [251.98] and TDL [252.98]

⁶⁹ Panel Decision Report, Part 6, Section 3.9.2

⁷⁰ Clause 10(2)(b) relating to Pye Group [35.1]

⁷¹ Bonifacio, P [36.21] Rangitata Dairies [44.14], Hart, J [58.4], Connolly, S [136.1], Rooney Holdings [174.28], GJH Rooney [191.28], Rooney Group [249.28], Rooney Farms [250.28], Rooney Earthmoving [251.28], TDL [252.28]

⁷² Panel Decision Report, Part 6, Section 3.9.2

	which the proposal responds to, or incorporates the outcomes of that consultation; and 2. whether a cultural impact assessment has been undertaken and the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and 3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua; and 4. effects on sites where there is the potential for kōiwi or artefacts to be discovered, including consideration of the need to implement an accidental discovery protocol or have a cultural monitor present, and whether an accidental discovery protocol has been agreed with Te Rūnanga o Arowhenua; and 5. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the site or area of significance; and 6. the appropriateness of any mitigation measures proposed; and 7. whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to: a. affirm the connection between mana whenua and place; or b. enhance the cultural values of the site/area; or c. provide for the relationship of Kāti Huirapa with their taoka; commensurate with the scale and nature of the proposal; and 8. any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and	<u>commensurate with the scale and nature of the proposal;</u> 7. <u>where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and</u> 8. <u>in respect of network⁷³ utilities, the extent to which the proposed network⁷⁴ utility has functional needs or operational needs⁷⁵ for its location; and</u> 9. <u>for regionally significant infrastructure, the extent of any local, regional or national benefits, including the potential impact on the wellbeing, health and safety of people and communities if the work is not undertaken⁷⁶.</u> <u>Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</u>
--	---	---

⁷³ Broughs Gully [167.48]

⁷⁴ Broughs Gully [167.48]

⁷⁵ Transpower [159.69]

⁷⁶ Transpower [159.68, 159.69] - Evidence of Ainsley McLeod, paras 72-80

	9. where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and 10. in respect of utilities, the extent to which the proposed utility has functional needs for its location. Note: ~~Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.~~	
--	---	--

SASM-R2	Buildings and structures, including additions and alterations to existing buildings and structures and network utilities	
1. <u>Wāhi taoka Overlay (outside of residential zones, commercial and mixed use zones, or the General Industrial Zone or the Port Zone)</u>⁷⁷	Activity status: Permitted Where: PER-1 For buildings or structures located outside of the residential zones, Commercial and mixed use zones, Industrial zones or Port Zone⁷⁸, the following limitations apply⁷⁹: 1. The maximum height of buildings and structures does not exceed 59⁸⁰m above existing ground level; and 2. Buildings and structures are not located within 20m vertical or 100m horizontal of any ridgeline; and 3. Buildings and structures are not located at any point above 900m above sea level; and⁸¹ 4. The maximum footprint of any building or structure does not exceed 300m². Note: ~~For buildings or structures located within the residential zones, Commercial and mixed use zones, Industrial zones or Port Zone, there is no limitation.~~⁸²	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and 2. ~~whether a cultural impact assessment has been undertaken and~~⁸³ the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and 3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua⁸⁴; and 4. whether there are alternative methods, locations or designs

⁷⁷ Clause 16(2)⁷⁸ Clause 16(2)⁷⁹ Clause 16(2)⁸⁰ Bonifacio, P [36.22], Federated Farmers [182.93], Beattie, D M [238.2]⁸¹ Bonifacio, P [36.22]⁸² Clause 16(2)⁸³ Clause 16(2)⁸⁴ Clause 16(2)

		that would avoid or mitigate the impact of works on the values associated with the <u>SASM site or area of significance</u>; and 5. the appropriateness of any mitigation measures proposed, <u>including the need for an accidental discovery protocol</u>⁸⁵; and 6. ~~whether the extent to which the~~ proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the <u>SASM site/area</u>, and any potential to: - affirm the connection between mana whenua and place; or - enhance the cultural values of the <u>SASM site/area</u>; or - provide for the relationship of Kāti Huirapa with their taoka; <u>or</u> <u>maintain or enhance the ability of Kāti Huirapa to access and use the SASM Site or Area of Significance</u>.⁸⁶ commensurate with the scale and nature of the proposal; and ~~7. any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and~~⁸⁷ 8. in respect of <u>network</u>⁸⁸ utilities, the extent to which the proposed <u>network</u>⁸⁹ utility has functional needs <u>or operational needs</u>⁹⁰ for its location; <u>and</u> 9. <u>for regionally significant infrastructure, the extent of any local, regional or national</u>
--	--	--

⁸⁵ Clause 16(2)⁸⁶ Clause 16(2)⁸⁷ Clause 16(2)⁸⁸ Broughs Gully [167.48]⁸⁹ Broughs Gully [167.48]⁹⁰ Transpower [159.69]

		<u>benefits, including the potential impact on the wellbeing, health and safety of people and communities if the work is not undertaken</u>⁹¹. Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.
2. Wāhi tapu and wai tapu⁹² <u>overlays, (excluding SASM1c, SASM2 and SASM3a, SASM8 and SASM9) – SASM1a, SASM4a and SASM 4c only</u>⁹³	Activity status: Restricted Discretionary Matters of discretion are restricted to: 1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and 2. whether a cultural impact assessment has been undertaken and⁹⁴ the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and 3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values ~~as identified through engagement with Te Rūnanga o Arowhenua~~⁹⁵; and 4. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of works on the values associated with the <u>SASM site or area of significance</u>; and 5. the appropriateness of any mitigation measures proposed, <u>including the need for an accidental discovery protocol</u>⁹⁶; and 6. ~~whether the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the SASM site/area,~~ and any potential to: a. affirm the connection between mana whenua and place; or b. enhance the cultural values of the <u>SASM site/area</u>; or c. provide for the relationship of Kāti Huirapa with their taongka; or	Activity status when compliance not achieved: Not applicable

⁹¹ Transpower [159.68, 159.69] - Evidence of Ainsley McLeod, paras 72-80

⁹² Westgarth et al [200.7]

⁹³ Hart, J [58.5]

⁹⁴ Clause 16(2)

⁹⁵ Clause 16(2)

⁹⁶ Clause 16(2)

	d. <u>maintain or enhance the ability of Kāti Huirapa to access and use the SASM Site or Area of Significance</u>.⁹⁷ commensurate with the scale and nature of the proposal; and 7. ~~any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and~~⁹⁸ 8. in respect of <u>network</u>⁹⁹ utilities, the extent to which the proposed <u>network</u>¹⁰⁰ utility has functional needs <u>or operational needs</u>¹⁰¹ for its location; and 9. <u>for regionally significant infrastructure, the extent of any local, regional or national benefits, including the potential impact on the wellbeing, health and safety of people and communities if the work is not undertaken.</u>¹⁰² <i>Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</i>	
SASM-R3	<u>Indigenous vegetation clearance</u> ¹⁰³	
<u>Wāhi taoka, wāhi tapu, wai taoka, and wai tapu overlays</u>	<u>Activity status: ECO-R1 applies</u> <u>Activity status: Permitted</u>¹⁰⁴ Where: PER-1 The indigenous vegetation clearance is carried out by Ngāi Tahu whanui for the purposes of mahika kai or other customary uses; or PER-2 The indigenous vegetation to be cleared is causing an imminent danger to human life, structures, or utilities and the clearance is undertaken in accordance with advice from a suitably qualified arborist; or PER-3	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. ~~whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and~~ 2. ~~whether a cultural impact assessment has been undertaken and the proposal's consistency with the values identified in SCHED6—~~ Schedule of Sites and Areas of

⁹⁷ Clause 16(2)⁹⁸ Clause 16(2)⁹⁹ Broughs Gully [167.48]¹⁰⁰ Broughs Gully [167.48]¹⁰¹ Transpower [159.69]¹⁰² Transpower [159.68, 159.69] - Evidence of Ainsley McLeod, paras 72-80¹⁰³ **Technical correction, Minute 55 and Panel Decision Report, Part 6, Section 3.12.2**¹⁰⁴ Clause 10(2)(b) relating to Frank, H [90.23], Forest and Bird [156.3, 156.116], Dir. General Conservation [166.29]

The indigenous vegetation clearance is for the purpose of maintenance, repair or replacement of existing lawfully established fences, vehicle tracks, roads, walkways, firebreaks, drains, ponds, dams, waterlines, waterway crossings, or network utilities; or PER-4 The indigenous vegetation has been planted and managed specifically for the purpose of harvesting; or PER-5 The indigenous vegetation has been planted and/or managed as part of a domestic or public garden or has been planted for amenity purposes or as a shelterbelt; or PER-6 The indigenous vegetation clearance is necessary in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993, or where this occurs as part of indigenous biodiversity restoration or enhancement; or PER-7 The indigenous vegetation clearance is for natural hazard mitigation works and is authorised under ECO-R2 (either as a permitted activity, or through a resource consent having been obtained).	Significance to Kāti Huirapa; and 3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua; and 4. effects on sites where there is the potential for koiwi or artefacts to be discovered, including consideration of the need to implement an accidental discovery protocol or have a cultural monitor present, and whether an accidental discovery protocol has been agreed with Te Rūnanga o Arowhenua; and 5. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of works on the values associated with the site or area of significance; and 6. the appropriateness of any mitigation measures proposed; and 7. whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to: a. affirm the connection between mana whenua and place; or b. enhance the cultural values of the site/area; or c. provide for the relationship of Kāti Huirapa with their taoka; commensurate with the scale and nature of the proposal; and 8. any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and 9. where the works will remove indigenous vegetation, the
--	--

		nature of any effects on mahika kai and other customary uses; and 10. in respect of utilities, the extent to which the proposed utility has functional needs for its location. Note: <i>Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</i>
SASM-R434¹⁰⁵ SASM-R3¹⁰⁶	Temporary events	
Wāhi tapu, and wai tapu overlays (excluding SASM1c, SASM2 and SASM3a)¹⁰⁷	Activity status: Permitted Where: PER-1 Any temporary event where this is limited to a¹⁰⁸ cultural event undertaken in accordance with tikanga¹⁰⁹, or PER-2 Any planned social occasion; or^{110 111} PER-23¹¹² Any temporary event within SASM8 or SASM9 that is undertaken outside a Significant Natural Area (SNA).¹¹³	Activity status when compliance not achieved: Non-complying Restricted discretionary¹¹⁴ Matters of discretion are restricted to: 1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and 2. the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and 3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and 4. the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol; and

¹⁰⁵ Retain notified rule number, consequential to decision to retain SASM R3

¹⁰⁶ Rule renumbered, consequential to technical correction (Minute 55) to delete SASM-R3

¹⁰⁷ Hart, J [58.6], Beattie, D M [238.3]

¹⁰⁸ Clause 16(2)

¹⁰⁹ Clause 16(2)

¹¹⁰ Hart, J [58.6], Beattie, D M [238.3]

¹¹¹ Panel Decision Report, Part 6, Section 3.13.2

¹¹² Schedule 1, cl10(2)(b)

¹¹³ Hart, J [58.6]

¹¹⁴ Hart, J [58.6], Beattie, D M [238.3]

		5. the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the <u>SASM site/area</u>, and any potential to: a. affirm the connection between mana whenua and place; or b. enhance the cultural values of the <u>SASM site/area</u>; or c. provide for the relationship of Kāti Huirapa with their taoka; or d. maintain or enhance the ability of Kāti Huirapa to access and use the <u>SASM Site or Area of Significance</u>; commensurate with the scale and nature of the proposal. Note: <i>Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.</i>
SASM-R545¹⁴⁵ SASM-R4¹¹⁶	Mining and quarrying activities¹¹⁷ not otherwise listed <i>Where this rule applies within an Outstanding Natural Landscape or Outstanding Natural Feature/Visual Amenity Landscape Overlay, NFL-R10 applies and prevails over this rule^{118 119}</i>	
1. Wāhi tūpuna Overlay (outside an ONL or VAL overlay)¹²⁰	Activity status: Permitted Where: PER-1 The mining and/or quarrying activity¹²¹ does not exceed a maximum area of 750m² per site¹²²; and PER-2 Except where an Archaeological Authority has been obtained from <u>Heritage New Zealand</u>	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates

¹⁴⁵ Retain notified rule number, consequential to decision to retain SASM-R3

¹¹⁶ Rule renumbered, consequential to technical correction to delete SASM-R3

¹¹⁷ Road Metals [169.17, 169.18] and Fulton Hogan [170.18, 170.19]

¹¹⁸ Clause 10(2)(b) consequential amendment to Westgarth et al [200.7]

¹¹⁹ Technical correction, Minute 55

¹²⁰ Westgarth et al [200.7]

¹²¹ Road Metals [169.17, 169.18] and Fulton Hogan [170.18, 170.19]

¹²² Te Rūnanga o Ngāi Tahu [185.102]

<u>Pouhere Taonga HNZPT</u>, tThe earthworks are undertaken in accordance with the <u>Accidental Discovery Protocol commitment form</u>, contained within APP4 - Form confirming a commitment to adhering to an Accidental Discovery Protocol; has been completed and submitted to Council, at least 2 weeks prior to the commencement of any earthworks.¹²³ Note: For mining and quarrying within an ONL or VAL overlay, NFL-R10 applies.¹²⁴	the outcomes of that consultation; and 2. ~~whether a cultural impact assessment has been undertaken and~~¹²⁵ the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and 3. the potential adverse effects, including on sensitive tangible and/or intangible cultural values ~~as identified through engagement with Te Rūnanga o Arowhenua~~¹²⁶; and 4. ~~effects on sites where there is the potential for koiwi or artefacts to be discovered, including consideration of the need to implement an accidental discovery protocol or have a cultural monitor present, and whether an accidental discovery protocol has been agreed with Te Rūnanga o Arowhenua; and~~¹²⁷ 5. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the ~~SASM site or area of significance~~; and 6. the appropriateness of any mitigation measures proposed, <u>including the need for an accidental discovery protocol</u>;¹²⁸ and 7. whether the proposed activity provides an opportunity to recognise Kāti Huirapa
--	--

¹²³ Pye Group [35.1], NZDF [151.11], Alliance Group [173.46], Rooney Holdings [174.98], GJH Rooney [191.98], Rooney Group [249.98], Rooney Farms [250.98], Rooney Earthmoving [251.98] and TDL [252.98]

¹²⁴ **Technical correction, Minute 55**

¹²⁵ Clause 16(2)

¹²⁶ Clause 16(2)

¹²⁷ Clause 16(2)

¹²⁸ Clause 16(2)

		culture, history and identity associated with the <u>SASM site/area</u>, and any potential to: - affirm the connection between mana whenua and place; or - enhance the cultural values of the <u>SASM site/area</u>; or - provide for the relationship of Kāti Huirapa with their taoka; or <u>maintain or enhance the ability of Kāti Huirapa to access and use the SASM Site or Area of Significance</u>.¹²⁹ commensurate with the scale and nature of the proposal; and ~~any opportunities to maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance; and~~¹³⁰ - where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and ~~in respect of utilities, the extent to which the proposed utility has functional needs for its location.~~¹³¹ Note: Limited notification of Te Rūnanga o Arowhenua is likely to be required under this rule.
2. Wāhi tūpuna Overlay (within an ONL or VAL overlay)¹³²	Activity status: NFL-R10 applies¹³³	

¹²⁹ Clause 16(2)

¹³⁰ Clause 16(2)

¹³¹ Clause 16(2)

¹³² Panel Decision Report Part 6, Section 3.14.

¹³³ Technical correction, Minute 55

¹³⁴ ~~32.~~ ¹³⁵ ~~2.~~ Wāhi taoka, wāhi tapu, and wai tapu overlays	Activity status: Non-~~C~~omplying	Activity status when ~~re~~ compliance not achieved: Not applicable
~~SASM- R5A6~~ ¹³⁶ ~~SASM-R5~~ ¹³⁷	<u>Mining and quarrying activities outside the bed of a river</u> ¹³⁸	
2. Wai taoka O~~o~~verlay	Activity status: Permitted ~~Restricted~~ <u>Discretionary</u> <u>Matters of discretion are restricted to:</u> - whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and - the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and - the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and - the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol; - the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the ~~SASM site/area~~, and any potential to: - affirm the connection between mana whenua and place; or - enhance the cultural values of the ~~SASM site/area~~; or - provide for the relationship of Kāti Huirapa with their ta~~ng~~ka; or - maintain or enhance the ability of Kāti Huirapa to access and use the ~~SASM Site or Area of Significance~~; commensurate with the scale and nature of the proposal; and - where the mining or quarrying activity will remove indigenous vegetation, the nature	Activity status when compliance not achieved with PER-1: ~~Restricted Discretionary~~ ~~Matters of discretion are restricted to:~~ ~~whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and~~ ~~whether a cultural impact assessment has been undertaken and the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and~~ ~~the potential adverse effects, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua; and~~ ~~whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:~~ ~~affirm the connection between mana whenua and place; or~~ ~~enhance the cultural values of the site/area; or~~

¹³⁴ Schedule 1, cl10(2)(b).

¹³⁵ Rule renumbered, consequential to technical correction (Minute 55) to delete SASM-R5.2)

¹³⁶ Schedule 1, cl10(2)(b).

¹³⁷ Rule renumbered, consequential to technical correction (Minute 55) to delete SASM-R3

¹³⁸ Clause 10(2)(b) relating to Road Metals [169.17], Fulton Hogan [170.19], ECan [183.67]

	<u>of any effects on mahika kai and other customary uses</u> Note: Quarrying activities within the bed of a river are managed under the <u>Canterbury Land and Water Regional Plan</u>. Where: PER-1 The quarrying is from the bed of a river, and is authorised under the Canterbury Land and Water Regional Plan (either as a permitted activity, or through a resource consent having been obtained); and¹³⁹ PER-2 Excavated materials are removed from the bed the bed of the within 10 days.¹⁴⁰	~~c. provide for the relationship of Kāti Huirapa with their taonga; commensurate with the scale and nature of the proposal; and~~ ~~5. any effects on the ability of Kāti Huirapa to access and use the Site or Area of Significance.~~ Activity status when compliance not achieved with PER-2: Discretionary
SASM-R6	Intensively farmed stock¹⁴¹	
1. Wai taoka Overlay	Activity status: Restricted discretionary Matters of discretion are restricted to: ~~1. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and~~ ~~2. whether a cultural impact assessment has been undertaken and the proposal's consistency with the values identified in SCHED6—Schedule of Sites and Areas of Significance to Kāti Huirapa; and~~ ~~3. the potential adverse effects of the activity on the values associated with the Site, including on sensitive tangible and/or intangible cultural values as identified through engagement with Te Rūnanga o Arowhenua; and~~ <del>4. whether the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to: ~~a. affirm the connection between mana whenua and place; or~~ </del>	Activity status where compliance not achieved: Not applicable

¹³⁹ ECan [183.67]¹⁴⁰ Road Metals [169.17], Fulton Hogan [170.19]¹⁴¹ EJAPS [4.2], Hargreaves, T [29.2], Pye Group [35.2], Bonifacio, P [36.24], Stack, D [50.8], Hart, J [58.7], Rangitata Dairies [44.15], Moore, D and J [100.6], Fenlea Farms [171.31], Alliance Group [173.49], Rooney, A J [177.13], KJ Rooney [197.6], Beattie, D M [238.4]

	~~b. enhance the cultural values of the site/area; or~~ ~~c. provide for the relationship of Kāti Huirapa with their taoka; commensurate with the scale and nature of the proposal; and~~ ~~5. any effects on the ability of Kāti Huirapa to access and use the Site or Area of Significance.~~	
2. Wāhi taoka, wāhi tapu, and wai tapu overlays	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable
SASM-R7	Subdivision¹⁴²	
Wāhi taoka, wāhi tapu, wai taoka, and wai tapu overlays	Activity status: Discretionary	Activity status where compliance not achieved: not applicable
SASM-R867¹⁴³ SASM-R6¹⁴⁴	~~Shelterbelts or w~~¹⁴⁵ <u>Woodlots or plantation commercial</u>¹⁴⁶ forestry	
Wāhi tapu Overlay — SASM8 and SASM9 only	Activity status: ~~Non-complying~~ <u>Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> <u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u> <u>the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u> <u>the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u> <u>the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol;</u> <u>the extent to which the proposed activity provides an opportunity to recognise Kāti</u>	Activity status where compliance not achieved: not applicable

¹⁴² Speirs, B [66.48]

¹⁴³ Schedule 1, cl10(2)(b)

¹⁴⁴ Rule renumbered, consequential to technical correction (Minute 55) to delete SASM-R3

¹⁴⁵ Hart, J [58.2, 58.8], Peel Forest [105.11], McArthur, K and J [113.8], Federated Farmers [182.99], Beattie, D M [238.5]

¹⁴⁶ TRoNT [185.105] - Evidence of Rachael Pull, paras 112-114

Huirapa culture, history and identity associated with the SASM site/area, and any potential to:

- a. affirm the connection between mana whenua and place; or
 - b. enhance the cultural values of the SASM site/area; or
 - c. provide for the relationship of Kāti Huirapa with their taongka; or
 - d. maintain or enhance the ability of Kāti Huirapa to access and use the SASM Site or Area of Significance;
- commensurate with the scale and nature of the proposal; and
6. where the woodlots or commercial forestry activity will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses.

This section has rules that have legal effect. Please check the ePlan to see what the legal effect is or subject to appeal.

ECOSYSTEMS AND INDIGENOUS BIODIVERSITY

Introduction

The District contains a diverse range of habitats that support indigenous plants and animals, including at-risk, threatened, and endangered indigenous species. Many of these habitats are endemic, comprising forests, shrubland, herbfields, drylands, tussock grasslands, and waterbody margins.¹

The Council has a responsibility to maintain 'indigenous biodiversity' generally and in particular to recognise and provide for the protection of 'significant indigenous vegetation' and 'significant habitats of indigenous fauna'. The identified significant indigenous vegetation and habitats are collectively referred to as Significant Natural Areas (SNAs) having been assessed and listed in the District Plan. In addition, there are likely to be a range of other areas not yet assessed, but containing significant values that meet the APP5 Criteria for identifying Significant Natural Areas.²

Objectives

ECO-O1	Protection of significant indigenous biodiversity
The values of Areas of ~~Significant~~ ³ indigenous vegetation and significant habitats of indigenous fauna across the District are protected. ⁴	
ECO-O2	Maintenance and enhancement of indigenous biodiversity
The indigenous biodiversity of the District is maintained or enhanced.	
ECO-O3	Recognition of Ngāi Tahu
The relationship of Ngāi Tahu whānui with indigenous biodiversity is recognised and provided for.	

Policies

ECO-P1	Assessment and identification of significant indigenous biodiversity
Identify <u>SNAs</u> ~~Significant Natural Areas~~ by: 1. assessing areas of indigenous vegetation and habitats of indigenous fauna according to the criteria set out in APP5 - Criteria for Identifying Significant Natural Areas; and 2. including <u>SNAs</u> ~~Significant Natural Areas~~ on the planning maps and in SCHED7 - Schedule of Significant Natural Areas.	
ECO-P2	Appropriate indigenous vegetation clearance in Significant Natural Areas
Provide for the clearance of indigenous vegetation in <u>SNAs</u> ~~Significant Natural Areas~~ where it is appropriate for health and <u>safety</u> , ⁵ wellbeing or customary reasons, <u>or to allow for ongoing farming practices</u> ⁶ , by enabling clearance: 1. for mahika kai and other customary uses, where this is undertaken in accordance with tikaka protocols; or	

¹ Forest and Bird [156.97], Dir. General Conservation [166.30]

² Forest and Bird [156.97], Dir. General Conservation [166.30]

³ ECan [183.68] - Evidence of Deidre Francis

⁴ Forest and Bird [156.98]

⁵ Forest and Bird [156.102]

⁶ Clause 10(2)(b) relating to Hart, J R [149.2], Federated Farmers [182.104]

2. where it is causing imminent danger to human life, structures, or network utilities, or affecting the safe operation of network utilities⁷; or
3. where necessary to manage plant or animal pests or unwanted organisms; or
4. for flood protection works by appropriate authorities where those works are required to protect people and communities from the effects of flooding; or
5. for the operation, maintenance, or repair or minor upgrade⁸ of the National Grid; or
6. for the operation or maintenance of the electricity distribution network, rail network⁹ and public roads; or
7. arising from continued¹⁰ grazing within areas of improved pasture which form part of SNAs Significant Natural Areas¹¹.

ECO-P3 Protection of indigenous biodiversity in sensitive areas

Protect indigenous biodiversity by managing the clearance of indigenous vegetation in the following sensitive areas:

1. riparian margins areas, wetlands¹² and springs; and
- ~~2. coastal areas; and~~¹³
3. areas at higher altitude; and
4. areas on steep slopes.

ECO-P4 Protection for long-tailed bats

Protect long-tailed bats by:

1. ~~identifying~~ identifying important habitat for long-tailed bats as a Long-Tailed Bat Habitat¹⁴ Protection Area ~~Overlay~~ on the planning maps; and
2. maintaining the habitat for long-tailed bats within this ~~Overlay~~.

ECO-P5 Protection of Significant Natural Areas

Except as provided for in ECO-P2¹⁵, ~~a~~ Avoid the clearance of indigenous vegetation and earthworks within SNAs, unless these activities:

1. are outside the coastal environment and¹⁶ can be undertaken in a way that protects the identified ecological values; ~~and or~~¹⁷
2. are for regionally significant infrastructure and it can be demonstrated that adverse effects are managed in accordance with EI-P2 ~~Managing adverse effects of Regionally Significant Infrastructure and other infrastructure~~ or for the National Grid, EI-PX5 ~~Managing adverse effects of the National Grid~~¹⁸.

ECO-PX6 Maintaining ~~indigenous B~~biodiversity¹⁹

Limit the clearance of indigenous vegetation outside areas identified in ECO-P1, ECO-P3 and ECO-PX8, in order to maintain indigenous biodiversity, taking into account the value of such biodiversity.

⁷ Clause 10(2)(b) relating to Road Metals [169.20], Fulton Hogan [170.21]

⁸ Transpower [159.70]

⁹ Alpine [55.4], KiwiRail [187.54]

¹⁰ Speaking Notes of Forest and Bird, paras 8-13.

¹¹ Clause 10(2)(b) relating to Hart, J R [149.2], Federated Farmers [182.104]

¹² Clause 10(2)(b) relating to Federated Farmers [182.117]

¹³ Clause 10(2)(b) relating to Forest and Bird [156.5]

¹⁴ Rooney Holdings [174.34], Rooney, GJH [191.34], Rooney Group [249.34], Rooney Farms [250.34], Rooney Earthmoving [251.34], TDL [252.34]

¹⁵ ECan [183.75]

¹⁶ Forest and Bird [156.5]

¹⁷ Clause 10(2)(b)

¹⁸ Transpower [159.71]

¹⁹ Frank, H [90.23], Forest and Bird [156.3, 156.106, 156.107], Dir. General Conservation [166.29]

ECO-P67 **Avoidance of risk species**

Avoid the planting of species that are likely to adversely affect indigenous biodiversity values.

ECO-PY8 **Indigenous Biodiversity in the Coastal Environment²⁰**

In the coastal environment, except as provided for in ECO-P2, avoid adverse effects of activities on:

1. indigenous taxa that are listed as threatened or at-risk in the New Zealand Threat Classification System lists; and
2. taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened; and
3. indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare; and
4. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare; and
5. areas containing nationally significant examples of indigenous community types; and
6. areas set aside for full or partial protection of indigenous biological diversity under other legislation; and

avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:

7. areas of predominantly indigenous vegetation in the coastal environment; and
8. habitats in the coastal environment that are important during the vulnerable life stages of indigenous species; and
9. 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, rocky reef systems, eelgrass and saltmarsh; and
10. habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes; and
11. habitats, including areas and routes, important to migratory species; and
12. ecological corridors, and areas important for linking or maintaining biological values identified under this policy.

ECO-PZ9 **Restoration of Indigenous Biodiversity²¹**

Promote the restoration of indigenous biodiversity through a range of methods, including consent conditions, covenants, reserves, management plans and other initiatives, with prioritisation given to:

1. SNA's Significant Natural Areas whose ecological integrity is degraded; and
2. threatened and rare ecosystems representative of naturally occurring and formerly present ecosystems; and
3. areas that provide important connectivity or buffering functions; and
4. natural inland wetlands whose ecological integrity is degraded or that no longer retain their indigenous vegetation or habitat for indigenous fauna; and
5. areas of indigenous biodiversity on specified Māori land where restoration is advanced by the Māori landowners; and
6. any other priorities specified in regional biodiversity strategies or any national priorities for indigenous biodiversity restoration.

Rules

Note: ~~Activities not listed in the rules of this chapter are classified as a permitted under this chapter.~~ For certain activities, consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users

²⁰ Forest and Bird [156.5]

²¹ Dir. General Conservation [166.38]

should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

ECO-R1	Clearance of indigenous vegetation (except as provided for in ECO-R2 for flood protection works, or ECO-R3 for National Grid activities or ECO-R6 for restoration or enhancement of a Significant Natural Area)²²	
1 Significant Natural Areas Overlay	Activity status: Permitted Where: PER-1 The indigenous²³ vegetation to be cleared is causing an imminent danger to human life, structures, or <u>network utilities, or affecting the safe operation of network utilities,²⁴</u> and the <u>clearance of indigenous vegetation</u> is undertaken in accordance with advice from a suitably qualified arborist; or PER-2 The clearance <u>of indigenous vegetation</u> is carried out by the relevant Road Requiring Authority <u>or an agent authorised by them²⁵</u>: 1. to install, <u>maintain or repair²⁶</u> road safety assets for the purpose of reducing traffic risk within the road corridor, and the clearance is less than 5m² within a single SNA; or 2. to maintain existing roadside drainage; or PER-2A3 <u>The clearance of indigenous vegetation is for the purpose of maintaining the rail network and the clearance is less than 5m² within a single SNA; or²⁷</u> PER-34 The ~~vegetation~~ <u>clearance of indigenous vegetation</u> is carried out by Ngāi Tahu whānui for the purposes of mahika kai or other customary uses, <u>in accordance with</u>	Activity status where compliance not achieved: Non-complying

²² Clause 10(2)(b) relating to Silver Fern Farms [172.55] and Alliance Group [173.59], Rooney Holdings [174.32, 174.34], Rooney, GJH [191.32, 191.34], Rooney Group [249.32, 249.34], Rooney Farms [250.32, 250.34], Rooney Earthmoving [251.32, 251.34], TDL [252.32, 252.34]

²³ **Schedule 1, cl16(2)**

²⁴ Road Metals [169.20], Fulton Hogan [170.21]

²⁵ Road Metals [169.20] and Fulton Hogan [170.21]

²⁶ Road Metals [169.20] and Fulton Hogan [170.21]

²⁷ KiwiRail [187.56]

	~~tikaka where it has been certified by Te Runanga o Arowhenua that the activity will meet tikanga protocol (Note: Te Runanga o Arowhenua will notify the Timaru District Council prior to such activities occurring)~~²⁸; or PER-45 The <u>clearance of indigenous vegetation</u> ~~clearance~~ is carried out to remove material infected by unwanted organisms as declared by the Minister for Primary Industries Chief Technical Officer, or an emergency declared under the Biosecurity Act 1993; or PER-56 The <u>clearance of indigenous vegetation</u> is unavoidable in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993, or where this occurs as part of indigenous biodiversity restoration or enhancement; <u>or</u> PER-67 The <u>clearance of indigenous vegetation</u> ~~occurs due as part of~~ is caused by²⁹ <u>grazing, (but not over-grazing/trampling), within an area of improved pasture, where grazing has previously been undertaken</u>^{30 31}. Advice Note <u>This rule does not apply to the clearance of indigenous vegetation associated with a commercial forestry activity which is regulated under the National Environmental Standard for Commercial Forestry (NESCF).</u>³²	
2 Within 50m of any wetland Riparian margins	Activity status: Permitted Where: PER-1	Activity status where compliance not achieved: Restricted discretionary Matters of discretion are restricted to:

²⁸ Clause 16(2) to align with ECO-P2 and ECO-R1.4 PER-1.3

²⁹ Speaking notes of Forest and Bird, para 26.

³⁰ Speaking notes of Forest and Bird, para 26.

³¹ Hart, J R [149.2], Speaking notes of Forest and Bird, para 26.

³² Port Blakely [94.7]

<u>(excluding a river that is a High Naturalness Waterbody³³)</u> In the Coastal Environment, within 20m of mean high water springs³⁴ <u>Within 20m of the bank of any waterbody³⁵</u> Within 20m of any waipuna (spring) At an altitude of 900m or higher Land with an average slope of 30° or greater	The indigenous³⁶ vegetation to be cleared is causing an imminent danger to human life, structures, or <u>network utilities, or affecting the safe operation of network utilities³⁷</u> and the clearance is undertaken in accordance with advice from a suitably qualified arborist; or PER-2 The clearance <u>of indigenous vegetation</u> is within 2m, and for the purpose, of maintenance, repair or replacement of existing lawfully established fences, vehicle tracks, roads, <u>railway tracks, stock water or irrigation systems³⁸</u>, walkways, firebreaks, drains, ponds, dams, waterlines, waterway crossings, or <u>network utilities, or regionally significant infrastructure³⁹</u>, or for an upgrade in seal cover of an existing road⁴⁰; or PER-3 The ~~vegetation~~ clearance <u>of indigenous vegetation</u> is carried out by Ngāi Tahu whānui for the purposes of mahinga kai or other customary uses, <u>in accordance with tikaka where it has been certified by Te Runanga o Arowhenua that the activity will meet tikaka protocol (Note: Te Runanga o Arowhenua will notify the Timaru District Council prior to such activities occurring)⁴¹</u>; or PER-4 The clearance is of indigenous vegetation that: a. ~~has been planted and managed specifically for the purpose of harvesting, or~~	1. whether the indigenous vegetation is significant (when assessed against the APP5 — Criteria for Identifying Significant Natural Areas) and the <u>extent ability to which the proposal retain-protects⁴⁷ any significant biodiversity vegetation⁴⁸</u>; and 2. the condition and character of the indigenous vegetation; and 3. whether the indigenous vegetation provides habitat for threatened, at-risk or locally uncommon species; and 4. any adverse effects on indigenous vegetation and habitats of indigenous fauna due to the clearance; and 5. any adverse effects on the mauri of the site, <u>rakatirataka, kaitiakitaka, mahika kai, tikaka, or wāhi tapu or wāhi tāoka values⁴⁹</u>; and 6. whether species diversity would be adversely impacted by the proposal; and 7. the role the indigenous vegetation plays in providing a buffer to effects or an ecological corridor; and 8. any potential for mitigation or compensation of adverse effects on biodiversity values; and 9. the economic effects on the landholder of the retention of the vegetation; and 10. any site specific management factors to promote the restoration and enhancement of indigenous vegetation and habitats; and 11. the potential for use of other mechanisms that assist with the protection or enhancement of significant indigenous vegetation such as QE II covenants and the use
--	--	---

³³ Clause 10(2)(b) relating to Federated Farmers [182.117]

³⁴ Clause 10(2)(b) relating to Forest and Bird [156.5]

³⁵ Clause 10(2)(b) relating to Federated Farmers [182.117]

³⁶ **Schedule 1, cl16(2)**

³⁷ Clause 10(2)(b) relating to Road Metals [169.20], Fulton Hogan [170.21]

³⁸ Clause 10(2)(b) relating to Rangitata Dairies [44.10], Connolly, S [136.2]

³⁹ Waka Kotahi [143.84]

⁴⁰ KiwiRail [187.59]

⁴¹ Clause 16(2) to align with ECO-P2 and ECO-R1.4 PER-1.3

⁴⁷ Dir. General Conservation [166.41]

⁴⁸ Dir. General Conservation [166.41] - Evidence of Elizabeth Williams, paras 44-45

⁴⁹ TRoNT [185.8] – Memorandum of Rachael Pull, 31 March 2025, page 3.

	b. ~~has grown up under an area of lawfully established plantation forestry, or~~⁴² c. <u>1. has been planted and/or managed as part of a domestic or public garden or has been planted for amenity purposes as a shelterbelt, or</u> d. <u>2. is within an area of improved pasture and:</u> <u>ia. is caused by grazing, that is not over-grazing/trampling, where grazing has previously been undertaken; or</u> <u>ib. is for the purpose of maintaining improved pasture outside any originally rare ecosystems within the upper Rangitata and provided the clearance is not of any 'threatened' or 'at-risk' indigenous species (in the New Zealand Threat Classification System lists);</u>⁴³ PER-5 The clearance <u>of indigenous vegetation</u> is unavoidable in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993; <u>or</u> PER-6 <u>The clearance of indigenous vegetation where this occurs as part of indigenous biodiversity restoration or enhancement, including vegetation clearance which is to restore or enhance the natural character or ecological values of the riparian margin</u>⁴⁴; <u>or</u> PER-7 <u>The ~~vegetation~~ clearance of indigenous vegetation is within a riparian margin and is associated with the replacement of, or</u>	of Biodiversity Management Plans; and 12. <u>any benefits that the activity provides to the local community and beyond; and</u> 13. <u>within the coastal environment, the management of effects in accordance with ECO- PY8-~~50~~; and</u> 14. <u>where the clearance of indigenous vegetation is within a riparian margin</u>⁵¹: a. <u>the extent of any adverse effects on the overall natural character of an area by reference to the values listed in NATC-P1; and</u> b. <u>the nature of any proposed mitigation measures that contribute to the preservation, maintenance or enhancement of the natural character values of the area; and</u> c. <u>the extent to which alternative practicable options have been considered and their feasibility; and</u> d. <u>the extent to which any restoration or enhancement of the natural character of the area is proposed; and</u> e. <u>the extent to which the proposal has the potential to cause or exacerbate bank erosion; and</u> f. <u>whether there is a functional need, or in relation to infrastructure an operational need,</u>⁵² <u>for the activity to locate in a riparian margin; and</u> 15. <u>where the proposed clearance is located within a site identified in SCHED6 – Schedule of Sites and Areas of Significance to Kāti Huirapa:</u> a. <u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the</u>
--	---	---

⁴² Port Blakely [94.7]⁴³ Clause 10(2)(b) relating to Frank, H [90.23], Forest and Bird [156.3, 156.116], Dir. General Conservation [166.29] - Evidence of Elizabeth Williams, paras 46-52; Speaking notes of Forest and Bird, para 27⁴⁴ Shifted from NATC-R1 PER-6 (Clause 10(2)(b) relating to Federated Farmers [182.117])⁵⁰ Clause 10(2)(b) relating to Forest and Bird [156.5]⁵¹ Shifted from NATC-R1 (Clause 10(2)(b) relating to Federated Farmers [182.117])⁵² Transpower [159.78]

expansion to, an existing building or structure, permitted under NATC-R5.⁴⁵

Advice Note

This rule does not apply to the clearance of indigenous vegetation associated with a commercial forestry activity which is regulated under the NESCF National Environmental Standard for Commercial Forestry.⁴⁶

proposal responds to, or incorporates the outcomes of that consultation; and

- b. the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and
- c. the nature of any effects on mahika kai and other customary uses; and
- d. the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and
- e. whether there are alternative methods, locations or designs that would avoid or mitigate the impact of works on the values associated with the SASM-site or area of significance; and
- f. the appropriateness of any mitigation measures proposed; and
- g. the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the SASM-site/area, and any potential to:
 - i. affirm the connection between mana whenua and place; or
 - ii. enhance the cultural values of the SASM-site/area; or
 - iii. provide for the relationship of Kāti Huirapa with their taonga; or
 - iv. maintain or enhance the ability of Kāti Huirapa to access and use the SASM Site or Area of Significance; commensurate with the scale and nature of the proposal.⁵³

⁴⁵ Te Kotare [115.29], Waipopo Huts [189.41]

⁴⁶ Port Blakely [94.7]

⁵³ Clause 10(2)(b) relating to Frank, H [90.23], Forest and Bird [156.3, 156.116], Dir. General Conservation [166.29]

<u>3. Riparian margins of a High Naturalness Waterbody</u> ⁵⁴	<u>Activity status: Discretionary</u> <u>This rule does not apply to the clearance of indigenous vegetation associated with a commercial forestry activity which is regulated under the NESCF National Environmental Standard for Commercial Forestry.</u> ⁵⁵	<u>Activity status where compliance not achieved: Not applicable</u>
<u>4. All areas not specified in 1. – to 3. above</u> ⁵⁶	<u>Activity status: Permitted</u> <u>Where:</u> <u>PER-1</u> <u>The clearance of indigenous vegetation is for the purpose of:</u> 1. <u>the maintenance, repair or replacement of:</u> a. <u>existing fences, vehicle tracks, roads, walkways, firebreaks, dams, drains, man-made ponds, waterway crossings, or network utilities and is limited to the area within 2m of these</u>⁵⁷; <u>and</u> b. <u>any existing flood, erosion or drainage works administered by a Regional or Territorial Authority, limited to the area within the existing footprint of the works; and</u> c. <u>existing buildings, and is limited to within 2m from any existing exterior wall</u>⁵⁸; <u>and</u> 2. <u>clearing vegetation that is causing an imminent danger to human life, structures, infrastructure, or important infrastructure; and</u> 3. <u>mahinga kai or other customary uses, where the clearance is by Ngāi Tahu whānui and in</u>	<u>Activity status where compliance not achieved: Restricted discretionary</u> <u>Matters of discretion are restricted to:</u> 1. <u>whether the indigenous vegetation is significant (when assessed against the APP5 – Criteria for Identifying Significant Natural Areas) and the ability to retain any significant vegetation extent to which the proposal protects any significant biodiversity</u>⁶²; <u>and</u> 2. <u>the condition and character of the indigenous vegetation; and</u> 3. <u>whether the indigenous vegetation provides habitat for threatened, at-risk or locally uncommon species or is more than 25 years old; and</u> 4. <u>any adverse effects on indigenous vegetation and habitats of indigenous fauna due to the clearance; and</u> 5. <u>any adverse effects on the mauri of the site, rakatirataka, kaitiakitaka, mahika kai, tikaka, or</u>⁶³ <u>wāhi tapu or wāhi taoka values; and</u> 6. <u>whether species diversity would be adversely impacted by the proposal; and</u> 7. <u>the role the indigenous vegetation plays in providing a buffer to effects or an ecological corridor; and</u>

⁵⁴ Shifted from NATC-R1 (Clause 10(2)(b) relating to Federated Farmers [182.117])

⁵⁵ Port Blakely [94.7]

⁵⁶ Frank, H [90.23], Forest and Bird [156.3, 156.116], Dir. General Conservation [166.29]

⁵⁷ Statement of Rachel Thomas and Greg Anderson, para 29

⁵⁸ Statement of Rachel Thomas and Greg Anderson, para 29

⁶² Dir. General Conservation [166.41] - Evidence of Elizabeth Williams, paras 44-45

⁶³ TRoNT [185.8] – Memorandum of Rachael Pull, 31 March 2025, page 3.

	accordance with tikaknga protocols⁵⁹; and 4. <u>clearing vegetation that has been managed as part of a domestic or public garden, for amenity purposes, or as a shelterbelt; and</u> 5. <u>protecting, maintaining, restoring, and accessing ecological values, and is carried out in accordance with:</u> <u>a Reserve Management Plan approved under the Reserves Act 1977; and</u> <u>a registered protective covenant under the Reserves Act 1977, Conservation Act 1987 or Queen Elizabeth the Second National Trust Act 1977; and</u> <u>a national park management plan or conservation management plan or strategy prepared under the Conservation Act 1987; and</u> 6. <u>maintaining cultivated land, where cultivation has been undertaken within the past 15 years⁵⁹; and</u> 7. <u>grazing, that is not over-grazing/trampling, within an area of improved pasture; and</u> 8. <u>maintaining improved pasture by way of oversowing and/or topdressing:</u> <u>outside any depositional landforms originally rare ecosystems within the upper Rangitata; and</u> <u>provided the clearance is not of any 'threatened' or 'at-risk' indigenous species (in the New Zealand Threat Classification System lists);⁶⁰ and</u> 9. <u>biosecurity, and is necessary in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993,</u>	8. <u>any potential for mitigation or compensation of adverse effects on biodiversity values; and</u> 9. <u>the economic effects on the landholder of the retention of the vegetation; and</u> 10. <u>any site specific management factors to promote the restoration and enhancement of indigenous vegetation and habitats; and</u> 11. <u>the potential for use of other mechanisms that assist with the protection or enhancement of significant indigenous vegetation such as QE II covenants and the use of Biodiversity Management Plans; and</u> 12. <u>any benefits that the activity provides to the local community and beyond; and</u> 13. <u>where the proposed clearance is located within a site identified in in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa:</u> <u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u> <u>the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u> <u>the nature of any effects on mahika kai and other customary uses; and</u> <u>the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u> <u>whether there are alternative methods, locations or designs that would avoid or mitigate the impact of works on the values associated with the</u>
--	---	--

⁵⁹ ECan [183.8] - Evidence of Deidre Francis, paras 47–58; Evidence of Jean Jack, paras 24-29

⁶⁰ Evidence of Elizabeth Williams, paras 46-50

	including the clearance of material infected by unwanted organisms. <u>Advice Note</u> This rule does not apply to the clearance of indigenous vegetation associated with a commercial forestry activity which is regulated under the <u>NESCF National Environmental Standard for Commercial Forestry</u>.⁶¹	~~SASM site or area of significance~~; and f. ~~the appropriateness of any mitigation measures proposed; and~~ g. ~~the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the SASM site/area, and any potential to:~~ ~~affirm the connection between mana whenua and place; or~~ ~~enhance the cultural values of the SASM site/area; or~~ ~~provide for the relationship of Kāti Huirapa with their taonga; or~~ ~~maintain or enhance the ability of Kāti Huirapa to access and use the SASM Site or Area of Significance; commensurate with the scale and nature of the proposal.~~⁶⁴
ECO-R2	Clearance of indigenous vegetation for natural hazard mitigation works	
Significant Natural Areas Overlay <u>Within 50m of any wetland Riparian margins (excluding a river that is a High Naturalness Waterbody)</u>⁶⁵ <u>In the Coastal Environment Area Overlay</u>⁶⁶,	Activity status: Permitted Where: PER-1 The indigenous vegetation removed is only pohuehue (<i>muehlenbeckia australis</i>, <i>muehlenbeckia axillaris</i> or <i>muehlenbeckia complexa</i> ~~only~~); and PER-2 The indigenous⁶⁹ vegetation clearance is carried out solely by the ~~CRC Regional Council, Timaru District Council~~, or an agent authorised by one of these parties.	Activity status where compliance not achieved with PER-1: Controlled Matters of control are restricted reserved⁷⁰ to: - any adverse effects on indigenous vegetation and habitats of indigenous fauna and proposed mitigation measures; and - any adverse effects on the mauri of the site, mahika kai, wāhi tapu or wāhi taoka; and - opportunities for enhancement of indigenous vegetation or habitats of indigenous species; and - methods proposed to monitor or inspect the works undertaken; and

⁶¹ Port Blakely [94.7]⁶⁴ Clause 10(2)(b) relating to Frank, H [90.23], Forest and Bird [156.3, 156.116], Dir. General Conservation [166.29]⁶⁵ Clause 10(2)(b) relating to Federated Farmers [182.117]⁶⁶ Schedule 1, cl16(2)⁶⁹ Schedule 1, cl16(2)⁷⁰ Schedule 1, cl16(2)

within 20m of Mean-High Water Springs⁶⁷ Within 20m of the bank of any waterbody⁶⁸ Within 20m of any waipuna (spring) At an altitude of 900m or higher Land with an average slope of 30° or greater		5. the ability to apply a management plan approach to the works and the content of any management plan; and 6. the timing of works to minimise adverse effects on significant indigenous species. Activity status where compliance not achieved with PER-2 and the clearance is outside a SNA Significant Natural Area: Restricted Discretionary⁷¹ Matters of discretion are restricted to: 1. whether the indigenous vegetation is significant (when assessed against the APP5 – Criteria for Identifying Significant Natural Areas) and the ability to retain any significant vegetation extent to which the proposal protects any significant biodiversity⁷²; and 2. the condition and character of the indigenous vegetation; and 3. whether the indigenous vegetation provides habitat for threatened, at-risk or locally uncommon species; and 4. any adverse effects on indigenous vegetation and habitats of indigenous fauna due to the clearance of indigenous vegetation; and 5. any adverse effects on the mauri of the site, mahika kai, wāhi tapu or wāhi taoka values; and 6. whether species diversity would be adversely impacted by the proposal; and 7. the role the indigenous vegetation plays in providing a buffer to effects or an ecological corridor; and 8. any potential for mitigation or compensation of adverse effects on biodiversity values; and 9. the economic effects on the landholder of the retention of the vegetation; and
--	--	--

⁶⁷ Clause 10(2)(b) relating to Forest and Bird [156.5]⁶⁸ Clause 10(2)(b) relating to Federated Farmers [182.117]⁷¹ Alliance Group [173.58]⁷² Dir. General Conservation [166.41] - Evidence of Elizabeth Williams, paras 44-45

		10. <u>any site specific management factors to promote the restoration and enhancement of indigenous vegetation and habitats; and</u> 11. <u>the potential for use of other mechanisms that assist with the protection or enhancement of significant indigenous vegetation such as QE II covenants and the use of Biodiversity Management Plans; and</u> 12. <u>any benefits that the activity provides to the local community and beyond; and</u> 13. <u>where the clearance is within a riparian margin:</u>⁷³ a. <u>the extent of any adverse effects on the overall natural character of an area by reference to the values listed in NATC-P1; and</u> b. <u>the nature of any proposed mitigation measures that contribute to the preservation, maintenance or enhancement of the natural character values of the area; and</u> c. <u>the extent to which alternative practicable options have been considered and their feasibility; and</u> d. <u>the extent to which any restoration or enhancement of the natural character of the area is proposed; and;</u> e. <u>the extent to which the proposal has the potential to cause or exacerbate bank erosion; and</u> f. <u>whether there is a functional need, or in relation to infrastructure an operational need,</u>⁷⁴ <u>for the activity to locate in a riparian margin.</u> <u>Activity status where compliance is not achieved with PER-2 and the clearance is within a SNA Significant Natural Area: Non-complying</u>
ECO-R3	<u>Clearance of indigenous vegetation associated with the National Grid or electricity distribution network</u> ⁷⁵	

⁷³ Shifted from NATC-R1 (Clause 10(2)(b) relating to Federated Farmers [182.117])

⁷⁴ Transpower [159.78]

⁷⁵ Alpine Energy [55.5]

1. Significant Natural Areas Overlay ~~Within 50m of any wetland Riparian margins (excluding a river that is a High Naturalness Waterbody⁷⁶)~~ In the Coastal Environment Area Overlay⁷⁷ within 20m of Mean High Water Springs⁷⁸ ~~Within 20m of the bank of any waterbody⁷⁹~~ Within 20m of any waipuna (spring) At an altitude of 900m or higher Land with an average slope of 30° or greater	Activity status: Permitted Where: PER-1 The ~~vegetation~~ clearance <u>of indigenous vegetation</u> is to provide for the operation, maintenance or repair of the National Grid or electricity distribution network⁸⁰, including maintenance of existing access to National Grid support structures; and PER-2 The vegetation clearance is carried out by or on behalf of Transpower New Zealand Limited or Alpine Energy Limited⁸¹.	Activity status where compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: - any adverse effects on indigenous vegetation and habitats of indigenous fauna and proposed mitigation measures; and - the necessity for the clearance and any alternate options that have been considered; and - the mitigation measures proposed to ensure that the values of the SNA are protected as far as practicable; <u>and</u> - any adverse effects on the mauri of the site, mahika kai, wāhi tāpu or wāhi taoka; and - opportunities for enhancement of indigenous vegetation or habitats of indigenous species; and - methods proposed to monitor or inspect the works undertaken; and - the ability to apply a management plan approach to the works and the content of any management plan; and - the timing of works to minimise adverse effects on significant indigenous species; <u>and</u> <u>where the clearance is within a riparian margin:</u>⁸² <u>the extent of any adverse effects on the overall natural character of an area by reference to the values listed in NATC-P1; and</u> <u>the nature of any proposed mitigation measures that contribute to the preservation, maintenance or enhancement of the natural character values of the area; and</u> <u>the extent to which alternative practicable options have been</u>
---	--	--

⁷⁶ Clause 10(2)(b) relating to Federated Farmers [182.117]

⁷⁷ Schedule 1, cl16(2)

⁷⁸ Clause 10(2)(b) relating to Forest and Bird [156.5]

⁷⁹ Clause 10(2)(b) relating to Federated Farmers [182.117]

⁸⁰ Alpine Energy [55.5]

⁸¹ Alpine Energy [55.5]

⁸² Shifted from NATC-R1 (Clause 10(2)(b) relating to Federated Farmers [182.117])

		<u>considered and their feasibility; and</u> d. <u>the extent to which any restoration or enhancement of the natural character of the area is proposed; and</u> e. <u>the extent to which the proposal has the potential to cause or exacerbate bank erosion; and</u> f. <u>whether there is a functional need, or in relation to infrastructure an operational need,⁸³ for the activity to locate in a riparian margin.</u>
		Activity status when compliance not achieved with PER-2: Non-complying
<u>2. Riparian margins of a High Naturalness Waterbody</u>⁸⁴	<u>Activity status: Discretionary</u>	<u>Activity status when compliance not achieved: Not applicable</u>
ECO-R4	Clearance of trees in the Long-Tailed Bat <u>Habitat</u>⁸⁵ Protection Area <u>Overlay</u>	
Long-Tailed Bat <u>Habitat</u>⁸⁶ Protection Area Overlay	Activity status: Permitted Where: PER-1 The trees being cleared: 1. were planted for timber production (plantation forest and woodlots); or 2. are within a domestic garden; or 3. are causing an imminent danger to human life, structures, or <u>network</u> utilities and the clearance is undertaken in accordance with advice from a suitably qualified arborist; or PER-2 The tree is:	Activity status when compliance not achieved: Restricted discretionary Matters of discretion are restricted to: 1. whether, upon specialist assessment by a suitably qualified <u>and experienced expert ecologist, or demonstrated (which may be supported through use of an automatic bat monitor),⁸⁹</u> the tree/s proposed to be removed is habitat for long-tailed bats; and 2. the extent to which the removal of tree/s would impact on the ability of the long-tailed bat habitat⁹⁰ protection area to provide for the habitat needs of the bats; and

⁸³ Transpower [159.78]⁸⁴ Shifted from NATC-R1 (Clause 10(2)(b) relating to Federated Farmers [182.117])⁸⁵ Rooney Holdings [174.34], Rooney, GJH [191.34], Rooney Group [249.34], Rooney Farms [250.34], Rooney Earthmoving [251.34], TDL [252.34]⁸⁶ Rooney Holdings [174.34], Rooney, GJH [191.34], Rooney Group [249.34], Rooney Farms [250.34], Rooney Earthmoving [251.34], TDL [252.34]⁸⁹ Port Blakely [94.8], Zolve [164.2]⁹⁰ Rooney Holdings [174.34], Rooney, GJH [191.34], Rooney Group [249.34], Rooney Farms [250.34], Rooney Earthmoving [251.34], TDL [252.34]

	1. a native tree with a trunk circumference of less than 31.5cm, when measured at 1.5m above ground level; or 2. an exotic tree, excluding willow, with a trunk circumference of less than 70cm, when measured at 1.5m above ground level ~~greater~~⁸⁷; or 3. any willow tree with a trunk circumference of less than 120cm, when measured at 1.5m above ground level; <u>or</u> PER-3 Where PER-1 and PER-2 are not complied with, and: 1. ~~The trees being cleared present a risk to the integrity of the public flood or erosion protection schemes administered by the CRC Regional Council; and~~ 2. ~~The works are completed by the CRC Regional Council or an agent authorised by the CRC Regional Council; and~~ 3. ~~The works are assessed as being consistent with the Department of Conservation's Bat Roost Protocols (October 2024) by a suitably qualified and experienced expert; and~~ 4. ~~A written record of the assessment under PER-3.3, is provided to Timaru District Council and the Department of Conservation 10 working days prior to carrying out the works.~~⁸⁸	3. the extent to which the long-tailed bat habitat⁹¹ protection area has been previously modified by the removal of bat habitat; <u>and</u> 4. the reasons for removal of the tree and any alternatives considered; and 5. any measures to avoid or mitigate the adverse effects.
ECO-R5	Earthworks in a Significant Natural Area (except as provided for ECO-R~~X~~6 for restoration or enhancement of a Significant Natural Area)⁹²	

⁸⁷ Clause 16⁸⁸ ECan [183.79] - Summary of Evidence Statement of Jolene Irvine⁹¹ Rooney Holdings [174.34], Rooney, GJH [191.34], Rooney Group [249.34], Rooney Farms [250.34], Rooney Earthmoving [251.34], TDL [252.34]⁹² Clause 10(2)(b) relating to Silver Fern Farms [172.55] and Alliance Group [173.59], Rooney Holdings [174.32, 174.34], Rooney, GJH [191.32, 191.34], Rooney Group [249.32, 249.34], Rooney Farms [250.32, 250.34], Rooney Earthmoving [251.32, 251.34], TDL [252.32, 252.34]

Significant Natural Areas Overlay	Activity status: <u>Permitted</u> ~~Restricted discretionary~~⁹³ Where: <u>RDISPER-1</u> The earthworks are within 2m, and <u>are required</u> for the purpose, of⁹⁴ the maintenance, repair or replacement of existing lawfully established vehicle tracks, roads, walkways, firebreaks, drains, ponds, dams, waterlines, waterway crossings, or <u>network</u> utilities. <u>This rule does not apply to earthworks within the beds of rivers.</u>⁹⁵ ~~Matters of discretion are restricted to:~~ ~~1. any adverse effects on indigenous vegetation and habitats of indigenous fauna and~~ ~~2. the necessity for the earthworks and any alternate options that have been considered~~ ~~3. the mitigation measures proposed to ensure that the values of the SNA are maintained; and~~ ~~4. any adverse effects on the mauri of the site, mahika kai, wāhi tāpu or wāhi taoka; and~~ ~~5. opportunities for enhancement of indigenous vegetation or habitats of indigenous species; and~~ ~~6. methods proposed to monitor or inspect the works undertaken; and~~ ~~7. the ability to apply a management plan approach to the works and the content of any management plan; and~~ ~~8. the timing of works to minimise adverse effects on significant indigenous species.~~	Activity status when <u>re</u> compliance not achieved with PER-1: ~~Restricted~~ <u>Discretionary</u>⁹⁶ Where: <u>DIS-1</u> The earthworks are to provide for activities associated with the National Grid and are carried out by or on behalf of Transpower New Zealand Limited; or <u>DIS-2</u> The earthworks are for flood protection works and are carried out solely by the <u>CRC Regional Council, Timaru District Council</u>, or an agent authorised by one of these parties. Activity status when <u>re</u> compliance not achieved with DIS-1 or DIS-2: Non-complying
<u>ECO-R-X6</u>	<u>Clearance of indigenous vegetation and earthworks in a Significant Natural Area associated with the restoration or enhancement of the Significant Natural Area</u>⁹⁷	

⁹³ Transpower [159.73], Federated Farmers [182.109]

⁹⁴ Speaking notes of Forest & Bird, para 32

⁹⁵ Rooney Holdings [174.2], Rooney, GJH [191.2], Rooney Group [249.2], Rooney Farms [250.2], Rooney Earthmoving [251.2], TDL [252.2]

⁹⁶ Forest and Bird [156.113], Federated Farmers [182.109]

⁹⁷ Silver Fern Farms [172.55] and Alliance Group [173.59], Rooney Holdings [174.32, 174.34], Rooney, GJH [191.32, 191.34], Rooney Group [249.32, 249.34], Rooney Farms [250.32, 250.34], Rooney Earthmoving [251.32, 251.34], TDL [252.32, 252.34]

<u>Significant Natural Areas Overlay</u>	<u>Activity status: Restricted discretionary</u> <u>Matters of discretion are restricted to:</u> 1. <u>the extent to which the values of the SNA ~~Significant Natural Area~~ will be restored or enhanced as part of the overall project; and</u> 2. <u>the necessity for the clearance or earthworks and any alternate options that have been considered; and</u> 3. <u>the mitigation measures proposed to ensure that the values of the SNA are protected; and</u> 4. <u>any adverse effects on the mauri of the site, mahika kai, wāhi tapu or wāhi taoka; and</u> 5. <u>methods proposed to monitor or inspect the works undertaken; and</u> 6. <u>the ability to apply a management plan approach to the works and the content of any management plan; and</u> 7. <u>the timing of works to minimise adverse effects on significant indigenous species.</u>	<u>Activity status when ~~re~~ compliance not achieved: Not Applicable</u>
~~ECO-R6~~	~~Subdivision of land containing a Significant Natural Area~~	
~~Sites containing a Significant Natural Areas Overlay~~	~~Activity Status: Discretionary~~	<del>Activity status when ~~re~~ compliance not achieved: Not Applicable</del>
ECO-R7	Planting of potential pest species	
All Zones	Activity status: Non-complying Where: NC-1 The planting involves any of the following species: a. <i>Acer pseudoplatanus</i> (sycamore) b. <i>Ammophila arenaria</i> (marram) c. <i>Berberis glaucocarpa</i> (barberry) d. <i>Buddleja davidii</i> (buddleia) e. <i>Cotoneaster simonsii</i> (Khasia berry) f. <i>Crataegus monoqyna</i> (hawthorn) g. <i>Erica lusitanica</i> (Spanish heath) h. <i>Fraxinus excelsior</i> (Ash) i. <i>Glechoma hederacea</i> (ground ivy) j. <i>Ilex aquifolium</i> (holly) k. <i>Salix cinerea</i> (grey willow)	Activity status when ~~re~~ compliance not achieved: Not Applicable

- l. *Betula pendula* (Silver birch)
- m. *Ribes sanguineum* (Red-flowering currant)
- n. *Dryopteris filix-mas* (Male fern)
- o. *Populus alba* (White poplar)
- p. *Sorbus aucuparia* (rowan)
- q. *Cotoneaster franchetii*;
- r. *Cotoneaster glaucophyllus*;
- s. *Cotoneaster lacteus*;
- t. *Cotoneaster microphylla*⁹⁸ ; or

NC-2

The planting is undertaken above 300m as above sea level⁹⁹ and involves any of the following species:

- a. *Lupinus arboreus* (tree lupin); or
- b. *Lupinus polyphyllus* (Russell lupin);
or
- c. *Salix fragilis* (crack willow);_±
- d. ~~*Sorbus aucuparia* (rowan).~~¹⁰⁰

Note: Reference should also be made to species included in the Canterbury Regional Pest Management Plan. Under sections 52 and 53 of the Biosecurity Act 1993, any person is prevented from selling, propagating or distributing any pest species listed in that Plan.

⁹⁸ Frank, H [90.10]

⁹⁹ Schedule 1, cl16(2)

¹⁰⁰ Frank, H [90.10]

This section has rules that have legal effect. Please check the ePlan to see what the legal effect is or subject to appeal.

NATURAL CHARACTER

Introduction

The Council has a responsibility to recognise and provide for the preservation of the natural character of the coastal environment, wetlands, ~~and lakes~~ and rivers and their margins; and the protection of them from inappropriate subdivision, use and development.

A range of land use and subdivision activities can have adverse effects on the natural character of rivers and wetlands. These include, but are not limited to subdivision; the construction of buildings and structures; earthworks and cultivation; ~~and the planting and removal of vegetation and the removal~~ clearance of indigenous vegetation.¹ The provisions of this chapter seek to manage those activities within the riparian margins of rivers and wetlands to ensure that the elements, patterns, processes and experiential qualities that contribute to the natural character values of the District's rivers and wetlands are preserved. These riparian margins are defined, and the provisions in this chapter apply within these defined riparian areas. There are also provisions in the Ecosystems and Indigenous Biodiversity Chapter which apply to the clearance of indigenous vegetation within riparian areas.²

The provisions also seek to provide for land use activities which either enhance natural character values such as restoration planting and pest management practices; and/or enable the customary harvest of vegetation for mahika kai. Restoration and enhancement of natural character values is also encouraged and supported through plan rules or non-statutory methods.

Within the District, some specific areas have been identified in the Canterbury Land and Water Regional Plan as ~~HNWB High Naturalness Water Bodies (HNWB)~~, including the Havelock and Clyde Rivers, the upper Ōrāri River, Milford Lagoon and Ōrakipaoa Creek. The ~~Rakitata/~~Rangitata River is also subject to³ the Water Conservation (Rangitata River) Order 2006 that identifies parts of the river as having outstanding characteristics and features. These parts of the river and its tributaries are identified in schedule 1 and 2 of the Water Conservation Order as having wild, scenic and other natural characteristics and amenity and intrinsic values. Accordingly, those parts of the ~~Rakitata/~~Rangitata River and its tributaries, and the HNWBs ~~water~~⁴ bodies have been classified as ~~HNWB High Naturalness Water Bodies~~ in this District Plan.

The extent of these HNWB are shown on the planning maps. Because of their higher level of natural character values, a greater level of protection is provided through the provisions applying within the margins of these HNWB. All other waterbodies and wetlands within the ~~D~~istrict have varying degrees of natural character.

The rules within this ~~C~~hapter enable the identification and assessment of natural character values on a case-by-case basis for activities requiring consent across the ~~D~~istrict. Provisions related to the preservation of the natural character of the coastal environment are included in the Coastal Environment Chapter.

The rules within this chapter also apply to ~~R~~egionally ~~S~~ignificant ~~I~~nfrastructure and other infrastructure. However, the objectives and policies of both this chapter and the Energy and Infrastructure Chapter apply to the consideration of any resource consent required under the rules in this ~~C~~hapter for ~~R~~egionally ~~S~~ignificant ~~I~~nfrastructure.

¹ Clause 10(2)(b) relating to Federated Farmers [182.117]

² Clause 10(2)(b) relating to Federated Farmers [182.117]

³ Clause 16(2)

⁴ Schedule 1, cl16(2)

Objectives

NATC-O1 Protection of natural character

The natural character of the ~~Timaru~~ District's wetlands and rivers and their margins is preserved and protected from inappropriate subdivision, use and development, and where possible restored and/or⁵ enhanced.

Policies

NATC-P1 Natural character values

~~Recognise that natural character values of wetlands and rivers and their margins are derived from:~~

- ~~1. the extent to which these are in, or close to, their natural state in terms of:

 - a. the occurrence of natural elements, patterns and processes; and;
 - b. riparian and aquatic ecology and biodiversity; and
 - c. ecological, geomorphic and hydrological processes; and
 - d. the absence of human modification; and~~
- ~~2. people's experience of the above elements, patterns and processes; and~~
- ~~3. the cultural values of the water body to Kāti Huirapa, including values associated with traditional and contemporary uses and the continuing ability of the water body to support taoka species and mahika kai activities.~~

Recognise the contribution of the following natural elements, patterns, processes and experiential qualities to the natural character values of wetlands, rivers, and their margins:

1. landforms and landscapes, biophysical, geologic, and morphological aspects; and
2. hydrological and fluvial processes, including erosion and sedimentation; and
3. indigenous biodiversity, habitats, and ecosystems; and
4. water flow and levels, colour and clarity, and water quality; and
5. the cultural values of the water-body to Kāti Huirapa, including values associated with traditional and contemporary uses and the continuing ability of the waterbody to support taoka species and mahika kai activities; and
6. absence of man-made modification to their natural state; and
7. people's experience of the above elements, patterns, and processes.⁶

NATC-P2 Restoration and enhancement

Provide for and encourage the restoration and/or enhancement of the natural character of wetlands and rivers where:

1. the natural character is degraded, and restoration and/or enhancement will achieve long-term improvement in natural character values; and/or
2. it will assist in the establishment or restoration of indigenous biodiversity or ecosystems, particularly for ecosystems that are threatened or unrepresented in protected areas; and/or
3. they provide existing trout or salmon habitat; and/or
4. it will enhance the taoka species and mahika kai and the ability of Kāti Huirapa to exercise kaitiakitanga; and/or
5. it will improve or establish connections between habitats and create corridors for indigenous species and their movement between areas; and/or
6. riparian margins provide a buffer from activities that may adversely affect the natural character values of the river or wetland; and/or
7. riparian margins provide spawning or other significant habitats for at-risk or threatened species.

⁵ Forest and Bird [156.119]

⁶ Forest and Bird [156.120]

NATC-P3	Incentives
Encourage and support the restoration and enhancements of natural character values through such measures as: 1. reducing or waiving consent application costs; and/or 2. providing funding, grants and other incentives; and/or 3. providing expert advice.	
NATC-P4	Preservation of natural character from inappropriate subdivision, use and development
Preserves ⁷ the natural character values of riparian margins by only allowing subdivision, use and development that: 1. avoids, or if avoidance is not <u>practicable possible</u>⁸, minimises any adverse effects on the elements, patterns, processes and experiential qualities outlined in NATC-P1; <u>and</u> 2. maintains natural character values which have been modified but are highly valued; <u>and</u> 3. restores or enhances natural character values in circumstances identified in NATC-P2; <u>and</u> 4. avoids or, where that is not <u>practicable possible</u>⁹, does not exacerbate bank erosion; <u>or</u> 5. <u>is regionally significant infrastructure, and it is demonstrated that adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure, or for the National Grid, EI-PX5 Managing adverse effects of the National Grid</u>^{10, 11}	
NATC-P5	Anticipated activities in riparian margins
Provide for activities in riparian margins which are appropriate for safety, enhancement, wellbeing or customary reasons, by enabling: 1. activities which are undertaken by a local authority for the purpose of natural hazard mitigation works, and where possible, any adverse effects on natural character are minimised; <u>and</u> 2. ~~vegetation clearance to remove pest species~~¹² 3. ~~vegetation clearance for mahika kai purposes~~; ¹³ 4. planting of indigenous species that is for the purpose of restoration and enhancement activities; <u>and</u> 5. earthworks that are for the purpose of: a. maintenance and repair of existing fences, tracks, roads, <u>railways</u>,¹⁴ <u>stock water systems</u>, <u>irrigation systems</u>¹⁵ <u>or regionally significant infrastructure</u>¹⁶; <u>or</u> b. <u>the operation, maintenance, repair or minor up grade of the National Grid</u>;¹⁷ <u>or</u> c. <u>for limited new fencing and tracks.</u>	
NATC-P6	Buildings and structures in riparian margins
Ensure that the location, scale, design, and form of buildings and structures in riparian margins preserves natural character values.	

⁷ Clause 16(2)

⁸ Transpower [159.74]

⁹ Transpower [159.74]

¹⁰ Transpower [159.74]

¹¹ TDC [42.35], Waka Kotahi [143.86], Transpower [159.74], OWL [181.75]

¹² Federated Farmers [182.117]

¹³ Clause 10(2)(b) relating to Federated Farmers [182.117]

¹⁴ KiwiRail [187.58],

¹⁵ Clause 10(2)(b) relating to Rangitata Dairies [44.10], Connolly, S [136.2]

¹⁶ Waka Kotahi [143.87], Transpower [159.75]

¹⁷ Transpower [159.75]

Rules

Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

NATC-R1	Vegetation clearance ¹⁸	
Riparian margins of a river that is not an HNWB	Activity status: Permitted Where: PER-1 The vegetation clearance only involves plant species identified in ECO-R7, or pest plant species identified within a regional pest management plan or the Biosecurity Act 1993; or PER-2 The vegetation clearance is for customary harvest provided for in ECO-R1.1 PER-3; or PER-3 The vegetation clearance is for the operation, maintenance or repair of the National Grid; or PER-4 The vegetation clearance is for the maintenance, repair, or upgrade in seal cover, of existing roads; or PER-5 The vegetation clearance is to restore or enhance the natural character or ecological values of the riparian margin; or PER-6 The vegetation clearance only includes exotic species in areas of cultivation existed prior to 22 September 2022.	Activity status when compliance not achieved with PER-1: Controlled Where: CON-1 The vegetation clearance is only for the purpose of natural hazard mitigation works and is carried out solely by the Canterbury Regional Council, Timaru District Council, or an agent authorised on their behalf. Matters of control are restricted to: 1. methods proposed to avoid or mitigate any adverse effects on the overall natural character of an area by reference to the values listed in NATC-P1; and 2. any measures proposed to assist with the preservation, maintenance, restoration or enhancement of the natural character values of the area; and 3. the extent to which alternative practicable options have been considered and their feasibility; and 4. mitigation measures proposed to avoid or mitigate bank erosion; and Activity status when compliance not achieved with PER-2, PER-3, PER-4, PER-5, PER-6 or CON-1: Restricted Discretionary Matters of discretion are restricted to: 1. the extent of any adverse effects on the overall natural character of an area by reference to the values listed in NATC-P1; and 2. the nature of any proposed mitigation measures that contribute to the preservation, maintenance or

¹⁸ Clause 10(2)(b) relating to Federated Farmers [182.117]

		enhancement of the natural character values of the area, particularly in and along an HNWB; and ~~3. the extent to which alternative practicable options have been considered and their feasibility; and~~ ~~4. the extent to which any restoration or enhancement of the natural character of the area is proposed; and~~ ~~5. the extent to which the proposal has the potential to cause or exacerbate bank erosion; and~~ ~~6. whether there is a functional need for the activity to locate in a riparian margin.~~
Riparian margins of an HNWB	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable
NATC-R21	Vegetation planting	
Riparian margins	Activity status: Permitted Where: PER-1 The planting: 1. includes indigenous species only; and 2. is to restore or enhance the natural character or ecological values of the riparian margin; or PER-2 The planting is within areas of cultivation <u>that</u> existed prior to 22 September 2022.	Activity status when compliance not achieved with PER-1: Controlled Where: CON-1 The vegetation planting is for the purposes of natural hazard mitigation works¹⁹ and <u>is</u> undertaken by (or on behalf of) a local authority only¹⁹. Matters of control are restricted reserved¹⁹ to: 1. measures to minimise adverse effects on the overall natural character of an area by reference to the values listed in ~~Policy~~ NATC-P1; and 2. measures to restore or enhance the natural character of the area. Activity status when compliance not achieved with PER-2 or CON-1: Restricted Discretionary Matters of discretion are restricted to: 1. the type and extent of planting proposed and the impact of this on natural character values; and 2. the extent of any adverse effects on the overall natural character of an area

¹⁹ [Schedule 1, cl16\(2\)](#)

		by reference to the values listed in ~~Policy~~ NATC-P1; and - the nature of any proposed mitigation measures that contribute to the preservation, maintenance or enhancement of the natural character values of the area, particularly in <u>HNWB high naturalness water bodies</u>; and - the extent to which alternative practicable options have been considered and their feasibility; and - the extent to which any restoration or rehabilitation of the natural character of the area is proposed; and - whether there is a functional need, <u>or in relation to infrastructure an operational need</u>,²⁰ for the activity to locate in a riparian margin; <u>and</u> <u>any benefits that the activity provides to the local community and beyond.</u>²¹
NATC-R32	Earthworks	
1. Riparian margins of a river that is not a <u>High Naturalness Waterbody</u>	Activity status: Permitted Where: PER-1 The earthworks are required for the maintenance and repair of existing fences, tracks, roads, railways²², stock water systems, irrigation systems²³ or natural hazard mitigation works; or PER-2 ~~The earthworks are required to construct a new fence; or~~²⁴ PER-3 The earthworks are required to construct a new track up to 3m in width; or	Activity status when compliance not achieved: Controlled Where: CON-1 The earthworks are for the purposes of natural hazard mitigation works, and are undertaken by (or on behalf of) a local authority. Matters of control are <u>restricted reserved</u>²⁹ to: - measures to manage adverse effects on the overall natural character of an area by reference to the values listed in NATC-P1; and - any measures to restore or rehabilitate the natural character of the area; and - erosion and sediment control measures.

²⁰ Transpower [159.78]

²¹ Transpower [159.70, 159.75] – Evidence of Ainsley McLeod, paras 46-54.

²² KiwiRail [187.60]

²³ Rangitata Dairies [44.10], Connolly, S [136.2]

²⁴ Clause 16(2)

²⁹ Schedule 1, cl16(2)

	PER-4 The earthworks are required for the operation, maintenance or repair of the National Grid <u>regionally significant infrastructure</u>; or.^{25,26} PER-5 The earthworks are associated with the <u>replacement of, or expansion to, an existing building or structure, permitted under NATC-R54.</u>²⁷ <u>Advice Note</u> <u>This rule does not apply to earthworks associated with a commercial forestry activity which is regulated under the National Environmental Standard for Commercial Forestry (NESCF).</u>²⁸	Activity status when compliance not achieved with CON-1: Restricted Discretionary Matters of discretion are restricted to: 1. the extent of any adverse effects on the overall natural character of an area by reference to the values listed in NATC-P1; and 2. the nature of any proposed mitigation measures that contribute to the preservation, maintenance or enhancement of the natural character values of the area; and 3. the extent to which alternative practicable options have been considered and their feasibility; and 4. the extent to which any restoration or rehabilitation of the natural character of the area is proposed; and 5. whether there is a functional need, <u>or in relation to infrastructure an operational need,</u>³⁰ for the activity to locate in a riparian margin; and 6. the extent to which appropriate erosion and sediment control measures are to be implemented; <u>and</u> 7. <u>any benefits that the activity provides to the local community and beyond;</u>³¹ <u>and</u> 8. <u>where the building or structure is within a wai tapu overlay:</u> a. <u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u> b. <u>the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u> c. <u>the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u>
--	---	---

²⁵ Evidence of Julia Crossman, paras 2.2 and 3.5

²⁶ Waka Kotahi [143.89]

²⁷ Te Kotare [115.30], Waipopo Huts [189.42]

²⁸ Port Blakely [94.10]

³⁰ Transpower [159.78]

³¹ Transpower [159.70, 159.75] – Evidence of Ainsley McLeod, paras 46-54

		d. <u>whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the ~~SASM site or area of significance~~; and</u> e. <u>the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol; and</u> f. <u>the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the ~~SASM site/area~~, and any potential to:</u> i. <u>affirm the connection between mana whenua and place; or</u> ii. <u>enhance the cultural values of the ~~SASM site/area~~; or</u> iii. <u>provide for the relationship of Kāti Huirapa with their taoka; or</u> iv. <u>maintain or enhance the ability of Kāti Huirapa to access and use the ~~SASM Site or Area of Significance~~ commensurate with the scale and nature of the proposal;</u> g. <u>where earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses; and</u> h. <u>in respect of network utilities, the extent to which the proposed utility has functional needs or operational needs for its location.</u>³²
2 Riparian margins of an <u>High Naturalness Waterbody</u>	Activity status: Permitted Where: PER-1 The earthworks are required for the maintenance and repair of existing fences, tracks, roads, railways³³, stock water systems, irrigation systems³⁴ or natural hazard mitigation works; or	Activity status when compliance not achieved: Controlled Where: CON-1 The earthworks are for the purposes of natural hazard mitigation works³⁵ and are undertaken by (or on behalf of) a local authority.

³² Clause 10(2)(b) relating to Westgarth et al [200.7] – Ms White Recommendation - Hearing E

³³ KiwiRail [187.60]

³⁴ Rangitata Dairies [44.10], Connolly, S [136.2]

	PER-2 The earthworks are required for the operation, maintenance or repair of <u>National Grid-regionally significant infrastructure</u>³⁵. <u>Advice Note</u> <u>This rule does not apply to earthworks associated with a commercial forestry activity which is regulated under the NESCF National Environmental Standard for Commercial Forestry.</u>³⁶	Matters of control are <u>restricted reserved</u>³⁷ to: 1. measures to manage adverse effects on the overall natural character of an area by reference to the values listed in ~~Policy~~ NATC-P1; and 2. any measures to restore or rehabilitate the natural character of the area; and 3. erosion and sediment control measures. Activity status when compliance not achieved with CON-1: Discretionary
NATC-R43	Construction of fences	
Riparian margins of a river that is not a <u>High Naturalness Waterbody</u>³⁸	Activity status: Permitted Where: PER-1 The fence is a post and wire, <u>or post and netting</u>³⁸ fence only.	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. the extent of any adverse effects on the overall natural character of an area by reference to the values listed in ~~Policy~~ NATC-P1; and 2. the nature of any proposed mitigation measures that contribute to the preservation, maintenance or enhancement of the natural character values of the area; and 3. the extent to which alternative practicable options and designs have been considered and their feasibility; and 4. whether there is a functional need for the fence to locate in a riparian margin.
Riparian margins of a <u>High Naturalness Waterbody</u>³⁸	Activity status: Discretionary	Activity status when compliance not achieved: Not applicable
NATC-R54	Buildings and structures excluding fences	

³⁵ Clause 10(2)(b) relating to Waka Kotahi [143.87, 143.89], Transpower [159.75]

³⁶ Port Blakely [94.10]

³⁷ Schedule 1, cl16(2)

³⁸ Speirs, B [66.24]

Riparian margins of a river that is not an <u>High Naturalness Waterbody</u> ~~B~~	Activity status: ~~Restricted Discretionary Permitted~~³⁹ Where: <u>PER-1</u> <u>The building or structure is a replacement of, or expansion to, an existing building or structure, and the footprint of the building or structure does not increase by more than 50m² or 25% (whichever is the lesser) from that existing at [date rule becomes operative].</u> <u>Matters of discretion are restricted to:</u> <u>1. the extent of any adverse effects on the overall natural character of an area by reference to the values listed in Policy NATC-P1; and</u> <u>2. whether the location, scale and design of the proposal will assist in reducing the adverse effects on natural character values; and</u> <u>3. the nature of any proposed mitigation measures that contribute to the preservation, maintenance or enhancement of the natural character values of the area; and</u> <u>4. the extent to which alternative practicable options have been considered and their feasibility; and</u> <u>5. the extent to which any restoration or rehabilitation of the natural character of the area is proposed; and</u> <u>6. whether there is a functional need for the activity to locate in a riparian margin.</u>	Activity status when compliance not achieved: ~~Not applicable~~ <u>Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> <u>1. the extent of any adverse effects on the overall natural character of an area by reference to the values listed in ~~Policy~~ NATC-P1; and</u> <u>2. whether the location, scale and design of the proposal will assist in reducing the adverse effects on natural character values; and</u> <u>3. the nature of any proposed mitigation measures that contribute to the preservation, maintenance or enhancement of the natural character values of the area; and</u> <u>4. the extent to which alternative practicable options have been considered and their feasibility; and</u> <u>5. the extent to which any restoration or rehabilitation of the natural character of the area is proposed; and</u> <u>6. whether there is a functional need, or in relation to infrastructure an operational need,⁴⁰ for the activity to locate in a riparian margin; and</u> <u>7. any benefits that the activity provides to the local community and beyond; and⁴¹</u> <u>8. where the building or structure is within a wai tapu overlay:</u> <u>a. whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u> <u>b. the proposal's consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u> <u>c. the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u> <u>d. whether there are alternative methods, locations or designs that</u>
--	--	--

³⁹ Te Kotare [115.31] and Waipopo Huts [189.43]

⁴⁰ Transpower [159.78]

⁴¹ Transpower [159.70, 159.75] – Evidence of Ainsley McLeod, paras 46-54

		would avoid or mitigate the impact of earthworks on the values associated with the <u>SASM site or area of significance</u>; and e. <u>the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol; and</u> f. <u>the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the SASM site/area, and any potential to:</u> i. <u>affirm the connection between mana whenua and place; or</u> ii. <u>enhance the cultural values of the SASM site/area; or</u> iii. <u>provide for the relationship of Kāti Huirapa with their taoka; or</u> iv. <u>maintain or enhance the ability of Kāti Huirapa to access and use the SASM Site or Area of Significance</u> <u>commensurate with the scale and nature of the proposal;⁴² and</u> g. <u>in respect of network utilities, the extent to which the proposed utility has functional needs or operational needs for its location.⁴³</u>
Riparian margins of an <u>High Naturalness Waterbody B</u>	Activity status: Discretionary	Activity status when compliance not achieved: Not applicable
~~NATC R6~~	~~Subdivision of land containing a riparian margin~~	
~~All zones except the General Rural Zone and Rural Lifestyle Zones~~	~~Activity status: Discretionary~~	~~Activity status when compliance not achieved: Not applicable~~

⁴² Clause 10(2)(b) relating to Westgarth et al [200.7] – Ms White Recommendation - Hearing E

⁴³ Transpower [159.70, 159.75] – Evidence of Ainsley McLeod, paras 46-54

NATURAL FEATURES AND LANDSCAPES

Introduction

The Natural Features and Landscapes Chapter contains provisions that relate to the Outstanding Natural Features (ONFs), Outstanding Natural Landscapes (ONLs), and Visual Amenity Landscapes (VALs), which are identified as overlays on the Planning Maps. The identification of these landscapes is in response to section 6(b) of the RMA, which requires ONFs ~~outstanding natural features~~ and ONLs ~~landscapes~~ to be protected from inappropriate subdivision, use and development, and to sections 7(c) and (f) of the RMA, which requires amenity values and the quality of the environment to be maintained and enhanced.

These overlays apply to areas which have been assessed and identified as having high levels of biophysical, sensory or associative landscape values, which makes them either outstanding (ONFs or ONLs) or deserving of identification as a VAL. These overlays also include land which provides habitat to indigenous flora or fauna, areas which have highly legible geological features, and sites that are of significance to mana whenua (SASM). The process supporting the identification of these overlays and the associated values is described in the Landscape and Coastal Natural Character Assessment, June 2020.

The District's ONLs are identified in SCHED8 — Schedule of outstanding natural landscapes and ONFs are identified in SCHED9 — Schedule of outstanding natural features which commonly have a high degree of naturalness. VALs are identified in SCHED10 — Schedule of visual amenity landscapes and tend to be more modified landscapes, with high aesthetic and scenic values.

The rules in this chapter set out how activities are managed in these overlays. The policies and matters of discretion provide direction on the criteria against which proposals requiring resource consent must be assessed. A non-complying activity status has been used where activities are not considered appropriate within these overlays, in particular where activities will have a significant impact on the identified values.

The rules within this chapter also apply to regionally significant infrastructure and other infrastructure. However, the objectives and policies of both this chapter and the Energy and Infrastructure Chapter apply to the consideration of any resource consent required under the rules in this chapter for regionally significant infrastructure and other infrastructure.

Objectives

NFL-O1	Outstanding Natural Features and Outstanding Natural Landscapes
The landscape values and characteristics ¹ of the <u>ONFs</u> ~~Outstanding Natural Features~~ and <u>ONLs</u> ~~Outstanding Natural Landscapes~~ of the Timaru District are protected from inappropriate subdivision, use and development.	
NFL-O2	Visual Amenity Landscapes
The landscape values and characteristics and visual amenity values ² of the <u>VALs</u> ~~visual amenity landscapes~~ of the Timaru District are maintained or enhanced.	

Policies

NFL-P1	Identification of Outstanding Natural Features, Outstanding Natural Landscapes and Visual Amenity Landscapes
--------	--

¹ Clause 16(2)

² Te Rūnanga o Ngāi Tahu [185.81] - Statement of Rachael Pull, Appendix A

Identify the District's landscapes by:

1. assessing the values and characteristics of the District's landscapes according to the following criteria:
 - a. biophysical (abiotic, biotic); and
 - b. sensory (legibility, naturalness, vividness, coherence, aesthetic, transient values); and
 - c. associative (shared and recognised values, mana whenua values, historic heritage associations); and
2. identifying landscapes, based on their values and characteristics, on the planning maps as ONFs, ONLs or VALs ~~Outstanding Natural Features, Outstanding Natural Landscapes or Visual Amenity Landscapes~~; and
3. describing the values and characteristics of each ONF, ONL or VAL ~~Outstanding Natural Feature, Outstanding Natural Landscape or Visual Amenity Landscapes~~ within SCHED8 — Schedule of Outstanding Natural Landscapes and SCHED9 — Schedule of Outstanding Natural Features and SCHED10 — Schedule of Visual Amenity Landscapes.

NFL-P2 Enabling appropriate use and development

Enable certain activities in VALs, ONFs and ONLs ~~Visual Amenity Landscapes, Outstanding Natural Features and Outstanding Natural Landscapes~~, including buildings and structures associated with existing non-intensive³ primary production, small scale earthworks, maintenance of existing tracks and fences, operation and maintenance of regionally significant infrastructure,⁴ and underground network utilities, that are consistent with:

1. protecting the identified values and characteristics of the ONLs ~~Outstanding Natural Landscapes~~ and ONFs ~~Outstanding Natural Features~~ described in SCHED8 — Schedule of Outstanding Natural Landscapes and SCHED9 — Schedule of Outstanding Natural Features; and
2. maintaining or enhancing the identified values and characteristics of the VALs ~~Visual Amenity Landscapes~~ described in SCHED10 — Schedule of Visual Amenity Landscapes.

NFL-P3 Maintaining and enhancing Visual Amenity Landscapes

Only allow subdivision, use and development within VALs ~~visual amenity landscapes~~, that is not provided for⁵ in NFL-P2, where it can be demonstrated⁶:

1. how the identified values and characteristics of the VALs ~~visual amenity landscapes~~ described in SCHED10 — Schedule of visual amenity landscapes will be maintained or enhanced; and
2. that the capacity of the landscape has the capacity to absorb the change; and
3. that the proposal can be visually integrated into the landscape and will not break the skyline or ridgelines; or
- ~~X~~ 4. for Regionally Significant Infrastructure, that adverse effects are managed in accordance with EI- P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure, or for the National Grid, EI-PX5 Managing adverse effects of the National Grid^{7,8}.

while taking into account:

4. the scale of modification to the landscape; and
5. any potential cumulative effects; and
6. the measures proposed to mitigate the effects on the values and characteristics, including the location, design, scale and finish of any buildings or structures or earthworks, and landscaping; ~~and~~

³ Federated Farmers [182.124]

⁴ Waka Kotahi [143.90]

⁵ Clause 16(2)

⁶ Clause 16(2)

⁷ Transpower [159.79]

⁸ Transpower [159.79]

~~7. EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure.⁹~~**NFL-P4****Protecting Outstanding Natural Features and Outstanding Natural Landscapes**

Avoid subdivision, use and development within ONFs and ONLs ~~outstanding natural features and outstanding natural landscapes~~ that area¹⁰ not provided in NFL-P2, unless it:

1. demonstrates how the identified values and characteristics of the ONLs and ONFs ~~outstanding natural landscapes and outstanding natural features~~ described in SCHED8 — Schedule of outstanding natural landscapes and SCHED9 — Schedule of outstanding natural features will be protected; and
2. is located within a part of the ONF or ONL ~~outstanding natural feature or outstanding natural landscape~~ that has capacity to absorb change; and
3. can be visually integrated into the landscape and will not break the skyline or ridgelines; and
4. will maintain natural landforms, natural processes and vegetation areas and patterns, or
- X. is regionally significant infrastructure, and it is demonstrated that adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure, or for the National Grid, EI-PX5 Managing adverse effects of the National Grid^{11 12}

while taking into account:

5. the scale of modification to the landscape; and
6. any potential cumulative effects; and
7. the measures proposed to mitigate the effects on the values and characteristics, including:
 - a. the location, design and scale of any buildings or structures, or earthworks; and
 - b. the intensity of any activity; and
 - c. the finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing; and
 - d. ~~EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure.~~

Rules

Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

⁹ Transpower [159.79]

¹⁰ Dir. General Conservation [166.60]

¹¹ Transpower [159.79]

¹² Waka Kotahi [143.91], Transpower [159.80]

NFL-R1	Buildings, structures (other than fences) and irrigators and associated earthworks	
1. Outstanding Natural Features Overlay Outstanding Natural Landscapes Overlay	Activity status: Permitted Where: PER-1 The building or structure is either: 1. a farm building or structure associated with an existing ~~non-intensive~~ primary production activity¹³, including residential units permitted in the applicable zones, and including earthworks associated with the building/structure; or 2. a public amenity building, including earthworks associated the building; or PER-2 The structure is an irrigator that is not a travelling, mobile or pivot irrigator; and PER-3 ~~The activity does not require the clearance of any indigenous vegetation.~~¹⁴ PER-43¹⁵ NFL-S1, NFL-S2, NFL-S3, NFL-S4 and NFL-S5 are complied with. <u>This rule does not apply to temporary buildings and structures within the beds of rivers.</u>¹⁶	Activity status when compliance not achieved with either of PER-1 or PER-2 or PER-3¹⁷: Restricted Discretionary Where: RDIS-1 The activity is located within <u>PREC49 - Holiday Huts pPrecinct</u>; or RDIS-2 The structure is an¹⁸ irrigator; <u>or</u>. RDIS-3 <u>The building or structure does not comply with NFL-S2.1.3, but is not located at any point above 900m above sea level.</u> For RDIS-1, matters of discretion are ~~limited~~ restricted to: 1. the scale, design and form of the building or structure; and 2. the consistency of the building ~~or~~ the structure with the character and qualities of the <u>PREC49 - Holiday Huts pPrecinct</u>; <u>and</u> 3. the impact of the development on views from public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point; and 4. the extent to which the proposal will result in potential for adverse cumulative effects; and 5. the extent the proposal is consistent with maintaining the qualities of the <u>ONF or ONL Outstanding Natural Feature or Outstanding Natural Landscape</u> as described in SCHED8 — Schedule of outstanding natural

¹³ Federated Farmers [182.127]¹⁴ Federated Farmers [182.127]¹⁵ Schedule 1, cl16(2)¹⁶ Rooney Holdings [174.2], Rooney, GJH [191.2], RDRML [234.1], Rooney Group [249.2], Rooney Farms [250.2], Rooney Earthmoving [251.2], TDL [252.2]¹⁷ Federated Farmers [182.127]¹⁸ Clause 16(2)

- landscapes or SCHED9 — Schedule of outstanding natural features; and
6. any mitigation measures proposed.

For RDIS-2, matters of discretion are restricted ~~limited~~ to:

1. the extent the proposal is consistent with maintaining the qualities of the ONF or ONL ~~outstanding natural feature or outstanding natural landscape~~ as described in SCHED8 — Schedule of outstanding natural landscapes or SCHED9 — Schedule of outstanding natural features; and
2. any alternative options or locations available; and
3. the impact of the development on views from public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point; and
4. the extent to which the proposal will result in potential for adverse cumulative effects; and
5. the extent to which the proposal has functional needs or operational needs for its location; and
6. any mitigation measures proposed.

For RDIS-3, matters of discretion are limited ~~restricted~~ to:

1. the extent the proposal is consistent with maintaining the qualities of the ONF or ONL ~~outstanding natural feature or outstanding natural landscape~~ as described in SCHED8 — Schedule of outstanding natural landscapes or SCHED9 — Schedule of outstanding natural features; and
2. whether the proposal will visually integrate into the landscape; and
3. the appropriateness of the scale, form, design and finish (materials and colours) proposed; and
4. any alternative options or locations available; and
5. the impact of the development on views from public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point; and

		6. <u>the extent to which the proposal will result in potential for adverse cumulative effects; and</u> 7. <u>the extent to which the proposal has functional needs or operational needs for its location; and</u> 8. <u>any mitigation measures proposed.</u> Activity status when compliance not achieved with PER-4, ~~or neither~~ RDIS-1, ~~or~~ RDIS-2 <u>or</u> RDIS-3: Non-complying
2. <u>Visual Amenity Landscape Overlay</u> ~~but~~ <u>excluding</u>¹⁹ the area of VAL-3 Geraldine Downs that is within the Rural Lifestyle Zone	Activity status: Permitted Where: PER-1 The building or structure is either: 1. a farm building/structure/irrigator associated with an existing ~~non-intensive~~ primary production <u>activity</u>²⁰, including residential units, and including earthworks under the building/structure; or 2. a public amenity building, including earthworks under the building; and PER-2 NFL-S1, NFL-S2, NFL-S3, NFL-S4 and NFL-S5 are complied with. <u>This rule does not apply to temporary buildings and structures within the beds of rivers.</u>²¹	Activity status when compliance is not achieved with PER-2: Restricted Discretionary Matters of discretion are limited to: 1. the matters of discretion of any infringed standard. Activity status when compliance is not achieved with PER-1: Discretionary
3. The area of VAL-3 Geraldine Downs that is within the Rural Lifestyle Zone	Activity status: Restricted Discretionary Where: RDIS-1 NFL-S1, NFL-S2, NFL-S3, NFL-S4 and NFL-S5 are complied with. Matters of discretion are limited to: 1. effects on the identified values and characteristics for the <u>VAL visual amenity landscape</u> described in SCHED10 — Schedule of visual amenity landscapes; and	Activity status when compliance is not achieved with RDIS-1: Restricted Discretionary Matters of discretion are limited to: 1. the matters of discretion of any infringed standard; and 2. matters of discretion listed for RDIS-1.

¹⁹ Clause 16(2)

²⁰ Federated Farmers [182.127]

²¹ Rooney Holdings [174.2], Rooney, GJH [191.2], RDRML [234.1], Rooney Group [249.2], Rooney Farms [250.2], Rooney Earthmoving [251.2], TDL [252.2]

	2. any alternative locations or controls available; and 3. the matters of discretion of any relevant standard; and 4. any mitigation measures proposed. <u>This rule does not apply to temporary buildings and structures within the beds of rivers.</u>²²	
NFL-R2	Earthworks not listed in NFL-R1, NFL-R3 or NFL-R4	
1. Outstanding Natural Features Overlay Outstanding Natural Landscapes Overlay	Activity status: Permitted Where: PER-1 The earthworks are for the purpose of maintenance and repair of any of the following: 1. existing fences²³; or 2. existing farm tracks; or 3. existing walking/cycling tracks; or 4. existing roads; or 5. existing reticulated stock water systems including water troughs; or 6. existing natural hazard mitigation works; or ~~7. existing rock weirs; or~~ PER-2 The earthworks are for the purpose of sealing existing roads; and PER-3 NFL-S6 is complied with. <u>This rule does not apply to earthworks within the beds of rivers.</u>²⁴	Activity status when compliance not achieved: Discretionary <u><i>Note: Where the earthworks are also located within the wāhi tūpuna overlay, engagement with Te Rūnanga o Arowhenua should be undertaken to understand the effects of the activity on the identified values of the site or area.</i></u>²⁵
2. Visual Amenity Landscape Overlay	Activity status: Permitted Where: PER-1	Activity status when compliance is not achieved with PER-3: Restricted Discretionary Matters of discretion are limited to:

²² Rooney Holdings [174.2], Rooney, GJH [191.2], RDRML [234.1], Rooney Group [249.2], Rooney Farms [250.2], Rooney Earthmoving [251.2], TDL [252.2]

²³ Schedule 1, cl16(2)

²⁴ Rooney Holdings [174.2], Rooney, GJH [191.2], RDRML [234.1], Rooney Group [249.2], Rooney Farms [250.2], Rooney Earthmoving [251.2], TDL [252.2]

²⁵ Clause 10(2)(b) relating to Westgarth et al [200.7] – Ms White Recommendation - Hearing E

	The earthworks are for the purpose of maintenance and repair of any of the following: 1. existing fences²⁶; or 2. existing farm tracks; or 3. existing walking/cycling tracks; or 4. existing roads; or 5. existing reticulated stock water systems including troughs; or 6. existing natural hazard mitigation works; or PER-2 The earthworks are for the purpose of sealing existing roads; and PER-3 NFL-S6 is complied with. <u>This rule does not apply to earthworks within the beds of rivers.</u>²⁷	1. the matters of discretion of any infringed standard. Activity status when compliance is not achieved with either PER-1 or PER-2: Discretionary <u><i>Note: Where the earthworks are also located within the wāhi tūpuna overlay, engagement with Te Rūnanga o Arowhenua should be undertaken to understand the effects of the activity on the identified values of the site or area.</i></u>²⁸
NFL-R3	Network utilities including associated earthworks	
1. <u>Outstanding Natural Features Overlay</u> <u>Outstanding Natural Landscapes Overlay</u> <u>VAL overlay</u>²⁹	Activity status: Permitted Where: PER-1 The work involves the maintenance, upgrading or removal of existing network utilities; or PER-2 The installation of new or upgrading of underground network utilities where: 1. within the ONF and ONL overlays, the installation does not include more than 1,000m² of temporary trenching/earthworks; and; or 2. within the VAL overlay, the installation does not include more than 1,500m² of temporary trenching / earthworks in any 12 month period; and or	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. the height, size, scale, external colour/finish, reflectivity and design of the network utility building, structure, or above ground network utility line and support structure; and 2. the proposed location of the network utility building, structure or above ground network utility line and support structure and earthworks, specifically in relation to their impact on any landscape values; and 3. effects on landscape values, and qualities of the visual amenity landscape, ~~ONF or ONL outstanding natural feature or outstanding natural landscape~~ as described in SCHED8 — Schedule of outstanding natural landscapes or, SCHED9 — Schedule of outstanding natural features or

²⁶ Schedule 1, cl16(2)

²⁷ Rooney Holdings [174.2], Rooney, GJH [191.2], RDRML [234.1], Rooney Group [249.2], Rooney Farms [250.2], Rooney Earthmoving [251.2], TDL [252.2]

²⁸ Clause 10(2)(b) relating to Westgarth et al [200.7] – Ms White Recommendation - Hearing E

²⁹ Connexa [176.73, 176.74, 176.75], Spark [208.73, 208.74, 208.75], Chorus [209.73, 209.74, 209.75], Vodafone [210.73, 210.74, 210.75] - Evidence of Tom Anderson, paras 12 – 25.

	3. ~~the installation does not require the clearance of any indigenous vegetation.~~³⁰ PER-3 <u>Telecommunications activities which are located within a formed road reserve, where:</u> 1. <u>the height of any pole above existing ground level does not exceed 8m; and</u> 2. <u>any panel antenna is no higher than 3.5m above the height of the pole; and</u> 3. <u>NFL-S5 is complied with.</u>³¹ <u>PER-2 of this rule does not apply to network utilities within the beds of rivers.</u>³²	SCHED10 — Schedule of visual amenity landscapes; and 4. <u>alternative location and/or routes and designs available; and</u> 5. <u>any operational needs or functional needs or constraints; and</u> 6. <u>the benefits that the network utility provides to the local community and beyond; and</u> 7. <u>Mitigation measures.</u>
2. Visual Amenity Landscape Overlay	Activity status: Permitted Where: PER-1 <u>The work involves the maintenance, upgrading or removal of existing network utilities; or</u> PER-2 <u>The installation of new or upgrading of underground network utilities where the installation does not include more than 1,500m² of temporary trenching/earthworks in any 12-month period; or</u> PER-3 <u>Telecommunications activities, where:</u> 1. <u>the height of any pole and attached antenna (excluding lightning rods or GPS antenna) above existing ground level does not exceed 13m in any Rural Lifestyle Zone or 20m in any General Rural Zone; and</u> 2. <u>the diameter of the pole and all attachments does not exceed 1m; and</u> 3. <u>NFL-S5 is complied with.</u>³³ <u>PER-2 of this rule does not apply to</u>	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. <u>the height, size, scale, external colour/finish, reflectivity and design of the network utility building, structure, or above ground network utility line and support structure; and</u> 2. <u>the proposed location of the network utility building, structure or above ground network utility line and support structure and earthworks, specifically in relation to their impact on any landscape values; and</u> 3. <u>effects on landscape values, and qualities of the VAL ~~visual amenity landscape~~ as described in SCHED10 — Schedule of visual amenity landscapes; and</u> 4. <u>alternative location and/or routes and designs available; and</u> 5. <u>any operational needs or functional needs or constraints; and</u> 6. <u>the benefits that the network utility provides to the local community and beyond; and</u> 7. <u>Mitigation measures.</u>

³⁰ Clause 10(2)(b) relating to Federated Farmers [182.127]

³¹ Connexa [176.73, 176.74, 176.75], Spark [208.73, 208.74, 208.75], Chorus [209.73, 209.74, 209.75], Vodafone [210.73, 210.74, 210.75]

³² Rooney Holdings [174.2], Rooney, GJH [191.2], Rooney Group [249.2], Rooney Farms [250.2], Rooney Earthmoving [251.2], TDL [252.2]

³³ Connexa [176.73, 176.74, 176.75], Spark [208.73, 208.74, 208.75], Chorus [209.73, 209.74, 209.75], Vodafone [210.73, 210.74, 210.75] - Evidence of Tom Anderson, paras 12 – 25

	network utilities within the beds of rivers. ³⁴	
NFL-R4	Construction of fences, including earthworks	
Outstanding Natural Features Overlay Outstanding Natural Landscapes Overlay Visual Amenity Landscape Overlay	Activity status: Permitted Where: PER-1 The fence is a post and wire, or post and netting³⁵ fence; and PER-2 ~~There is no clearance of indigenous vegetation associated with the construction of the fence; and~~³⁶ PER-32 NFL-S6 is complied with.	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard; and 2. effects on landscape values, and qualities of the VAL, ONF or ONL ~~visual amenity landscape, outstanding natural feature or outstanding natural landscape~~ as described in SCHED8 — Schedule of outstanding natural landscapes, SCHED9 — Schedule of outstanding natural features or SCHED10 — Schedule of visual amenity landscapes; and 3. alternative designs, options or locations available; and 4. any mitigation measures.
NFL-R5	Tree planting, other than commercial plantation³⁷ forestry	
1. Outstanding Natural Features Overlay Outstanding Natural Landscapes Overlay	Activity status: Permitted Where: PER-1 The tree planting is for amenity planting and is located within 100m of an existing residential unit; or PER-2 The tree planting is of indigenous species and for restoration or conservation purposes.	Activity status when compliance not achieved: Controlled³⁸ Where: CON-1 The tree planting is for a shelterbelt within ONL-1 (Upper Rakitata/Rangitata Catchment) and is located below 500m above sea level. Matters of control are restricted reserved³⁹ to: 1. effects on landscape values, and qualities of the ONF or ONL ~~outstanding natural feature or outstanding natural landscape~~ as described in SCHED8 – Schedule of outstanding natural landscapes.

³⁴ Rooney Holdings [174.2], Rooney, GJH [191.2], Rooney Group [249.2], Rooney Farms [250.2], Rooney Earthmoving [251.2], TDL [252.2]

³⁵ Zolve [164.5], Federated Farmers [182.130]

³⁶ Clause 10(2)(b) relating to Federated Farmers [182.127]

³⁷ Schedule 1, cl16(2)

³⁸ Federated Farmers [182.131]

³⁹ Schedule 1, cl16(2)

		<u>SCHED9 – Schedule of outstanding natural features; and</u> <u>2. measures proposed to control any potential wilding spread.</u> <u>Activity status when compliance not achieved with CON-1: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> 1. effects on landscape values, and qualities of the <u>ONF or ONL outstanding natural feature or outstanding natural landscape</u> as described in SCHED8 — Schedule of outstanding natural landscapes, SCHED9 — Schedule of outstanding natural features; and 2. alternative planting options and locations available.
2. <u>Visual Amenity Landscape Overlay</u>	Activity status: Permitted Where: PER-1 The tree planting is for amenity planting and is located within 100m of an existing residential unit; or PER-2 The tree planting is of indigenous species and for restoration or conservation purposes.	Activity status when compliance not achieved: Controlled Where: CON-1 The tree planting is for erosion control or shelterbelts. <u>Matters of control are restricted reserved⁴⁰ to:</u> 1. effects on landscape values, and qualities of the <u>VAL visual amenity landscape</u> as described in SCHED10 — Schedule of Visual Amenity Landscapes; and 2. alternatives locations or species available. Activity status when compliance not achieved with CON-1: Restricted Discretionary <u>Matters of discretion restricted to:</u> 1. effects on landscape values, and qualities of the <u>VAL visual amenity landscape</u>, as described in SCHED10 — Schedule of Visual Amenity Landscapes; and

⁴⁰ Schedule 1, cl16(2)

		2. alternative planting options and locations available.
NFL-R6	Primary production not <u>otherwise</u> listed in the ~~Rules~~ section of this chapter	
1. ~~ONF overlay~~ ⁴¹ <u>Outstanding Natural Landscapes Overlay</u>	Note: ~~NFL-R1 applies to any associated buildings and structures are provided in NFL-R1.~~ Activity status: Permitted Where: PER-1 The activity does not require the clearance of any indigenous vegetation.⁴² PER-2 The activity does not introduce any: 1. new areas of irrigation beyond those existing as of 22 September 2022;⁴³ and/or 2. new areas of cultivation (by direct drilling, ploughing, discing, topdressing or oversowing or otherwise) beyond those existing as of 22 September 2022.	Activity status when compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: 1. ~~The effects on landscape values, and qualities of the visual amenity landscape,~~⁴³ <u>ONF or ONL outstanding natural feature or outstanding natural landscape</u> as described in SCHED8 — Schedule of outstanding natural landscapes and SCHED9 — Schedule of outstanding natural features; and 2. any mitigation measures. ~~Activity status when compliance not achieved with PER-2: Non-complying~~
2. <u>Outstanding Natural Features Overlay</u> ⁴⁴	Note: ~~NFL-R1 applies to any associated buildings and structures are provided in NFL-R1.~~ Activity status: Permitted Where: PER-1 The activity does not introduce any: 1. <u>new areas of irrigation beyond those existing as of 22 September 2022, and/or</u> 2. <u>new areas of cultivation (by direct drilling, ploughing, discing, topdressing or oversowing or otherwise) beyond those existing as of 22 September 2022</u>	Activity status when compliance not achieved with PER-1: Non-complying

⁴¹ Federated Farmers [182.132]⁴² Clause 10(2)(b) relating to Federated Farmers [182.127]⁴³ Clause 16(2)⁴⁴ Federated Farmers [182.132]

NFL-R7	Afforestation	
1. <u>Visual Amenity Landscape Overlay</u>	Activity status: Controlled Matters of control are <u>restricted reserved</u>⁴⁵ to: - the effects on <u>visual amenity landscape values, and qualities of the VAL Visual Amenity Landscape</u> described in SCHED10 — Schedule of visual amenity landscapes, <u>including any future effects from <u>plantation commercial</u>⁴⁶ forestry activities</u>; and - the location and extent of the afforestation; and - any mitigation measures.⁴⁷	Activity status when compliance not achieved: Not applicable
2. <u>Outstanding Natural Features Overlay</u> <u>Outstanding Natural Landscapes Overlay</u>	Activity status: Non-complying	Activity ~~S~~status when compliance not achieved: Not applicable
NFL-R8	New roads, farm tracks and walking and cycling tracks	
~~ONF overlay~~ ~~ONL overlay~~ ~~VAL overlay~~	~~Activity status: Restricted Discretionary~~ ~~Matters of discretion are restricted to:~~ ~~effects on landscape values, and qualities of the Visual Amenity Landscape, Outstanding Natural Feature or Outstanding Natural Landscape as described in SCHED8 — Schedule of outstanding natural landscapes, SCHED9 — Schedule of Outstanding Natural Features or SCHED10 — Schedule of visual amenity landscapes; and~~ ~~alternative routes and designs available; and~~ ~~any mitigation measures.⁴⁸~~	~~Activity status when compliance not achieved: Not applicable~~

⁴⁵ Schedule 1, cl16(2)

⁴⁶ Schedule 1, cl16(2)

⁴⁷ Port Blakely [94.11]

⁴⁸ Rooney Holdings [174.38], Federated Farmers [182.133], Rooney, GJH [191.38], Rooney Group [249.38], Rooney Farms [250.38], Rooney Earthmoving [251.38], TDL [252.38]

NFL-R9	~~Subdivision (excluding boundary adjustments)~~ ⁴⁹	
~~Outstanding Natural Features Overlay~~ ~~Outstanding Natural Landscapes Overlay~~ ~~Visual Amenity Landscape Overlay~~	~~Activity status: Discretionary~~	~~Activity status when compliance not achieved: Not applicable~~
NFL-R408	Mining and quarrying ~~(outside the beds of rivers)~~ ⁵⁰	
~~Outstanding Natural Features Overlay~~ ~~Outstanding Natural Landscapes Overlay~~ ~~Visual Amenity Landscape Overlay~~	~~Activity status: Non-complying~~ ~~This rule does not apply to mining and quarrying within the beds of rivers.~~ ⁵¹ ~~<i>Note: Where the mining or quarrying is located within the wāhi tūpuna overlay, engagement with Te Rūnanga o Arowhenua should be undertaken to understand the effects of the activity on the identified values of the SASM site or area.</i>~~ ⁵²	~~Activity status when compliance not achieved: Not applicable~~

Standards

NFL-S1	Maximum height	
~~1. Outstanding Natural Features Overlay~~	<del>The maximum height of buildings and structures, above ~~existing~~ ground level shall be 5m.</del>	~~Matters of discretion <u>are</u> restricted to: Not applicable~~

⁴⁹ Rooney Holdings [174.39], Rooney, GJH [191.39], Rooney Group [249.39], Rooney Farms [250.39], Rooney Earthmoving [251.39], TDL [252.39] - Evidence of Nathan Hole, paras 49 - 52

⁵⁰ Rooney Holdings [174.2], Rooney, GJH [191.2], Rooney Group [249.2], Rooney Farms [250.2], Rooney Earthmoving [251.2], TDL [252.2]

⁵¹ Rooney Holdings [174.2], Rooney, GJH [191.2], Rooney Group [249.2], Rooney Farms [250.2], Rooney Earthmoving [251.2], TDL [252.2]

⁵² Clause 10(2)(b) relating to Westgarth et al [200.7] – Ms White Recommendation - Hearing E

<u>Outstanding Natural Landscapes Overlay</u>		
2. <u>Visual Amenity Landscape Overlay</u>	The maximum height of buildings and structures, above existing ground level shall be: 1. 8m for farm buildings and structures; or 2. 8m for any residential unit in VAL-3 Geraldine Downs; or 3. 5m for any other building or structure.	Matters of discretion <u>are</u> restricted to: 1. whether the proposal is consistent with maintaining or enhancing the qualities of the <u>VAL visual amenity landscape</u> described in SCHED10 — Schedule of visual amenity landscapes; and 2. whether the proposal will visually integrate into the landscape; and 3. the appropriateness of the scale, form, and design proposed; and 4. any alternative options or locations available; and 5. the extent to which the proposal will result in adverse cumulative effects; and 6. the extent to which the proposal has functional needs or operational needs for its height; and 7. any mitigation measures.
NFL-S2	Location of buildings, structures and irrigators	
1. <u>Outstanding Natural Features Overlay</u> <u>Outstanding Natural Landscapes Overlay</u>	Buildings and structures within ONF and ONL <u>overlays</u>⁵³ shall not be located: 1. within a 20m vertical or 100m horizontal distance of any ridgeline; or 2. <u>for structures, at any point above 900m above sea level; or</u> 3. <u>for buildings, at any point above 500m above sea level</u>⁵⁴.	Matters of discretion <u>are</u> restricted to: Not applicable
2. <u>Visual Amenity Landscape Overlay</u>	Buildings, structures and irrigators within a <u>VAL</u> shall not be located: 1. within a 20m vertical or 100m horizontal distance of any ridgeline; or 2. at any point above 900m above sea level.	Matters of discretion <u>are</u> restricted to: 1. whether the proposal is consistent with maintaining or enhancing the qualities of the <u>VAL visual amenity landscape</u> described in SCHED10 — Schedule of visual amenity landscapes; and 2. whether the proposal will visually integrate into the landscape; and 3. the appropriateness of the scale, form, design and finish (materials and colours) proposed; and

⁵³ Schedule 1, cl16(2)

⁵⁴ Frank, H [90.16]

		4. any alternative options or locations available; and 5. the extent to which the proposal will result in adverse cumulative effects; and 6. the extent to which the proposal has functional <u>needs</u> or operational needs for its location; any 7. mitigation measures.
NFL-S3	Proximity of new residential units, farm buildings and structures to existing buildings	
1. Outstanding Natural Features Overlay Outstanding Natural Landscapes Overlay	New residential units, farm buildings and structures must be located within 50m of an existing farm building or residential unit.	Matters of discretion <u>are</u> restricted to: Not applicable
2. Visual Amenity Landscape Overlay	New residential units, farm buildings and structures must be located within 100m of an existing farm building or residential unit.	Matters of discretion <u>are</u> restricted to: 1. whether the proposal is consistent with maintaining or enhancing the qualities of the <u>VAL</u> ~~visual amenity landscape~~ described in SCHED10 — Schedule of visual amenity landscapes; and 2. whether the proposal will visually integrate into the landscape; and 3. the appropriateness of the scale, form, design and finish (materials and colours) proposed; and 4. any alternative options or locations available; and 5. the extent to which the proposal will result in adverse cumulative effects; and 6. the extent to which the proposal has functional <u>needs</u> or operational needs for its location; and 7. any mitigation measures.
NFL-S4	Footprint of buildings and structures and length of irrigators	
1. Outstanding Natural Features Overlay	1. The maximum footprint of any building or structure shall be: a. 40m² for public amenity buildings; b. 300m² for farm buildings or residential units; and c. 100m² for any other building or structure.	Matters of discretion <u>are</u> restricted to: Not applicable

<u>Outstanding Natural Landscapes Overlay</u>		
2. <u>Visual Amenity Landscape Overlay</u>	1. The maximum footprint of any building or structure shall be: 40m² for public amenity buildings; and 500m² for farm buildings or residential units; and 200m² for any other building or structure.	Matters of discretion <u>are</u> restricted to: - whether the proposal is consistent with maintaining or enhancing the qualities of the <u>VAL visual amenity landscape</u> described in SCHED10 — Schedule of visual amenity landscapes; and - whether the proposal will visually integrate into the landscape; and - the appropriateness of the scale, form and design proposed; and - any alternative options or locations available; and - the extent to which the proposal will result in adverse cumulative effects; and - the extent to which the proposal has functional <u>needs</u> or operational needs for its scale; and - any mitigation measures.
NFL-S5	Colours and materials	
1. <u>Outstanding Natural Features Overlay</u>	The exterior surfaces of buildings and structures shall be constructed of materials and/or finished in a manner which achieves a light reflectance value not greater than 30%.	Matters of discretion <u>are</u> restricted to: Not applicable
<u>Outstanding Natural Landscapes Overlay</u>		
2. <u>Visual Amenity Landscape Overlay</u>	The exterior surfaces of buildings and structures shall be constructed of materials and/or finished in a manner which achieves a light reflectance value not greater than 30%, <u>except that this standard shall not apply to any farm buildings and structures using unpainted corrugated iron.</u> ⁵⁵	Matters of discretion <u>are</u> restricted to: - whether the proposal is consistent with maintaining or enhancing the qualities of the <u>VAL visual amenity landscape</u> described in SCHED10 — Schedule of visual amenity landscapes; and - whether the proposal will visually integrate into the landscape; and - the appropriateness of the finish (materials and colours) proposed.
NFL-S6	Earthworks	

⁵⁵ Rooney Holdings [174.42], Rooney, GJH [191.42], Rooney Group [249.42], Rooney Farms [250.42], Rooney Earthmoving [251.42], TDL [252.42]

1. <u>Outstanding</u> <u>Natural</u> <u>Features</u> <u>Overlay</u> <u>Outstanding</u> <u>Natural</u> <u>Landscapes</u> <u>Overlay</u>	Earthworks shall comply with all of the following: 1. the depth of the earthworks shall not exceed 42⁵⁶m below the original surface of the ground; and 2. the depth of fill shall not exceed 1m above the original surface of the ground; and 3. the area of the earthworks shall not exceed 1,000m² in any 12 month period.	Matters of discretion <u>are</u> restricted to: Not applicable
2. <u>Visual</u> <u>Amenity</u> <u>Landscape</u> <u>Overlay</u>	Earthworks shall comply with ~~all~~ of the following: 1. the depth of the earthworks shall not exceed 42⁵⁷m below the original surface of the ground; and 2. the depth of fill shall not exceed 1m above the original surface of the ground; and 3. the area of the earthworks shall not exceed 1,500m²; in any 12 month period and 4. there shall be no change from unsealed surfacing of roads and tracks to sealed surfaces.	Matters of discretion <u>are</u> restricted to: 1. the location, design, scale, timing and nature of any earthworks; and 2. the visibility of the earthworks on views from public places and roads (including unformed legal roads), ease of accessibility to that place, and the significance of the view point; and 3. whether the proposal is consistent with maintaining the qualities of the <u>VAL</u> ~~visual amenity landscape~~ described in SCHED10 — Schedule of visual amenity landscapes; and 4. any alternative options or locations available; and 5. the any proposed mitigation measures.

⁵⁶ TDC [42.36]

⁵⁷ Clause 10(2)(b) relating to TDC [42.36]

PUBLIC ACCESS

Introduction

This chapter sets out the circumstances and places where Council will seek to require or encourage the provision of public access to and along the District's ~~coastal marine area~~ CMA and margins of specified wetlands and rivers. The maintenance and enhancement of public access to and along the CMA ~~coastal marine area~~ and margins of wetlands, lakes¹ and rivers is identified as a matter of national importance by the RMA. Providing public access enables leisure, recreation activities and conservation activities to occur and also allows people to enjoy the natural character and intrinsic qualities of these areas. Public access to these areas is also highly important to Māori. The objectives and policies in this chapter also apply to subdivision that results in the creation of esplanade reserves and esplanade strips that are for the purpose of providing public access. Council has identified in SCHED11 — Schedule of Public Access Provisions ~~that identifies~~ parts of the CMA ~~coastal marine area~~ and margins of specified wetlands and rivers where public access should be provided.

Advisory note:

It should be noted that there is no general right of public access across private land, and landowner consent must be obtained to access any private properties.²

Objective

PA-O1 Public access

Public access to and along the CMA ~~coastal marine area~~ and the margins of identified wetlands and rivers is maintained and enhanced, and only restricted where ~~desirable~~ appropriate³.

Policies

PA-P1 Benefits of public access

Recognise the benefits of providing public access to and along the CMA ~~coastal marine area~~ and the margins of wetlands and rivers identified SCHED11 — Schedule of Public Access Provisions and the planning maps, including:

1. providing for the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu and taoaka, including for mahika kai; and
2. providing public access to enable leisure, recreation activity, conservation activity and enjoyment of the natural character and intrinsic qualities of these areas.

PA-P2 Requirements for public access

Require public access to be provided to and along the CMA ~~coastal marine area~~ and the margins of wetlands and rivers as identified in SCHED11 — Schedule of Public Access Provisions and planning maps where:

1. there is benefit in providing public access as outlined in PA-P1; or
2. it would:
 - a. enable the creation of new public walking or cycling tracks; or
 - b. extend existing public walking or cycling tracks; or
 - c. improve connections between existing/proposed public walking or cycling tracks; or
3. it would improve connections to and between public spaces; and
4. the site or development is large enough to adequately accommodate public access without

¹ Schedule 1, cl16(2)

² Decision Report Part 1, Section 4.2

³ OWL [181.66]

- significantly constraining the site's development potential; and
5. enabling public access would not significantly constrain the operation of legally established activities occurring on the site; and
 6. there are no significant public safety risks created by the public access; and
 7. there is no existing suitable public access points in the vicinity of the site, or the development will place additional demands for public access that is not capable of being met by any existing public access in the vicinity of the site; and
 8. Council has budget to compensate the landowner for the public access strip.

PA-P3 Design and construction of public access

Ensure that all public access routes are designed in accordance with Council standards for recreational areas.

PA-P4 Limiting public access

Only allow an exemption for the requirement to provide public access or limiting an existing public access, on a temporary or permanent basis, for one or more of the following reasons:

1. in order to protect:
 - a. sensitive indigenous species and their habitats; or
 - b. sites and activities of cultural value to mana whenua; or
 - c. historic heritage; or
 - d. public health or safety; or
 - e. the natural character values of the CMA coastal marine area, wetland or rivers; or
 - f. the stability, performance, maintenance and operation of regionally significant infrastructure; or
 - g. the natural buffers to coastal erosion or river flooding; or
 - h. dunes and estuaries and other sensitive natural areas; or⁴
2. in order to enable temporary activities including temporary events.

Rules

Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

PA-R1 Any new land use, subdivision or development

All sites overlaid or adjoining waterways bodies ⁵ identified in the Public Access Provision	Activity status: Permitted Where: PER-1 The activity is located in the General Residential Zone and includes the creation of five or less residential units and/or residential allotments, and does not require a discretionary or non-complying activity resource consent in any other chapters of the	Activity status where compliance not achieved: Controlled Activity Where: CON-1 1. Public access is proposed in accordance with the Public Access Provision Overlay identified on the planning maps and 20187, SCHED11 - Schedule of public access provisions.
---	---	--

⁴ Dir. General Conservation [166.78]

⁵ Schedule 1, cl16(2)

Overlay	<u>District Plan</u>; or PER-2 The activity is located in the General Industrial Zone and is on a site that is less than 5,000m² and does not require a discretionary or non-complying activity resource consent in any other chapters <u>of the District Plan</u>; or PER-23⁶ The activity is located in other zones and does not require a discretionary or non-complying activity resource consent in any other chapters <u>of the District Plan</u>; or PER-4 <u>The site has previously obtained resource consent under this rule.</u>⁷	Matters of control are ~~restricted~~ reserved⁸ to: 1. the purpose of the public access; and 2. the location, design and width of the proposed public access having regard to Council's public access standards for recreation areas and the need to protect the matters listed under PA-P4.1; and 3. measures to ensure the health and safety of users of the proposed public access; and 4. measures to ensure security of private land from users of the proposed public access; and 5. any necessary restrictions on public access having regard to ~~policy~~ PA-P4; and 6. the legal instrument to ensure public access and the details of that instrument. Activity status when ~~re~~ compliance not achieved with CON-1: Restricted Discretionary Matters of discretion are restricted to: 1. whether public access should be provided or not, having regard to: a. the benefits of public access as outlined in PA-P1; and b. whether a significant public safety risk is created as a result of the public access; and c. whether there is any existing public access~~es~~ in the vicinity of the site and the suitability of ~~that~~<u>these</u> access~~es~~ to provide public access~~es~~ now and in the future; and d. whether the development will place additional demands for public access that is not capable of being met by any existing public access in the vicinity of the site; and e. whether the site or development is large enough to adequately accommodate public access without significantly constraining
-----------------------	--	--

⁶ Clause 16(2)

⁷ Silver Fern Farms [172.68] and Alliance Group [173.72]

⁸ Schedule 1, cl16(2)

- | | | |
|--|--|--|
| | | <p>the site's development potential;
and</p> <p>f. whether enabling public access would significantly constrain the operation of legally established activities occurring on the site; and</p> <p>g. whether Council has budget to compensate the landowner for the public access strip; <u>and</u></p> <p>2. ~~If~~ public access is required, the matters listed for control under CON-1.</p> |
|--|--|--|

This section has rules that have legal effect. Please check the ePlan to see what the legal effect is or subject to appeal.

SUBDIVISION

Introduction

Subdivision is the process of dividing a site or building into one or more additional legal allotments or changing the location of the existing legal boundaries. Subdivision design influences future patterns of land use and can have a significant impact on the character of the environment and associated amenity values. It enables the intensification of land uses that in turn increases the level of activity, density of built form, traffic generation and demand on infrastructure services. It is important that the design of a subdivision:

- provides allotments that are an appropriate size and shape to accommodate the anticipated land uses;
- appropriately responds to any important natural, physical, cultural, historical or ecological features, values or constraints within or adjoining the site;
- appropriately responds to any potential impacts on infrastructure and risks from natural hazards;
- provides appropriate legal and physical access;
- provides appropriate connections to transport infrastructure and network utility services; and
- integrates with surrounding neighbourhoods.

The subdivision process also provides for the creation of esplanade reserves or esplanade strips adjacent to the coast and rivers to enable public access, recreation or the management of conservation values.

This chapter contains objectives, policies and rules for subdivision. The following chapters also contain rules that relate to subdivision:

- ~~Coastal Environment~~
- ~~Drinking Water Protection~~
- ~~Ecosystems and indigenous biodiversity~~
- ~~Energy and Infrastructures¹~~
- Financial contributions
- ~~Historic Heritage~~
- ~~Natural Hazards²~~
- Noise
- Public Access
- ~~Sites and Areas Significant to Māori~~
- ~~Versatile Soils³~~
- Future Development Area; and
- Development Area

Other district-wide chapters may also contain provisions that are relevant to subdivision, for example, the Earthworks Chapter contains rules that will require consent for earthworks associated with subdivision.

The Future Development Areas ~~e~~Chapter and its associated overlay indicates the locations for future growth and when that growth can occur. The ~~D~~development Area chapters states requirements for new subdivision and development to ensure the areas is are development developed⁴ appropriately.

¹ Clause 10(2)(b), Schedule 1 of the RMA relying on Speirs, B [66.45 to 66.54]

² Clause 10(2)(b), Schedule 1 of the RMA relying on Speirs, B [66.45 to 66.54]

³ Clause 10(2)(b), Schedule 1 of the RMA relying on Speirs, B [66.45 to 66.54]

⁴ Clause 16(2), Schedule 1 of the RMA

Objectives

SUB-01	General subdivision design
New subdivisions will: 1. accord with the purpose, character and qualities of the zone; and 2. respond positively to the physical <u>and associative</u>⁵ characteristics of the site and its context; and 3. maintain and enhances⁶ amenity values and the quality of the environment; <u>and</u>⁷ 4. be accessible, connected and integrated with surrounding neighbourhoods; and 5. protect <u>significant identified</u>⁸ natural and cultural values; and 6. respond appropriately to <u>natural</u> hazards, risks and site constraints; and 7. have infrastructure and facilities appropriate for the intended use; and 8. <u>avoid where possible, and otherwise remedy or mitigate</u> ~~have minimal~~⁹ adverse effects on regionally¹⁰ significant infrastructure or <u>intensive</u>¹¹ primary production; and 9. provide for the health, wellbeing and safety of people; <u>and</u>¹² 10. not intentionally prevent, hinder or limit the <u>use or</u>¹³ development of adjoining or adjacent land, <u>including by way of reverse sensitivity effects</u>¹⁴.	
SUB-02	Infrastructure
Infrastructure required to serve subdivision is provided in an integrated, efficient and co-ordinated manner.	
SUB-03	Rural subdivision
Subdivision in the rural zones will: 1. ~~minimise-avoid~~¹⁵ the fragmentation of productive land in the General Rural Zone; and 2. maintain the low-density open character of the General Rural Zone; and 3. maintain a contrast between the rural environment and adjoining urban, Rural Lifestyle <u>Zone</u> and <u>Settlement Zones</u>; and 4. <u>avoid where possible, and otherwise</u>¹⁶ minimise reverse sensitivity effects on <u>intensive</u>¹⁷ primary production.	
SUB-04	Residential subdivision
Subdivision in residential zones will: 1. respond positively to the site's and area's¹⁸ natural and physical features that provide amenity and contribute to local character and sense of place; and 2. ensure safe, connected, and accessible neighbourhoods; and 3. provide for consolidation of residential zones outside of the Gleniti Low Density Residential Specific Control Areas and PREC1 - Old North General Residential Precinct; and 4. provide appropriate levels of accessible, well-designed¹⁹ open space.	

⁵ TRoNT [185.58]⁶ Clause 16(2), Schedule 1 of the RMA⁷ Clause 16(2), Schedule 1 of the RMA⁸ TRoNT [185.58]⁹ Clause 10(2)(b), Schedule 1 of the RMA relying on Fonterra [165.83], Hort NZ [245.65], NZPIB [247.15]¹⁰ Clause 16(2), Schedule 1 of the RMA¹¹ Clause 10(2)(b), Schedule 1 of the RMA relying on Fonterra [165.83], Road Metals [169.30], FH [170.30], Hort NZ [245.65]¹² Clause 16(2), Schedule 1 of the RMA¹³ Fonterra [165.82]¹⁴ Fonterra [165.82]¹⁵ NZPIB [247.15]¹⁶ Fonterra [165.83], Hort NZ [245.65], NZPIB [247.15]¹⁷ Fonterra [165.83], Road Metals [169.30], FH [170.30], Hort NZ [245.65]¹⁸ Clause 16(2), Schedule 1 of the RMA¹⁹ Clause 16(2), Schedule 1 of the RMA

SUB-O5	Public access and esplanade reserves and ~~Esplanade~~ strips
Public access and esplanade reserves and <u>esplanade</u> strips created through subdivision will: 1. contribute to the protection of conservation values; and 2. provide for public access to and along identified rivers and the sea, <u>except where in accordance with PA-P4</u>²⁰; and 3. provide public recreational uses along the water <u>waysbodies</u>²¹ and coast where the use is compatible with conservation values.	

Policies

All Subdivisions

SUB-P1	Subdivision
Require subdivision design to accord with the purpose, character and qualities of the applicable zone.	
SUB-P2	Subdivision of land within sensitive environments
Only allow subdivision containing identified sensitive environments that will: 1. not compromise the identified natural and cultural values; and 2. protect people and property from the identified <u>natural</u> hazards and risks; and 3. achieve <u>the</u> objectives and policies of the relevant chapter(s) in Part 2 – District-Wide Matters.	
SUB-P3	Disruptive ~~S~~ubdivision
Avoid subdivisions that ~~are intended to~~ ²² prevent, hinder or limit the development of adjoining or adjacent land, unless it is done to comply with a Council approved <u>DAP</u> ~~Development Area Plan~~ .	
SUB-P4	Quality of the environment and amenity
Require subdivision to maintain and enhance amenity values and the quality of the environment by ensuring subdivision design: 1. responds positively to ~~the associational~~,²³ natural and physical features <u>and their associative values</u>²⁴ such as underlying landscape, topography and established trees and vegetation that provide amenity, contribute to local character and sense of place; and 2. aligns streets to focus on significant views or landmarks; and 3. provide street trees and landscaping; and 4. avoids, remedies or mitigates adverse effects on the water quality, soil resources and important ecosystems.	

²⁰ TDC [42.37]

²¹ Schedule 1, cl16(2)

²² Fonterra [165.84]

²³ TRoNT [185.60]

²⁴ TRoNT [185.60]

SUB-P5	Reverse Sensitivity
Only allow subdivision that does not result in reverse sensitivity effects that would compromise the <u>safe and efficient</u> ²⁵ operation of regionally significant infrastructure/facilities and <u>lifeline utilities</u> ²⁶ , <u>legally</u> ²⁷ <u>lawfully</u> ²⁸ established <u>intensive</u> ²⁹ primary production, or <u>industrial activities</u> ³⁰ .	
SUB-P6	Infrastructure
Ensure subdivision is serviced sustainably with infrastructure by requiring: 1. infrastructure to be installed at the time of subdivision, except for on-site infrastructure that cannot be constructed until the buildings are designed; and 2. certainty that infrastructure networks have sufficient capacity to accommodate the additional development, or requiring any necessary upgrades to be completed at the time of subdivision; and 3. allotments to connect to the Council's reticulated systems where available; and 4. incorporation of water sensitive design measures and on-site stormwater infrastructure; and 5. new infrastructure to comply with the Energy and Infrastructure Chapter; and 6. infrastructure to be provided efficiently and integrated with existing or planned infrastructure; <u>and</u>³¹ 7. the consideration of multi-nodal transport links (including active transport links) and connected transport networks that allow ease of movement to, from and within the area; <u>and</u>³² 8. sufficient legal and physical access to each allotment; and 9. <u>requiring</u>³³ allotments to have access to a water supply suitable for firefighting; <u>and</u> 10. <u>infrastructure to maintain or enhance Kāti Huirapa values onsite and downstream</u>³⁴.	
SUB-P7	Esplanade reserves and <u>esplanade</u> strips
1. Identify margins of the coast or rivers in SCHED12 - Schedule of Esplanade Provisions where the provision of an esplanade reserve or <u>esplanade</u> strip would contribute to enabling public access, recreational use, and/or contribute to the protection of conservation values by; a. maintaining or enhancing the natural functioning of the adjacent sea <u>or</u>, <u>river</u>, <u>or lake</u>; or b. maintaining or enhancing water quality; or c. maintaining or enhancing aquatic habitats; or d. protecting the natural values associated with the esplanade reserve or esplanade strip; or e. mitigate natural hazards; and 2. Require esplanade reserves or esplanade strips to be created when land is subdivided on the margins of the coast and rivers listed in SCHED12 -Schedule of Esplanade Provisions); and 3. Only allow the minimum width of a required esplanade reserve or <u>esplanade</u> strip to be reduced, or the requirement for an esplanade reserve or <u>esplanade</u> strip to be waived where: a. it is impractical to provide all or part of the required esplanade reserve or esplanade strip due to the physical characteristics and/or constraints of the site; or b. providing the esplanade reserve or esplanade strip at the required minimum width would create a risk to public health or safety; or c. the purpose of the required esplanade reserve or esplanade strip can be appropriately provided for by alternative means, including within the allotments created by subdivision; or	

²⁵ KiwiRail [187.162]²⁶ RNZ [152.48]²⁷ Fonterra [165.85], Road Metals [169.31], FH [170.31]²⁸ Road Metals [169.31], FH [170.31]²⁹ Fonterra [165.185], Road Metals [169.31], FH [170.31], Hort NZ [245.68]³⁰ SFF [172.74], Alliance [173.74]³¹ Clause 16(2), Schedule 1 of the RMA³² Clause 16(2), Schedule 1 of the RMA³³ Clause 16(2), Schedule 1 of the RMA³⁴ TRoNT [185.61]

- d. the reduced width is sufficient to protect the identified public access, recreation, or conservation values, or to provide for natural hazard mitigation works; or
 - e. the costs of acquiring and/or maintaining the required esplanade reserve or esplanade strip would outweigh the potential public benefit; and
4. encourage access strips to be provided to connect esplanade reserves and esplanade strips with public open spaces, roads, pedestrian paths or cycleways.

Note: The policies in the Public Access Chapter are also relevant to any resource consent application to waive or reduce the width of a required esplanade reserve or esplanade strip.

Residential Subdivision

SUB-P8 Public open space

Consider requiring the creation of public open spaces at the time of subdivision in residential zones. The following matters are relevant to that consideration:

1. the size of the open space needed for the catchment it serves; and
2. proximity of the land and opportunities to integrate the open space with existing or planned open space networks, parks, esplanade strips, residential area and transport networks, including walkways and cycleways; and
3. Council's capacity to pay for maintenance and improvements; and
4. suitability of the land to be developed for the required purpose, including any potential for enhancement and considering the soils, gradient, and topography; and
5. landscape features and quality of the land, including surface water-bodies, and the potential for views into or from the site; and
6. ecosystems and biodiversity associated with the land and surrounding area, including any significant indigenous biodiversity, mature vegetation, or existing shelter-belts; and
7. historic heritage and cultural significance of the land; and
8. safety of users, including the absence of hazards and any vulnerability to natural hazards.

SUB-P9 Residential subdivision

Require residential subdivision to accord with the purpose, character and qualities of the zone, and maintain and enhance amenity values, by ensuring:

1. the subdivision design contributes to local character and sense of place; and
2. natural features and waterbodies are incorporated into the design; and
3. earthworks and land disturbance is minimised by designing building platforms that integrate into the natural landform; and
4. open space and street planting are incorporated into the design of larger scale subdivisions; and
5. streets are aligned with, and open spaces are designed to focus on, significant views or landmarks; and
6. the subdivision design maximises sunlight access, outlook and amenity including opportunities for future buildings to maximise solar gain, reduce energy and water consumption, and use renewable energy; and
7. conflict between residential activities and adjoining land uses are minimised.

SUB-P10 Safe, connected and accessible neighbourhoods

Require residential subdivision to ensure safe, connected and accessible neighbourhoods by:

1. minimising the proliferation of vehicle crossings that could affect the safety of the transport network; and
2. limiting cul-de-sacs unless there are legal, physical or topographical constraints that inhibit connections to other roads; and

3. providing a road and access design that creates a safe and accessible environment for pedestrians, cyclists, children, elderly and the disabled; and
4. providing spaces that encourage social interaction and neighbourhood cohesion; and
5. providing a variety of travel modes and connections to roads, public transport, nearby shops, schools, employment open spaces and other activities; and
6. providing ³⁵ the passive surveillance of street, parks, walkways and public areas and by ensuring the principles of APP3 – National Guidelines for Crime Prevention Through Environmental Design in New Zealand (CPTED) are incorporated into the design.

SUB-P11 Residential Intensification

Provide for consolidation of residential zones outside of the Gleniti Low Density Residential Specific Control Areas and PREC1 - Old North General Residential Precinct by:

1. enabling a variety of residential units within the constraints of the allotment size anticipated by the zone; ³⁶ and
2. not specifying a minimum allotment size in the Medium Density Zone for joint subdivision and land use applications to ensure flexibility and comprehensive consideration of applications; and
3. providing for two household residential units per site in the General Residential Zone and three residential units per site in the Medium Density Residential Zone; and
4. allowing non-compliance with minimum allotment ~~lot~~ design standards for allotments created around existing residential units; and
5. avoiding the creation of more than one large allotment in the Medium ~~Density~~ Residential Zone unless intensification is prevented by natural or physical site constraints.

SUB-P12 Non-compliant allotment size

Avoid subdivision in the General Residential Zones ~~that~~ that does not comply with the minimum allotment design and parameters unless:

1. the subdivision design maintains the residential character and amenity values of the area; and
2. it can be demonstrated that it is consistent with the character and qualities of development envisaged by General Residential Zone; and
3. it does not individually or cumulatively affect the ability of the properties in the Zone, specific control area or precinct to be developed or serviced now or in the future to the density anticipated in the Zone, specific control area or precinct.

Subdivision in Development Areas

SUB-P13 Development Area Plans

Require subdivisions to be in general accordance ~~comply~~³⁷ with the relevant DAP Development Area Plan, unless it can be demonstrated that an alternative proposal can better³⁸ achieve the objectives of the Development Area Plan³⁹.

Rural Subdivisions

SUB-P14 Rural allotments

Avoid subdivision that creates allotments that are less than the required minimum allotment size within the General Rural Zone and Rural Lifestyle Zone unless:

³⁵ Clause 16(2), Schedule 1 of the RMA

³⁶ Clause 16(2), Schedule 1 of the RMA

³⁷ BGD [167.13]

³⁸ BGD [167.13]

³⁹ Clause 16(2), Schedule 1 of the RMA

1. the subdivided allotments are solely for the purpose of network utilities, esplanade reserves or esplanade strips, roads, walkways, cycleways or access; or
2. the non-compliance is minor and the subdivision maintains the residential unit dwelling density anticipated for the zone; and or⁴⁰
3. the subdivision is necessary for natural hazard mitigation works; or
4. the subdivision is necessary to protect the values of sensitive environments.

SUB-P15 Rural Lifestyle Zone

Require subdivision in the Rural Lifestyle Zone to:

1. maintain the character and qualities of the Rural Lifestyle Zone; and
2. connect to the Council reticulated drinking water network; and
3. require connection to the Council reticulated wastewater networks where available, or if not available, provide a suitable site area for on-site disposal; and
4. maintain larger allotment sizes in the Geraldine Downs to protect its landscape character and amenity values; and
5. provide opportunities for smaller allotment sizes within the Raukapuka North Specific Control Area to reflect the existing character and amenity.⁴¹

Rules

Note: All subdivision activity requires resource consent. For certain activities, consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

SUB-R1	Boundary adjustments	
All zones	Activity status: Controlled Where: CON-1 SUB-S1 is complied with; and CON-2 SUB-S2 to SUB-S87 ⁴² are complied with. Matters of control are restricted reserved ⁴³ to: 1. the location, size and design of allotments, building platforms, roads, accessways, right of ways, vehicle crossings, open space, reserves, landscaping and connections to the surrounding area; and	Activity status when compliance not achieved with CON-2: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of control listed in CON-1 and CON-2; and 2. the matters of discretion of any infringed standard.
		Activity status when compliance not achieved with CON-1: Non-Complying Discretionary ⁴⁴

⁴⁰ Clause 16(2), Schedule 1 of the RMA

⁴¹ Panel Decision Report, Part 10, Section 7.3.2

⁴² Panel Decision Report Part 5, Section 6.6

⁴³ Schedule 1, cl16(2)

⁴⁴ Speirs, B [66.56], MFL [60.26]

	2. the ability to accommodate permitted and/or intended land uses; and 3. the compatibility with the purpose, character and qualities of the zone; and 4. the response to the site's and surrounding areas natural and physical features, character, amenity, constraints and vegetation; and 5. the provision, location, design, specification, construction, connection and timing of infrastructure, transport links, water sensitive design measures and firefighting water supply; and 6. the extent to which infrastructure has capacity to service the subdivision; and 7. legal and physical access arrangements; and 8. the requirement for any consent notices, covenants, easements, esplanades or public access; and 9. measures to avoid, remedy or mitigate adverse effects: a. of any natural hazards or other risks; and b. on any sensitive environments, waterbodies, ecosystems or notable trees; and c. on infrastructure; and d. on existing or permitted adjoining or adjacent land uses; and 10. the ability of any existing activity on the site to comply with the District Plan and/or existing resource consent; and 11. the suitability of any future development that would be enabled as a result of the subdivision; and 12. whether it is appropriate that the subdivision prevents, hinders or limits the development of adjoining or adjacent land; <u>and</u> 13. measures to manage adverse effects.	
SUB-R2	Subdivision that creates new allotments solely for the purpose of network utilities, the ~~n~~<u>N</u>ational ~~g~~<u>G</u>rid or roads	
All zones	Activity status: Controlled Where:	Activity status when compliance not achieved: Restricted Discretionary ~~Where:~~

CON-1

SUB-S2, SUB-S7 and SUB-S8 are complied with.

Matters of control are restricted reserved⁴⁵ to:

1. the location, size and design of allotments, building platforms, roads, accessways, right of ways, vehicle crossings, open space, reserves, landscaping and connections to the surrounding area; and
2. the ability to accommodate permitted and/or intended land uses; and
3. the compatibility with the purpose, character and qualities of the zone; and
4. the response to the site's and surrounding areas natural and physical features, character, amenity, constraints and vegetation; and
5. the provision, location, design, specification, construction, connection and timing of infrastructure, transport links, water sensitive design measures and firefighting water supply; and
6. the extent to which infrastructure has capacity to service the subdivision; and
7. legal and physical access arrangements; and
8. the requirement for any consent notices, covenants, easements, esplanades or public access; and
9. measures to avoid, remedy or mitigate adverse effects:
 - a. of any natural hazards or other risks; and
 - b. on any sensitive environments, waterbodies, ecosystems or notable trees; and
 - c. on infrastructure; and
 - d. on existing or permitted adjoining or adjacent land uses; and
10. the ability of any existing activity on the site to comply with the District Plan and/or existing resource consent; and

RDIS-1

~~Compliance is not achieved with CON-1.~~

Matters of discretion are restricted to:

1. the matters of control relevant to CON-1; and
2. the matters of discretion of any infringed standard.

⁴⁵ Schedule 1, cl16(2)

	11. the suitability of any future development that would be enabled as a result of the subdivision; and 12. whether it is appropriate that the subdivision prevents, hinders or limits the development of adjoining or adjacent land; <u>and</u>⁴⁶ 13. measures to manage adverse effects.	
SUB-R3	Subdivision not listed in SUB-R1 and SUB-R2	
All zones	Activity status: Restricted Discretionary Where: RDIS-1 SUB-S2 — to SUB-S~~97~~⁴⁷ are complied with; and RDIS-2 SUB-S1 is complied with. Matters of discretion are restricted to: 1. the location, size and design of allotments, building platforms, roads, accessways, right of ways, vehicle crossings, open space, reserves, landscaping and connections to the surrounding area; and 2. the ability to accommodate permitted and/or intended land uses; and 3. the compatibility with the purpose, character and qualities of the zone; and 4. the response to the site's and surrounding areas natural and physical features, character, amenity, constraints and vegetation; and 5. the provision, location, design, specification, construction, connection and timing of infrastructure, transport links, water sensitive design measures and firefighting water supply; and 6. the extent to which infrastructure has capacity to service the subdivision; and 7. legal and physical access arrangements; and	Activity status when compliance not achieved with RDIS-1: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion listed in RDIS-1; and 2. the matters of discretion of any infringed standard. Activity status when compliance not achieved with RDIS-2: Non-complying

⁴⁶ Clause 16(2), Schedule 1 of the RMA⁴⁷ Panel Decision Report Part 5, Section 6.6

	8. the requirement for any consent notices, covenants, easements, esplanades or public access; and 9. measures to avoid, remedy or mitigate adverse effects: a. of any natural hazards or other risks; and b. on any sensitive environments, waterbodies, ecosystems or notable trees; and c. on infrastructure; and d. on existing or permitted adjoining or adjacent land uses; and 10. the ability of any existing activity on the site to comply with the District Plan and/or existing resource consent; and 11. the suitability of any future development that would be enabled as a result of the subdivision; and 12. whether it is appropriate that the subdivision prevents, hinders or limits the development of adjoining or adjacent land; <u>and</u>⁴⁸ 13. measures to manage adverse effects; <u>and</u> 14. <u>the impact of the subdivision on the on-going delivery of existing public flood or erosion protection or drainage works.</u>⁴⁹	
SUB-R4	<u>Subdivision of land within and the National Grid Subdivision Corridor</u> ⁵⁰	
<u>All Zones</u>	<u>Activity status: Restricted Discretionary</u> <u>Where:</u> <u>RDIS-1</u> <u>All resulting allotments can accommodate a building platform for the likely principal building(s) and any building(s) for sensitive activities outside the National Grid Yard (other than where the allotments are for roads, access ways and network utilities).</u> <u>and</u>	<u>Activity status when compliance not achieved: Non-complying</u>

⁴⁸ Clause 16(2), Schedule 1 of the RMA⁴⁹ ECan [183.104]⁵⁰ Clause 10(2)(b), Schedule 1 of the RMA relying on Speirs, B [66.45 to 66.54]

	<u>RDIS-2</u> Existing vehicle access ~~way~~ to National Grid assets is maintained. <u>Matters ~~over which~~ of discretion are is restricted to:</u> 1. <u>the extent to which the subdivision allows for the ongoing efficient operation, maintenance and upgrading of the National Grid, including the ability for continued reasonable access for inspections, maintenance and upgrading; and</u> 2. <u>the location of any future building platform as it relates to the National Grid Yard; and</u> 3. <u>the extent to which the subdivision design allows for any future sensitive activity to be setback from the National Grid; and</u> 4. <u>the nature and location of any vegetation to be planted in the vicinity of the National Grid; and</u> 5. <u>the ability of future development to comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and</u> 6. <u>the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and</u> 7. <u>the outcome of any consultation with the owner and operator of the National Grid.</u>	
<u>SUB-R5</u>	<u>Subdivision and within Natural Hazards overlays⁵¹</u>	
<u>1 Flood Assessment Area Overlay outside the Port Zone⁵²</u>	<u>Activity status: Restricted Discretionary</u> <u>Where:</u> <u>RDIS-1</u> A Flood Risk Assessment Certificate for the subdivision is issued in accordance with NH-S1; and <u>RDIS-2</u>	<u>Activity status where compliance not achieved with RDIS-2: Not applicable if located within an urban zoned area</u> <u>Restricted Discretionary</u> <u>Where:</u> <u>RDIS-3</u> <u>The subdivision is within an urban zoned area.⁵⁵</u>

⁵¹ Speirs, B [66.45]⁵² Clause 16(2) – rule restructure to combine the Port Zone and non-Port Zone subdivision rules in the subdivision chapter⁵⁵ ECan [183.47]

	<u>The site is not subject to high hazard flooding as stated in a Flood Risk Certificate issued under RDIS-1. A building platform is identified on the subdivision plan and it is not located within a high hazard area as stated in a Flood Assessment Certificate issued in accordance with NH-S1.⁵³</u> <u>Matters of discretion are restricted to:</u> <u>1. the design and layout of the subdivision, including effects on public spaces and development sites, and on overland flow path(s); and</u> <u>2. the provision for any overland flow paths to remain or the provision of secondary flow paths; and</u> <u>3. any potential effects of diverting or blocking overland flow path(s) on future development within the subdivision; and</u> <u>4. any increased flood risk for people, property, or public spaces; and</u> <u>5. the effectiveness and potential adverse effects of any proposed mitigation measures; and</u> <u>6. the extent to which it will require new or upgraded public natural hazard mitigation works; and</u> <u>7. any increase in reliance on emergency services; and</u> <u>8. for development within the Māori Purpose Zone, the extent to which meeting the requirements of the rule compromises the purpose for which the Māori Purpose Zone MPZ was created and the anticipated activities within the Zone, and the views of mana whenua, if provided.⁵⁴</u>	<u>non-complying if located outside of an urban-zoned area</u> <u>Activity status where compliance not achieved with RDIS-1 or RDIS-3: Non-complying</u>
<u>1A2⁵⁶</u> <u>Flood Assessment Area Overlay within the Port Zone</u>	<u>Activity status: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u>	<u>Activity status where compliance not achieved: Not applicable</u>

⁵³ ECan [183.47]⁵⁴ Te Rūnanga o Ngāi Tahu [185.19], Waipopo Huts [189.48], Te Kotare Trust [115.1]⁵⁶ Clause 16(2) – rule restructure to combine the Port Zone and non-Port Zone subdivision rules in the subdivision chapter

<u>Sea Water Inundation Overlay within the Port Zone</u> <u>Coastal Erosion Overlay within the Port Zone</u> ⁵⁷	1. <u>the design and layout of the subdivision, in relation to natural hazards; and</u> 2. <u>any potential effects of diverting or blocking overland flowpath(s) on future development within the subdivision; and</u> 3. <u>any increased flood risk for people, property, or public spaces; and</u> 4. <u>the effectiveness and potential adverse effects of any proposed mitigation measures; and</u> 5. <u>the extent to which future development will require new or upgraded public natural hazard mitigation works; and</u> 6. <u>any increase in reliance on emergency services; and</u> 7. <u>the matters set out in NH-P11 and CE-P15.</u>⁵⁸	
<u>23 Liquefaction Awareness Areas⁵⁹ Overlay</u>	<u>Activity status: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> 1. <u>the appropriateness of the site for development; and</u> 2. <u>the liquefaction category that applies to the site and the level of risk to property and ~~R~~regionally ~~S~~significant ~~I~~nfrastructure; and</u> 3. <u>whether the appropriate geotechnical data has been uploaded to the New Zealand Geotechnical Database; and</u> 4. <u>the appropriateness of the techniques proposed for remediation and mitigation of the effects of any liquefaction hazard identified i.e. ground strengthening and if these are supported by a suitably qualified and experienced professional; and</u> 5. <u>the extent to which the siting and layout of the proposal is appropriate.</u>	<u>Activity status where compliance not achieved: Not applicable</u>

⁵⁷ ECan [183.133] – consequential addition given the additional Coastal Erosion Overlay identified at the Port, as identified in the evidence of Mr Walsh dated 9 April, at paragraph 80.

⁵⁸ PrimePort [175 - various] and Timaru District Holdings [186 - various]

⁵⁹ Technical correction, Minute 55

34 Earthquake Fault (Subdivision) Awareness Areas Overlay	Activity status: Restricted Discretionary Where: RDIS-1 The subdivision design ensures that any future building or structure will be located at least 20m metres away from any detailed area of fault or fold deformation. Matters of discretion are restricted to: 1. whether the surface fault rupture hazard has been adequately assessed by a suitably qualified and experienced professional; and 2. the adequacy of any engineered solution proposed to mitigate the surface fault rupture hazard. ~~Note: The investigation report is also to be supplied to CRC Canterbury Regional Council.~~	Activity status when compliance not achieved: Discretionary
45 Coastal Erosion Overlay outside the Port Zone⁶⁰	Activity status: Restricted Discretionary Where: RDIS-1 A building platform is identified on the subdivision plan and it is not located within the Coastal Erosion Overlay. Matters of discretion are restricted to: 1. the extent to which the proposal results in an increased risk of economic, social or environmental harm; and 2. whether the proposal includes hazard mitigation; and 3. the extent to which future building or structure has a functional need or operational need for its location; and 4. the extent of any positive benefits that will result from the proposal; and 5. the extent to which the proposal creates natural hazard risks on adjacent properties; and 6. the location of any proposed building that will accommodate a natural hazard sensitive building, including the level of certainty of the projected future	Activity status when compliance not achieved: Non-complying

⁶⁰ Clause 16(2) – rule restructure to combine the Port Zone and non-Port Zone subdivision rules in the subdivision chapter

	<u>shoreline, including whether the erosion is very likely within a medium term as opposed to more uncertain over a longer-term period.⁶¹</u>	
~~High Hazard Area Overlay~~	~~Activity status: Non-complying~~	~~Activity status where compliance not achieved: Not applicable⁶²~~
SUB-R126	Subdivision and within the Coastal Environment⁶³	
1 Coastal Environment Area Overlay	Activity status: Restricted Discretionary Where: RDIS-1 The site is not located within the Coastal High Natural Character Area Overlay. Matters of discretion are restricted to: 1. <u>any adverse impacts on the identified matters contained in CE-P4, CE-P5, CE-P6, CE-P7, CE-P8, CE-P9⁶⁴, and CE-P11; and</u> 2. <u>the extent to which the subdivision and future building and structure will result in adverse cumulative adverse effects.</u>	Activity status when compliance not achieved: Not applicable Discretionary Note: Where a resource consent is required as a ~~D~~discretionary activity under RDIS-1,⁶⁵ future building platforms must be indicated in the application and will be registered on the ~~Certificate Record~~ of Titles of resulting new allotments.
Sea Water Inundation Overlay	Activity status: Restricted Discretionary Matters of discretion are restricted to: 1. <u>the extent to which the proposal results in an increased risk of economic, social or environmental harm;</u> 2. <u>whether the proposal includes natural hazard mitigation;</u> 3. <u>the extent to which future building or structure has a functional need or operational need for its location; and</u> 4. <u>the extent of any positive benefits that will result from the proposal; and</u>	Activity status when compliance not achieved: Not applicable

⁶¹ ECan [183.109]⁶² Kāinga Ora [229.39]⁶³ Speirs, B [66.53]⁶⁴ Clause 16(2) to address a policy omission⁶⁵ Clause 16(2) for clarity

	~~5. the extent to which the proposal creates natural hazard risks on adjacent properties; and~~ ~~6. the location of any proposed building that will accommodate a natural hazard sensitive activity.~~	
3 <u>Coastal High Natural Character Area Overlay</u>	<u>Activity status: Discretionary</u> <u>Note: Future building platform must be indicated in the application and will be registered on the Certificate of Titles of resulting new allotments.</u>	<u>Activity status when compliance not achieved: Not applicable</u>
4 <u>Coastal Erosion Overlay</u>	<u>Activity status: Non-complying</u>	<u>Activity status when compliance not achieved: Not applicable</u>
SUB-R137	<u>Subdivision of and highly productive land ~~Versatile Soil~~⁶⁶</u>	
<u>All zones</u>	<u>Activity status: Restricted Discretionary</u> <u>Matters of discretion are restricted to:</u> <u>1. the extent to which the proposed subdivision and the layout of allotments will result in fragmentation of highly productive land ~~versatile soils~~; and</u> <u>2. the extent to which the size and shape of any proposed allotments will allow for any highly productive land ~~versatile soils~~ to continue to be used for non-intensive primary production; and</u> <u>3. the extent to which the subdivision achieves the requirements of the NPSHPL.</u>	<u>Activity status when compliance not achieved: Not applicable</u>
SUB-R148	<u>Subdivision not connected to a community sewage wastewater treatment⁶⁷ system, expect that this shall not apply to boundary adjustments where no additional lots are created⁶⁸ and Drinking Water Protection⁶⁹</u>	
<u>Drinking Water Protection Area - for a Community Drinking</u>	<u>Activity status: Restricted Discretionary</u> <u>Where:</u> <u>RDIS-1</u>	<u>Activity status when compliance not achieved: Not Applicable</u>

⁶⁶ Clause 10(2)(b) Schedule 1 of the RMA relying on Speirs, B [66.45 to 66.54]⁶⁷ TDC [41.42]⁶⁸ Rooney, et al [174.61, 191.61, 249.61, 250.61, 251.61, 252.61]⁶⁹ Speirs, B [66.54]

<u>Water Supply</u> <u>Drinking Water Protection Area - within 50m from a private drinking water supply</u>	<u>The subdivision is connected to a community wastewater treatment system.</u>⁷⁰ <u>Matters of control discretion are restricted to:</u> 1. <u>any impact on the safety of drinking water supplies for human consumption, and measures to avoid or mitigate these effects; and</u> 2. <u>the proximity of the land use activity to the drinking water supply, and measures taken to protect the supply point from the effects of the activity; and</u> 3. <u>Risks that the proposed activity may pose to the source of a drinking water supply that are identified in a source water risk management plan prepared in accordance with the requirements of the Water Services Act 2021.</u>	
--	--	--

SUB-R69	<u>Subdivision of land containing a ~~H~~historic ~~H~~eritage item</u> ⁷¹	
<u>All Zones</u>	<u>Activity status: Discretionary</u>	<u>Activity status when ~~re~~ compliance not achieved: Not applicable</u>
SUB-R710	<u>Subdivision of land within a ~~H~~historic ~~H~~eritage Area</u> ⁷²	
<u>Historic Heritage Areas</u>	<u>Activity status: Discretionary</u>	<u>Activity status when ~~re~~ compliance not achieved: Not applicable</u>
SUB-R811	<u>Subdivision and ~~S~~sites and ~~A~~reas of ~~S~~significance to Māori</u> ⁷³	
<u>Wāhi taoka, wāhi tapu, wai taoka, and wai tapu overlays</u>	<u>Activity status: Discretionary</u>	<u>Activity status when ~~re~~ compliance not achieved: ~~n~~Not applicable</u>
SUB-R912	<u>Subdivision and ~~S~~significant ~~N~~natural Areas</u> ⁷⁴	
<u>Sites containing a Significant Natural Area</u>	<u>Activity Status: Discretionary</u>	<u>Activity status when ~~re~~ compliance not achieved: Not Applicable</u>

⁷⁰ Milward Finlay Lobb [60.29], Bruce Speirs [66.29], TDC [41.2]⁷¹ Speirs, B [66.46]⁷² Speirs, B [66.47]⁷³ Speirs, B [66.48]⁷⁴ Speirs, B [66.49]

SUB-R1013		Subdivision within a and Riparian Margin ⁷⁵	
All zones except the General Rural Zone and Rural Lifestyle Zones		Activity status: Discretionary	Activity status when compliance not achieved: Not applicable
SUB-R1114		Subdivision (excluding boundary adjustments) ⁷⁶ and Natural Features and Landscapes ⁷⁷	
Outstanding Natural Features NE Overlay		Activity status: Discretionary	Activity status when compliance not achieved: Not applicable
Outstanding Natural Landscapes NE Overlay			
Visual Amenity Landscapes AL Overlay			
Standards			
SUB-S1		Allotment sizes and dimensions	
1 General Residential Zone		1. Allotments must have a minimum net site area of 450m² in area; and 2. Allotments must have a minimum dimension that can accommodate a circle with a 15m diameter, clear of any vehicle access, surface water-body or boundary setback; and 3. Within the Gleniti Low Density Residential Specific Control Area, allotments must have a minimum net site area of 700m² in area; and 4. Within PREC1 - Old North General Residential Precinct, allotments must have a minimum net site area of 1,500m² in area; and 5. 1.5ha in the Raukapuka North Specific Control Area where the access is not onto State Highway 79.⁷⁸ Except that: 5.6.⁷⁹ Clauses 1 and 2 above do not apply to allotments created around an existing residential unit, in which case there is no minimum net site area or dimensions requirements.	

⁷⁵ Speirs, B [66.50]⁷⁶ Rooney Holdings [174.39], Rooney, GJH [191.39], Rooney Group [249.39], Rooney Farms [250.39], Rooney Earthmoving [251.39], TDL [252.39] - Evidence of Nathan Hole, paras 49 - 52.⁷⁷ Speirs, B [66.51]⁷⁸ Panel Decision Report, Part 10, Section 7.3.2 and technical correction, Minute 55⁷⁹ Renumbered as a result of technical correction to move Clause 5 above to S1.4. Clause 16(2), Schedule 1 of the RMA

2 Medium Density Residential Zone	- Allotments must have a minimum net site area of 300m² in area; and ~~No~~ more than one allotment that is more than 500m² in net site area; and ~~Allotments~~ must have a⁸⁰ dimensions that can accommodate a circle with a minimum 13m diameter, clear of any vehicle access, surface water-body or boundary setback. Except that ~~No~~ minimum net site area or dimension applies to allotments created: - around <u>an</u> existing residential unit; or - a proposed residential unit <u>that</u> is part of a combined land use and subdivision consent application, <u>or does not require a land use consent</u>⁸¹.		
3 General Rural Zone	Allotments must have a minimum net site area of 40ha in area.		
4 Rural Lifestyle Zone	If no <u>development area plan-DAP</u>⁸² is required, allotments must have a net site area no less than: 5,000m² ~~sqm~~ for Lots 1 and 2 DP 444786; 2ha in the 2ha <u>Allotment Size eSpecific eControl eArea</u>; 10ha in the 10ha <u>Allotment Size eSpecific eControl eArea</u>; and - in any other areas, 5,000m² if there is a sewer connection to each residential allotment, otherwise 2ha; <u>and</u> <u>1.5ha in the Raukapuka North Specific Control Area where the access is not onto State Highway 79.</u>⁸³		
5 Development Areas	As specified in the relevant Development ~~eArea eChapter~~.		
6 General Industrial Zone	Allotments must have <u>legal access to</u>⁸⁴ a minimum road frontage width of 7m.		
SUB-S2	Stormwater treatment, catchment and disposal		
All zones	<table border="0"> <tr> <td data-bbox="309 1384 896 1738"> - Stormwater management must be provided in accordance with the <u>Stormwater Standards in the</u>⁸⁵ Stormwater ~~mManagement eChapter~~; <u>and</u> - Allotments must be connected to a reticulated stormwater network where: - a conveyance structure that forms part of a reticulated stormwater network passes </td><td data-bbox="896 1384 1484 1738"> Matters of discretion <u>are</u> restricted to: - any relevant matters of discretion for non-compliance with the ~~Sstormwater Standards~~ in the Stormwater ~~mManagement eChapter~~; and - the extent to which stormwater runoff from the allotment may adversely affect adjoining properties; and - any adverse effect on the need for a reticulated stormwater network; <u>and</u>⁸⁶ </td></tr> </table>	- Stormwater management must be provided in accordance with the <u>Stormwater Standards in the</u>⁸⁵ Stormwater ~~mManagement eChapter~~; <u>and</u> - Allotments must be connected to a reticulated stormwater network where: - a conveyance structure that forms part of a reticulated stormwater network passes	Matters of discretion <u>are</u> restricted to: - any relevant matters of discretion for non-compliance with the ~~Sstormwater Standards~~ in the Stormwater ~~mManagement eChapter~~; and - the extent to which stormwater runoff from the allotment may adversely affect adjoining properties; and - any adverse effect on the need for a reticulated stormwater network; <u>and</u>⁸⁶
- Stormwater management must be provided in accordance with the <u>Stormwater Standards in the</u>⁸⁵ Stormwater ~~mManagement eChapter~~; <u>and</u> - Allotments must be connected to a reticulated stormwater network where: - a conveyance structure that forms part of a reticulated stormwater network passes	Matters of discretion <u>are</u> restricted to: - any relevant matters of discretion for non-compliance with the ~~Sstormwater Standards~~ in the Stormwater ~~mManagement eChapter~~; and - the extent to which stormwater runoff from the allotment may adversely affect adjoining properties; and - any adverse effect on the need for a reticulated stormwater network; <u>and</u>⁸⁶		

⁸⁰ Clause 16(2), Schedule 1 of the RMA⁸¹ BGD [167.17]⁸² Schedule 1, cl16(2)⁸³ Panel Decision Report, Part 10, Section 7.3.2 and technical correction, Minute 55⁸⁴ RHL [174.54], Rooney, GJH [191.54], RGL [249.54], RFL [250.54], REL [251.54] and TDL [252.54]⁸⁵ Schedule 1, cl16(2)⁸⁶ Clause 16(2), Schedule 1 of the RMA

	within 50m of the allotment boundary; and b. stormwater is able to be conveyed into the reticulated network under gravity; and c. the distance between the conveyance structure and the source of the stormwater is less than 100m; and d. the network utility operator has confirmed in writing that it will accept the stormwater from the allotment; <u>and</u> 3. Each allotment required to connect to a reticulated stormwater network under SUB-S2.2 must be provided with a piped outfall connection laid at least 600mm into the net site area of the allotment; <u>and</u> 4. Where an allotment will not be connected to a reticulated stormwater network, all stormwater must be disposed within the net site area of the allotment.	4. the need for the stormwater network to be upgraded or extended in order for the allotments to be served; <u>and</u> 5. <u>the effects of the discharge on the values of Kāti Huirapa.</u>⁸⁷
SUB-S3	Water supply	
1 General Rural Zone	1. All allotments within a rural water supply scheme must have either: a. approval for the allotment to connect to a rural water supply scheme provided in writing from the relevant network utility operator; or b. evidence of an alternative water supply capable of providing a minimum of ~~56~~ <u>65</u>⁸⁸ litres per hectare per day; or c. evidence the future use of the allotment does not require water supply, and a ~~consent notice mechanism~~⁸⁹ is proposed alerting future purchasers. Notes:	Matters of discretion <u>are</u> restricted to: 1. the need for a ~~consent notice mechanism~~⁹⁰ stating that the provision of water to the site is the owner's responsibility on a continuing basis.

⁸⁷ TRoNT [185.63]⁸⁸ TDC [42.38]⁸⁹ RHL [174.55], Rooney, GJH [191.55], RGL [249.55], RFL [250.55], REL [251.55] and TDL [252.55]⁹⁰ Clause 10(2)(b), Schedule 1 of the RMA relying on RHL [174.55], Rooney, GJH [191.55], RGL [249.55], RFL [250.55], REL [251.55] and TDL [252.55]

	~~The documentation required to satisfy 1a or 1b or 1c must be provided to the Council.~~ ~~For the avoidance of doubt, note that this standard does not apply to allotments outside a rural water supply scheme.~~	
2 Rural Lifestyle Zone	Each allotment ~~(excluding allotments for a network utility, road, reserve or for access purposes)~~ must: 1. be within a reticulated drinking water supply network; and 2. be provided with confirmation in writing from the relevant network utility operator that it has capacity for an additional connection; and 3. be provided ~~be provided~~ with a connection laid at least 600mm into the allotment. ~~Note: This standard does not apply to allotments for a network utility, road, reserve or for access purposes.~~	Matters of discretion <u>are</u> restricted to: 1. the suitability of the water supply for the intended activities on the site; and 2. the suitability of the water supply for firefighting purposes; and 3. any adverse effect on the water supply network; <u>and</u>⁹¹ 4. the need for the reticulated water supply network to be extended or upgraded in order for the allotments to be served.
3. All other zones	1. In areas where a reticulated drinking water supply network is available and the network utility operator has confirmed in writing that it has capacity for an additional connection, all allotments ~~(excluding allotments for a network utility, road, reserve or for access purposes)~~ must be provided with a connection laid at least 600mm into the net site area of the allotment; <u>and</u> 2. Where a reticulated drinking water supply network is not available water supply must be available to each allotment ~~(excluding allotments for a network utility, road, reserve or for access purposes)~~ by way of either: a. access to a private water bore with a minimum flow rate of 700ml/minute; or b. on-site storage of at least 45,000 litres of drinking water; ~~Note: This standard does not apply to allotments for a network utility, road, reserve or for access purposes.~~	Matters of discretion <u>are</u> restricted to: 1. the suitability of the water supply for the intended activities on the site; and 2. the suitability of the water supply for firefighting purposes; and 3. any adverse effect on the water supply network; <u>and</u> 4. the need for the reticulated water supply network to be extended or upgraded in order for the allotments to be served.

⁹¹ Clause 16(2), Schedule 1 of the RMA

SUB-S4 Wastewater disposal		
1. Residential zones Commercial and mixed use zones General Industrial Zone Sport and Active Recreation Zone Port Zone	1. All allotments must be connected to a reticulated wastewater network, except for allotments for a <u>network</u> utility, road, reserve or for access purposes.	Matters of discretion <u>are</u> restricted to: 1. the need for a wastewater disposal system; and 2. the suitability of an alternative wastewater disposal system; <u>and</u> 3. <u>the effects of the discharge on the values of Kāti Huirapa.</u>⁹²
2. Rural zones Natural Open Space Zone Open Space Zone Māori Purpose Zone	1. All allotments must be connected to a reticulated wastewater network where: a. a wastewater pipeline passes within 50m of the allotment boundary; and b. the distance between the pipeline and the building where wastewater is generated is less than 100m; and c. the network utility operator has confirmed that it will accept the wastewater from the property; <u>and</u> 2. Where a connection to the Council's urban reticulated wastewater system is not available, the subdivision application must demonstrate that the discharge of wastewater to ground either complies with the Canterbury Regional Council <u>Land and Water</u>⁹³ regional Plan, or has a <u>CRC</u> discharge consent.	Matters of discretion <u>are</u> restricted to: 1. the need for a disposal system; and 2. the suitability of an alternative wastewater disposal system; and 3. the size of the allotment to accommodate a discharge to ground; <u>and</u> 4. <u>the effects of the discharge on the values of Kāti Huirapa.</u>⁹⁴
SUB-S5 Electricity supply and telecommunications		
1⁹⁵	All allotments, other than allotments for access, roads, <u>network</u> utilities or reserves,	Matters of discretion <u>are</u> restricted to:

⁹² TRoNT [185.63]⁹³ Schedule 1, cl16(2)⁹⁴ TRoNT [185.63]⁹⁵ Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82]

All zones except the General Rural Zone	must be provided with connections at the boundary of the net area of the allotment to an electricity supply and telecommunication ~~system networks~~ <u>service through an open access fibre network</u>⁹⁶, unless evidence is provided that a suitable alternative supply can be provided, and a ~~consent notice mechanism~~⁹⁷ is proposed alerting future purchasers. This standard does not apply to allotments for a <u>network utility</u>, road, reserve or for access purposes.	1. whether an electricity <u>supply</u>⁹⁸ and telecommunication <u>service</u>⁹⁹ ~~supply~~ <u>are</u>¹⁰⁰ needed for the intended use; and 2. the suitability of the alternative provision of telecommunication <u>service</u>¹⁰¹ and electrical supply; and 3. whether a ~~consent notice mechanism~~¹⁰² is required to alert any potential purchasers; <u>and</u> 4. ~~whether sufficient land for telecommunications, and any associated ancillary services has been set aside; and~~ 5. <u>for a subdivision that creates more than 15 allotments, whether consultation with a telecommunications network utility operator is required; and</u> 6. <u>whether any easements are necessary for the protection of electricity supply and telecommunications network utility services.</u>¹⁰³
<u>2</u> General Rural Zone	<u>All allotments, other than allotments for access, roads, network utilities or reserves, must be provided with connections at the boundary of the net area of the allotment to an electricity supply and telecommunication service connection (fibre, mobile or wireless including satellite), unless evidence is provided that a suitable alternative supply can be provided, and a mechanism is proposed alerting future purchasers.</u> <u>This standard does not apply to allotments for a network utility, road, reserve or for access purposes.</u>	<u>Matters of discretion are restricted to:</u> 1. <u>whether an electricity supply and telecommunication service are needed for the intended use; and</u> 2. <u>the suitability of the alternative provision of telecommunication service and electrical supply; and</u> 3. <u>whether a mechanism is required to alert any potential purchasers; and</u> 4. <u>whether any easements are necessary for the protection of electricity supply and telecommunications network utility services.</u>¹⁰⁴

⁹⁶ Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82]

⁹⁷ Clause 10(2)(b), Schedule 1 of the RMA relying on RHL [174.55], Rooney, GJH [191.55], RGL [249.55], RFL [250.55], REL [251.55] and TDL [252.55]

⁹⁸ Clause 16(2), Schedule 1 of the RMA

⁹⁹ Clause 10(2)(b), Schedule 1 of the RMA relying on Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82]

¹⁰⁰ Clause 16(2), Schedule 1 of the RMA

¹⁰¹ Clause 10(2)(b), Schedule 1 of the RMA relying on Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82]

¹⁰² Clause 10(2)(b), Schedule 1 of the RMA relying on RHL [174.55], Rooney, GJH [191.55], RGL [249.55], RFL [250.55], REL [251.55] and TDL [252.55]

¹⁰³ Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82]

¹⁰⁴ Connexa [176.82], Spark [208.82], Chorus [209.82] and Vodafone [210.82]

SUB-S6	Vehicular Access	
All zones	1. All allotments must be provided with legal and physical access to a road; <u>and</u> 2. <u>Any new vehicular</u> ~~Vehicular~~¹⁰⁵ access must not be to a state highway, or across a railway line; <u>and</u> 3. The vehicular access shall be designed and constructed in accordance with the requirements in the Transport <u>Chapter</u>; <u>and</u> 4. For developments where a fire appliance is not able to reach either: a. the residential unit; or b. a firefighting water supply source from the public road, vehicle access for fire appliances must be provided in accordance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.	Matters of discretion <u>are</u> restricted to: 1. ~~The~~ the need for legal and physical access to the site; and 2. the effects of any alternative access proposed; 3. the safety and efficiency of the road; <u>and</u> 4. the outcome of any consultation with NZTA; <u>and</u> 5. the matters of discretion relevant to any <u>Transport</u> ~~TRAN~~ <u>Chapter</u> standard breached.
SUB-S7	Roads, cycleways and pedestrian access	
1. All zones	All roads, cycleways and pedestrian accesses must be designed, constructed and vested in accordance with the Transport <u>Standards</u> in the Transport <u>Chapter</u> except where alternative standards are set out in a Development <u>Area Plan</u> ~~plan area~~ chapter.	Matters of discretion <u>are</u> restricted to: 1. the <u>Transport</u> ~~TRAN~~ <u>Chapter</u> matters of discretion relevant to the standard breached.
2. Geraldine Downs - Walking and Cycling <u>Tracks</u> ~~Specific Control Areas~~	A 5m wide access <u>allotment</u> is vested to ~~Timaru District Council~~ in accordance with the Geraldine Downs <u>Walking and Cycling</u> ~~Tracks~~ <u>Specific Control Area</u> as ~~showing~~ <u>shown</u> ¹⁰⁶ on the planning map.	Matters of discretion <u>are</u> restricted to: 1. the extent to which the proposal would affect the ability for the Geraldine Downs <u>Walking and Cycling</u> tracks to be established.
SUB-S8	Esplanade reserves and <u>esplanade</u> strips	
All zones (except the Port Zone)	1. Where land is subdivided adjoining the coast, or any river listed in SCHED-12 — Esplanade Provisions, unless otherwise specified in the schedule, an esplanade reserve, esplanade strip or access strip (at	Matters of discretion <u>are</u> restricted to: 1. the extent to which the purpose of the required esplanade reserve or esplanade strip can be achieved through alternative means; and

¹⁰⁵ RHL [174.57], Rooney, GJH [191.57], RGL [249.57], RFL [250.57], REL [251.57] and TDL [252.57]

¹⁰⁶ Clause 16(2), Schedule 1 of the RMA

	Council's discretion) must be provided along the margins of the coast/river, with a minimum width of: 5m where an allotment(s) of 4ha or more is created; <u>or</u> 10m where an allotment(s) of less than 4ha is created; <u>and</u> 2. No esplanade reserve or esplanade strip is required where the public access or the conservation or recreation values identified in SCHED 12 Esplanade Provisions is secured by a marginal strip under Part IV of the Conservation Act 1987.	- the extent to which a reduced width will impact on the ability to achieve the intended purpose of the esplanade reserve or <u>esplanade</u> strip; <u>and</u>¹⁰⁷ - the extent to which the ability to provide the required esplanade reserve or <u>esplanade</u> strip is constrained by the site's physical characteristics or constraints; and - the extent to which provision of the required esplanade reserve or <u>esplanade</u> strip may adversely affect public health and safety; and - the costs of acquiring and maintaining the required esplanade reserve or <u>esplanade</u> strip, in comparison to the public benefit; <u>and</u> - the impact of taking the <u>esplanade</u> provision on Kāti Huirapa values.¹⁰⁸
SUB-S9¹⁰⁹	Tree Planting Brookfield Road Specific Control Area	
Brookfield Road Specific Control Area	All allotments created in the Rural Lifestyle Zone, other than allotments for access, roads, utilities or reserves for the subdivision of Lot 6 DP 502319 shall include a condition to be specified in a consent notice or other appropriate legal instrument to be registered against the record of title specifying: - A building setback of 10m from the eastern boundary; <u>and</u> - That a minimum of five trees per allotment are to be established adjoining the eastern boundary on the created allotment prior to the issue of building consent for any building. Each tree is to be capable at maturity of a minimum height of 12m, and a canopy of no less than five (5) metres; <u>and</u> - Trees are to be established in 'tree clusters' of a minimum of two trees, with intervening tree separation of at least eight (8) metres between the base of each tree within the cluster, and a minimum separation between tree clusters on each allotment of 20m	Matters of discretion are restricted to: - Landscaping and screening; <u>and</u> - Effects on landscape character associated with the bulk and external appearance of buildings from public places; <u>and</u> - Whether a legal mechanism is required.

¹⁰⁷ Clause 16(2), Schedule 1 of the RMA

¹⁰⁸ TRoNT [185.64]

¹⁰⁹ Panel Decision Report Part 10, Section 8.14.

	and maximum separation between each tree cluster of 40m.	
--	---	--

Appendix 4: list of persons to be served

Sub No.	Submitter Name	Email / contact address
1	Graeme Clarke	graemebc@hotmail.com
2	Clayton Wallwork	clayton.wallwork@gmail.com
3	Joanne Hanifin	jo.hanifin62@gmail.com
4	EJAPS Ltd	jwgoslin@gmail.com
5	Timaru Old Boys Sports Club	gposullivan@gmail.com
6	Peter Wallace	wallaceinc@xtra.co.nz
7	Lifestyle Builds Ltd	kj@lifestylebuilds.co.nz
8	Aaron Carson	aari.carson@gmail.com
9	Rachel Smith	raqfoo@gmail.com
10	John McKenzie	mckenziee@xtra.co.nz
11	Gerald Morton	admin@mflnz.co.nz g.morton@mortons.co.nz
12	Steve Fraser	admin@mflnz.co.nz
13	David George Earl and Maria Lucia Earl	admin@mflnz.co.nz daveyearl@hotmail.com
14	Gemma Oliver	gemma.oliver@live.com
15	Michael Sidhom	Sidhommichael@hotmail.com
16	Brenda Van Buuren	brendavb479@gmail.com
17	Lisa Zwarts	zwartshunter@xtra.co.nz
18	Go Media Ltd	frank@gomedia.co.nz
19	Waitui Deer Farm Ltd	admin@mflnz.co.nz
20	Terrence John O'Neill, Aileen Kathryn O'Neill, C and F Trustees 2006 Ltd	admin@mflnz.co.nz
21	Logan King	logan-king@windowslive.com
22	Oliver Amies	oliver.amies@ubteam.com
23	Just Cows Limited	justcowslimited@outlook.com
24	Mike Lamb	mike@ardlamont.com
25	Leon Hillegers	leon.hillegers@gmail.com
26	R & G Kellahan	53 Templer St, Geraldine 7922
27	Holly Renee Singline and RSM Trust Limited	admin@mflnz.co.nz
28	Robyn & Richard Hay	admin@mflnz.co.nz

29	Tom Hargreaves	tom@kakahu Angus.com
30	Chris & Sharon Mcknight	admin@mflnz.co.nz
31	Karton and Hollamby Group Ltd T/A Stonewood Homes South Canterbury Ltd	zrobinson@zolve.co.nz
32	Bruce Selbie	admin@mflnz.co.nz bselbie@xtra.co.nz
33	Ford, Pyke, Andrews Talbot, Wilkins & Proudfoot, Craig, Mackenzie	admin@mflnz.co.nz
34	Greenfield, McCutcheon, Tarrant, Sullivan and Ellery	admin@mflnz.co.nz
35	Pye Group Ltd, Dialan Dairy Ltd, Grantlea Dairy Ltd, South Park Farm Ltd, South Stream Dairy Ltd	michelle@pyegroup.co.nz
36	Peter Bonifacio	bonifacio@farmside.co.nz
37	Bruce Eggleton	bruceeggleton@rocketmail.com
38	G.D.M. Offices Ltd	timgresson@xtra.co.nz glen@do.nz
39	Ian Sinclair	iansinx@gmail.com
40	Rob Gerard	rob.gerard36@gmail.com
41	Maze Pastures Limited	admin@mflnz.co.nz
42	Timaru District Council	Aaron.hakkaart@timdc.govt.nz
43	King, Hillegers and McMillan	admin@mflnz.co.nz
44	Rangitata Dairies Limited Partnership	justin@wilfarm.co.nz
45	John Evans	jben839@gmail.com
46	Keen, Oliver, Forbes et al	gemma.oliver@live.com
47	ANSTAR Limited	sam@townplanning.co.nz
48	Jet Boating New Zealand	malcolm.smith@jbnz.co.nz
49	Ixom Operations PTY LTD	austin.brooks@ixom.com
50	Daniel Stack	danmarjastack@xtra.co.nz
51	OSA Properties Ltd	admin@mflnz.co.nz
52	Canterbury Woodchip Supplies Ltd - BL & NJ Coleman and QA Trustees 2012 Ltd	david@dhconsulting.co.nz
53	Helicopters South Canterbury 2015 Ltd	richard@helisc.co.nz
54	Steve Dale & Anthony Dale	admin@mflnz.co.nz
55	Alpine Energy Limited	fabia.fox@alpineenergy.co.nz
56	Property Income Fund No.2 Limited	amber@willisbond.co.nz

57	Sid McAuley	philip.maw@wynnwilliams.co.nz
58	James Hart	jameshart@farmside.co.nz
59	Louise Aubrey	louisecaubrey@gmail.com
60	Milward Finlay Lobb	admin@mflnz.co.nz
61	Station Air Ltd	info@mesopotamia.co.nz
62	Graeme and Margaret King	mandgking35@gmail.com
63	Wendy and James Smith	wendysmith.timaru@gmail.com
64	Simon Pemberton	simonpemberton757@gmail.com
65	Lucinda Robertson	lucindarobertson@yahoo.co.nz
66	Bruce Speirs	lsgl@xtra.co.nz
67	Scott Jesen	scottbjesen@gmail.com
68	Ashley Shewan	146 George Ward Road, RD 2, Timaru 7972
69	Ruth Melrose	melroseruth1@gmail.com
70	Joanne Brownie	jabrownie@xtra.co.nz
71	Graham John & Kathleen Veronica Collins	grakat85@hotmail.com
72	Lee Anne Burdon	wittonlodge@outlook.com
73	Waterton Farm Ltd	cahampton@xtra.co.nz
74	H B	globepanning@gmail.com
75	Miriam Jowett	miriam.jowett@gmail.com
76	Rodney and Tania Coles	t.r.coles@outlook.com
77	Luke Challies and Elizabeth Ireland	Challies.luke@gmail.com
78	Christopher Terence Templeton	opentenor@hotmail.com
79	Jeremy Talbot	talbot.agri@xtra.co.nz
80	Jane Bronwen Fuller	terryjanefuller@gmail.com
81	John Leonard Shirtcliff and Rosemary Jean Shirtcliff	john.shirtcliff@xtra.co.nz
82	Robert James Weavers	rjweavers@xtra.co.nz
83	Noel Edward Glass	nandmglass@xtra.co.nz
84	Izaak Charles Brosnan	izaak.brosnan1@gmail.com
85	John and Linda Badcock	johnbadcockartist@gmail.com
86	Ballance Agri-Nutrients Limited	dominic.adams@ballance.co.nz
87	Agnes Baekelandt	a_baekelandt@hotmail.com

88	Anna Morten	snawbans@gmail.com
89	Dairy Holdings Limited	ben.williams@al.nz rachel.robilliard@al.nz
90	Hermann Frank	hermann@newfrankland.org
91	Smillie Family	rapuwai0@gmail.com
92	Bruce Wain Rogers	bruce@rogersinc.nz
93	Catharina Treeby	treebycr@gmail.com
94	Port Blakely Limited	chris.fowler@saunders.co.nz shona.walter@saunders.co.nz
95	Darren Wayne Rae	ang.daz@xtra.co.nz
96	Ali Bras	22 Lenton Street, Aranui, Christchurch 8061
97	Warren John Bloxham	warren.bloxham@hadlowcontracting.co.nz
98	David John Parris	d.parris@xtra.co.nz
99	Glenwillow Land Co Ltd	glenwillow@farmside.co.nz
100	David J Moore and Judith Moore	moore_farm@hotmail.com
101	David Dryden McBride	dd@davidmcbride.co.nz
102	David Stanley Woods	d-woods@slingshot.co.nz
103	Joseph John and Catherine Bo McKenzie & Choung	joemckenzie89@gmail.com
104	Port Bryson Property Limited	bruce.pipe@xtra.co.nz
105	Peel Forest Estate	ashley.carr@me.com
106	Ministry of Education	Kate.graham@beca.com
107	Lineage Logistics New Zealand Limited	gerard.cleary@ah.co.nz
108	George Harper on behalf of joint submitters	george.harper@lynnriver.co.nz , peelview.orchard@gmail.com
109	George and Rachel Harper	george.harper@lynnriver.co.nz
110	Gordon & Jillian Ireland	gordonireland@gmail.com
111	Hamish Laird	hamish.laird@elmgdigitalpower.com
112	Frank Hocken	farm.house@xtra.co.nz
113	Kerry McArthur	madcowcookie@gmail.com
114	Heritage New Zealand Pouhere Taonga	abaird@heritage.org.nz AreaMgrCW@heritage.org.nz mvincent@heritage.org.nz
115	Te Kotare Trust	chris.fowler@saunders.co.nz shona.walter@saunders.co.nz

116	Z Energy	georgina.mcpherson@slrconsulting.com thomas.trevilla@slrconsulting.com
117	Tosh Prodanov	toshprodanov@gmail.com
118	Judith Margaret Coldicott	horizonhomeopathy@gmail.com
119	Parinui Farm	adgpastoral@gmail.com
120	Leslie Raymond Rawlings	helenrawlings@icloud.com
121	Robert Whitham	louisbrownnz@gmail.com
122	Margaret Elizabeth Digby	margaret.e.digby@gmail.com
123	Roger Ellis and Elizabeth Jane Buchanan and Small	rebuch.pn@gmail.com
124	Philip Gray	idealtimaru@xtra.co.nz
125	Russell Kenneth Brodie	eca.fly@xtra.co.nz
126	Amy Alison	louisbrownnz@gmail.com
127	Nicolas John Twaddle	louisbrownnz@gmail.com
128	Warren & Elizabeth Scott	lauren@do.nz lizwarren@xtra.co.nz
129	Cassandra Roa & Hamish Allan Jamieson	kintyre2012limited@hotmail.com
130	Janice Anne Hutchinson	122 Beach Road, RD 3, Timaru 7973
131	Fire and Emergency	Jacob.yee@beca.com
132	New Zealand Agricultural Aviation Association	eonzaaa@aviationnz.co.nz
133	Toni Gilbert	27 Normanby Road, RD1, Timaru 7971
134	NZMCA	Joe@nzmca.org.nz
135	South Canterbury Car Club Inc	sccarclub.operations@xtra.co.nz kevin@patemans.co.nz
136	Simon Connolly	Simon.connolly@xtra.co.nz
137	Peter and Stephanie McCullough	McCulloughP@xtra.co.nz
138	Steve & Yanna Houwaard Sullivan	2 Hislop St, Geraldine 7930
139	Peter Nixon	nixons16@outlook.com
140	Southern Proteins Limited	tim@novogroup.co.nz
141	David William & Siobhan Mary Collins	david@collins-consulting.co.nz
142	McAuley Trust	matt@rms.co.nz
143	Waka Kotahi	Stuart.Pearson@nzta.govt.nz kate.bonifacio@nzta.govt.nz
144	Gregory A. & Vivienne L Wilkinson	greg.a.wilkinson@gmail.com

145	Tristram Johnson	tristram@scrfu.co.nz
146	Lyndsay William & Frances Margaret Dennison	28 Cain Street, Timaru 7910
147	Chris Hughes	qwang@align.net.nz
148	Simo Enterprises Limited	sarahd@maven.co.nz
149	James Reese Hart	reesehart@farmside.co.nz
150	The South Canterbury Club	admin@scclub.co.nz cv.truman@xtra.co.nz
151	New Zealand Defence Force	rebecca.davies@nzdf.mil.nz RPurdy@tonkintaylor.co.nz
152	Radio New Zealand	hadleigh.pedler@chapmantripp.com
153	Kenneth James Weavers	ken.weavers66@gmail.com
154	Christian Bras	chris.acolorany@gmail.com
155	Timaru Oil Services Ltd	steve.simpson@tosl.co.nz philippe.dubau@tosl.co.nz Paul Feltoe
156	Royal Forest and Bird	n.snoyink@forestandbird.org.nz t.williams@forestandbird.org.nz
157	Ryan De Joux	ryandejoux@yahoo.co.nz
158	Kenneth James & Rose Esther Tarrant	roseandkj@xtra.co.nz
159	Transpower New Zealand Limited	Environment.Policy@transpower.co.nz
160	David Alexander & Susanne Elizabeth Payne	peelview.orchard@gmail.com ben@netzeronexus.co.nz lynette@agribusinessgroup.co.nz
161	Fi Glass Products	griff@fi-glass.co.nz
162	Enviro NZ	kaaren.rosser@enviroz.co.nz Laurence.Dolan@enviroz.co.nz
163	Synlait Milk Ltd	Yves.Denicourt@synlait.com
164	Zolve Environmental Ltd	zrobinson@zolve.co.nz
165	Fonterra Limited	Ben.williams@al.nz; meg.davidson@al.nz
166	Penny Nelson, Director-General of Conservation Tumuaki Ahurei	lwilliams@doc.govt.nz
167	Brouchs Gully Development Limited	lauren@do.nz richard.mcewan@xtra.co.nz
168	Hilton Haulage Limited Partnership	lauren@do.nz jason.reed@hiltons.co.nz
169	Road Metals Company Limited	Rosie.flynn@roadmetals.co.nz
170	Fulton Hogan Limited	Jack.christensen@fultonhogan.com

171	Fenlea Farms limited	Jamie.robinson@duncancotterill.com
172	Silver Fern Farms Limited	steve.tuck@mitchelldaysh.co.nz
173	Alliance Group Limited	doyle.richardson@mitchelldaysh.co.nz
174	Rooney Holdings Limited	nathan.hole@rooneygroup.co.nz
175	PrimePort Limited	kim@novogroup.co.nz cedric.carranceja@buddlefindlay.com
176	Connexa Limited	tom@incite.co.nz
177	Alastair Joseph Rooney	Jamie.robinson@duncancotterill.com
178	Rural Contractors New Zealand Incorporated	graeme.mathieson@mitchelldaysh.co.nz
179	Barkers Fruit Processors Limited	lauren@do.nz marley.regenvanu@barkers.co.nz
180	Malpati Regenvanu	regenvanu.m@gmail.com
181	Opuha Water Limited	lucy@gressons.co.nz julia@opuha.co.nz hannah@opuha.co.nz
182	Federated Farmers	lhume@fedfarm.org.nz
183	Canterbury Regional Council	Regional.Planning@ecan.govt.nz
184	House Movers Section of the New Zealand Heavy Haulage Association Inc	stuart@stuartryan.co.nz jonathan@hha.org.nz sean@akaranachambers.co.nz
185	Te Runanga o Ngai Tahu	rachael.pull@ngaitahu.iwi.nz TTW@ngaitahu.iwi.nz
186	Timaru District Holdings Ltd	kim@novogroup.co.nz
187	KiwiRail Holdings Limited	environment@kiwirail.co.nz Kieran.oconnor@russellmcveagh.com cara.gibson@russellmcveagh.com
188	Out of Home Media Association of Aotearoa	ablomfield@bentley.co.nz
189	Waipopo Huts Trust	chris.fowler@saunders.co.nz shona.walter@saunders.co.nz
190	North Meadows 2021 Limited and Thompson Engineering (2002) Limited	glen@do.co.nz
191	GJH Rooney	nathan.hole@rooneygroup.co.nz
192	Harvey Norman Properties (N.Z.) Limited	MichaelT@civilplan.co.nz
193	Foodstuffs South Island Limited	chris.fowler@saunders.co.nz shona.walter@saunders.co.nz
194	Russell James King	russelljking@xtra.co.nz
195	Graham & Sharon Melrose	melros@xtra.co.nz

196	BP Oil New Zealand Limited; Mobil Oil New Zealand Limited; Z Energy Limited	Thomas.trevilla@slrconsulting.com
197	K J Rooney Ltd	Jamie.robinson@duncancotterill.com
198	O'Keefe, Stout & Vogel	joybernie@gmail.com
199	Griff Simpson Family Trust	griff@fi-glass.co.nz
200	Westgarth, Chapman, Blackler, et al.	lucy@gressons.co.nz
201	Cessna 180/185 Group, Aircraft Owners & Pilots Association, Sports Aircraft Association, Recreational Backcountry Pilots Association	jben839@gmail.com
202	22 The Terrace Timaru Limited	lucy@gressons.co.nz
203	Pages Trust and Russell Trust C/- tim Gresson	lucy@gressons.co.nz
204	Paul Smith Earthmoving Limited	sarahd@maven.co.nz
205	Hilton Development Trust	bruce.pipe@xtra.co.nz
206	South Rangitata Reserve Inc	mchadhall@xtra.co.nz
207	R P & PB Simmons Trustee Company Limited	gerard.cleary@ah.co.nz
208	Spark New Zealand Trading Limited	tom@incite.co.nz
209	Chorus New Zealand Limited	tom@incite.co.n
210	One New Zealand Group Limited (One NZ) formerly known as Vodafone New Zealand Limited	tom@incite.co.nz
211	Rolling Ridges Trust (Ashley Leonard Pierce and Regina Regnera Pierce as successors)	ashpierce@xtra.co.nz
212	Venture Timaru	nigel@venturetimaru.nz
213	Southern Wide Helicopters	simon@swh.nz
214	Groundswell NZ	hello@groundswell.org.nz
215	Te Pukenga - New Zealand Institute of Skills and Technology trading as Ara Institute of Technology	ryan@rmgroup.co.nz
216	Simstra Family Trust	sandyandpeter295@gmail.com
217	Anne-Marie Ford and Mostafa Ammar	ammar@xtra.co.nz
218	David Walter and Charlotte Marie Hussey	Address unknown
219	Timaru Town Centre Ratepayers Action Group	shaun@kpistockman.co.nz
220	The Tree Council	mark@encompassdesign.co.nz
221	Rangitata Island Dairy Ltd	simon.johnson@scorch.co.nz
222	Matthew Batty	matthewjbatty@gmail.com

223	Timaru Civic Trust	email@universalform.co.nz info@timarucivictrust.co.nz
224	Aggregate and Quarry Association	jeremy@straterra.co.nz
225	Bidwill Trust Hospital	gemma@perspective.net.nz tina@bidwillhospital.co.nz
226	Ryman Healthcare Limited	luke.hinchey@chapmantripp.com alice.hall@chapmantripp.com
227	Rosa Westgarth & Jan Gibson	lauren@do.nz rosabruce@outlook.co.nz gibsonjan1@gmail.com
228	Redwood Group	paul@redwoodgroup.co.nz
229	Kainga Ora	developmentplanning@kaingaora.govt.nz
230	The Retirement Villages Association of New Zealand Incorporated	alice.hall@chapmantripp.com luke.hinchey@chapmantripp.com
231	Timothy Graeme Blackler	tim@southanjer.co.nz
232	Peter Bras	peterbras@actrix.co.nz
233	Red Sky Holdings	griff@mrboats.co.nz
234	Rangitata Diversion Race Management Limited	vanessa.hamm@hobec.co.nz cory.lipinski@hobec.co.nz
235	Willowridge Developments Ltd	ben@toddandwalker.com
236	Waihi School Trust Board	heather.neeson@rmfsilva.co.nz mark.talbot@abcbusiness.co.nz
237	Aitken, Johnston & RSM Trust Limited	Glen@do.nz mary@avanzar.co.nz
238	Deborah Merle Beattie	vhenry@farmside.co.nz
239	Ara Poutama, The Department of Corrections	andrea.millar@corrections.govt.nz Maurice.Dale@boffamiskell.co.nz
240	Te Tumu Paeroa, Office of the Maori Trustee	vanesa.griffiths@tetumupaeroa.co.nz
241	J R Livestock Limited	lauren@do.nz
242	Woolworths New Zealand Limited	kay@formeplanning.co.nz hannah@formeplanning.co.nz
243	Ronald Clearwater	ronaldclearwater99@gmail.com
244	David and Annemeike Jeaffreson	amkwaijtaal@yahoo.com
245	Horticulture New Zealand	charlotte.wright@hortnz.co.nz
246	Not allocated	n/a
247	NZ Pork Industry Board	Brent.Kleiss@pork.co.nz hannah.ritchie@pork.co.nz

248	White Water Properties Limited	Gerard.cleary@ah.co.nz
249	Rooney Group Ltd	nathan.hole@rooneygroup.co.nz
250	Rooney Farms Ltd	nathan.hole@rooneygroup.co.nz
251	Rooney Earthmoving Limited	nathan.hole@rooneygroup.co.nz
252	Timaru Developments Ltd	nathan.hole@rooneygroup.co.nz
253	Roselyne Yeandle	ra.yeandle@farmside.co.nz
254	Grant Coldicott	grant@coldicott.co.nz
255	NZ Frost Fans Limited	nzconsents@frostboss.com
256	Catherine Jean Maslin	cathy_maslin@hotmail.com
257	Jill Maslin	Jill.maslin@outlook.com
258	Nigel Gilkison	email@universalform.co.nz
259	Gavin Ladbroke	ladbrook@xtra.co.nz
260	Win Clark Engineering Consultant	clarkwsbelmont@gmail.com
261	Davis Ogilvie (Aoraki) Limited	glen@do.co.nz
262	Catholic Education Office, Catholic Diocese of Christchurch	lara.stace@wsp.com
263	St Peter's Anglican Church Temuka	shirley-hawke@outlook.com
264	Stephanie Mercer	stephaniemercer@outlook.com
265	New Zealand Helicopter Association	eonzhauavnz@aviationnz.co.nz
266	UAVNZ	eonzhauavnz@aviationnz.co.nz
267	Wayne Andrew Shield	wayneroseina@hotmail.com
268	McCutcheon, Tarrant, Sullivan, Sullivan and Ellery	admin@mflnz.co.nz
269	Westgarth, Chapman, Blackler, et al.	nicola@gressons.co.nz; lucy@gressons.co.nz
270	PH and MJ Evans	alpine@xtra.co.nz
271	BG Property Limited	anthony@alpinebuildings.co.nz
272	Glenys & John Travers	sam.chidgey@tp.co.nz
273	Bruce & Sharon Robertson	bruce@avtek.co.nz
274	South Pacific Sera Limited	william.rolleston@southpacificsera.co.nz
275	John Chapman	jamie.robinson@duncancotterill.com
276	Isobel Grace Urquart	zwartshunter@xtra.co.nz
277	Shaun Hunter	zwartshunter@xtra.co.nz

278	Rooney Group Limited, Rooney Holdings Ltd, Rooney Earthmoving Ltd and Rooney Farms Ltd	nathan.hole@rooneygroup.co.nz
279	Phar Lap Raceway Trustees	tangible@farmside.co.nz
280	Nic Twaddle Amy Alison and Robert Whittam	whakatane@gmail.com
281	Inspire Property	anyos@inspireproperty.co.nz
282	Precision Securities Ltd	david@dhconsulting.co.nz
283	EJAPS Limited and Panguna Limited	jwgoslin@gmail.com
284	Stephen Caswell	steve.caswell@xtra.co.nz
285	William McCook	william@mccook.net.nz
286	South Canterbury Chamber of Commerce	wendy@scchamber.org.nz
287	Toni Morrison and Nathan Hole	toni@policy.co.nz
288	Graham Carr Trust	graham@pfe.nz
289	Thatcher Farming Ltd	thatcherfarming@yahoo.co.nz
290	Christine Purdie	chrisypurdie13@gmail.com
291	MT Trust	mark@pfe.nz
292	Blandswood Residents Association	rextra@gmail.com rextra@y7mail.com