

Before the Hearing Panel
Appointed by the Timaru District Council

Under The Resource Management Act 1991 (**RMA**)

In the matter of The Proposed Timaru District Plan

Andrew Willis - Hearing E - Interim Reply –

17 April 2025

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Introduction

- 1 This evidence responds to Minute 24 which was issued by the Hearing Panel on 3 March 2025 (**Minute 24**) and Minute 25 which was issued by the Hearing Panel on 12 March 2025 (**Minute 25**).
- 2 In Minute 24 (paragraph 7) the Panel requested Ms Vella to provide a list of who the Council considers should attend stormwater conferencing and the Panel would then issue directions on stormwater expert conferencing. The Memorandum of Counsel on behalf of Timaru District Council, dated 10 March 2025, responded to the Panel's request regarding the parties who the Council considers should attend stormwater conferencing and provided advice on a suggested agenda and conferencing process. In Minute 25 the Hearing Panel stated it was satisfied with the parties identified, conferencing topics, and suggested approach, as set out in the Council's memorandum and directed that a Joint Witness Statement (**JWS**) be provided by 30 April 2025.
- 3 In Minute 24 the Hearing Panel requested that I:
 - (a) Consider the use of the 'Effects Management Hierarchy' approach in EI-P2 (as set out below);¹
 - (b) Reconsider how and where the Redruth facility is most appropriately provided for in the Proposed District Plan (**PDP**) (as set out below);²
 - (c) Respond to other specific questions / directions (as set out below);³
 - (d) Record any changes to my s42A recommendations, as per the interim reply process set out in Minute 14, Paragraphs [5]-[6].⁴
- 4 In addition to responding to the matters set out above, I have also recommended other amendments: in response to evidence presented; as minor changes within the scope of the original recommended changes; or under clause 16(2) for additional clarity. I have provided commentary on these changes were necessary in this report, excluding those already covered in my 42A summary statement. Where I have recommended changes to the provisions in **Appendix E** of this Reply report, these are identified in blue font in ~~strike-through~~ and underlining.

¹ Minute 24, paragraph 8

² Minute 24, paragraph 8

³ Minute 24, Paragraph 9

⁴ Minute 19, paragraph 5.

Status of submission points post Hearing E

- 5 In response to the Hearing Panel's requests listed under paragraph 3 above, I have attached a table titled "Status of issues raised in evidence - post Hearing D – EI, TRAN and SW" at **Appendix A**. The table represents a 'stock take' of the issues identified at paragraphs 3 to 5 of the summary of my section 42A report dated 29 January 2025 (**January summary**).
- 6 Attached at **Appendix B** is a JWS for the Stormwater (**SW**) chapter in accordance with paragraph 2 above. This JWS includes an amended SW chapter.
- 7 Attached at **Appendix C** is a JWS for the Redruth facility, in accordance with paragraph 3(b) above.
- 8 Attached at **Appendix E** are revised EI and TRAN chapters based on the assessment and recommendations contained in this interim reply (the revised SW chapter is contained in the JWS at **Appendix B**).
- 9 As set out below, under the 'Effects Management Hierarchy' approach in EI-P2, further work is required to respond to this matter and accordingly a time extension is sought for this as per the Council's legal memorandum.
- 10 In addition, rules EI-R22, EI-R25 and EI-R26 for three waters need further consideration in response to submissions to ensure these are the most appropriate. Accordingly, a time extension is sought for this as per the Council's legal memorandum.

Stormwater management

- 11 In accordance with the directions in Minute 24 and Minute 25, the parties have undertaken conferencing on the SW chapter and prepared the JWS attached as **Appendix B**. As set out in the JWS, the parties have agreed on a revised set of provisions (appended to the JWS as Appendix 1) that will more appropriately manage stormwater within the PDP, taking into account the issues raised by submitters in evidence. The parties consider that the revised SW chapter and supporting amended "impervious surface" definition are an improvement and an acceptable alternative to the notified chapter and the chapter as amended in the s42A report. The parties consider that the revised SW chapter and supporting "impervious surface" definition change is a more efficient and effective method of achieving the objectives and the purpose of the Act than the notified SW chapter.
- 12 The key changes involve:

- removing the duplication of the PDP with the Council's bylaw process for stormwater management by deleting the requirement to meet the standards⁵ from the rules and deleting the standards themselves;
- providing a permitted activity standard for situations where the Council confirms, via a certificate, that a connection is not required (for example where the network is already running at capacity or the stormwater is discharged in close proximity to the coastal marine area and requiring a connection to the reticulated network would be inefficient);
- simplifying the approach by applying SW-R1 to all zones; and deleting SW-R2, SW-R3, SW-R4 and SW-R5;
- including an assessment matter for when a regional consent has already been obtained for a stormwater discharge and a corresponding tweak to the introduction to support that;
- including an assessment matter to enable consideration of the effects on Kati Huirapa values of stormwater discharges that do not meet the permitted activity standards;
- including a new note in SW-R1 that explains that a stormwater discharge certificate may already have been provided by the Council for stormwater discharge from the site as part of a subdivision consent granted after 2010 or as part of a community stormwater attenuation scheme;
- amendments to SW-R6 (now SW-R2) to apply the same approach as proposed in SW-R1 (i.e. include a permitted activity rule for where stormwater is directed to the reticulated network and a stormwater certificate is obtained or confirms connection is not required);
- Tweaks to SW-R7 (now SW-R3) to clarify the rule applies to new materials and replace the reference to the branded "zincalume" with a generic reference;
- including an amended definition of "impervious surfaces"; and
- other minor tweaks for clarity.
- In addition, although not part of the stormwater conferencing, the amended SW chapter includes a recommended new policy SW-P5 for "regionally significant infrastructure" (RSI) in response to the evidence of Ms McLeod for Transpower [159.55], which supports the previously recommended new matter of discretion for RSI.

⁵ The standards are taken from the Council's Infrastructure Design Standards

- 13 As set out in the JWS at paragraph 2.5, Ms Francis notes that the term “trafficked hardstand area” which is used in SW-P2, SW-R1 (matters of discretion) and SW-R2 (matters of discretion) is neither defined, nor referred to within the definition of impervious surface. She notes it would be helpful to address this, perhaps by including it within the impervious surface definition. I consider this can be resolved by amending the JWS agreed definition of “impervious surfaces” as set out below in red font (the JWS agreed changes are in blue font). While this is a change to the JWS-agreed definition which the other parties have not had the opportunity to consider, in my opinion this is a minor amendment which does not change the meaning of the term, but which helps to link the definition back to the respective policy and matters of discretion and is therefore appropriate. I have included this amended definition in my **Appendix E** (as opposed to changing the definition in the JWS).

Impervious surface

Means an area with a man-made surfaces, such as compacted gravel, chip seal or asphalt,^[1] which prevents or significantly reduces the soakage or filtration of water into the ground. It includes:

- Roofs;
- Paved areas including driveways and sealed or compacted metal parking areas and patios;
- Sealed outdoor sports surfaces
- Sealed and compacted-metal roads, carparks, and yards and other trafficked hardstand areas;
- Engineered layers such as compacted clay.

[...]

- 14 As set out in the JWS, regarding the definition of “stormwater neutrality”, PrimePort/TDHL provided evidence in opposition to this definition at Hearing E, requesting that it be amended as set out below as the current definition is considered unachievable. Ms Seaton remains of the view that the definition must be amended or otherwise deleted. This issue was addressed in paragraph 51 of Ms Seaton’s evidence and paragraphs 14 to 31 of Mr O’Neill’s evidence for Hearing E:

“means that post development stormwater runoff rates ~~and volumes~~ do not exceed the pre-development stormwater runoff rates ~~and volumes~~”.

- 15 I note that SW-P1 refers to stormwater neutrality, and therefore including a definition of stormwater neutrality is helpful. I understand that a reference to volumes (as well as rates) is required in the definition as both matters affect neutrality, and that “volume” is referred to in the Timaru Infrastructure Design Standards definition for stormwater

^[1] Kainga Ora [229.24]. Also, see the evidence of Ms Seaton for Hearing E dated 23 January 2025

neutrality (section 5.1.2, page 3) and therefore is applied under the associated bylaws (Chapter 15 Water Services). I consider that changing the definition as proposed by Ms Seaton in the PDP would unhelpfully create misalignment with these related documents which provide the alternative approval pathway.

- 16 Overall, I recommend that the revised SW chapter and amended definition of impervious surfaces replaces those in my s42A report. I consider the amended approach is far more efficient and effective than the notified and s42A-revised versions of the provisions, reducing the duplication with Council bylaw process and simplifying the rules, whilst still enabling the adverse effects to be considered and appropriately managed. Accordingly, I consider the amended approach best meets Objective SW-O1 and the purpose of the Act.

The ‘Effects Management Hierarchy’ approach in EI-P2

- 17 In paragraph 8, the Panel requested that I:

“consider the use of the ‘Effects Management Hierarchy’ approach in EI-P2. Provide further clarity on the application of the effects management hierarchy approach in the context of the EI policies, particularly when considered against the recommendations of Ms White in relation to submissions of the Dir General Conservation the NPS-IB in Hearing D. Is it appropriate to apply the effects management hierarchy, which is a method utilised specifically in the NPS-FM and NPS-IB to the EI provisions? If so, why? In consultation with submitter planning experts, revisit the drafting of EI-P2 and produce a s32AA analysis to support any agreed drafting outcome.”

- 18 For clarity, the approach I took when applying an effects management hierarchy in the EI chapter was to use this as a tool to manage infrastructure effects. It was a merits-based assessment of what is the most appropriate way to manage effects from these activities, and was not trying to give effect to the NPS-IB or NPS-FM. I have had correspondence with Ms White in relation to her recommendations on submissions of the Dir General Conservation the NPS-IB (considered in Hearing D). I understand that my recommendation is not inconsistent with Ms White’s recommendation as she was applying the NPS-IB to the whole ECO chapter and determined that to align it with what is required in the NPS-IB would result in that chapter needing to be unpicked and completely reviewed.
- 19 However, as it stands the effects management hierarchy approach is ‘on face value’ in conflict with the NPS-IB as it expressly specifies that it does not apply to renewable electricity generation assets and activities and electricity transmission network assets and activities (Transpower’s electricity transmission network assets and activities are already excluded as they are covered under proposed new policy EI-PX).⁶ This can be

⁶ NPS-IB Part 1, 1.3(3)

resolved by excluding SNAs for renewable electricity generation from the hierarchy, or utilising alternative solutions.

- 20 In terms of the Port's activities specifically, I have had correspondence with Ms Seaton (for Primeport and TDHL), Ms McLeod (for Transpower) and Ms Williams (for the Dir. General of Conservation) on this matter. All parties agree that an exemption to the Policy within the urban parts of the Coastal Environment Overlay that is specific to the PORTZ is appropriate. Ms Seaton and I further consider that the Port and all existing urban zoned areas within the Coastal Environment Overlay should be excluded from the application of the hierarchy, leaving the other overlays still applying, while Ms Williams is not opposed to this option (Ms McLeod did not express an opinion on this matter as none was required). Based on advice from Yvonne Pfluger in relation to the Coastal environment (included with my Natural Hazards, Coastal Environment and Drinking Water Protection s42A), areas which are already highly modified are not or are significantly less sensitive to RSI. Accordingly, I recommend the exclusion be applied to all urban zoned areas within the coastal environment.
- 21 In terms of whether it is appropriate to apply an effects management hierarchy to EI activities at all, and consequently providing a redrafted EI-P2 and s32AA analysis, this matter has not yet been sufficiently canvassed with the parties at this time.⁷ I also note Forest and Bird addressed the Panel on this matter at the hearing. Accordingly, a time extension is sought for this as per the Council's legal memorandum.

Providing for the Redruth Facility

- 22 In paragraph 8, the Panel requested that I:

"Reconsider how and where the Redruth facility is most appropriately provided for in the District Plan – i.e. as Regionally Significant Infrastructure (RSI) in the EI Chapter or within the zone with or without a precinct, given the Panel's indication that RSI does not meet the RMA definition of 'infrastructure', or the definition of RSI in the CRPS. Mr Willis and Ms Rosser to provide alternative drafting of provisions that could apply within the zone, with or without a precinct for the Panel's consideration. Include a comparative s32AA evaluation for EI, Zone and Zone with precinct."

- 23 I have met with Ms Rosser (for Enviro NZ – submitter 162) on this matter. The outcome of the meetings and correspondence is a JWS that explores the issue and options for providing for the Redruth facility utilising a change to the definition of RSI (as recommended in the s42A report), amendments to an EI objective and policy, or the addition of a new GIZ policy.

⁷ Due to competing work pressures amongst the parties and the annual leave of one of the parties.

- 24 As set out in the JWS, should the Panel not support amending the definition of RSI, on balance the parties prefer amending the EI objective and policy provisions over amending the GIZ provisions for the reasons specified in the JWS. These EI amendments are not shown in the recommended amended EI provisions attached as **Appendix E** as the change to the definition of RSI for the Redruth facility is still included at this time.

Other questions / directions raised by the Panel

- 25 The Panel also provided other questions and directions in paragraph 9 of Minute 24. These are addressed in turn below, beginning with the question / direction.

“a) Regarding the recommended definition of ‘lifeline utilities’, it is not clear that the recommended wording achieves the intent of a lifeline utility because as defined it refers to the utility itself, not an entity that operates or delivers a service. Please reevaluate the recommended wording.”

- 26 The wording recommended in my s42A report is as follows:

Means infrastructure that delivers a service operated by a lifeline utility ~~those entities listed~~⁸ in Part A, or described in Part B, of Schedule 1 to the Civil Defence Emergency Management Act 202 that are within the Timaru District.

- 27 Based on the TDC submission, I understand that the submitter is concerned that the notified definition refers to the entities rather than the activities, and it is the activities, not the entities, that are addressed in the EI chapter. I consider the revised definition bridges this ‘gap’ by referring to both the entities and the activities. This could be clarified further by retaining the struck-through text included in brackets as set out below:

Means infrastructure that delivers a service operated by a lifeline utility⁹ (those entities listed in Part A, or described in Part B, of Schedule 1 to the Civil Defence Emergency Management Act 202 that are within the Timaru District).

- 28 I have shown this change in **Appendix E**.

“b) Regarding the definition of ‘maintenance’, consistent with the drafting approach for definitions, should the words ‘or replacement where this involves upgrading’, be ahead of the matters not included?”

⁸ TDC [42.4]

⁹ TDC [42.4]

- 29 The recommended change to the definition of “maintenance” is:

“...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, nor replacement where this involves upgrading.”

- 30 As such, in my opinion the additional words regarding replacement are a matter ‘not included’ and therefore cannot be placed ahead of the ‘matters not included’.

“c) EI-O2 as recommended - are there missing words at the end of the first sentence?

and no practical alternative locations (...are available?).”

- 31 In my opinion the additional words “are available” are not required to be added to EI-O2. However, if the Panel considers it adds clarity then I consider these words should be added. EI-O2 would be amended as follows (addition in blue font) and as set out in **Appendix E:**

The adverse effects of Regionally Significant Infrastructure, and Lifeline Utilities and other infrastructure:

“1. are avoided in ~~sensitive environments~~ the areas identified in EI-P2.1.a, unless there is a functional need or operational need for the infrastructure to be in that location and no practical alternative locations are available, in which case they must be ~~remedied or mitigated~~ managed by applying the effects management hierarchy set out in EI-P2 or EI-PX for the National Grid; and
[...]

“d) Provide s32AA analysis for the following:

- (i) A permitted, controlled or discretionary activity for renewable electricity generation on roofs in the General Industrial Zone;*
- (ii) Emissions reduction in EI-O1, and respond to the concerns raised by PrimePort Timaru Ltd and Timaru District Holdings Ltd that the objective could not be met for some activities, for example fuel tank storage in the Port Zone.”*

- 32 Regarding renewable electricity generation on roofs in the GIZ, I note that solar “small scale renewable electricity generation”¹⁰ is already permitted under EI-R22 in all zones,

¹⁰ 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

as are solar hot water systems under EI-R34 and wind turbines under EI-R33. However, “large scale renewable electricity generation” is fully discretionary under EI-R35, irrespective of its type and location. “Large scale renewable electricity generation” is:

“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.”

- 33 In my s42A report (paragraph 6.50.4) I noted that, while the 20kw threshold may be small, the definition has no upper limit and therefore could include very significant facilities, together with their ancillary components. I noted that whilst it may be acceptable to permit these on existing buildings in industrial zones where the on-site and neighbouring amenity is already influenced by large industrial complexes, I was uncomfortable with this approach given the speed with which the technology is evolving and because some sites may be highly visible, including from sensitive locations such as the Coastal Environment. I also did not support extending this approach to other zones as the site sizes and buildings are unlikely to be large enough to accommodate large-scale generation activities (e.g. in a residential zone), and / or the solar array may cause adverse effects on the existing and anticipated amenity of the zone and wider area, including by encouraging the development of large-scale buildings to house the solar arrays.
- 34 As verbally signalled at Hearing E and having considered this matter further, I consider there is merit in providing for renewable electricity generation in the GIZ on the roofs of buildings where the adverse effects on sensitive locations (such as the coastal environment) can be appropriately managed. I have therefore included amendments to EI-R35 (large scale renewable electricity generation) as set out in **Appendix 4**, to permit large scale renewable solar generation on buildings within the GIZ where the height limit of the zone is complied with and the solar array has a maximum reflectance value of 30%, with the scope provided by Rooney, et al [174.16, 191.16, 249.16, 250.16, 251.16, 252.16].¹¹
- 35 I consider this amended rule provides a more targeted approach for solar arrays in the GIZ (and Clandeboye if it becomes a special purpose zone) and better achieves EI-O1 and EI-O2. Such an approach is more efficient as it avoids unnecessary consenting requirements in highly modified industrial environments and the risk of acting is low as

supplying an immediate community, or connecting into the distribution network, and includes generation using solar, wind, hydro and biomass energy resource.

¹¹ I note that in response to submissions from Forest and Bird [156.73, 156.74] I have recommended two new rules (for solar arrays and wind turbines) as part of my Coastal Environment s42A report prepared for Hearing Stream F that apply within the coastal environment.

the areas are already highly modified and in urban locations outside of more sensitive environments. Accordingly, I consider the approach is the most appropriate for achieving the relevant objectives and the purpose of the Act.

- 36 Regarding emissions reduction in EI-O1, the issues raised by PrimePort Timaru Ltd and Timaru District Holdings Ltd¹² are that whilst PrimePort and TDHL support emissions reduction within the Port's activities, it is not a matter that is always practicable to achieve in a Port environment. Accordingly, Ms Seaton recommends that "where practicable" should be added after the words "support emissions reduction". I agree with Ms Seaton's recommendation. In my opinion, the outcome being sought in EI-O1 is 'support for' not 'requiring' emissions reduction and it will not always be practical to achieve that. I therefore recommend EI-O1 is amended to add "where practicable" as set out in **Appendix E**. In my analysis of Forest and Bird's submission [156.52] seeking to add 'emissions reduction' into EI-O1 (paragraph 6.20.13), I determined that the original s32 assessment continued to apply as in achieving 'effective' and 'efficient' RSI as per notified EI-O1, this would already contribute to (and thereby support) emissions reductions, as the costs of the RSI development and operation (which would include the use of fossil fuels), would likely be considered. With my recommended changes in response to the PrimePort Timaru Ltd and Timaru District Holdings Ltd identified issue, the recommended change in EI-O1(3) is simply to add "support emissions reduction where practicable". I remain of the opinion that the original s32 assessment continues to apply for the same reasons.

"e) Regarding TRAN-S1, planting of indigenous amenity vegetation and the term 'encourage', how is this achieved if the policy is struck out? What non-regulatory methods do Council use to encourage planting of indigenous amenity vegetation? To what extent does Council encourage or provide information to applicants?"

- 37 In my s42A report (paragraph 6.84.8) I assessed the Rooney, et al submissions [174.24, 191.24, 249.24, 250.24, 251.24, 252.24] opposing TRAN-S1 as limiting landscaping to indigenous species as well as being required to source the plantings from within the ecological district was unnecessarily onerous and expensive, let alone potentially difficult to source. They sought to amend TRAN-S1 to encourage but not mandate indigenous planting. I recommended that the requirement for indigenous planting was deleted from the standard as I agreed with the submitter, noting that the NPS-IB promoted indigenous vegetation cover rather than requiring it. I also considered it challenging to include an 'encourage' or 'promote' requirement in a permitted activity standard (as opposed to a policy) which should be clear as to its requirements. Based

¹² As set out in the evidence of Ms Seaton for Hearing Stream E, dated 23 January 2025, at paragraph 29

on this, deleting the requirement for indigenous amenity vegetation in TRAN-S1 will not encourage this type of planting.

- 38 In terms of non-regulatory methods that the Council uses to encourage planting of indigenous amenity vegetation and the extent the Council encourages or provides information to applicants, in the Council's 2018 Biodiversity Policy, Policy 4.2(2) states that the Council will work with affected landowners, community groups and key stakeholders to ensure protection and enhancement of biodiversity values, and will support partnerships that achieve the biodiversity objective (which seeks to achieve the protection and enhancement of indigenous biodiversity values within the District). There are a number of methods identified in section 4.3, and for the District Plan the method is for the Plan to have rules to manage effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna (clause a). There are several methods directed at advocacy such as supporting local conservation care groups and programmes (clause f) and supporting education, information, advice and encouragement where this benefits biodiversity values (clause i).
- 39 I understand that the Council also has a Roadside Pride Policy (developed by the Roding Unit in 2013). The roadside Pride Policy states that the Council shall actively encourage 'using native plants in Canterbury' (para 24), as well as enhance and maintain SNAs (para 25). I understand this policy is implemented by the Council's Roding Unit.

"f) Integration with other zones – Your recommended amendments include amending the EI Chapter Introduction so that the EI Policies and Objectives take precedence over any Zone Chapter. Please consider the evidence of Te Rūnanga o Ngāi and provide an updated recommendation. Please respond to Ms Pull's evidence that (1) the Part 1 General Approach already provides direction in the event of tension between the EI Chapter and other Chapters/Zones and (2) the National Planning Standards require an assessment of whether the EI Chapter provisions are suitable for the purpose of a Special Purpose Zone."

Note: the relationship between the EI policies and objectives is also addressed in the Council's legal submission (paragraphs 28 to 37).

- 40 I note that Minute 24 also sought examples of drafting solutions from other plans, including the Waimakariri District Plan and particularly as it applies to the EI chapter and its relationship to zone chapters and overlays. Council staff have provided the assessment contained in my report as **Appendix D**. It appears that there are similar rule instructions in some of the Plans considered (e.g. the Wellington City Plan, Waitaki District Plan and Selwyn District Plan), while others appear to contain no specific instructions for the rules, but specify that the EI chapter is a standalone chapter containing all relevant Objectives, Policies, Rules and Standards (e.g. the Porirua

District Plan). The Proposed Waimakariri District Plan takes a different approach, enabling the EI provisions to permit activities within zones. None of the plans assessed provide express guidance on how EI objectives and policies are to apply, however, the 'how the plan works' sections of the Wellington and Porirua plans suggest the EI objectives and policies are the only relevant objectives and policies that apply, and therefore the zone objectives and policies do not apply to activities covered in the EI chapter.

- 41 I consider the relationship between the EI objectives and policies is already expressed by EI-O2, EI-P2 and new policy EI-PX which refer to: having regard to the relevant objectives of the underlying zone (EI-O2); taking into account the character and qualities of the surrounding area (EI-P2); and managing adverse effects in different areas (EI-PX). To clarify how the EI chapter applies to the Zone chapters, the introduction could be better worded as follows (and as set out in **Appendix E**):

"The objectives and policies in this chapter take precedence over the objectives and policies in any Zone Chapter of Part 3 – Area Specific Matters [as specified in EI-O2, EI-P2 and EI-PX.](#)"

- 42 Ms Pull's evidence (paragraph 54) refers to Part 1 of the PDP in the General Approach chapter and refers to certain rules in the EI chapter taking "precedence over the rules in the zones chapters." I agree with Ms Pull that there is already guidance in the PDP on how to manage tension between the EI chapter and zone chapter rules. However, there is no statement on how objectives and policies are to be treated, which are a relevant consideration for discretionary and non-complying activities and where within the scope of the matters of discretion for restricted discretionary activities, and as such I consider there is a gap in this regard. I disagree with Ms Pull's statement (in paragraph 54) where she *"disagrees that there is a tension as the section 32 report... does not indicate a dominance of the EIT provisions over other parts of the Plan or any tension"* as both the PDP General Approach chapter and the EI chapter rules section clearly specify that the EI rules take precedence¹³ over other chapter rules, presumably in order to avoid that tension.
- 43 Turning to the National Planning Standards (NPS) matter Ms Pull raised in her evidence (paragraph 53), I do not agree with Ms Pull's interpretation of the relationship between the EI chapter and special purposes zones. I consider NPS clauses 5 to 7 simply seek to ensure that cross references exist between the EI chapter and special purposes zones, noting that the special purpose zones themselves may be specifically for energy infrastructure or transport as set out in the NPS (e.g. the Airport Zone and Port Zone),¹⁴ and therefore would require cross references. Indeed, NPS clause 5 notes this when it

¹³ The EI chapter Rules section states: "Rules in Sections A - Section F of this chapter take precedence over rules in any Zone Chapter of Part 3 – Area Specific Matters - Zone Chapters."

¹⁴ As referenced in the Zone Framework Standard, Table 13: Zone names and descriptions

states “Provisions relating to energy, infrastructure and transport that are not specific to the Special purpose zones chapter or sections must be located in one or more chapters under the Energy, infrastructure and transport heading.” Contrary to Ms Pull’s assertions, I do not consider there is an NPS requirement for a specific assessment to determine if the EIT provisions are ‘suitable’ for the purpose of the zone or guidance on which zone should override the other, rather, only cross references are required. Even if there was a required assessment, presumably the notified PDP already considered whether the EI chapter provisions were suitable for the purposes of special purpose zones, including the MPZ, as indicated by the notified General Approach chapter and the notified Rule statement in the EI chapter which expressly refer to zone chapters. I note I have not recommended a wholesale change in approach for the rules for the notified EI chapter regarding how they relate to zone rules, including the MPZ and I note that there are no submissions seeking to remove the ‘precedence’ approach as it relates to zones, or the MPZ specifically.

“g) In her Summary Statement, Ms White updated her recommendations to add matters of control or discretion to those activities identified by Ms Pull, with amended wording. Given that all relate to the EI and Stormwater Chapters, please advise whether you would recommend accepting or not the matters of control or discretion for EI-R22, EI-R26, EI-R40 and SW-R6.”

- 44 I have been in correspondence with Ms White over her recommendations. I agree that it would be appropriate to add matters of discretion for EI-R22 and EI-R26 that relate to the values of Kati Huirapa should those rules remain in the EI chapter,¹⁵ however I am unsure of the scope for this as there were no submissions seeking this on these rules or the EI chapter. Te Rūnanga o Ngāi Tahu’s [185.8] submission only seeks matters of control or discretion in zone chapters. However, given the Panel’s request I have shown these additional matters of discretion in **Appendix E**, noting that these rules may be further amended based on Council advice in response to submissions. However, I do not agree with adding these matters of discretion to EI-R40 - new landfills, which is a rule focussed on airport protection matters, as I am not clear what the Kati Huirapa values are in relation to plane bird strikes (as opposed to Kati Huirapa values in relation to the landfills themselves). I also do not agree with adding these matters of discretion to SW-R6 - roads. The purpose of this rule is to manage the impact of run-off into the Council’s network (both directly and indirectly), and the Council’s ability to accept discharges into their network to ensure that they in turn comply with the regional council consent. I do not consider that managing impacts of discharges into the Council’s network relates to cultural values.

¹⁵ I am still seeking advice from the Council’s engineers on matters of detail relating to these rules.

Other changes in response to evidence provided for Hearing E

45 The following additional amendments have also been made to the chapters, as set out in blue font in **Appendix E**:

- a) Amendments to the integration statements in the introduction and Rules for the Port of Timaru in response to the evidence of Ms Seaton for PrimePort [175]. These changes clarify that the EI provisions do not take precedence over the PORTZ zone provisions, recognising that the PORTZ chapter was specifically drafted and included in the PDP to provide for the Port and supporting activities in the PORTZ.
- b) Changes to EI-O2 in response to Ms McLeod's evidence for Transpower [159] to better provide for the National Grid in accordance with national direction.
- c) A minor change to EI-P3 in response to Ms McLeod's evidence to improve certainty.
- d) Minor changes to EI-PX(2) in response to Ms McLeod's evidence to more closely align with national direction.
- e) An amendment to the introduction to remove the exclusion for TRAN-R6 as this is about vehicle parking areas, including private areas which should still be assessed under the relevant zone rules as the TRAN chapter covers the design aspects of the parking area, not the amenity aspects of it.
- f) Amendments to EI-R8 to clarify the relationship between PER-2 and PER-3.
- g) A doubling of the permitted area standard for substations in EI-R8 PER-2, in response to evidence tabled at the hearing by Ms McMullan for Millward Finlay Lobb [60] which showed two substations measuring 82.5m² and 141m². While these may or may not be representative of the size of the average substation, it is clear that the permitted limits in EI-R8 are overly small. As a comparison, the Selwyn District Plan permits 40m² substations in all zones except rural, which has a 300m² limit (EI-R21) while the Waimakariri District Plan permits substations up to 30m² in any zone (EI-R25).
- h) Amendments to EI-R14 in response to the evidence of Mr Anderson for the Telcos¹⁶ to refer to the road setback requirements for each zone instead of an arbitrary 2m given that some zones do not have road setbacks.
- i) Amendments to EI-R17 to clarify that network utilities occurring in existing buildings are permitted (consistent with the other EI rules such as EI-R9) and to clarify the relationship between PER-2 and PER-3.

¹⁶ Telcos [176.52, 208.52, 209.52, 210.52]

- j) An amended definition of “tower” in response to the evidence of Mr Anderson for the Telcos¹⁷ which simply seeks to avoid confusion between this definition and the definition of “pole”.

46 I consider that all the above changes are able to be undertaken under clause 16(2), or are minor / within the scope of the recommended s42A report changes responding to the original submissions. As such, I consider that the notified s32s or s32AA assessments included in my s42A report continue to apply.

¹⁷ The Telcos [176.24, 208.24, 209.24, 210.24]

APPENDIX A

Status of issues raised in evidence – Energy and Infrastructure, Transport and Stormwater Chapters – Hearing Stream E

Notes:

- 1 **Status:** *The status of the issue reflects my understanding of the status of resolution as between those submitters who pre-circulated evidence for Hearing Stream D. It does not attempt to reflect whether the issue is agreed between submitters who did not pre-circulate evidence for Hearing Stream D.*
- 2 **Status:** *An asterisk (*) against the status denotes where I have made an assumption based on the amendments I have recommended. However, I am not certain as to that status because the amendments I have recommended are different to that sought by the submitter.*
- 3 **Relevant submitters:** *Relevant submitters are those who pre-circulated evidence for Hearing Stream D. Other submitters who did not pre-circulate evidence may be interested in the issue (as submitters in their own right, or as further submitters) but they have not been listed here.*
- 4 **Orange shading identifies matters still outstanding. Green shading identifies matters resolved since my s42A summary.**

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
The relationship of the EI Chapter to zone and other district wide chapters, particularly in relation to the PORTZ and SASMs and MPZ.	EI Chapter generally.	Resolved in relation to PrimePort.	PrimePort Timaru Limited [175] and Timaru District Holdings Limited [186] – evidence of Ms Seaton at paragraphs 24 to 28.
		Outstanding in relation to Te Runanga o Ngāi Tahu.	Ngāi Tahu [185] – evidence of Ms Pull at paragraphs 46 and 51 to 61.
Whether to provide a permitted pathway for large-scale renewable electricity generation activities located on buildings in industrial zones.	EI Chapter objectives and policies and rules Section E – Rules for Renewable Electricity Generation.	Resolved.	Rooney et al [174.15, 191.15, 249.15, 250.15, 251.15, 252.15] – evidence of Mr Hole at paragraphs 9 to 14.
The wording of the recommended effects management hierarchy in the EI chapter.	EI-P2 - Managing adverse effects of Regionally Significant Infrastructure, Lifeline Utilities and other infrastructure.	Outstanding.	PrimePort Timaru Limited [175] and Timaru District Holdings Limited [186] - evidence of Ms Seaton at paragraphs 24 to 28.

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
			Transpower [159] – evidence of Ms McLeod at paragraphs 54 to 59.
Whether to delete the stormwater management chapter in its entirety or amend it.	The Stormwater chapter.	Resolved.	PrimePort Timaru Limited [175] and Timaru District Holdings Limited [186] - evidence of Ms Seaton at paragraphs 48 to 67.
Whether to exempt Fonterra's Clandeboye site from loading requirements (TRAN-S7) and include the site under Mixed use - other activities for TRAN-S20 (Trip Generation).	TRAN-S7 and TRAN-S20.	Resolved for TRAN-S20.	Fonterra Limited [165] - evidence of Ms Tait at section 5.3.
		Outstanding for TRAN-S7.	
The coverage of above ground new three-waters infrastructure under EI-R26.	EI-R26 - Construction of new above ground water systems infrastructure.	Resolved*.	Opuha Water Limited [181] - evidence of Ms Crossman at paragraphs 2.4 and 2.5.
		<i>Note further work is required for this rule</i>	PrimePort Timaru Limited [175] and Timaru District Holdings Limited [186] - evidence of Ms Seaton at paragraph 45.
Whether to include an operational / functional matter of discretion for waterbodies within the Bird Strike Management Overlay (BSMO).	EI-R38 - Creation of a new stormwater basin or water body (including wastewater oxidation pond) which exceeds 500m ² in area.	Outstanding.	Opuha Water Limited [181] - evidence of Ms Crossman at paragraphs 2.2 and 2.3.
The appropriateness of the recommended new rule for heavy vehicle movements and	TRAN-RX Heavy vehicle trip generation activities.	Resolved in relation to the Clandeboye site.	Fonterra Limited [165] - evidence of Ms Tait at section 5.3.

Issue (raised in evidence)	Relevant provision(s)	Status	Relevant submitter(s) that pre-circulated evidence
whether it should apply to the Clandeboy site.		Outstanding outside of the Clandeboy site.	Rooney et al [174.15, 191.15, 249.15, 250.15, 251.15, 252.15] – evidence of Mr Hole at paragraphs 15 to 19.
The wording of the recommended amendments to EI-O2, EI-O4, EI-P1, and EI-PX in response to submissions and whether these appropriately provide for the National Grid.	EI-O2, EI-O4, EI-P1, and EI-PX.	Resolved for EI-O2.	Transpower [159] - evidence of Ms McLeod at paragraphs 24 to 59.
		Outstanding for EI-O4, EI-P1, EI-PX.	
Matters of drafting detail in relation to telecommunications networks.	EI-O2, EI-R14 and EI-R17.	Resolved for EI-R14. Partially resolved for EI-R17.	The Telcos [176.40, 208.40, 209.40, 210.40] - evidence of Tom Anderson at paragraphs 30 to 37, 38 to 44 and 45 to 50.
		Outstanding for EI-O2 and EI-R17.	
The need to include a definition of “telecommunication line”, amend the definition of “Regionally Significant Infrastructure” to refer to “telecommunication networks” and amend the definition of “Tower”.	Definitions of: “telecommunication line”, “Regionally Significant Infrastructure” and “Tower”.	Resolved for “telecommunication line” & “Regionally Significant Infrastructure”	The Telcos [176.40, 208.40, 209.40, 210.40] - evidence of Tom Anderson for at paragraphs 12 to 15, 16 to 20 and 21 to 29.
		Resolved for “Tower”.	

**Appendix B – Joint Witness Statement for Stormwater (Includes
Recommended Amendments to the SW chapter)**

**BEFORE THE INDEPENDENT HEARINGS PANEL
APPOINTED ON BEHALF OF THE TIMARU DISTRICT COUNCIL**

UNDER

the Resource Management Act 1991

AND

IN THE MATTER OF

Submissions and further submissions in
relation to Timaru Proposed District Plan
– Hearing E - Stormwater

AND

PrimePort / TDHL (Submitter 175/186)
BP Oil, et al (submitter 196)
Fonterra (Submitter 165)
Te Rūnanga o Ngāi Tahu (Submitter 185)
Environment Canterbury (Submitter 183)

**JOINT WITNESS STATEMENT
Planning**

Dated: 14 April 2025

1 INTRODUCTION

- 1.1 This joint witness statement relates to submissions made by PrimePort and Timaru District Holdings Ltd (Submitter 175 and 186) on the Proposed Timaru District Plan (**PDP**), requesting wholesale changes to the Stormwater chapter (**SW chapter**),¹ and related submissions by BP Oil, et al (submitter 196) Fonterra (Submitter 165), Te Runanga o Ngai Tahu (Submitter 185) and Environment Canterbury (Submitter 183).
- 1.2 In Minute 24 (paragraph 7) the Panel requested Ms Vella to provide a list of who Council considers should attend stormwater conferencing and the Panel would then issue directions on stormwater expert conferencing.
- 1.3 The Memorandum of Counsel on behalf of Timaru District Council, dated 10 March 2025, responded to the Panel's request regarding the parties who the Council considers should attend stormwater conferencing and provided advice on a suggested agenda and conferencing process.
- 1.4 In Minute 25 the PDP Hearing Panel stated it was satisfied with the parties identified, conferencing topics, and suggested approach, as set out in the Council's memorandum and directed that a Joint Witness Statement be provided by 30 April 2025.
- 1.5 The Council subsequently arranged planner conferencing, which took place on 1st April 2025 via MS Teams. Prior to the conferencing, Mr Willis provided a 'without prejudice' draft SW chapter for discussion at the conferencing. The conferencing has culminated in this Joint Witness Statement (**JWS**).
- 1.6 The joint witness conference attendees were as follows:
 - (a) Kim Seaton on behalf of PrimePort and Timaru District Holdings Ltd.
 - (b) Trent Sunich and Thomas Trevilla on behalf of BP Oil, et al.
 - (c) Susannah Tait on behalf of Fonterra.
 - (d) Rachael Pull on behalf of Te Rūnanga o Ngāi Tahu.
 - (e) Deidre Francis on behalf of Environment Canterbury.
 - (f) Andrew Willis on behalf of the Timaru District Council (**Council**).
- 1.7 This JWS has been prepared in accordance with sections 9.4 and 9.5 of the Environment Court Practice Note 2023, which relates specifically to expert conferencing. The attendees confirm they

¹ Kainga Ora (Submitter 229) also sought significant changes to the SW chapter but did not take part in the stormwater conferencing.

have read, and agree to abide with, the updated Code of Conduct for Expert Witnesses included in Section 9 of the Environment Court Practice Note 2023.

- 1.8 This JWS sets out all matters agreed and not agreed by the experts, with an outline of the reasons for disagreement provided where appropriate.
- 1.9 It is assumed that all submitted evidence has been reviewed and understood as a precursor to this JWS.

2 Appropriate provisions for the Stormwater Chapter

- 2.1 The parties have agreed on a revised set of provisions (appended to this JWS as **Appendix 1**) that will more appropriately manage stormwater within the PDP, taking into account the issues raised by submitters in evidence. Except where stated in paragraphs 2.3 and 2.4, the parties consider that the revised SW chapter and supporting “impervious surface” definition are an improvement and an acceptable alternative to the notified chapter and the chapter as amended in the s42A report.
- 2.2 The parties consider that the revised SW chapter and supporting “impervious surface” definition change is a more efficient and effective method of achieving the objectives and the purpose of the Act than the notified SW chapter.
- 2.3 Regarding the definition of “stormwater neutrality”, PrimePort/TDHL provided evidence in opposition at Hearing E to this definition, requesting that it be amended as follows as the current definition is considered unachievable. Ms Seaton remains of the view that the definition must be amended or otherwise deleted. This issue was addressed in paragraph 51 of Ms Seaton’s evidence and paragraphs 14 to 31 of Mr O’Neill’s evidence for Hearing E:

‘means that post development stormwater runoff rates ~~and volumes~~ do not exceed the pre-development stormwater runoff rates ~~and volumes~~’.

- 2.4 Mr Willis notes that SW-P1 refers to stormwater neutrality, and therefore including a definition of stormwater neutrality is helpful. Mr Willis understands that a reference to volumes (as well as rates) is required in the definition as both matters affect neutrality, and that “volume” is referred to in the Timaru Infrastructure Design Standards definition for stormwater neutrality (section 5.1.2, page 3) and therefore is applied under the associated bylaws (Chapter 15 Water Services). Mr Willis considers that changing the definition as proposed by Ms Seaton in the PDP would unhelpfully create misalignment with these related documents.
- 2.5 Ms Francis notes that the term “trafficked hardstand area” which is used in SW-P2, SW-R1 (matters of discretion) and SW-R2 (matters of discretion) is neither defined, nor referred to within the definition of impervious surface. She notes it would be helpful to address this, perhaps by including it within the impervious surface definition.

- 2.6 Scope for the changes in blue font identified in **Appendix 1** is provided by various provision specific submissions as identified in **Appendix 1** and from Kainga Ora [229.24] who sought (in summary) the deletion of the whole chapter and replacement with an amended chapter.
- 2.7 The parties note that Mr Willis will provide further explanation of the agreed changes in his s42A Reply report.

Signed:



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Kim Seaton



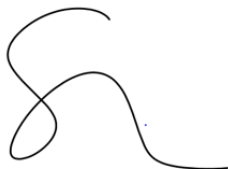
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Trent Sunich



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Thomas Trevilla



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Susannah Tait



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Rachael Pull



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Deidre Francis



.....
Andrew Willis

Attachment A – Proposed Amended SW Chapter

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.
- Text recommended to be changed as a result of stormwater conferencing is shown in blue font.
- Text recommended to be changed as a result of other evidence presented at the topic hearing and which was also included in the stormwater conferencing version is shown in red font.

STORMWATER MANAGEMENT

Introduction

This chapter contains district-wide provisions that cover stormwater.

Stormwater runoff generated from land use and development can have adverse effects on property, communities and the environments, for example nuisance effects, flooding and water contamination. Stormwater quantity is predicted to increase as a result of climate change. Stormwater can be managed through water sensitive design that manages the volume and quality of stormwater that runs off a site. The control of the discharge of contaminants to land or water and the control of the use of land for the purpose of the maintenance and enhancement of water quality are Canterbury Regional Council functions. Stormwater can, however, be a direct or potential effect of land use activities, and the District Council can manage land uses to avoid or mitigate these effects, and in order to support the achievement of integrated management.

In addition, under the Canterbury² Land and Water Regional Plan the District Council is required to manage the quantity and quality of all stormwater directed to and conveyed by the reticulated stormwater network, and from 1 January 2025 the quantity and quality of all stormwater discharged from that reticulated stormwater network. Accordingly, this chapter also seeks to address adverse effects on Council's stormwater network and the ability to obtain and comply with a discharge consent where consent has not been obtained from the District Council for the discharge to enter the Council's reticulated stormwater network.³

Recognising that water quality and quantity matters are also controlled by Environment Canterbury, the Canterbury Regional Council⁴, this chapter includes exemptions consideration⁵ for where an existing stormwater discharge consent is already held for the same activity from the Canterbury Regional Council.

The provisions in this chapter are intended to give effect to the following national documents:

1. the New Zealand Coastal Policy Statement 2010 (NZCPS);
2. the National Policy Statement for Freshwater Management 2020 (NPSFM).

Objectives

² TDC [42.23]

³ [Kainga Ora \[229.24\]](#)

⁴ TDC [42.23]

⁵ [Kainga Ora \[229.24\]](#)

SW-O1	Stormwater management
Subdivision, use and development within areas serviced by the Council's reticulated stormwater network do not increase peak demand on stormwater management systems or reduce water quality in the reticulated stormwater network.	
Policies	
SW-P1	Stormwater quantity neutrality
Require subdivision, use and development to achieve stormwater neutrality or improvements in areas where there is a Council reticulated stormwater network, so that the reticulated stormwater network does not function beyond its capacity and cause or exacerbate flooding.	
SW-P2	Water quality
Maintain and ^{or} ⁶ enhance stormwater quality by requiring: <ol style="list-style-type: none"> 1. restrictions on specified cladding materials that contribute to stormwater contamination; and 2. the treatment of stormwater quality, <u>if required</u>,⁷ for new or increased impervious surfaces trafficked hardstand areas⁸ created by subdivision, use or development. 	
SW-P3	Connection to reticulated stormwater networks
<u>Except where Policy SW-P4 and SW-P5 applies</u> , ⁹ R require all subdivision, use and development to connect to the Council's reticulated stormwater network within reticulated infrastructure boundaries, to: <ol style="list-style-type: none"> 1. ensure that stormwater does not create increased flood risk on other properties; and 2. manage stormwater quality impacts through an integrated management approach. 	
SW-P4	Stormwater from roads
Require stormwater from new roads to: <ol style="list-style-type: none"> 1. be treated to improve stormwater quality; and 2. reduce the peak flow entering the Council's reticulated stormwater network. 	
SW-P5	<u>Regionally significant infrastructure</u> ¹⁰
<u>Provide for alternative methods for managing stormwater from regionally significant infrastructure that are not roads, where:</u> <ol style="list-style-type: none"> 1. <u>connection to the Council's reticulated stormwater network within reticulated infrastructure boundaries is not practicable, having regard to the operational needs of the regionally significant infrastructure; and</u> 2. <u>an alternative method results in stormwater being appropriately managed within the site.</u> 	

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 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.

⁶ Waka Kotahi [143.32]

⁷ BP Oil, et al [196.33]

⁸ BP, et al [196.38]

⁹ [Clause 16\(2\)](#)

¹⁰ [Evidence of Ms McLeod for Transpower \[159\] for Hearing E, dated 23 January 2025 \(paragraph 66\).](#)

Section A: Activities in the Residential Zones, Rural Lifestyle Zone, Settlement Zone and Māori Purpose Zone¹¹

SW-R1	All developments, other than a road that result in an increase in impervious surfaces of greater than 30m² and less than 500m², and where less than 70% of the site is impervious surface ¹²	
<u>All zones</u>	Activity status: Permitted	Activity status when compliance not achieved: Restricted Discretionary
Where there is an available <u>Council reticulated stormwater network in any of the:</u>	Where:	Matters of discretion are restricted to:
<u>Residential Zones</u>	PER-1 All stormwater is captured and directed to the Council's reticulated stormwater network; and	1. the extent to which the stormwater neutrality device under PER-4 achieves stormwater neutrality; and
<u>Rural Lifestyle Zone</u>	PER-2 Written permission has been obtained from the Council owner of the reticulated stormwater network that authorises the discharge of stormwater into the Council's reticulated stormwater network, in accordance with SW-S3 that allows entry of the stormwater into the reticulated stormwater network; or	2. the extent of any potential flood risk from additional stormwater exceeding the capacity of the Council's reticulated stormwater network; and
<u>Settlement Zone</u>	PER-3 A certificate has been obtained from the Council that confirms a connection to the Council's reticulated stormwater network is not required. A rainwater storage system is provided that complies with SW-S4; and ¹³	3. the adverse effects of stormwater on a neighbouring property or road; and
<u>Māori Purpose Zone</u>	PER-4 The development achieves stormwater neutrality in accordance with SW-S2, less the retention volume achieved under PER-3,¹⁴ when the stormwater is discharged to the reticulated stormwater network.	4. any relevant site or operational constraints; and
	Note: <i>Guidance on stormwater management requirements including the obtaining a stormwater discharge certificate can be found in the Timaru District Council Infrastructure Design Standards.</i> <i>This rule does not apply where stormwater management has already expressly been considered by the Timaru District Council for the site as</i>	5. <u>Whether there is an existing regional council consent for the discharge and the extent to which it addresses matters of stormwater quality and quantity; and</u>
		6. whether adequate compliance can be achieved by other means such as infiltration trenches, swales, ponds, drywells, permeable pavements or other collection and filtration devices as set out in the Timaru District Council Infrastructure Design Standards; and
		7. <u>The effects of the discharge on the values of Kati Huirapa; and</u>
		8. the extent to which the stormwater neutrality device or other system proposed achieves a secondary function of treating stormwater quality <u>for trafficked hardstand areas</u> prior to the water entering the wider reticulated stormwater network through the use of roadside swales , filter strips and rain gardens; constructed wetland treatment area or other in-situ treatment device; and
		9. <u>for Regionally Significant Infrastructure, whether the stormwater is able to be adequately managed within the site.</u> ¹⁵

¹¹ Kainga Ora [229.24],

¹² Kainga Ora [229.24] for all the changes to SW-R1 and the remainder of the chapter

¹³ Rooney, et al [174.20, 191.20, 249.20, 250.20, 251.20, 252.20]

¹⁴ Rooney, et al [174.20, 191.20, 249.20, 250.20, 251.20, 252.20]

¹⁵ Transpower [159.55]

	part of a granted subdivision consent or as part of a community stormwater attenuation scheme. A stormwater discharge certificate may already have been provided by the District Council for stormwater discharge from the site as part of a subdivision consent granted after 2010 or as part of a community stormwater attenuation scheme. Please check with the Council if you are unsure.	
SW-R2	All developments, other than a road, that result in an increase in impervious surfaces of 500m² or greater, or where 70% or more of the site is impervious surface¹⁶	
<p>Where there is an available reticulated stormwater network in any of the:</p> <p>Residential Zones</p> <p>Rural Lifestyle Zone</p> <p>Settlement Zone</p> <p>Māori Purpose Zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 All stormwater is captured and directed to the Council's reticulated stormwater network and does not flow onto neighbouring properties;¹⁷ and</p> <p>PER-2 Written permission has been obtained from the owner of the reticulated stormwater network in accordance with SW-S3 that allows entry of the stormwater into the reticulated stormwater network.</p> <p>Note: Guidance on stormwater management requirements can be found in the Timaru District Council Infrastructure Design Standards.</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> the extent to which the design, location, capacity, type and construction of a stormwater neutrality device or other system proposed is sized, to ensure stormwater neutrality is achieved; and the extent of any potential flood risk from additional stormwater exceeding the capacity of the Council's reticulated stormwater network; and the adverse effects of stormwater on a neighbouring property or road; and the consequences of a lack of maintenance of the stormwater neutrality device or other system proposed; and any relevant site or operational constraints; and the extent to which the stormwater neutrality device or system achieves a secondary function of treating stormwater quality prior to the water entering the wider reticulated stormwater network through the use of roadside swales, filter strips and rain gardens; constructed wetland treatment area or other in-situ treatment device; and <u>for Regionally Significant Infrastructure, whether the stormwater is able to be adequately managed within the site.¹⁸</u>
SW-R3	Non-residential activities that include <u>new</u>¹⁹ impervious surfaces of 500m² or greater for carparking, excluding stormwater discharges that are authorised by a resource consent from the Canterbury Regional Council pursuant to the relevant Regional Plan²⁰	

¹⁶ Kainga Ora [229.24], PrimePort [175.22], Timaru District Holdings [186.8]

¹⁷ Milward Finlay Lobb [60.16]

¹⁸ Transpower [159.55]

¹⁹ BP Oil, et al [196.35]

²⁰ BP Oil, et al [196.36]

<p>Where there is an available reticulated stormwater network in any of the:</p> <p>Residential Zones</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 All stormwater is captured and directed to the Council's reticulated stormwater network and does not flow onto neighbouring properties;²¹ and</p> <p>PER-2 1. Written permission has been obtained from the owner of the reticulated stormwater network in accordance with SW-S4 that allows entry of the stormwater into the reticulated stormwater network; <u>or</u> 2. <u>the stormwater discharge is authorised by a resource consent from the Canterbury Regional Council pursuant to the relevant Regional Plan.</u></p> <p>Note: <u>Guidance on stormwater management requirements can be found in the Timaru District Council Infrastructure Design Standards.</u></p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to: <u>the adverse effects of stormwater on a neighbouring property, waterway or road; and</u> <u>the effects of any additional contaminants entering the Council's reticulated stormwater network; and</u> <u>any relevant site or operational constraints; and</u> <u>for Regionally Significant Infrastructure, whether the stormwater is able to be adequately managed within the site.</u>²²</p>
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Section B: ~~Activities in the General Industrial Zone, Strategic Rural Industry Zone,~~²³ **Port Zone and Open Space and Recreation zones**

<p>SW-R4</p>	<p>All developments, other than a road, that result in an increase in impervious surfaces of greater than 30m², excluding stormwater discharges that are authorised by a resource consent from the Canterbury Regional Council pursuant to the relevant regional plan²⁴ combine SW-R4 and SW-R5 and make it 50m2 or 150m2 threshold – TDC to confirm</p>	
<p>Where there is an available reticulated stormwater network in any of the:</p> <p>General industrial Zone</p> <p>Port Zone</p>	<p>Activity status: Permitted</p> <p>Where: _____</p> <p>PER-1 All stormwater is captured and directed to the Council's reticulated stormwater network and does not flow onto neighbouring properties;²⁶ and</p> <p>PER-2 Written permission has been obtained from the owner of the reticulated</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to: <u>the extent to which the design, location, capacity, type and construction of the stormwater neutrality device or other system proposed is sized, to ensure stormwater neutrality is achieved; and</u> <u>the extent of any potential flood risk from additional stormwater exceeding the capacity of the Council's reticulated stormwater network; and</u></p>

²¹ Milward Finlay Lobb [60.17]

²² Transpower [159.55]

²³ Fonterra Limited [165.37], subject to the Panel recommending to create a new zone

²⁴ BP Oil, et al [196.36]

²⁶ Milward Finlay Lobb [60.18]

<p>Open Space and Recreation Zones</p> <p>Strategic Rural Industry Zone²⁵</p>	<p>stormwater network in accordance with SW-S3 and SW-S4²⁷ that allows entry of the stormwater into the reticulated stormwater network; <u>and</u></p> <p>PER-3</p> <p><u>1. Written permission has been obtained from the owner of the reticulated stormwater network in accordance with SW-S4 that allows entry of the stormwater into the reticulated stormwater network; or</u></p> <p><u>2. the stormwater discharge is authorised by a resource consent from the Canterbury Regional Council pursuant to the relevant regional plan.²⁸</u></p> <p>Note:</p> <p><u>Guidance on stormwater management requirements can be found in the Timaru District Council Infrastructure Design Standards.</u></p> <p><u>This rule does not apply where stormwater management has already expressly been considered by the Timaru District Council for the site as part of a granted subdivision consent or as part of a community stormwater attenuation scheme.²⁹</u></p>	<ul style="list-style-type: none"> <u>the effectiveness of the maintenance plan that is in place for the consequences of a lack of maintenance of ³⁰the stormwater neutrality device; and</u> <u>the adverse effects of stormwater on a neighbouring property, waterway or road; and</u> <u>the effects of any additional contaminants entering the Council's reticulated stormwater network; and</u> <u>any relevant site or operational constraints; and</u> <u>for Regionally Significant Infrastructure, whether the stormwater is able to be adequately managed within the site.³⁴</u>
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Section C: Activities in the Commercial and mixed-use zones

<p>SW-R5</p>	<p>All developments, other than a road, that result in an increase in <u>trafficked impervious surfaces of greater than 50m²</u>, <u>excluding stormwater discharges that are authorised by a resource consent from the Canterbury Regional Council pursuant to the relevant Regional Plan³²</u></p>	
<p>Where there is an available reticulated stormwater network in the:</p> <p>Commercial and Mixed-use Zones</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>All stormwater is captured and directed to the Council's reticulated stormwater network and does not flow onto neighbouring properties;³³ and</p> <p>PER-2</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <u>the extent to which the design, location, capacity, type and construction of the stormwater neutrality device or other system proposed is sized, to ensure stormwater neutrality is achieved; and</u> <u>the extent of any potential flood risk from additional stormwater exceeding the</u>

²⁵ Fonterra Limited [165.37], subject to the Panel recommending to create a new zone

²⁷ BP Oil, et al [196.36]

²⁸ BP Oil, et al [196.36]

²⁹ Rooney, et al [174.20, 191.20, 249.20, 250.20, 251.20, 252.20] and Kāinga Ora [229.24]

³⁰ Silver Fern Farms [172.18] and BP Oil, et al [196.36]

³¹ Transpower [159.55]

³² BP Oil, et al [196.36]

³³ Milward Finlay Lobb [60.19]

	<p>Written permission has been obtained from the owner of the reticulated stormwater network in accordance with SW-S3 and SW-S4³⁴ that allows entry of the stormwater into the reticulated stormwater network; <u>and</u></p> <p>PER-3 1. Written permission has been obtained from the owner of the reticulated stormwater network in accordance with SW-S4 that allows entry of the stormwater into the reticulated stormwater network; or 2. the stormwater discharge is authorised by a resource consent from the Canterbury Regional Council pursuant to the relevant regional plan.³⁵</p> <p>Note: Guidance on stormwater management requirements can be found in the Timaru District Council Infrastructure Design Standards. This rule does not apply where stormwater management has already expressly been considered by the Timaru District Council for the site as part of a granted subdivision consent or as part of a community stormwater attenuation scheme.³⁶</p>	<p>capacity of the Council's reticulated stormwater network; and the effectiveness of the maintenance plan that is in place for the consequences of a lack of maintenance of³⁷ the stormwater neutrality device; and the adverse effects of stormwater on a neighbouring property, waterway or road; and the effects of any additional contaminants entering the Council's reticulated stormwater network; and any relevant site or operational constraints; and for Regionally Significant Infrastructure, whether the stormwater is able to be adequately managed within the site.³⁸</p>
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Section D: Activities in all zones

SW-R62	Any maintenance or upgrading of a road that results in an increase of greater than 100m ² of impervious surfaces, or any new road, excluding footpaths and vehicle crossings and stormwater discharges that are authorised by a resource consent from the Canterbury Regional Council pursuant to the relevant Regional Plan	
All Zones <u>Where there is an available Council reticulated stormwater network</u>	Activity status: <u>Restricted Discretionary Permitted</u> Where: PER-1 All stormwater is captured and directed to the Council's reticulated stormwater network and a stormwater discharge certificate has been obtained from the Council that authorises the discharge of	Activity status when compliance not achieved: <u>Not applicable Restricted discretionary</u> Matters of discretion are restricted to: <ol style="list-style-type: none"> the effects of any additional stormwater on the Council's reticulated stormwater network, including any increase in flooding and any additional contaminants; and the ability to off-set stormwater requirements (treatment or

³⁴ BP Oil, et al [196.36]

³⁵ BP Oil, et al [196.36]

³⁶ Rooney, et al [174.20, 191.20, 249.20, 250.20, 251.20, 252.20] and Kāinga Ora [229.24]

³⁷ Silver Fern Farms [172.18] and BP Oil, et al [196.37]

³⁸ Transpower [159.55]

	<p>stormwater into the Council's reticulated stormwater network; or</p> <p>PER-2 A certificate has been obtained from the Council that confirms a connection to the Council's reticulated stormwater network is not required.</p>	<p>attenuation) within the catchment that can mitigate the effects of what is being proposed; and</p> <p>3. the extent to which the proposed mitigation is the best practicable option; and</p> <p>4. any relevant site or operational constraints, and</p> <p>5. the extent to which contaminants from hardstand trafficked areas are removed as part of any proposed water quality treatment system ability to meet the Minimum Treatment Contaminant Removal Rates in SW-S4.</p>
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SW-R73	<p>The installation of any new copper, galvanised metal, unpainted zincalume aluminium/zinc alloy coating or any other unpainted metal, used in roof material, gutters, downpipes or external sheet cladding of buildings or structures but excluding fixings and flashings³⁹</p>	
All Zones where there is an available reticulated stormwater network	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to: the effects of any contaminants on the Council's reticulated stormwater network; and</p> <ul style="list-style-type: none"> 1. the ability to off-set stormwater treatment requirements within the catchment that can mitigate the effects of what is being proposed; and 2. the extent to which the proposed mitigation is the best practicable option; and 3. any relevant site or operational constraints. 	<p>Activity status when compliance not achieved: Not applicable</p>

Standards	
SW-S1	Rainwater Storage Systems
Residential Zones	<p>Rainwater storage systems must be provided and sized in accordance with the following specifications:</p> <ul style="list-style-type: none"> 1. 10 — 49m² of additional impervious surface: 250 litre storage. 2. 50 — 99m² of additional impervious surface: 500 litre storage. 3. 100 — 199m² of additional impervious surface: 1,000 litre storage. 4. 200 — 499m² of additional impervious surface: 2,500 litre storage.⁴⁰
SW-S21	Stormwater neutrality devices or systems
All Zones	<p>A stormwater neutrality device or system must be:</p> <ul style="list-style-type: none"> 1. sized, to ensure stormwater neutrality is achieved for the area of impervious surface that is increased; and 2. fully operational prior to the use of the impervious area; and 3. located and designed to provide access for maintenance.

³⁹ PrimePort [175.24], Timaru District Holdings [186.10] and BP Oil, et al [196.38]

⁴⁰ Rooney, et al [174.20, 191.20, 249.20, 250.20, 251.20, 252.20]

	<p>Note:</p> <p>a stormwater neutrality device or system may include rain tanks, infiltration trenches, swales, ponds, drywells, permeable pavements or other collection and filtration devices. A means of compliance can be found in the Timaru District Council Infrastructure Design Standards.</p>											
SW-S32	Stormwater quantity permission requirements											
<p>1</p> <p>General Residential zone;</p> <p>Medium Density Residential Zone;</p> <p>Rural Lifestyle Zone;</p> <p>Māori Purpose Zone;</p> <p>Settlement Zone</p>	<p>The Council will grant a stormwater discharge certificate under the Timaru District Council Consolidated Bylaw permission⁴¹ to connect to the Council's Public⁴² reticulated stormwater network if the development meets the requirements set out in Table 4 below and in accordance with SW-S2.</p> <p>Table 4 — Stormwater Quantity Requirements for increased impervious surface in residential zones and areas</p> <table><tr><th rowspan="2">Activity</th><th colspan="2">Requirements for increased impervious surface</th></tr><tr><th>Stormwater neutrality</th><th>Event Duration</th></tr><tr><td>Development results in: an increase in impervious surface between 30m² and 500m²; and less than 70% of the site is covered by impervious surface</td><td>1 in 10-year</td><td>1-hour event</td></tr><tr><td>Development result in: an increase in impervious surface of 500m² or greater; or 70% or more of the site is covered by impervious surface</td><td>1 in 10-year</td><td>24-hour event</td></tr></table>	Activity	Requirements for increased impervious surface		Stormwater neutrality	Event Duration	Development results in: an increase in impervious surface between 30m² and 500m²; and less than 70% of the site is covered by impervious surface	1 in 10-year	1-hour event	Development result in: an increase in impervious surface of 500m² or greater; or 70% or more of the site is covered by impervious surface	1 in 10-year	24-hour event
Activity	Requirements for increased impervious surface											
	Stormwater neutrality	Event Duration										
Development results in: an increase in impervious surface between 30m² and 500m²; and less than 70% of the site is covered by impervious surface	1 in 10-year	1-hour event										
Development result in: an increase in impervious surface of 500m² or greater; or 70% or more of the site is covered by impervious surface	1 in 10-year	24-hour event										
<p>2</p> <p>General Industrial Zone;</p> <p>Port Zone;</p> <p>Open Space and Recreation Zones</p>	<p>The Council will grant a stormwater discharge certificate under the Timaru District Council Consolidated Bylaw permission⁴³ to connect to the Council's Public⁴⁴ reticulated stormwater network if the development meets below requirements set out in Table 5 below and in accordance with SW-S2.</p> <p>Table 5 — Stormwater Quantity Requirements for increased impervious surface in the Industrial zone and Open space zones</p> <table><tr><th rowspan="2">Activity</th><th colspan="2">Requirements for increased impervious surface</th></tr><tr><th>Stormwater neutrality</th><th>Event Duration</th></tr><tr><td>Development results in an increase in impervious surface between 30m² and 500m²</td><td>1 in 50-year</td><td>1-hour event</td></tr><tr><td>Development results in an increase in impervious surface of 500m² or greater</td><td>1 in 50-year</td><td>24-hour event</td></tr></table>	Activity	Requirements for increased impervious surface		Stormwater neutrality	Event Duration	Development results in an increase in impervious surface between 30m ² and 500m ²	1 in 50-year	1-hour event	Development results in an increase in impervious surface of 500m ² or greater	1 in 50-year	24-hour event
Activity	Requirements for increased impervious surface											
	Stormwater neutrality	Event Duration										
Development results in an increase in impervious surface between 30m ² and 500m ²	1 in 50-year	1-hour event										
Development results in an increase in impervious surface of 500m ² or greater	1 in 50-year	24-hour event										

⁴¹ Clause 16(2)

⁴² Clause 16(2)

⁴³ Clause 16(2)

⁴⁴ Clause 16(2)

3-
Commercial
and Mixed
Use Zones

The Council will grant a stormwater discharge certificate under the Timaru District Council Consolidated Bylaw permission⁴⁵ to connect to the Council's Public⁴⁶ reticulated stormwater network if the development meets below requirements set out in Table 6 below and in accordance with SW-S2.

Table 6 — Stormwater Quantity Requirements for increased impervious surface in the Commercial and mixed-use zones

Activity	Requirements for increased impervious surface	
	Stormwater neutrality	Event Duration
Development results in an increase in impervious surface between 50m ² and 500m ²	1 in 50-year	1-hour event
Development results in an increase in impervious surface of 500m ² or greater	1 in 50-year	24-hour event

SW-S43

Stormwater quality permission requirements

Commercial and Mixed-use Zones — The Council will grant a stormwater discharge certificate under the Timaru District Council Consolidated Bylaw to connect to the Public reticulated stormwater network following certification of a treatment system designed to improve contaminate levels of gross pollutants, total suspended solids and hydrocarbons discharged by activities increasing trafficked hardstand impervious areas greater than 30m² and less than 150m².⁴⁷

General Industrial Zone — The Council will grant a stormwater discharge certificate under the Timaru District Council Consolidated Bylaw permission to connect to the Council's Public⁴⁸ reticulated stormwater network if the minimum standards identified in Table 7 below are met for activities additional trafficked hardstand impervious areas⁴⁹ exceeding the impervious surface threshold in the identified zones.

Port Zone

Open Space and Recreation Zones

Residential Zones

Māori Purpose Zone

Rural Lifestyle Zone

Settlement Zone

	All Commercial and mixed-use zones	General industrial zone and Port zone	Open-space and recreation zones, Māori Purpose zone, Rural lifestyle zone, Settlement zone and Residential zones	Roads

⁴⁵ Clause 16(2)

⁴⁶ Clause 16(2)

⁴⁷ PrimePort [175.24], Timaru District Holdings [186.10] and BP Oil, et al [196.38]

⁴⁸ Clause 16(2)

⁴⁹ BP, et al [196.38]

Impervious surface threshold	50 <u>150m</u> ^{2.50}	30 <u>150m</u> ^{2.51}	30 <u>150m</u> ^{2.52}	---
First Flush Depth	10mm/hr 21 mm depth	10mm/hr 21 mm depth	10mm/hr 21 mm depth	10mm/hr 21 mm depth
Suspended Solids	≥80%	≥80%	≥80%	≥80%
Total Zinc	≥70%	≥80%	≥70%	≥70%
Total Copper	≥70 %	≥80 %	≥70 %	≥70 %
Total Petroleum Hydrocarbons	≥70 %	≥70 %	≥70 %	≥70 %
Nutrients (Nitrogen, Phosphorus)	≥50 %	≥50 %	≥50 %	≥50 %

Impervious surface

Means an area with [a man-made surfaces, such as compacted gravel, chip seal or asphalt](#),⁵³ which prevents or significantly reduces the soakage or filtration of water into the ground. It includes:

- Roofs;
- Paved areas including driveways and sealed or compacted metal parking areas and patios;
- Sealed outdoor sports surfaces
- Sealed and compacted-metal roads, [carparks and yards](#);
- Engineered layers such as compacted clay.

It excludes:

- Grass or bush areas;
- Gardens and other landscaped areas;
- Permeable paving and green roofs;
- Permeable artificial surfaces, fields or lawns, including permeable crop protection cloth;
- Slatted decks;
- Swimming pools, ponds and dammed water; and
- Rain tanks.

⁵⁰ PrimePort [175.24], Timaru District Holdings [186.10] and BP Oil, et al [196.38]

⁵¹ PrimePort [175.24], Timaru District Holdings [186.10] and BP Oil, et al [196.38]

⁵² PrimePort [175.24], Timaru District Holdings [186.10] and BP Oil, et al [196.38]

⁵³ [Kainga Ora \[229.24\]](#). Also, see the evidence of Ms Seaton for Hearing E dated 23 January 2025

Appendix C – Joint Witness Statement for the Redruth Facility

**BEFORE THE INDEPENDENT HEARINGS PANEL
APPOINTED ON BEHALF OF THE TIMARU DISTRICT COUNCIL**

UNDER

the Resource Management Act 1991

AND

IN THE MATTER OF

Submissions and further submissions in
relation to the Timaru Proposed District
Plan – Hearing E – Energy and
Infrastructure

AND

Enviro NZ (Submitter 162)

**JOINT WITNESS STATEMENT
PLANNING**

Dated: 14 April 2025

1 INTRODUCTION

- 1.1 This joint witness statement relates to a submission made by Enviro NZ [Submission 162.2] on the Proposed Timaru District Plan (**PDP**) which supports the definition of “Regionally Significant Infrastructure” (RSI) but seeks to include the Redruth landfill and resource recovery facilities as RSI given the essential nature of the service it provides and its importance for waste minimisation and health and safety of the community. The submitter states that such facilities are affected by reverse sensitivity and are not easily able to be consented, moved or located elsewhere.
- 1.2 In Minute 24, dated 3 March 2025 (paragraph 8), the PDP Hearing Panel directed the parties to reconsider how and where the Redruth facility is most appropriately provided for in the PDP – i.e. as RSI in the EI Chapter, or within the zone with or without a precinct, given the Panel’s indication that RSI does not meet the RMA definition of ‘infrastructure’, or the definition of RSI in the CRPS. Mr Willis and Ms Rosser are to provide alternative drafting of provisions that could apply within the zone, with or without a precinct for the Panel’s consideration and include a comparative s32AA evaluation for EI, Zone and Zone with precinct.
- 1.3 Meetings and correspondence have occurred between Mr Willis and Ms Rosser on this matter which has culminated in this Joint Witness Statement (**JWS**).
- 1.4 This JWS has been prepared in accordance with sections 9.4 and 9.5 of the Environment Court Practice Note 2023, which relates specifically to expert conferencing. The attendees confirm they have read, and agree to abide with, the updated Code of Conduct for Expert Witnesses included in Section 9 of the Environment Court Practice Note 2023.
- 1.5 This JWS sets out all matters agreed and not agreed by the experts, with an outline of the reasons for disagreement provided where appropriate.
- 1.6 It is assumed that all submitted evidence has been reviewed and understood as a precursor to this JWS.
- 1.7 Changes to the provisions identified through this JWS are shown in blue font as ~~strike through~~ and underlined.

2 Option 1 - Definition of Infrastructure and Regionally Significant Infrastructure

- 2.1 The parties acknowledge that landfills are not included within the definition of “infrastructure” in the RMA, nor are they included directly under the RSI definition in the CRPS. However, it is noteworthy that clause 15 of the RSI definition includes infrastructure defined as “strategic infrastructure”. “strategic infrastructure” includes “defence facilities including Burnham Military Camp and West Melton Military Training Area”. The CRPS also includes a definition of “critical infrastructure” which includes “public healthcare institutions including hospitals and medical centres” (clause 10) and “fire

stations, police stations, ambulance stations, emergency coordination facilities” (clause 11). These other examples clearly do not meet the RMA definition of infrastructure”.

2.2 The parties also note that the matters below, which further suggest that the RMA's definition of infrastructure is narrow and has been broadened by various subsequent planning documents:

- (a) The NPS-UD includes a definition of “additional infrastructure” which includes such things as public open space (clause a) and social infrastructure, such as schools and healthcare facilities (clause d), as well as community infrastructure as defined in section 197 of the Local Government Act 2002 (clause b) which includes “land, or development assets on land, owned or controlled by the territorial authority for the purpose of providing public amenities” which could include landfills;
- (b) The Selwyn District Plan includes a definition of “important infrastructure” that includes: New Zealand Defence Force facilities; Emergency Services facilities; Public healthcare institutions; Dairy processing plants located within the Special Purpose Dairy Processing Zone; and Rolleston Prison; none of which meet the RMA infrastructure definition (but which ‘steps aside’ from the CRPS’s RSI definition);
- (c) The Proposed Regional Plan for Northland’s (Feb 2024) RSI definition includes the Puwera Regional Landfill Facility (under “significant social and community facilities” at clause 3(f));
- (d) The Horizons Regional One Plan includes a definition of “critical infrastructure” which includes health care institutions including hospitals (clause 5) and includes a requirement to recognise solid waste facilities including transfer stations, resource recovery facilities that deal with municipal waste and landfills (excluding farm dumps) as being physical resources of regional or national importance (Policy EIT-P1(2)(a));
- (e) The Hawke's Bay Regional Resource Management Plan includes a definition of “critical infrastructure” that includes the Omarunui Regional Landfill (clause d);
- (f) The Wellington Regional Plan includes a definition of RSI that includes the Silverstream, Spicer and Southern landfills;
- (g) The West Coast Regional Policy Statement includes a definition of RSI that includes Public or community solid waste storage and disposal facilities (clause n);
- (h) The Otago Regional Policy Statement (2021) includes a definition of RSI that includes landfills and associated solid waste sorting and transfer facilities which are designated by, or are owned or operated by a local authority (clause 13);
- (i) The Southland Regional Policy Statement 2017 includes definitions of RSI, “nationally significant infrastructure” and “critical infrastructure” that are broad and could include landfills

as they refer to infrastructure which contributes to the wellbeing and health and safety of the people and communities of the region.

- 2.3 Given the above, the parties note that many other planning documents do include landfills as part of their approach to infrastructure despite the narrow RMA definition of “infrastructure”. As such, the parties consider there is justification and support for including landfills as RSI in the PDP (as proposed in Mr Willis’ s42A report).
- 2.4 Turning to alternative approaches, the parties have prepared a new General Industrial Zone (**GIZ**) chapter policy for the Redruth facility as discussed below, together with another approach of including a reference to landfills directly in an EI policy consistent with the Horizons Regional One Plan approach identified above.

3 Option 2 - Proposed Amended General Industrial Zone Chapter

- 3.1 In accordance with the Panel’s direction, below is a proposed Redruth-specific policy to provide for the Redruth landfill in the GIZ chapter as an alternative to including it in the definition of RSI (Option 2A). Objective support for this policy is provided by the existing GIZ-O3 which seeks that use and development in the GIZ is not compromised by the establishment of sensitive activities (GIZ-O3(2)). Scope for this change is provided by Enviro NZ’s submission [162.2].

El-PX Reverse sensitivity effects and the Redruth Landfill and Resource Recovery Facility

Reverse sensitivity effects that result from subdivision, use or development occurring in close proximity to the Redruth landfill and resource recovery facility are avoided, or otherwise remedied or mitigated, to ensure they do not constrain the waste management activities on the Redruth landfill site.

- 3.2 The parties note that while this provides support for the Redruth facility, the proposed policy is under the area specific GIZ zone, as opposed to a district wide chapter, whereas reverse sensitivity is more likely to occur from the surrounding residential zones. The weakness of this approach is therefore exposed, which is not apparent if the definition of RSI is amended.
- 3.3 Enviro NZ initially sought a precinct for its Redruth landfill facility through its submission (Option 2B). The submission sought a new policy and rule be provided. In subsequent discussions the following was proposed by Ms Rosser:

PREC04-O1 Redruth Industrial Precinct

Objective

Activities within the precinct are managed to avoid reverse sensitivity effects on the adjacent Redruth landfill and resource recovery activities.

PREC04-P1 Policy

Avoid those activities that may compromise the existing or planned future operation of the Redruth landfill and resource recovery activities.

Rule PREC04

Trade suppliers, garden centres, storage and lock-up facilities, laboratories, veterinary clinics, service stations, convenience stores, cafes and restaurants

Activity Status: Discretionary

- 3.4 In discussions with TDC staff¹ the parties determined that a precinct approach within the GIZ is not suitable for the landfill due to the site being designated and only one set of rules should apply. A precinct if applied should only apply to those industrial zoned properties in Redruth Street and part of Shaw Street adjacent to the landfill which were previously zoned Heavy Industrial. The precinct would then serve to make trade suppliers, garden centres, storage and lock-up facilities laboratories, veterinary clinics, service stations, convenience stores, cafes and restaurants discretionary in these adjacent streets so as to limit reverse sensitivity on the landfill activities. It would not manage encroachment from intensification of the residential zones to the north.
- 3.5 Mr Willis accepts the above analysis.

4 Option 3 - Proposed Amended EI chapter

- 4.1 As an alternative to changing the definition of RSI or including a policy in the GIZ chapter, the parties consider amending Objective EI-O4 and Policy EI-P3 to refer to the Redruth Landfill and Resource Recovery Facility provides greater support for the Redruth facility due to its location in a district wide chapter. However, this change unfortunately introduces a specific activity into both provisions. The amendments are as follows:

EI-O4 Adverse effects on Regionally Significant Infrastructure, the Redruth Landfill and Resource Recovery Facility and Lifeline Utilities

The efficient operation, maintenance, repair, upgrading or development of Regionally Significant Infrastructure, the Redruth Landfill and Resource Recovery Facility and lifeline utilities are not constrained or compromised by the adverse effects of subdivision, use and development, including incompatible activities and reverse sensitivity effects.

***EI-P3 Adverse effects on Regionally Significant Infrastructure, the Redruth Landfill and Resource Recovery Facility and Lifeline Utilities*²**

1. *Ensure new or modified³ incompatible activities are appropriately located or designed so they do not compromise or constrain the safe, effective and efficient operation, maintenance,*

¹ Correspondence between Ms Rosser and Ms De Ronde in April 2024

² TDC [42.20]

³ BP Oil, et al [196.24]

repair, development or upgrading of any Regionally Significant Infrastructure, [the Redruth Landfill and Resource Recovery Facility](#) and lifeline utilities; and

2. *Recognise and provide for the safe and efficient operation, maintenance, repair, upgrading, removal and development of the National Grid by:
[...]*

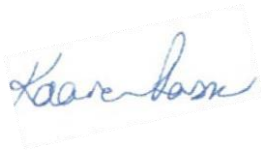
5 Conclusion on options

- 5.1 The parties consider that there is no standout option as each involves the pros and cons identified above. On balance, if the Panel do not support a change in the definition of RSI, Mr Willis and Ms Rosser prefer amending the EI chapter (Option 3) for the reasons provided above.

6 Comparative S32AA Assessment

- 6.1 Mr Willis and Ms Rosser consider that the addition of the Redruth Landfill and resource recovery facilities to the EI chapter via the recommended amended objective and policy better gives effect to EI-O1 as it provides essential services (EI-O1.1), contributes to the economy (EI-O1.3) and enables people and the community to provide for their health safety and wellbeing (EI-O1.5). In terms of risk of acting or not acting, this approach helps to ensure that the wider public is made aware of the facility and its strategic importance and is therefore beneficial. We consider this is the most appropriate way to achieve the purpose of the Act.
- 6.2 In terms of a comparative assessment of the options, all three options generally provide the same benefits – i.e. they better provide for the continued operation of the Redruth Landfill and resource recovery facility, but to different degrees and with pros and cons as follows:
 - the RSI definition option (Option 1) is efficient, but there is debate as to whether it is consistent with the RMA “infrastructure” and CRPS RSI definitions;
 - the GIZ amendment option (Option 2A) is more limited in its effect on surrounding zones as it is within the GIZ, rather than the surrounding zones, and is not a district wide provision. Its effectiveness may therefore be compromised;
 - the precinct option (Option 2B) is complicated by the designation which could lead to reduced efficiency by having two sets of rules;
 - the EI objective / policy amendment option (Option 3 - the preferred alternative approach) is more efficient and effective as it applies in a District wide chapter, but introduces a specific activity into the provisions which is unusual in the PDP and usually not best practice.

Signed:



.....
Kaaren Rosser



.....
Andrew Willis

Appendix D – Integration approach in other District Plans

	Specific direction of relationship between chapters	
	Objectives and Policies	Rules
Proposed Waimakariri District Plan	None	<p>A catch-all DIS Rule in all zone chapters provides for rules managing district wide matters as follows:</p> <p><i>XXZ-RXX Any other activity not provided for in this zone as a permitted, restricted discretionary, discretionary, non-complying activity, or prohibited, except where expressly specified by a district wide provision [emphasis added]</i></p>
Selwyn District Plan (appeal version)	None	<p>The EI rules statement indicates the chapter is self-contained for all energy, transport and infrastructure works and activities unless specified otherwise. A detailed rule note is contained in the EI chapter specifying departures from that.</p>
Wellington City Plan	Part 1 – How the Plan Works contains statement says that EI, SUB, TEMP are standalone chapters that containing all relevant Objective, Policy, Rules and Standards.	<p>Zone and overlay rules do not apply to INF - Infrastructure, it contains statement that:</p> <p><i>The provisions within this chapter apply on a City-wide basis. As such the rules in the zone chapters and earthworks chapter do not apply to <u>infrastructure</u> unless specifically stated within an <u>infrastructure</u> rule or standard. Likewise, the rules in the overlay chapters do not apply to <u>infrastructure</u>. Instead, <u>infrastructure</u> sub-chapters address the requirements particular to the overlays as follows:</i></p> <p>...</p> <p>Note the INF contains sub chapters which addresses infrastructure under each overlay. There are no specific directions in SUB or TEMP chapter on its relation with zones chapter, nor rules in the zones chapter provides exception.</p>
Porirua District Plan (appeal version)	Contains a similar statement for EI, SUB, TEMP as Wellington CP.	No specific directions provided in any chapters.
Proposed Waitaki District Plan	None	<p>Contains a note in the ENG & INF chapter INTRO:</p> <p><i>As this chapter contains district-wide provisions for energy / infrastructure activities the rules and standards in the zone chapters and <u>earthworks chapter</u> are not intended to apply to energy/infrastructure activities unless specifically stated within an energy rule or standard.</i></p> <p>There are no other specific directions are found.</p>

Appendix E – Recommended EI and TRAN chapter Amendments

Where I recommend changes in response to submissions, these are shown as follows:

Text recommended to be added to the Proposed Plan is underlined.

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

Appendix E - Recommended Amendments

Where I recommend changes in response to submissions, these are shown as follows:

Text recommended to be added to the Proposed Plan is underlined.

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

Introduction

The Infrastructure and Energy Chapter contains district-wide provisions that cover Regionally Significant Infrastructure, Lifeline Utilities¹ and other infrastructure. It also contains provisions applying to amateur radio and to protect the operation of Richard Pearse Airport (Timaru Airport). Transport-related infrastructure is also covered by ~~contained in~~² the Transport Chapter. Provisions relating to the Port activities at the Port of Timaru are also covered by ~~contained in~~³ the Port Zone Chapter.

Regionally Significant Infrastructure, Lifeline Utilities⁴ and other infrastructure have important functions and enable people and communities to provide for their social, economic and cultural wellbeing. The positive effects of Regionally Significant Infrastructure, Lifeline Utilities⁵ and other infrastructure may be realised locally, regionally or nationally. However, they can also have adverse effects, especially on sensitive environments.

Amateur radio is a personal recreational and technical activity that encourages experimentation in radio technology and related topics, self-training, and personal communications across wide geographic areas. Amateur radio operators do not fit within the definition of network utility operators under the RMA and the structures they use are not defined as infrastructure under the RMA; however, their activities involve radio-communication and amateur radio configurations that involve masts, aerials and supporting structures similar to some infrastructure.

With reference to Part 1 — National Direction Instruments, the provisions in this chapter (in combination with the other chapters cross-referenced below):

Give effect to the following national documents:

1. the National Policy Statement for Renewable Electricity Generation 2011 (NPSREG);
2. the National Policy Statement on Electricity Transmission 2008 (NPSET); and
3. the New Zealand Coastal Policy Statement 2010 (NZCPS).

Are consistent with:

4. the National Environmental Standards on Electricity Transmission Activities 2009 (NESETA); and
5. the National Environmental Standards for Telecommunications Facilities 2016 (NESTF).

Notwithstanding any other rules in the District Plan:

1. the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 apply to the operation, maintenance, upgrading, relocation or

¹ TDC [42.15] and Radio NZ [152.27]

² Waka Kotahi [143.20]

³ A consequential amendment following Waka Kotahi [143.20]

⁴ TDC [42.15] and Radio NZ [152.27]

⁵ TDC [42.15] and Radio NZ [152.27]

- removal of National Grid transmission lines that were operating or able to be operated on, or prior to, 14 January 2010 and remain part of the National Grid;
2. the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 apply to telecommunications facilities;

In the case of conflict with any other provision in the District Plan, the NESETA and NESTF prevail. Except in relation to the Port of Timaru operations,⁶ the objectives and policies in this chapter take precedence over the objectives and policies in any Zone Chapter of Part 3 – Area Specific Matters as specified in EI-O2, EI-P2 and EI-PX.⁷ In managing the effects of Regionally Significant Infrastructure and other infrastructure, the provisions in Part 2 – District Wide Matters also apply. The application of the rules in relation to other chapters is set out in the Rules section.⁸

Because of the broad and overlapping definitions of infrastructure, regionally significant infrastructure and lifeline utilities, the objectives and policies apply these general terms, whereas the rules apply more specific definitions such as network utilities and reference specific subtypes of infrastructure as required.⁹

Objective

EI-O1 Regionally Significant Infrastructure and Lifeline Utilities¹⁰

Regionally Significant Infrastructure and Lifeline Utilities¹¹ are Effective, resilient, efficient and safe Regionally Significant Infrastructure and Lifeline Utilities that and:¹²

1. provides essential and secure services, including in emergencies; and
2. facilitates local, regional, national or international connectivity; and
3. contributes to the economy, support emissions reduction¹³ where practicable¹⁴ and supports a high standard of living; and
4. is are aligned and integrates with the timing and location of urban development; and
5. enables¹⁵ people and communities to provide for their health, safety and wellbeing.

EI-O2 Adverse effects of infrastructure, including¹⁶ Regionally Significant Infrastructure and Lifeline Utilities¹⁷ and other infrastructure¹⁸

The adverse effects of infrastructure, including Regionally Significant Infrastructure, and Lifeline Utilities and other infrastructure¹⁹:

⁶ Evidence of Ms Seaton for PrimePort Timaru Limited [175] and Timaru District Holdings Limited [186] at paragraph 25.

⁷ Transpower [159.38] and The Telcos [176.34, 208.34, 209.34, 210.34]

⁸ Forest and Bird [156.49, 156.50, 156.51]

⁹ Kāinga Ora [229.14], TDC [42.14] and Opuha Water [181.33], [181.43], [181.44]

¹⁰ The Telcos [176.35, 208.35, 209.35, 210.35] and TDC [42.16]

¹¹ The Telcos [176.35, 208.35, 209.35, 210.35] and TDC [42.16]

¹² Waka Kotahi [143.21]

¹³ Forest and Bird [156.52]

¹⁴ Evidence of Ms Seaton for PrimePort Timaru Limited [175] and Timaru District Holdings Limited [186] at paragraph 29.

¹⁵ Opuha Water [181.25] for all the singular to plural changes

¹⁶ Clause 16(2). See also the evidence of Ms Francis for ECan [183] for Hearing E, dated 23 January 2025 at paragraph 69

¹⁷ The Telcos [176.36, 208.36, 209.36, 210.36] and TDC [42.17]

¹⁸ Forest and Bird [156.54] and The Telcos [176.37, 208.37, 209.37, 210.37]

¹⁹ Forest and Bird [156.54] and The Telcos [176.37, 208.37, 209.37, 210.37]. Clause 16(2). See also the evidence of Ms Francis for ECan [183] for Hearing E, dated 23 January 2025 at paragraph 69

1. are avoided in ~~sensitive environments~~ the areas identified in EI-P2.1.a²⁰ unless there is a functional need²¹ or operational need for the infrastructure to be in that location and no practical practicable alternative locations are available,²² in which case they must be ~~remedied or mitigated~~ managed by applying the effects management hierarchy set out in EI-P2 or EI-PX for the National Grid;²³ and
2. in other areas, are avoided, remedied or mitigated ~~to achieve~~ having regard to the relevant objectives for the underlying zone ~~in other areas~~,²⁴ and
3. in the case of the National Grid, are managed appropriately in the context of:
 - a. the characteristics and values of the receiving environment; and
 - b. the nature of the National Grid, including its functional needs and operational needs.²⁵

EI-O3 ~~Adverse effects of other infrastructure~~²⁶

The adverse effects of other infrastructure:

1. ~~are avoided on the identified characteristics and values of the sensitive environments the infrastructure is located within; and~~
2. ~~are avoided, remedied or mitigated to achieve the relevant objectives for the underlying zone in other areas.~~

EI-O4 Adverse effects on Regionally Significant Infrastructure and Lifeline Utilities

The efficient operation, maintenance, repair, upgrading or development of Regionally Significant Infrastructure and lifeline utilities are not constrained or compromised by the ~~adverse effects of subdivision, use and development, including incompatible activities and~~²⁷ reverse sensitivity effects.

EI-O5 Amateur radio configurations

Amateur radio configurations are able to be efficiently established with no to²⁸ minimal adverse effects on the surrounding environment.

Policies

EI-P1 Recognising the benefits of Regionally Significant Infrastructure and Lifeline Utilities

Recognise the benefits of Regionally Significant Infrastructure and Lifeline Utilities by:

1. ~~enabling providing for~~ their operation, maintenance, repair, removal²⁹, upgrade, and development in appropriate locations;³⁰ and
2. ~~enabling their removal during an emergency; and~~³¹
3. recognising their functional needs or operational needs; and
4. ~~encouraging supporting~~ the coordination of their planning and delivery with land use, subdivision,

²⁰ Opuha Water [181.26]

²¹ Clause 16(2)

²² Dir. General Conservation [166.20] and Radio NZ [152.29]

²³ Dir. General Conservation [166.20] and Opuha Water [181.26] and TDC [42.17]

²⁴ The Telcos [176.36, 208.36, 209.36, 210.36]

²⁵ [Transpower \[159.33\] and the evidence of Ms McLeod for Transpower for Hearing E, dated 23 January 2025, paragraph 29](#)

²⁶ Forest and Bird [156.54] and The Telcos [176.37, 208.37, 209.37, 210.37]

²⁷ Kāinga Ora [229.18]

²⁸ Forest and Bird [156.56]

²⁹ TDC [42.18] and Opuha Water [181.28]

³⁰ Forest and Bird [156.57]

³¹ TDC [42.18] and Opuha Water [181.28]

development, and urban growth so that future land use and infrastructure and Lifeline Utilities are integrated, efficient and aligned; and

5. ~~enabling~~ providing for the investigation and development of new small-scale renewable electricity generation activities to support a reduction in greenhouse gas emissions and diversifying the type and/or location of electricity generation; and
6. ~~allowing~~ providing for large scale renewable generation ~~and non-renewable generation~~ activities where the adverse effects can be minimised or able to be remediated; and
7. supporting Regionally Significant Infrastructure in adopting new technologies that:
 - a. improve access to, and efficient use of, networks and services;
 - b. allow for the re-use of redundant services and structures and construction materials³²;
 - c. increase resilience, safety or reliability of networks and services;
 - d. result in environmental benefits and enhancements; or
 - e. promote environmentally sustainable outcomes including green infrastructure and the increased utilisation of renewable resources.

EI-P2

Managing adverse effects of Regionally Significant Infrastructure, Lifeline Utilities³³ and other infrastructure

1. Except as provided for by Policy EI-PX,³⁴ ~~Provide for~~ Regionally Significant Infrastructure, Lifeline Utilities³⁵ and other infrastructure where any adverse effects are appropriately managed by:
 - a. seeking to avoid adverse effects on the identified values and qualities of Outstanding Natural Landscapes and Outstanding Natural Features, Visual Amenity Landscapes, the Coastal Environment, Significant Natural Areas, High Naturalness Waterbodies Areas, Sites and areas³⁶ of Significance to Māori, historic heritage, cultural, and archaeological areas, riparian margins, bat protection areas³⁷ and notable trees in accordance with the relevant Part 2 - District Wide provisions applying to those areas; and
 - b. ~~controlling~~ managing³⁸ the height, bulk and location of ~~Regionally Significant Infrastructure and other~~ all infrastructure, ~~consistent with taking into account~~³⁹ the role, function, character and identified qualities of the underlying zone; and
 - c. requiring compliance with recognised standards or guidelines relating to acceptable noise for noise sensitive activities, vibration, radiofrequency fields and electric and magnetic fields to minimise adverse effects on human health, wellbeing and amenity⁴⁰; and
 - d. requiring the undergrounding of network utilities lines⁴¹ in new areas of urban development; and

³² Forest and Bird [156.57] for all the changes after the deletion of clause 2, except where specified.

³³ The Telcos [176.40, 208.40, 209.40, 210.40] and Radio NZ [152.32]

³⁴ Transpower [159.36]

³⁵ The Telcos [176.40, 208.40, 209.40, 210.40] and Radio NZ [152.32]

³⁶ [Clause 16\(2\)](#)

³⁷ S42A Report Overarching matters Proposed Timaru District Plan: Part 1 - Introduction and General Definitions, dated 5 April 2024, paragraph 233, responding to a submission from Dir. General of Conservation [166.11]

³⁸ Radio NZ [152.32]

³⁹ The Telcos [176.40, 208.40, 209.40, 210.40]

⁴⁰ Kāinga Ora [229.20]

⁴¹ The Telcos [176.40, 208.40, 209.40, 210.40]

- e. minimising adverse visual effects on the environment through landscaping and/or the use of recessive colours and finishes; and
- ~~f. allow new water infrastructure, including open drains, ponds and structures for the reticulation and storage of water for agricultural and horticultural activities in sensitive environments where the adverse effects can be minimised; and⁴²~~
- g. requiring other infrastructure to adopt sensitive design to integrate within the site, and existing built form and/or landform, and to maintain take into account⁴³ the character and qualities of the surrounding area;

while:

- 2. recognising the functional need⁴⁴ or operational need of Regionally Significant Infrastructure, Lifeline Utilities⁴⁵ and other infrastructure activities, and having regard to:
 - a. the extent to which adverse effects have been addressed through site, route or method selection; and
 - b. the need to quickly repair and restore disrupted services; and
 - c. the impact of not operating, repairing, maintaining, replacing,⁴⁶ upgrading, removing or developing the regionally significant infrastructure or other infrastructure; and
 - d. the time, duration or frequency of adverse effects; and
 - e. their location, including:
 - i. the complexity and connectedness of the networks and services;
 - ii. the potential for co-location and shared use of infrastructure corridors; ~~and~~
 - iii. the extent to which there are feasible alternative sites, routes or methods available;⁴⁷ and
 - f. for renewable energy generation, the need to locate where the natural resources occur.; and
- 3. where due to functional needs or operational needs, RSI and other infrastructure must be located in the environments identified in EI-P2.1.a, and trigger a resource consent for those environments under the District Wide provisions,⁴⁸ apply the following effects management hierarchy:
 - a adverse effects are avoided where practicable; and
 - b. where adverse effects cannot be avoided, they are minimised where practicable; and
 - c. where adverse effects cannot be minimised, they are remedied where practicable; and
 - d. where more than minor residual adverse effects cannot be avoided, minimised, or remedied, offsetting is provided where possible; and

⁴² Opuha Water [181.29]

⁴³ The Telcos [176.40, 208.40, 209.40, 210.40]

⁴⁴ Clause 16(2)

⁴⁵ The Telcos [176.40, 208.40, 209.40, 210.40] and Radio NZ [152.32]

⁴⁶ Transpower [159.24], the Telcos [176.25, 208.25, 209.25 and 210.25]

⁴⁷ Opuha Water [181.29] and TDC [42.19]

⁴⁸ [Clause 16\(2\)](#)

e. if offsetting of more than minor residual adverse effects is not possible, compensation is provided; and

f. if compensation is not appropriate, the activity itself must be avoided in the environments identified in EI-P2.1.a.⁴⁹

EI-P3 Adverse effects on Regionally Significant Infrastructure and Lifeline Utilities⁵⁰

1. Ensure new or modified⁵¹ incompatible activities are appropriately located or designed so they do not compromise or constrain the safe, effective and efficient operation, maintenance, repair, development or upgrading of any Regionally Significant Infrastructure and lifeline utilities; and
2. Recognise and provide for the safe and efficient operation, maintenance, repair⁵², upgrading, removal and development of the National Grid by:
 - a. avoiding the establishment or expansion of activities sensitive to transmission lines in the National Grid Yard and avoiding incompatible activities subdivision, use and development that may are likely to would⁵³ compromise the operation, maintenance, repair, upgrading, ~~renewal~~ replacement⁵⁴, or development of the National Grid; and
 - b. providing security of supply and/or maintaining the integrity of National Grid assets; and
 - c. maintaining ongoing access to conductors and support structures for maintenance and upgrading works; and
 - d. minimising exposure to health and safety risks from the National Grid; and
 - e. managing activities, as far as reasonably practicable, to avoid the potential for reverse sensitivity effects on the National Grid.

EI-P4 Amateur radio configurations

1. Enable amateur radio configurations within the Rural, Residential, and Commercial and mixed-use zones, General Industrial Zone, Māori Purpose Zone and Port Zone, where:
 - a. they are of a size and scale that is compatible with the character and qualities of the zone; and
 - b. there are no adverse effects on the health and safety of people and communities.
2. Only allow amateur radio configurations within the Open Space Zone, Sport and Active Recreation Zone or any other zones not identified in EI-P4(1) where it can be demonstrated that:
 - a. they are compatible with the character and amenity values of the zone; and
 - b. any adverse effects are minimised.

EI-PX Managing adverse effects of the National Grid⁵⁵

Provide for the operation, maintenance, repair, replacement, upgrade and development of the National Grid where any adverse effects are appropriately managed by:

1. enabling the ongoing operation, maintenance, repair, replacement and minor upgrading of existing National Grid assets;
2. providing for new, or upgrades that are more than minor to, the National Grid; while

⁴⁹ Dir. General Conservation [166.22]

⁵⁰ TDC [42.20]

⁵¹ BP Oil, et al [196.24]

⁵² Clause 16(2)

⁵³ Kāinga Ora [229.21]. [See also the evidence of Ms McLeod for Transpower \[159\] Hearing H., dated 23 January 2025, at paragraph 45](#)

⁵⁴ Transpower [159.24], the Telcos [176.25, 208.25, 209.25 and 210.25]

⁵⁵ Transpower [159.36]

- a. In urban environments, minimising adverse effect on urban amenity and avoiding adverse effects of the National Grid on town centres, areas of high recreation value and existing sensitive activities;
- b. in the coastal environment, recognising that there will be areas where avoidance of avoiding adverse effects ~~where is~~ required ~~in order~~⁵⁶ to protect the special values and characteristics of those areas;
- c. where (a) and (b) do not apply, seeking to avoid adverse effects on the characteristics and values of the following:
 - i. significant natural areas listed in SCHED7 or other areas of significant indigenous vegetation and significant habitats of indigenous fauna;
 - ii. outstanding natural features and landscapes listed in SCHED8 and SCHED9;
 - iii. High Naturalness Waterbodies Areas;
 - iv. areas of high or outstanding natural character;
 - v. historic heritage sites and areas listed in SCHED3-4;
 - vii. sites and areas of significance to Kāti Huirapa listed in SCHED6;
 - viii. visual amenity landscapes listed in SCHED10;
 - ix. bat protection areas listed in SCHEDXX; and
- 3. where it is not practicable to avoid adverse effects on the characteristics and values of the areas listed in (2), remedy or mitigate adverse effects having regard to:
 - a. the operational needs or functional needs of the National Grid and the extent to which those requirements constrain measures to avoid, remedying or mitigating adverse effects;
 - b. the extent to which significant adverse effects are avoided;
 - c. the extent to which any adverse effects have been avoided, remedied or mitigated by route, site and method selection;
 - d. for substantial upgrades, the extent to which existing adverse effects have been reduced as part of the upgrade;
 - e. the extent to which adverse effects on urban amenity have been minimised; and
- 4. outside of the areas listed in (2), avoiding, remedying, or mitigating other adverse effects, having regard to the matters in (3);
- 5. prevailing clause 2(c) over SASM-P5, SASM-P6, SASM-P7 and SASM-8 in the event of conflict;
- 6. prevailing clause 2(c) over NATC-P4 and NATC-P6 in the event of conflict; and
- 7. using substantial upgrades of transmission infrastructure as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.

Rules

⁵⁶ Evidence of Ms McLeod for Transpower [159.36] for Hearing E, dated 23 January 2025, paragraph 59

Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter but may still require consent under other chapters.⁵⁷

With the exception of the rules in the PORTZ applying to Port activities⁵⁸ Rules in Sections A - Section F of this chapter take precedence over rules in any Zone Chapter of Part 3 — Area Specific Matters - Zone Chapters and the Zone Chapter rules do not apply.⁵⁹ Unless otherwise specified in this chapter, the provisions of Development Area Chapter, Designation Chapter and Chapters in Part 2 - District-wide Matters Chapters still apply to activities provided for in Sections A - Section F and therefore resource consent may be required by the rules in Part 2.⁶⁰

Rules in Section G of this chapter do not take precedence over rules in the Zones chapter. Consent may be required by rules the Part 2 - District-wide Matters Chapters and Part 3 — Area Specific Matters - Zone Chapters. Unless expressly stated otherwise by a rule, consent is required under each of those rules.

Large infrastructure may have multiple components covered by more than one section of these rules.⁶¹

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

Section A - Rules for Energy and Infrastructure Activities (not listed in other Sections of this chapter)

EI-R1	Operation, Maintenance⁶² and repair, or removal of infrastructure not otherwise addressed by another rule in this chapter	
All Zones	Activity status: Permitted Where: PER-1 EI-S1 is complied with.	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> the matters of discretion of any infringed standard.
EI-R2	Upgrading of underground infrastructure, not otherwise addressed by another rule in this chapter⁶³	
All Zones	Activity status: Permitted - Where - PER-1 EI-S2 is complied with.	Activity status when compliance not achieved: Restricted Discretionary - Matters of discretion are restricted to: <ol style="list-style-type: none"> the matters of discretion of any infringed standard.
EI-R3	New and upgrading existing⁶⁴ underground infrastructure (including customer connections) not otherwise addressed by another rule in this chapter	

⁵⁷ Transpower [159.38] and The Telcos [176.34, 208.34, 209.34, 210.34]

⁵⁸ Evidence of Ms Seaton for PrimePort Timaru Limited [175] and Timaru District Holdings Limited [186] at paragraph 27.

⁵⁹ Transpower [159.38] and The Telcos [176.34, 208.34, 209.34, 210.34]

⁶⁰ Forest and Bird [156.50]

⁶¹ Opuha Water [181.32]

⁶² KiwiRail [187.24] and Radio NZ [152.34]

⁶³ Transpower [159.40]

⁶⁴ Transpower [159.40]

All Zones	Activity status: Permitted	Activity status when compliance not achieved: Not applicable
EI-R4	Upgrading of⁶⁵ above ground network utilities not otherwise addressed by another rule in this chapter	
All Zones	Activity status: Permitted Where: PER-1 EI-S1 and EI-S2 are complied with.	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> the matters of discretion of any infringed standard.
EI-R5	Vehicle access tracks for network utilities, including ancillary access tracks	
All Zones	Activity status: Permitted Where: PER-1 The access track is unsealed; and PER-2 The access track, including unformed paper roads, is not classified as a road under the District Plan; and PER-3 The access track is 6m or less in width.	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> the purpose, necessity and location of the vehicle access track; and the impact on the character and qualities of the surrounding area.
EI-R6	Above ground customer connections	
1. Residential Zones Commercial and Mixed Use Zones Open Space and Recreation Zones	Activity status: Permitted Where: PER-1 The connection does not require a new tower; and PER-2 The connection does not exceed three additional poles; and PER-3 EI-S1 is complied with.	Activity status when compliance not achieved with PER-1 or PER-2: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> the purpose, necessity and location of the aboveground customer connection; and the extent to which the design integrates the activity within the site, existing built form and/or landform in a way that assists to maintain the character and qualities of the surrounding area; and the extent to which landscaping and/or recessive colours and finishing mitigates any adverse effects.

⁶⁵ Clause 16(2)

		<p>Activity status when compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
<p>2.</p> <p>Rural Zones</p> <p>General Industrial Zone</p> <p>Port Zone</p> <p>Māori Purpose Zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 EI-S1 is complied with.</p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
EI-R7	Temporary network utilities, including generators	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The temporary network utility operates for a maximum of up to 12 consecutive months; and</p> <p>PER-2 Any temporary network utilities, and associated buildings and structures, are removed from the site within two months of completion of the associated works; and</p> <p>PER-3 Any electricity generator, excluding those covered under EI-R21:</p> <ol style="list-style-type: none"> 1. is transportable; 2. operates for a maximum of up to 12 consecutive months in any two year period; and 3. is removed from the site within one month of when it ceases to be used; and <p>PER-4 EI-S1 is complied with.</p>	<p>Activity status when compliance not achieved with PER-1, PER-2 or PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the functional needs and ^{or}⁶⁶ operational needs of, and benefits from, the temporary network utility, including the potential impact on the levels of service or health and safety if the work is not undertaken; and 2. the bulk, height, location and design of the temporary network utility, including any associated buildings or structures; and 3. the impact on the character and qualities of the surrounding area. <p>Activity status when compliance not achieved with PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.

⁶⁶ Waka Kotahi [143.31]

	<p>Note: Where relevant, the area must be reinstated in accordance with conditions specified in the National Code of Practice for Utility Operators' Access to Transport Corridors.</p>	
EI-R8	Substations (including switching stations) and energy storage batteries not enclosed within a building	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The maximum building and structure height for a network utility structures is: <ol style="list-style-type: none"> 1. <u>as set out in EI-S1 for those structures covered under EI-S1; and for other structures and buildings;</u>⁶⁷ 2. i. 2.5 metres; or 3. ii. in the General Rural Zone, Rural Lifestyle Zone or General Industrial Zone, the maximum building and structure height for network utility structures is the maximum building height for the underlying zone; and </p> <p>PER-2 The maximum area of the substation, or energy storage batteries is: <ol style="list-style-type: none"> 1. <u>420m²</u> in Residential Zones; or 2. <u>630m²</u> in all other zones; and⁶⁸ </p> <p>PER-3 The substation, or energy storage batteries are set back at least 2 metres from any Residential Zone site boundary; and</p> <p>PER-4 EI-S1 is complied with.</p> <p>Note: <u>Height shall be measured from the existing ground level prior to any works commencing.</u>⁶⁹</p>	<p>Activity status when compliance not achieved with PER-1, PER-2 or PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the functional needs <u>and or</u>⁷⁰ operational needs of, and benefits from, the activity, including the potential impact on the levels of service or health and safety if the work is not undertaken; and 2. the bulk, height, location and design of the activity, including any associated buildings or structures; and 3. the impact on the character and qualities of the surrounding area; and 4. any adverse effects on public health and/or safety. <p>Activity status when compliance not achieved with PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
EI-R9	New network utilities within existing fully enclosed buildings	

⁶⁷ Clause 16(2)

⁶⁸ Millward Finlay Lobb [60.9] and the tabled evidence of Ms McMullan for Hearing E, dated 30 January 2025

⁶⁹ ECan [183.4]

⁷⁰ Waka Kotahi [143.31]

All Zones	Activity status: Permitted	Activity status when compliance not achieved: Not applicable
EI-R10	Navigational aids, sensing and environmental monitoring equipment (including air quality and meteorological)	
All Zones	Activity status: Permitted Where: PER-1 The activity complies with the height, setback, and height in relation to boundary standards for the zone.	Activity status when compliance not achieved with PER-1: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
EI-R11	New overhead lines and associated support structures that convey electricity excluding customer connections	
General Rural Zone General Industrial Zone Port Zone	Activity status: Permitted Where: PER-1 EI-S1 is complied with.	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
All zones other than the General Rural Zone; General Industrial Zone and Port Zone	Activity status: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the functional needs and ⁷¹or operational needs of, and benefits from, the network utility, including the potential impact on the levels of service or health and safety if the work is not undertaken; and 2. the bulk, height, location and design of the network utility, including any associated buildings or structures; and 3. the impact on the character and qualities of the surrounding area; and any adverse effects on public health and/or safety.	Activity status when compliance not achieved: Not applicable
EI-RX	Network utilities emitting electric and magnetic fields⁷²	
All Zones	Activity status: Permitted Where: PER-1	Activity status when compliance not achieved: Non-complying

⁷¹ Waka Kotahi [143.31]⁷² Transpower [159.48]

	<p><u>Any activity that generates electric or magnetic fields does not exceed:</u></p> <p>1. <u>the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz - 100kHz) (Health physics, 2010, 99(6); 818-836); and</u></p> <p><u>recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).</u></p>	
EI-R12	New electricity generation from a non-renewable source not otherwise addressed in this chapter	
All Zones	Activity status: Discretionary	Activity status when compliance not achieved: Not applicable

Renumber all rules to take account of EI-RX

Rules Section B - Rules for Telecommunication and radiocommunication activities		
EI-R13	New overhead telecommunications lines and associated support structures excluding customer connections	
1. General Rural Zone	Activity status: Permitted	Activity status when compliance not achieved: Restricted Discretionary
General Industrial Zone	Where:	Matters of discretion are restricted to:
Port Zone	PER-1 EI-S1 is complied with.	1. the matters of discretion of any infringed standard.
2. All Zones, other than the General Rural Zone, General Industrial Zone, and Port Zone	Activity status: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the functional needs and ⁷³or operational needs of, and benefits from, the network utility, including the potential impact on the levels of service or health and safety if the work is not undertaken; and 2. the bulk, height, location and design of the network utility, including any associated buildings or structures; and 3. the impact on the character and qualities of the surrounding area; and 4. any adverse effects on public health and/or safety. 	Activity status when compliance not achieved: Not applicable

⁷³ Waka Kotahi [143.31]

EI-R14	Telecommunications kiosk	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The telecommunication kiosk does not exceed:</p> <ol style="list-style-type: none"> 1. a height for network utility structures of 3.5 metres; and 2. a total area of 1.5m²; and <p>PER-2 If not located within a road reserve, the telecommunication kiosk is setback no less than 2m from all side and rear site boundaries, and set back from a road boundary in accordance with the applicable zone setback requirements,⁷⁴ and</p> <p>PER-3 Any attached small cell unit or antenna is no greater than 1m in height for network utility structures and does not have a horizontal dimension greater than the horizontal dimensions of the telecommunication kiosk.</p> <p>Note: <u>Height shall be measured from the existing ground level prior to any works commencing.</u>⁷⁵</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the functional needs and or⁷⁶ operational needs of, and benefits from, the activity, including the potential impact on the levels of service or health and safety if the work is not undertaken; and 2. the bulk, height, location and design of the activity, including any associated buildings or structures; and 3. the impact on the character and qualities of the surrounding area; and 4. any adverse effect on public health and/or safety.
EI-R15	Telecommunications or radiocommunication activities (not otherwise listed in rules EI-R15 to EI-R22 and not regulated by the NESTF)	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 All telecommunications poles and antenna (except those located on the road reserve) do not project above a 45° height in relation to boundary recession plane that is measured from any point 3m above the site boundary when the adjoining property is zoned Residential (but not a road boundary); and</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the functional needs and or⁸⁰ operational needs of, and benefits from, the activity, including the potential impact on the levels of service or health and safety if the work is not undertaken; and 2. the bulk, height, location and design of the activity, including any associated buildings or structures; and

⁷⁴ Telcos [176.52, 208.52, 209.52, 210.52] and the evidence of Mr Anderson for the Telcos, dated 23 January 2025 at paragraphs 38 to 44

⁷⁵ ECan [183.4]

⁷⁶ Waka Kotahi [143.31]

⁸⁰ Waka Kotahi [143.31]

<p>PER-2 A panel antenna:</p> <ol style="list-style-type: none"> 1. does not exceed a width of 0.79 metres;⁷⁷ and 2. when in a road reserve, fits within an envelope of 3.5 metres in length and 0.79 metres in width;⁷⁸ and <p>PER-3 A dish antenna does not exceed a diameter of 1.2 metres; and</p> <p>PER-4 Omni directional 'whip' or dipole antenna do not exceed:</p> <ol style="list-style-type: none"> 1. 1.6 metres in vertical length; and 2. 60mm in diameter; and 3. 1.5 metres in horizontal length; and <p>PER-5 A headframe does not exceed:</p> <ol style="list-style-type: none"> 1. 2.5 metres in diameter in Residential zones (except when located in a road as provided for by PER-2b. above); or 2. 6 metres in diameter in all other zones; and <p>PER-6 For antenna attached to a building, the antenna does not exceed a height for network utility structures of 5 metres above the point of attachment to the building; and</p> <p>PER-7 A telecommunications cabinet does not exceed:</p> <ol style="list-style-type: none"> 1. within a road corridor, a footprint of 2m² or height for network utility structures of 2 metres; 2. outside of a road corridor, a footprint of 2.5m² or height for network utility structures of 2 metres; <p>PER-8 A group of telecommunications cabinets does not exceed a footprint of 3m².</p> <p>Note:</p>	<ol style="list-style-type: none"> 3. the impact on the character and qualities of the surrounding area; and 4. any adverse effect on public health and/or safety.
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⁷⁷ The Telcos [176.53, 208.53, 209.53, 210.53]

⁷⁸ The Telcos [176.53, 208.53, 209.53, 210.53]

	<u>Height shall be measured from the existing ground level prior to any works commencing.</u> ⁷⁹	
EI-R16	Small cell units	
All Zones	Activity status: Permitted	Activity status when compliance not achieved: Not Applicable
EI-R17	Other network utilities (including network utility buildings and enclosed substations) not otherwise addressed by another rule in EI-R12 to EI-R20 and not regulated by the NESTF.	
All Zones	Activity status: Permitted Where: <u>PER-1</u> <u>The network utility is located within an existing building; or</u> ⁸¹ <u>PER-12</u> <u>The maximum building and structure height for a network utility structures is:</u> <u>1. as set out in EI-S1 for those structures covered under EI-S1, and</u> <u>2. for other structures and buildings;</u> <u>The building or structure complies with the building height for network utility structures, setback, and height in relation to boundary standards for the zone; and</u> <u>PER-23</u> <u>The building or structure does not exceed a maximum footprint of:</u> <u>1. 20m² in a Residential Zone or Open Space and Recreation Zone; or</u> <u>2. 50m² in any other zone, except the General Industrial Zone, which has no maximum footprint; and</u> <u>PER-3</u> <u>EI-S1 is complied with.</u>	Activity status when compliance not achieved with PER-1 or PER-2: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the functional needs and <u>or</u>⁸² operational needs of, and benefits from, the network utility, including the potential impact on the levels of service or health and safety if the work is not undertaken; and 2. <u>effects resulting from</u>⁸³ the bulk, height, location and design of the network utility, including any associated buildings or structures; and 3. the impact on the character and qualities of the surrounding area; and 4. any adverse effect on public health and/or safety. Activity status when compliance not achieved with PER-3: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
EI-R18	Network utilities emitting electric and magnetic fields ⁸⁴	
All Zones	Activity status: Permitted -	Activity status when compliance not achieved: Non-complying

⁷⁹ ECan [183.4]

⁸¹ Clause 16(2) to be consistent with EI-R9. See also the evidence of Mr Anderson for the Telcos for Hearing E dated 23 January 2025, paragraph 49

⁸² Waka Kotahi [143.31]

⁸³ Clause 16(2) and the evidence of Mr Anderson for the Telcos for Hearing E dated 23 January 2025, paragraph 50

⁸⁴ Transpower [159.48]

	<p>Where:</p> <p>-</p> <p>PER-1</p> <p>Any activity that generates electric or magnetic fields does not exceed:</p> <p>2. the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health physics, 2010, 99(6); 818-836); and</p> <p>3. recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).</p>	- - -
EI-R19	Network utilities generating radiofrequency fields	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>An activity that generates radiofrequency fields does not exceed the maximum exposure level of the general public in New Zealand Standards NZS2772.1: 1999 Radiofrequency fields - Maximum exposure levels - 3KHz to 300 GHz.</p>	Activity status when compliance not achieved: Non-complying
EI-R20	New emergency or permanent back-up electricity generation (including any associated energy storage batteries) for a utility or lifeline utility which is not the primary electricity supply to the site.	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>Buildings and structures comply with the height, boundary and height in relation to boundary standards for the relevant zone; and</p> <p>PER-2</p> <p>Any permanent back-up generator or a self-contained power unit is:</p> <ol style="list-style-type: none"> 1. setback at least 2 metres from a site boundary with a residential activity; and 2. operates for a maximum of 12 consecutive months. 	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the functional needs and ^{or}⁸⁵ operational needs of, and benefits derived from, the network utility; and 2. the purpose and necessity of the generator or power unit; and 3. any adverse visual or nuisance effects (including the effects of any outdoor lighting), particularly on the character and qualities of the surrounding area.

⁸⁵ Waka Kotahi [143.31]

EI-R21	Telecommunications lines, cabinets, poles and new antennas regulated by the NESTF that do not meet the permitted activity standards in Regulations 20, 21, 22, 27, 29, 31, 33, 35 or 37 of the NESTF and are not expressly listed as a controlled activity in Part 3 of the NESTF Regulations.	
All Zones	Activity status: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the functional needs and <u>or</u>⁸⁶ operational needs of, and benefits from, the network utility, including the potential impact on the levels of service or health and safety if the work is not undertaken; and 2. the bulk, height, location and design of the network utility, including any associated buildings or structures; and 3. the impact on the character and qualities of the surrounding area; and 4. any adverse effects on public health and/or safety. 	Activity status when compliance not achieved: Not applicable

Rules Section C - Rules for network utilities - Three Waters

EI-R22	Construction, maintenance, repair and upgrading of underground water supply, wastewater systems, and stormwater infrastructure	
All Zones	Activity status: Permitted Where: PER-1 Any pipe is not located on or within a waterbody, except where it is: <ol style="list-style-type: none"> 1. attached to and/or incorporated within an existing bridge structure; or 2. within an existing conduit or duct. 	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the functional needs and <u>or</u>⁸⁷ operational needs of, and benefits from, the activity, including the potential impact on the levels of service or health and safety if the work is not undertaken; and 2. the impact on the character and qualities of the surrounding area; <u>and</u> 3. <u>the effects on the values of Kati Huirapa.</u>⁸⁸

EI-R23	New water, wastewater and stormwater connections to existing reticulated networks	
All Zones	Activity status: Permitted	Activity status when compliance not achieved: Not Applicable
EI-R24	Rainwater collection systems for non-potable use	
All Zones	Activity status: Permitted	Activity status when compliance not achieved: Restricted Discretionary

⁸⁶ Waka Kotahi [143.31]

⁸⁷ Waka Kotahi [143.27]

⁸⁸ [Te Runanga o Ngai Tahu \[185.8\]](#)

	Where: PER-1 The rainwater tank complies with building height, setback and height in relation to boundary standards for the zone.	Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
EI-R25	Maintenance, repair and upgrading of existing underground and⁸⁹ above ground water systems infrastructure, including: <ul style="list-style-type: none"> • water supply, wastewater systems, stormwater infrastructure; • open drains and channels, pipes, water reservoirs, storage ponds; and • other ancillary facilities and structures for the reticulation and storage of water for agricultural and horticultural activities (excluding mobile irrigation equipment for agricultural and horticultural activities) 	
All Zones	Activity status: Permitted Where: PER-1 Building <u>or structure</u> maintenance and upgrades occur within the existing building <u>or structure</u> ⁹⁰ envelope; or PER-2 New buildings and structures comply with the building height, setback, and height in relation to boundary for the zone. PER-3 EI-S1 and EI-S2 are complied with.	Activity status when compliance not achieved with PER-1 or PER-2: Restricted Discretionary Matters of discretion are restricted to: 1. the functional needs <u>and or</u> ⁹¹ operational needs of, and benefits from, the activity, including the potential impact on the levels of service or health and safety if the work is not undertaken. 2. the bulk, height, location and design of the activity, including any associated buildings or structures. 3. the impact on the character and qualities of the surrounding area. Activity status when compliance not achieved with PER-3: Restricted Discretionary Matters of discretion are restricted to: 1. the matters of discretion of any infringed standard.
EI-R26	Construction of new underground and⁹² above ground water systems infrastructure, including involving⁹³: <ul style="list-style-type: none"> • water supply, wastewater systems and stormwater infrastructure; • open drains and channels, pipes, water reservoirs, storage ponds; and • other ancillary facilities and structures for the reticulation and storage of water for agricultural and horticultural activities (excluding mobile irrigation equipment for agricultural and horticultural activities) 	

⁸⁹ Opuha Water [181.34] and TDC [42.21]

⁹⁰ Opuha Water [181.35] and TDC [42.22, 42.80]

⁹¹ Waka Kotahi [143.30]

⁹² Opuha Water [181.34] and TDC [42.21]

⁹³ Rooney, et al [249.14, 250.14, 251.14, 252.14, 191.14, 174.14] for all these changes except where separately referenced

1. Rural Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 New buildings and structures comply with the building height, setback, and height in relation to boundary for the zone.</p> <p>-</p> <p>PER-2 EI-S1 is complied with.</p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the functional needs and operational needs of, and benefits from, the activity, including the potential impact on the levels of service or health and safety if the work is not undertaken. 2. the bulk, height, location and design of the activity, including any associated buildings or structures. 3. the impact on the character and qualities of the surrounding area. <p>Activity status when compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
2. 1. All Zones except Rural Zones	<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the functional needs and <u>or</u>⁹⁴ operational needs of, and benefits from, the activity, including the potential impact on the levels of service or health and safety if the work is not undertaken. 2. the bulk, height, location and design of the activity, including any associated buildings or structures. 3. the impact on the character and qualities of the surrounding area; <u>and</u> 4. <u>the effects on the values of Kati Huirapa.</u>⁹⁵ <p><u>Note: this rule does not apply to connections permitted under EI-R23.</u>⁹⁶</p>	<p>Activity status where compliance not achieved: Not applicable</p>

Rules Section D - Rules for the National Grid

EI-R27	Buildings or structures within the National Grid Yard
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⁹⁴ Waka Kotahi [143.31]

⁹⁵ Te Runanga o Ngai Tahu [185.8]

⁹⁶ Clause 16(2).

All Zones	Activity status: Permitted	Activity status when compliance not achieved: Non-complying
	<p>Where:</p> <p>PER-1 In the National Grid Yard:</p> <ol style="list-style-type: none"> 1. any alteration or addition to an existing building or structure for a sensitive activity does not involve an increase in the building height for network utility structures⁹⁷ or footprint; or 2. it is a network utility undertaken by a network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes); or 3. it is a non-habitable building or structure for primary production in the Rural Zones, including yards for milking/dairy sheds and artificial crop protection structures (but does not include any building for intensive primary production, commercial greenhouses or milking/dairy sheds); or 4. it is a yard for milking/dairy sheds; or 5. it is an artificial crop protection and support structure; or <u>4.6.</u> it is not for the storage and/or handling of hazardous substances with explosive or flammable intrinsic properties; and <p>PER-2 In the National Grid Yard, the building or structure is located at least 12m from the outer visible edge of any National Grid tower or pole and associated stay wire, unless it does not permanently physically obstruct existing vehicular access to a National Grid support structure and it is one of the following:</p> <ol style="list-style-type: none"> 1. a network utility undertaken by a network utility operator (other than for the reticulation and storage of water in canals, dams or reservoirs including for irrigation purposes); or 2. a fence no greater than 2.5m high and that is no closer than 5m to the nearest National Grid pole; or no closer than 6m to the nearest National Grid tower; or 3. an artificial crop protection structure or crop support structure not exceeding 	

⁹⁷ Transpower [159.49] for all the changes in EI-R27

	<p>2.5 metres in height and located at least 8 metres from a National Grid transmission line pole that is removable or temporary to allow a clear working space of 12 metres from the pole for maintenance and allows all weather access to the pole and a sufficient area for maintenance equipment, including a crane; or</p> <p>4. a building or structure where Transpower has given written approval in accordance with clause 2.4.1 of NZECP34:2001; and</p> <p>PER-3 The building or structure meets the requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP24:2001).</p> <p>Note: <u>Height shall be measured from the existing ground level prior to any works commencing.</u>⁹⁸</p>	
EI-R28		
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>The depth of the earthworks or land disturbance is no greater than 300mm deep within <u>6</u> 12 metres of the outer visible edge of a foundation of a National Grid transmission line tower or pole; and⁹⁹</p> <p>PER-2</p> <p>The <u>earthworks or land disturbance work</u> does not compromise the stability of a National Grid transmission line tower or pole; <u>and</u></p> <p>PER-3</p> <p><u>The earthworks or land disturbance does not result in a reduction in the ground to</u></p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1</p> <p><u>The earthworks or land disturbance is greater than 300mm deep and less than 3 metres deep between 6 metres and 12 metres of the outer visible edge of a foundation of a National Grid transmission line tower or pole.</u></p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> 1. effects on the operation, maintenance, upgrading and development of the National Grid; and 2. the risk to the structural integrity of the National Grid support structure(s) ; and 3. any impact on the ability to access the National Grid; and

⁹⁸ ECan [183.4]⁹⁹ Transpower [159.50] for all the changes to EI-R28 except where specified.

	<p>conductor clearance distances below what is required by Table 4 of NZECP34:2001 (New Zealand Electrical Code of Practice for Electrical Safe Distances); and</p> <p><u>PER-4</u></p> <p><u>The earthworks or land disturbance does not result in existing vehicle access to a National Grid support structure being permanently obstructed.</u></p> <p><u>Note: PER-1 to PER-4 clauses (a) and (b) do not apply to:</u></p> <ul style="list-style-type: none"> a. the repair or resealing of a road, footpath, driveway or farm track; and b. excavation of a vertical hole, not exceeding 500mm in diameter, that is more than 1.5m from outer visible edge of foundation of a National Grid transmission line pole or stay wire. 	<ul style="list-style-type: none"> 4. the risk of electrical hazards affecting public or individual safety and the risk of property damage; and 5. the outcome of any consultation with the owner and operator of the National Grid. <p><u>Activity status when compliance not achieved with RDIS-1, PER-2, PER-3 or PER-4: Non-Complying</u></p>
EI-R29	Subdivision of land within the National Grid Subdivision Corridor	
All Zones	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 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).</p> <p>RDIS-2 Existing vehicle access way to National Grid assets is maintained.</p> <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> 1. the extent to which the subdivision allows for the ongoing efficient operation, maintenance and upgrading of the National Grid, including the ability 	<p>Activity status when compliance not achieved: Non-complying</p>

	<p>for continued reasonable access for inspections, maintenance and upgrading; and</p> <ol style="list-style-type: none"> the location of any future building platform as it relates to the National Grid Yard; and the extent to which the subdivision design allows for any future sensitive activity to be setback from the National Grid; and the nature and location of any vegetation to be planted in the vicinity of the National Grid; and the ability of future development to comply with NZECP 34:2001 New Zealand Electricity Code of Practice for Electricity Safe Distances; and the risk of electrical hazards affecting public or individual safety, and the risk of property damage; and the outcome of any consultation with the owner and operator of the National Grid. 	
EI-R30	Sensitive activities, including within an existing building or the erection of buildings for sensitive activities, within the National Grid Yard	
All Zones	Activity status: Non-complying	Activity status when compliance not achieved: Not applicable
<u>EI-RXX</u>	<u>The storage and/or handling of hazardous substances with explosive or flammable intrinsic properties in the National Grid Yard¹⁰⁰</u>	
<u>All Zones</u>	<u>Activity Status: Non Complying</u> <u>Notification:</u> <u>Any application arising from EI-RXX shall not be subject to public notification and shall be limited notified to the following parties:</u> <u>Transpower, unless their written approval is provided.</u>	<u>Activity status when compliance not achieved: Not applicable</u>

Rules Section E - Rules for Renewable Electricity Generation

EI-R31	Installation, operation, maintenance, repair, upgrading and removal of new utility equipment for investigating a site for suitability for renewable electricity generation	
All Zones	Activity status: Permitted Where: PER-1	Activity status when compliance not achieved with PER-1 to PER-5: Restricted Discretionary Matters of discretion are restricted to:

¹⁰⁰ Transpower [159.66]

	<p>The utility equipment is not on-site for more than 18 months within any 36-month period; and</p> <p>PER-2 The utility equipment complies with NZS6808:2010 Acoustics — Wind farm noise, or when not a wind turbine, it must comply with the underlying zone noise standards; and</p> <p>PER-3 An anemometer does not exceed 90m in height for network utility structures; and</p> <p>PER-4 All masts are removed at the end of the investigation period.</p> <p>PER-5 The site is restored to its pre-works condition after completion of all investigation activities, and the removal of all investigation equipment.</p> <p>PER-6 Other than as provided by PER-3, any other utility equipment does not exceed the permitted height for network utility structures in relation to boundary and setback standards for the underlying zone.</p> <p>Note: <u>Height shall be measured from the existing ground level prior to any works commencing.</u>¹⁰¹</p>	<ol style="list-style-type: none"> 1. the functional needs and or¹⁰² operational needs of, and benefits from, the activity; and 2. the impact on the character and qualities of the surrounding area; and 3. noise; and 4. site restoration. <p>Activity status when compliance not achieved with PER-6: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard; 2. Noise; and 3. site restoration.
EI-R32	<p>The installation, operation, maintenance, repair,¹⁰³ upgrading, installation of new¹⁰⁴ and removal of a solar cell or an array of solar cells for small scale renewable electricity generation and its use</p>	
1. Rural Lifestyle Zone	<p>Activity status: Permitted¹⁰⁵</p> <p>Where:</p> <p>PER-1 The electricity generated is solely for use on the site and ancillary to the principal use of the site; and</p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the functional needs and operational needs of, and benefits from, the activity; and

¹⁰¹ ECan [183.4]¹⁰² Waka Kotahi [143.31]¹⁰³ Clause 16(2)¹⁰⁴ [Clause 16\(2\) to change the order of activities from low to high change](#)¹⁰⁵ Rooney, et al [174.15, 191.15, 249.15, 250.15, 251.15, 252.15] and Bruce Spiers [66.20] for all these changes

	<p>PER-2 Buildings and structures comply with the building height, setback, and height in relation to boundary standards for the zone.</p>	<p>2. the impact on the character and qualities of the surrounding area; and 3. overshadowing on surrounding sites.</p> <p>Activity status when compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. the matters of discretion of any infringed standard.</p>
2. 1. All Zones except the Rural Lifestyle Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The electricity generated is either:</p> <ol style="list-style-type: none"> solely for use on the site and ancillary to the principal use of the site; or for use on the site and ancillary to the principal use of the site, and <ol style="list-style-type: none"> for supply to not more than 20 other properties; and for supply of any excess electricity to the electricity distribution network or the National Grid; and <p>PER-2 Buildings and structures comply with the building height, setback, and height in relation to boundary standards for the zone.</p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the functional needs and operational needs of, and benefits from, the activity; and the impact on the character and qualities of the surrounding area; and overshadowing on surrounding sites. <p>Activity status when compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the matters of discretion of any infringed standard.
El-R33	<p>The <u>installation</u>, operation, maintenance, <u>repair</u>,¹⁰⁶ upgrading, <u>installation of new</u> and removal of a small-scale wind turbine/s for small-scale renewable electricity generation and its use</p>	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The electricity generated is either:</p> <ol style="list-style-type: none"> solely for use on the site and ancillary to the principal use of the site; or for use on the site and ancillary to the principal use of the site, and <ol style="list-style-type: none"> for supply to not more than 20 other properties; and for supply of any excess electricity to the electricity distribution network or the National Grid; and 	<p>Activity status when compliance not achieved with PER-1 to PER-5: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the functional needs and operational needs of, and benefits from, the activity; and the impact on the character and qualities of the surrounding area; and noise. <p>Activity status when compliance not achieved with PER-6: Restricted Discretionary</p>

¹⁰⁶ Clause 16(2)

	<p>PER-2 If PER-1.2. a.¹⁰⁷ applies, no more than one wind turbine is erected on a site; and</p> <p>PER-3 If PER-1.2.b.¹⁰⁸ applies, the wind turbines are either erected on a single site or clustered on one or more of sites; and</p> <p>PER-4 The maximum permitted height for network utility structures of each wind turbine (including the full extent of blades) is: 1. 20m in the General Rural Zone and General Industrial Zone; and 2. 15m in all other zones; and</p> <p>PER-5 The utility equipment complies with NZS6808:2010 Acoustics — Wind farm noise, or when not a wind turbine, it must comply with the underlying zone noise standards; and</p> <p>PER-6 Each wind turbine (including the full extent of blades) complies with road and internal boundary building setback standards for the zone.</p> <p>Note: <u>Height shall be measured from the existing ground level prior to any works commencing.</u>¹⁰⁹</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard; and 2. noise.
EI-R34	Solar hot water systems	
All Zones	Activity status: Permitted	Activity status when compliance not achieved: Not Applicable
EI-R35	The installation and upgrading of large scale renewable electricity generation activities	
GIZ (and the Clandeboye Special Precinct Zone if created)	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>PER-1</u> <u>The activity is a solar array and is located on a building in the GIZ; and</u></p>	<p><u>Activity status when compliance not achieved: Discretionary</u></p>

¹⁰⁷ Bruce Spiers [66.19]¹⁰⁸ Bruce Spiers [66.19]¹⁰⁹ ECan [183.4]

	<p>PER-2 The solar array meets the applicable height limit for buildings and structures in the GIZ; and</p> <p>PER-3 The solar array has a maximum reflectance value of 30%.¹¹⁰</p>	
All Zones other than GIZ	Activity status: Discretionary	Activity status when compliance not achieved: Not Applicable

Rules Section F - Rules for amateur radio configurations

EI-R36	Amateur radio configurations	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The amateur radio configuration must be owned and operated by a licensed amateur radio operator.</p> <p>PER-2 All amateur radio configurations must be designed and operated in compliance with New Zealand Standard NZS 2772.1:1999.</p> <p>PER-3 There are no more than 12 antennas and aerials per site.</p> <p>PER-4 The relevant zone setback standards are complied with.</p> <p>PER-5 Within the Residential zones, no support structures, aerials and antennas are located between the road and the closest part of any building on the site, or within 1.5 m from any other boundary; and</p> <p>PER-6 The maximum height for network utility structures of aerials and</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. visual amenity effects, including effects on landscape and streetscape values and neighbouring properties; and 2. any positive effects of the activity; and 3. cumulative effects associated with multiple devices and structures.

¹¹⁰ Rooney, et al [174.16, 191.16, 249.16, 250.16, 251.16, 252.16] and the evidence of Mr Hole for Hearing E, dated 23 January 2025, at paragraphs 9 to 14

associated support structures attached to buildings must not exceed the permitted building height for network utility structures for the relevant zone by more than 5m.

PER-7

1. Where antennas are attached to a building or other structure (including a mast), the radio and telecommunications antenna do not exceed:
 - a. for an antenna dish; 2m in diameter, or
 - b. for panel antenna: 4m² in area; and
2. provided there is no more than one pedestal mounted antenna per site, which:
 - a. is pivoted less than 4m above the ground with a maximum diameter of 5m and a maximum height for network utility structures of 6.5m;
 - b. if guy wires are used, where these do not exceed 12mm in diameter.

PER-8

1. Provided any element making up an aerial does not exceed 80mm in diameter;
2. for horizontal HF yagi aerials, provided the maximum element length does not exceed 14.9m, and maximum boom length does not exceed 13m; and
3. for whip aerials, provided the maximum length does not exceed 3.5m in height for network utility structures above the maximum height for network utility structures for the support structure; and

PER-9

1. Provided there is only one primary mast per site, which does not exceed a maximum height for network utility structures of 20m. This mast may be a pole of lattice mast, and may be guyed or self-supporting. Lattice masts shall be no more than:
 - a. 1000mm in outside diameter up to 9m in height for network utility structures
 - b. 420mm in outside diameter above 9m in height for network utility structures;

	<ol style="list-style-type: none"> 2. provided there is only one secondary mast per site with a maximum height for network utility structures of 12m. This mast may be fitted with a rotator for VHF and/or UHF aerials; 3. provided all masts (except for as provided for in PER 6(a) above) shall be less than 115mm in outside diameter; and 4. in addition to the primary mast and the secondary mast, provided there are no more than six other masts per site, which do not exceed the maximum height for network utility structures for buildings within the zone in which it is located by more than 30% (except that one mast may be used as a vertical aerial up to 13.5m in height for network utility structures). 	
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Rules Section G - Flight Paths Protection for Richard Pearse Airport (Timaru Airport)

EI-R37 Fish processing or packing plants, abattoirs or freezing works		
Birdstrike Management Overlay	Activity status: Permitted Where: PER-1 Storage, processing and disposal of all organic material takes place within enclosed buildings. PER-2 There is no disposal of effluent onto land associated with the plant or works.	Activity status where compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Scale and significance of birdstrike risk likely to be created at the location proposed; and 2. Mitigation of birdstrike risk including by design measures, operation or management procedures, direct intervention practices and monitoring.
EI-R38 Creation of a new stormwater basin; or water body (including wastewater oxidation pond) which exceeds 500m ² in area		
Birdstrike Management Area Overlay	Activity status: Permitted Where: PER-1 The combined area of all existing and proposed stormwater basins and/or water bodies, that are wholly or partly within 0.75km of the centre of the proposed water body or stormwater basin's, shall not exceed 1,000m ² ; PER-2 Any stormwater basin has been designed by a suitably qualified person, with	Activity status where compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Scale and significance of birdstrike risk likely to be created at the location proposed; and 2. Mitigation of birdstrike risk including by design measures, operation or management procedures, direct intervention practices and monitoring.

experience in stormwater management systems, to the following standards:

1. Stormwater infiltration basins shall be designed to fully drain within 48 hours of the cessation of a 2% AEP storm event;
2. Sufficient rapid soakage overflow capacity shall be provided to minimise any ponding of stormwater outside the infiltration area(s); and
3. Plant species used shall be limited to those listed in Table 3 below

PER-3

Any water body has been designed by a suitably qualified and experienced practitioner person, with experience in managing avian fauna within and around waterbodies stormwater management systems,¹¹¹ to the following standards:

1. No permanent island features shall be included, that could provide perching sites for birds; and
2. Plant species used shall be limited to those listed in Table 3 below.

Table 3 — Plant Species for water bodies and stormwater basins in the Birdstrike Management Area

Edge of Water body / Stormwater basin	
Botanical name	Common name
<i>Schoenoplectus validus</i> / <i>tabernaemontani</i>	lake club rush / kapungawha
<i>Eleocharis acuta</i>	spike sedge
<i>Carex germinata</i>	makura
<i>Schoenus pauciflorus</i>	bog rush
<i>Polystichum vestitum</i>	prickly shield fern
<i>Juncus pallidus</i>	tussock rush / wiwi

¹¹¹ Road Metals [169.10] and Fulton Hogan [170.11]

<i>Cyperus ustulatus</i>	umbrella sedge
Lower Bank	
Botanical name	Common name
<i>Anemanthele lessoniana</i>	wind grass
<i>Astelia fragrans</i>	bush lily / kakaha
<i>Coprosma propinqua</i>	mikimiki
<i>Dianella nigra</i>	ink berry / turutu
<i>Plagianthus divaricatus</i>	swamp ribbonwood
Upper Bank	
Botanical name	Common name
<i>Aristotelia serrata</i>	makomako / wineberry
<i>Carpodetus serratus</i>	marbleleaf / putaputaweta
<i>Coprosma rotundifolia</i>	roundleaved coprosma
<i>Dodonea viscosa</i> (frost tender)	akeake
<i>Eleocarpus hookerianus</i>	pokaka
<i>Griselinia littoralis</i>	kapuka / broadleaf
<i>Hebe salicifolia</i>	koromiko
<i>Hoheria angustifolia</i>	narrow leaved lacebark
<i>Kunzea ericoides</i>	kanuka
<i>Leptospermum scoparium</i>	manuka
<i>Lophomyrtus obcordata</i>	rohutu / NZ myrtle
<i>Myrsine australis</i>	mapou
<i>Myrsine divaricata</i>	weeping mapou
<i>Pittosporum eugenioides</i>	lemonwood
<i>Pittosporum tenuifolium</i>	matipo

	<table><tr><td><i>Plagianthus regius</i></td><td>lowland ribbonwood</td></tr><tr><td><i>Podocarpus totara</i></td><td>totara</td></tr><tr><td><i>Prumnopitys taxifolia</i></td><td>matai</td></tr><tr><td><i>Pseudowintera colorata</i></td><td>peppertree</td></tr><tr><td><i>Sophora microphylla</i></td><td>kowhai</td></tr></table> <p><u>Note: This rule does not apply to replacements of existing stormwater basins or water bodies.</u>¹¹²</p>	<i>Plagianthus regius</i>	lowland ribbonwood	<i>Podocarpus totara</i>	totara	<i>Prumnopitys taxifolia</i>	matai	<i>Pseudowintera colorata</i>	peppertree	<i>Sophora microphylla</i>	kowhai	
<i>Plagianthus regius</i>	lowland ribbonwood											
<i>Podocarpus totara</i>	totara											
<i>Prumnopitys taxifolia</i>	matai											
<i>Pseudowintera colorata</i>	peppertree											
<i>Sophora microphylla</i>	kowhai											
EI-R39	Buildings, structures or trees within¹¹³ the Aerodrome Flight Paths Protection Area Overlay											
Aerodrome Flight Paths Protection Area Overlay	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Richard Pearce (Timaru) Airport has provided <u>a written certification statement</u>¹¹⁴ to Timaru District Council that the building, structure or tree complies with Appendix 10; or</p> <p>PER-2 The building, structure or tree is located in an urban area of¹¹⁵ Temuka or Timaru and is no higher than 10m above existing ground level.</p>	<p>Activity status where compliance not achieved: Non-complying</p>										
EI-40	New landfills, excluding cleanfills, <u>landfills for cleanfill material</u>,¹¹⁶ within the Birdstrike Management Overlay											
Birdstrike Management Area Overlay	<p>Activity status: <u>Restricted</u>¹¹⁷ Discretionary</p> <p><u>Matters of discretion</u></p>	<p>Activity status where compliance not achieved: Not applicable</p>										

¹¹² Road Metals [169.10] and Fulton Hogan [170.11]

¹¹³ Bruce Spiers [66.21]

¹¹⁴ North Meadows [190.6], Hilton Haulage [168.24], Southern Proteins [140.6]

¹¹⁵ Fenlea Farms [171.19], AJ Rooney [177.9], KJ Rooney [197.2] and ECan [183.10]

¹¹⁶ RMA Clause 16(2)

¹¹⁷ Road Metals [169.11] and Fulton Hogan [170.12] for all these changes

	<ol style="list-style-type: none"> 1. <u>The nature of the proposed fill and the extent to which it includes material that could attract avian fauna directly, or attract other wildlife that could attract avian fauna;</u> 2. <u>The methods proposed to avoid or minimise birdstrike risk on Richard Pearse Airport (Timaru Airport);</u> 	
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Standards

EI-S1	Maximum structure height for network utility structures of poles, antenna, and towers and telecommunications poles¹¹⁸ (including the combined height of poles and antenna)	
All Zones	<p>5m above the permitted height limit for buildings in the applicable zone</p> <p>Notes: <i>Omni directional 'whip' or dipole antenna that comply with dimensions in EI-R4 (4) are excluded from the 'combined height' (i.e. only the pole needs to comply with the maximum structure height for network utility structures) lighting rods are exempt from the maximum for network utility structures standard.</i></p> <p><u>EI-S1 does not apply to works and changes to existing network utility structures that already exceed the permitted height limit, provided that the works and changes do not increase the exceedance of the permitted height limit.</u>¹¹⁹</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. <u>changes in</u>¹²⁰ visual dominance; and 2. <u>changes in</u>¹²¹ the impact on the character and qualities of the surrounding area. 3. the functional needs and operational needs of, and benefits derived from, the network utility, including the potential impact on the levels of service or health and safety if the work is not undertaken.
EI-S2	Upgrading infrastructure	
All Zones	<ol style="list-style-type: none"> 1. The realignment, relocation or replacement of a line, pipe (excluding a liquid petroleum pipeline), telecommunication pole, pole, tower, conductor, switch, transformer or ancillary structure within 5m of the existing alignment or location. 2. A pole is not replaced with a tower. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the functional needs and operational needs of, and benefits derived from, the network utility, including the potential impact on the levels of service or health and safety if the work is not undertaken; and

¹¹⁸ The Telcos [176.58, 208.58, 209.58, 210.58]

¹¹⁹ The Telcos [176.58, 208.58, 209.58, 210.58] and Radio NZ [152.45]

¹²⁰ Radio NZ [152.45]

¹²¹ Radio NZ [152.45]

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|---|--|
| <ol style="list-style-type: none"> 3. A replacement pole, tower or telecommunication pole does not exceed the height for network utility structures of the replaced pole or tower or telecommunication pole by the greater of: <ol style="list-style-type: none"> a. more than 15% across any 10-year period; or b. the maximum height for network utility structures of the underlying zone. 4. The diameter or width of a replacement pole or telecommunications pole: <ol style="list-style-type: none"> a. does not exceed twice that of the replaced pole at its widest point; or b. where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times the width of the replaced pole at its widest point. 5. The footprint of a replacement tower does not exceed the width of the tower by more than 25% across any 10-year period. 6. There are no additional towers. 7. There are no more than two poles, which are necessary to achieve the conductor clearances required by NZECP 34:2001. 8. The realignment, relocation of replacement of any other network utility structure or building: <ol style="list-style-type: none"> a. is within 5m of the alignment or location of the original structure or building; and b. does increase the footprint of the structure or building by greater than 25% across any 10-year period. 9. A replacement antenna does not increase the diameter of an existing dish antenna or the width of an existing panel antenna by more than 25% across any 10-year period. 10. A replacement cabinet or building does not increase the footprint of the existing cabinet or building by more than 25% in any 10-year calendar period. 11. The diameter of replacement pipes located aboveground must not exceed | <ol style="list-style-type: none"> 2. <u>changes in</u>¹²² the bulk, height, location and design of the network utility, including any associated buildings or structures; and 3. <u>changes in</u>¹²³ the impact on the character and qualities of the surrounding area; and 4. site reinstatement and replanting; and 5. the duration, timing, and frequency of adverse effects. |
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¹²² Radio NZ [152.46]

¹²³ Radio NZ [152.46]

	the diameter of the replaced pipe by more than 300mm.	
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This section has rules that have legal effect. Please check the ePlan to see what the legal effect is or subject to appeal.

Transport

Introduction

Safe and efficient land transport infrastructure assists in meeting the community's social, cultural and economic wellbeing. However, transportation, in its role as both a land use activity and as an effect of other activities, can adversely impact the environment of the District. The use of land transport infrastructure can result in noise that is not compatible with the receiving environment. The construction and ongoing use of land transport infrastructure can adversely affect existing communities, important landscapes, ecological habitats and storm water quality and quantity management. Road traffic as a prime component of transportation, and as an effect of land use activities, can impact adversely on the amenity values of an area in terms of noise, dust, dirt, fumes, visual intrusion and traffic congestion. This chapter seeks to address these matters.

This chapter is a district wide chapter that sits alongside the underlying zones and only regulates transport activities. The zoning of the road or rail corridor will be the same zone as that of the adjoining land (as shown on the District Plan maps). Where the zoning of the land that adjoins one side of the road or rail corridor is different to that of the land that adjoins the other side of the road or rail corridor, then the zoning of the adjoining land shall apply up to the centreline of the road or rail corridor.

Where the road or rail corridor crosses a waterbody the Transport provisions only apply to the bridge/road above the waterbody.

Deeming rules for the road corridor

Any land vested in the District Council, or the New Zealand Transport Agency - Waka Kotahi or any other Crown entity, as road pursuant to either any enactment or provision in this District Plan, or held by any other party as road or for the purposes of road, shall be deemed to be part of the road and subject to the district-wide Transport provisions of the District Plan.

If a road has been lawfully stopped under any enactment, and any relevant roading designation removed, then the land shall no longer be part of the road but will instead be deemed to be included in the same zone or zones as that of the land that adjoins it (up to the centreline of the road) and subject to all the provisions for that zone or zones (as well as any relevant District-wide provisions) from the date of the road stopping and removal of any relevant roading designation.

Objectives

TRAN-O1 ~~Safe, efficient, integrated and sustainable~~ **Land transport infrastructure**¹²⁴

Land transport infrastructure that is well-connected, integrated and accessible, supports low emissions¹²⁵ and which:

1. is safe, efficient and ~~sustainable~~ effective¹²⁶ for all transport modes;
2. meets and is responsive to current and future needs, including projected population growth;
3. aligns and integrates with the timing and location of urban development;

¹²⁴ RMA Clause 16(2)

¹²⁵ Forest and Bird [156.76]

¹²⁶ Waka Kotahi [143.36]

4. promotes multi-modal transport options, including the use of active transport and public transport, and reduces dependency on private motor vehicles;
5. supports consolidated, well designed and sustainable growth in and around existing urban ~~areas~~ locations; ¹²⁷
6. encourages sustainable economic development; and
7. provides parking opportunities in an efficient, functional and sustainable manner and to avoid adverse effects on the environment.

TRAN-O2 Transport related effects

Adverse effects on the environment occurring from the use, construction, maintenance and development of land transport infrastructure are avoided, remedied or mitigated to achieve the character and qualities of the underlying zone or overlay.

TRAN-O3 Adverse effects on land transport infrastructure

Land transport infrastructure is not compromised by incompatible activities that ~~may~~ are likely to ¹²⁸ result in conflict or reverse sensitivity effects.

Policies

TRAN-P1 Active transport

Encourage active transport modes such as cycling and walking by:

1. ensuring safe pedestrian access to building entrances;
2. requiring permeable road layouts;
3. requiring footpaths and other active transport infrastructure;
4. requiring consolidated settlement patterns;
5. requiring secure, sheltered cycle parking that is located in a convenient and safe position and which ensures pedestrian safety; and
6. encouraging the provision of end-of-journey facilities for staff such as bicycle parking, showers, lockers and dedicated changing spaces.

TRAN-P2 Public transport

Support an efficient integrated public transport system through Council advocacy and by requiring:

1. new residential neighbourhoods to be designed to ensure convenient and safe walking distances to public transport connections;
2. a roading design that facilitates the provision of an efficient and convenient public transport system into, out of, and around the development; and
3. urban development that is consolidated in and adjoining the District's existing towns and urban ~~areas~~ locations. ¹²⁹

TRAN-P3 Existing land transport infrastructure

Enable the safe and ¹³⁰ efficient use of existing land transport infrastructure by providing for its operation, maintenance and upgrading.

TRAN-P4 New land transport infrastructure

Only allow new land transport infrastructure:

1. within sensitive environments / overlays, where it can be demonstrated that:

¹²⁷ Fenlea Farms [171.19], AJ Rooney [177.9], KJ Rooney [197.2] and ECan [183.10]

¹²⁸ Kāinga Ora [229.27]

¹²⁹ Fenlea Farms [171.19], AJ Rooney [177.9], KJ Rooney [197.2] and ECan [183.10]

¹³⁰ Waka Kotahi [143.41] and KiwiRail [187.33]

- a. ~~the adverse effects on~~ identified characteristics and values of the Overlay it is within ~~will be protected~~ are avoided, remedied or mitigated; and
- b. the relevant objectives and policies¹³¹ for the Overlay will be achieved; and
- c. there is a functional or operational need for the land transport infrastructure to be located in the Overlay; and¹³²

2. in other locations, where it is consistent with or will not compromise achieving the relevant objectives of the zone(s) it is or will be situated.

TRAN-P5 Road classification

Require the District's roads to be classified and built according to their anticipated function and maintained to enable land transport infrastructure to operate safely and¹³³ effectively.

TRAN-P6 Effects on land transport infrastructure

Require subdivision, use and development to be designed in a way that supports the safe and efficient operation and development of land transport infrastructure, including by locating activities on the most appropriate road in the District's road classification.

TRAN-P7 High traffic generating activities

Only allow high traffic generating activities where these activities:

1. support the safe, efficient and effective use of land transport infrastructure, as demonstrated through an integrated transport assessment; and
2. encourage accessibility by a range of transport modes, including public transport and active transport use.

TRAN-P8 Parking, loading and manoeuvring

Require land use activities to provide:

1. efficient, effective and safe servicing and vehicle manoeuvring facilities on-site (where provided),¹³⁴ including for emergency service vehicles;
2. accessible parking spaces on-site for non-residential activities with a large building footprint floor area;¹³⁵
3. safe access for pedestrians and cyclists through parking areas, that are designed to reduce opportunities for crime through the demonstrated implementation of CPTED; and
4. landscaping in provided parking areas that visually softens the dominant effect of hard surfaces and positively contributes to amenity values anticipated for the receiving environment.¹³⁶

TRAN-P9 Non-transport related activities

Encourage road and railway corridors¹³⁷ to be used for:

1. Other co-located network utilities;
2. Non-transport related activities which contribute to public amenity values and well-being (excluding in any state highway)¹³⁸ while:
 - a. Mitigating any adverse effects on the safety, efficiency and functionality of the transport corridor, including in the future; and
 - b. Being consistent with the character and qualities of adjoining zones.

¹³¹ Forest and Bird [156.79]

¹³² KiwiRail [187.34] for all these changes except where specified

¹³³ Kāinga Ora [229.30]

¹³⁴ Kāinga Ora [229.33]

¹³⁵ ECAN [183.1]

¹³⁶ Fonterra [165.40]

¹³⁷ RMA Clause 16(2)

¹³⁸ Waka Kotahi [143.47]

TRAN-P10**EV charging facilities**

Encourage existing and new land uses to support an integrated and sustainable transport network by enabling charging stations for electric vehicles.¹³⁹

Rules

Note: Activities not listed in the rules of this chapter are classified as a¹⁴⁰ permitted under this chapter. Rules TRAN-R1 to TRAN-R5 and TRAN-R7 to¹⁴¹ TRAN-R11 in this chapter take precedence over rules in any Zone Chapter of Part 3 – Area Specific Matters - Zone Chapters and the Zone chapter rules do not apply. Unless otherwise specified in this chapter, the provisions of the Development Area chapter, Designation Chapter and chapters in Part 2 - District-wide Matters Chapters still apply to activities provided for in the TRAN Chapter and therefore resource consent may be required by these chapters. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules.¹⁴² 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.

TRAN-R1	Maintenance of existing land transport infrastructure	
All Zones	Activity status: Permitted	Activity status when compliance not achieved: Not applicable
TRAN-R2	Upgrading any existing land transport infrastructure	
All Zones	Activity status: Permitted PER-1 All upgrading is contained within a road; or PER-2 Any upgrading is within 5m of the outer edge of an existing railway line.	Activity status when compliance not achieved: Discretionary ¹⁴³
TRAN-R3	New vVehicle access way	
All Zones	Activity status: Permitted Where: PER-1 TRAN-S9, TRAN-S10, TRAN-S12, TRAN-S14, TRAN-S15, TRAN-S16 and TRAN-S18 are complied with. ¹⁴⁴	Activity status when compliance not achieved: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> the matters of discretion for any infringed standard.
TRAN-R4	New¹⁴⁵ Vehicle Crossings	

¹³⁹ Z Energy [116.6] and BP Oil, et al [196.40]

¹⁴⁰ Clause 16(2)

¹⁴¹ [Clause 16\(2\) – change to exclude TRAN-R6 which is about vehicle parking areas, including private areas should still be assessed under relevant zone rules](#)

¹⁴² Waka Kotahi [143.20]

¹⁴³ [Clause 16\(2\)](#)

¹⁴⁴ Waka Kotahi [143.49]

¹⁴⁵ Waka Kotahi [143.49]

All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The vehicle crossing is not located on the site between Tiplady Road and the Winchester Geraldine Road <u>zoned GIZ</u> and¹⁴⁶ legally described as Lot 1 DP8102 (or its successor); and</p> <p>PER-2 TRAN-S9, TRAN-S10, TRAN-S12, TRAN-S13, TRAN-S14, TRAN-S15, TRAN-S16, TRAN-S17 and TRAN-S18 are complied with.</p>	<p>Activity status when compliance not achieved with PER-1: Controlled</p> <p>CON-1 There is a maximum of two vehicle crossings from each road frontage of the land legally described as Lot 1 DP8102 (or its successor).</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. the number and location of access points onto roads; 2. boundary screening and landscaping. <p>Activity status when compliance not achieved with CON-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. traffic safety and impact on public road. <p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion for any infringed standard.
TRAN-R5	Loading and manoeuvring areas for all new activities	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 TRAN-S7, TRAN-S8, TRAN-S11, TRAN-S17 and TRAN-S18 are complied with.</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion for any infringed standard.
TRAN-R6	Vehicle parking and manoeuvring¹⁴⁷ areas	
1. All zones except the General Rural Zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 TRAN-S1, TRAN-S4, TRAN-S5, TRAN-S6, TRAN-S7, TRAN-S8, TRAN-S11 and TRAN-S19 are complied with.</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion for any infringed standard.
2.	<p>PER-1 Vehicle parking areas accommodate less than 20 car parking spaces; and</p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p>

¹⁴⁶ JR Livestock [241.33]

¹⁴⁷ Bruce Spiers [66.11]

General Rural Zone	<p>PER-2 TRAN-S1, TRAN-S4, TRAN-S7, TRAN-S8, TRAN-S11 and TRAN-S19 are complied with.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. public safety, including consistency with the APP3 - National Guidelines for Crime Prevention through Environmental Design in New Zealand (CPED); and 2. the safety and efficiency of pedestrian access through vehicle parking areas; and 3. measures used on-site to address adverse effects from stormwater discharge or runoff on the Council's reticulated network. <p>Activity status when compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion for any infringed standard.
TRAN-R7	Structures, buildings or planting and vehicular access in relation to a road-rail level crossings	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The structure is for post and wire fences only; or</p> <p>PER-2 For any other activity, it activity complies with TRAN-S9; or</p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion for any infringed standard.
TRAN-R8	New private ways	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 TRAN-S10, TRAN-S11, TRAN-S12, TRAN-S13, TRAN-S14, TRAN-S15, TRAN-S16, TRAN-S17 and TRAN-S18 are complied with.</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion for any infringed standard.
TRAN-R9	Installation of new or replacement charging facilities for electric vehicles	
All Zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p>	<p>Activity status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion are limited to:</p>

	The new charging facility is installed immediately adjacent to an existing, permitted or consented vehicle parking <u>and manoeuvring areas</u> ¹⁴⁸ space.	1. the potential for adverse effects on the safety and efficiency of land transport infrastructure.
TRAN-R10 High trip generation activities		
All Zones	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 Any <u>new or additional</u>¹⁴⁹ use or development which generates vehicle trips that meet or exceed the thresholds in TRAN-S20.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. for a basic Integrated Transport Assessment (ITA): <ol style="list-style-type: none"> a. safety and efficiency <ol style="list-style-type: none"> i. the extent to which the provision of access and on-site manoeuvring areas associated with the activity including vehicle loading and servicing deliveries <u>and heavy vehicle movements</u>,¹⁵⁰ affects the safety, efficiency, and accessibility of the site (by all modes including active transport, and for people whose mobility is restricted), and land transport infrastructure (including considering the road classification of the frontage road); and ii. any mitigation proposed. b. design and layout <ol style="list-style-type: none"> i. the extent to which the design and layout of the proposed activity maximises opportunities, to the extent practicable, for travel other than by private car, including providing safe and convenient access for travel by such modes; and ii. any mitigation proposed. c. <u>financial contributions</u> 	Activity status when compliance not achieved: Not applicable

¹⁴⁸ Bruce Spiers [66.11]

¹⁴⁹ Z Energy [116.9], BP Oil, et al [196.42]

¹⁵⁰ TDC [42.28]

	<p><u>i. where an increase in vehicle traffic by an activity has potential to generate adverse effects on the road network, any financial contributions provided in accordance with APP7-Financial Contribution.</u>¹⁵¹</p> <p>2. For a full ITA:</p> <p>a. safety and efficiency</p> <p>i. the extent to which the provision of access and on-site manoeuvring areas associated with the activity including vehicle loading and servicing deliveries <u>and heavy vehicle movements</u>,¹⁵² affects the safety, efficiency, and accessibility of the site (by all modes including for people whose mobility is restricted), and land transport infrastructure (including considering the road classification of the frontage road); and</p> <p>ii. any mitigation proposed;</p> <p>b. design and layout</p> <p>i. the extent to which the design and layout of the proposed activity maximises opportunities, to the extent practicable, for travel other than by private car, including providing safe and convenient access for travel by such modes; and</p> <p>ii. any mitigation proposed;</p> <p>c. network impacts</p> <p>i. having particular regard to the level of additional traffic generated by the activity and the extent to which measures are proposed to adequately mitigate the actual or potential effects on land transport infrastructure arising from the anticipated trip generation (for all transport modes) from the</p>	
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¹⁵¹ TDC [42.27]

¹⁵² TDC [42.28]

	<p>proposed activity, including consideration of cumulative effects with other activities in the vicinity, proposed infrastructure, and construction work associated with the activity.</p> <p>ii. any mitigation proposed.</p> <p>d. <u>financial contributions</u></p> <p>i. <u>where an increase in vehicle traffic by an activity has potential to generate adverse effects on the road network, any financial contributions provided in accordance with APP7-Financial Contribution.</u>¹⁵³</p> <p>Note: If an Integrated Transport Assessment has already been approved for the site as part of a granted resource consent, then these rules do not apply to any development that is within the scope of that Integrated Transport Assessment and in accordance with the resource consent, unless the resource consent has lapsed.</p>	
TRAN-RX	Heavy vehicle trip generation activities ¹⁵⁴	
<u>All Zones</u>	<p><u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>Any use or development which generates heavy vehicle movements on any Collector Road or Local Road, or any Principal Road that shares a boundary with a Rural zone, that meet or exceed a 5% increase in annual average daily heavy vehicle movements on that Road.</u></p> <p><u>RDIS-2</u> <u>Any use or development that generates any high productivity motor vehicles movements</u></p>	

¹⁵³ TDC [42.27]

¹⁵⁴ TDC [42.28]

with non-standard axle loadings exceeding NZTA class 1 axle limits on any Collector Road or Local Road, or any Principal Road that shares a boundary with a Rural zone.

Matters of discretion are restricted to:

1. Pavement impacts having particular regard to the level of additional traffic generated by the activity and the extent to which measures are proposed to adequately mitigate the effects on the road marginal cost.
2. APP7 – Financial Contribution

Notes:

1. This rule does not apply to heavy vehicle movements generated on State Highways, Regional Arterials, District Arterials, ~~or~~ Principal Roads that do not share a boundary with a Rural zone, [or to heavy vehicle movements on Milford-Clandeboyne Road and Rolleston Road that enter / exit the Clandeboyne Dairy Manufacturing Zone / Precinct.](#)¹⁵⁵
2. If a Pavement Impact Assessment has already been approved for the site as part of a granted resource consent, then these rules do not apply to any development that is within the scope of that Pavement Impact Assessment and in accordance with the resource consent, unless the resource consent has lapsed.
3. The Timaru District Council maintains a database of heavy vehicle movements on all Council Roads. This data can be accessed on Council's website [LINK TO BE INSERTED TO COUNCIL.](#)
4. Guidance on preparing a pavement impact assessment is provided in the Queensland Guide to Traffic Impact Assessment and Queensland Pavement Impact Assessment Practice Note.

¹⁵⁵ [Evidence of Ms Tait for Fonterra, dated 23 January 2025 \(paragraph 5.3.14\).](#)

	5. Road marginal cost is a cost per 100m segment of road derived over a 50-year cycle of road costings (including maintenance, rehabilitation and reconstruction).	
TRAN-R11	New private roads, roads and other land transport infrastructure outside of existing road or rail corridors	
All Zones	Activity status: Discretionary Where DIS-1 TRAN-S2, TRAN-S3 are complied with.	Activity status when compliance not achieved: Non-Complying

Standards

TRAN-S1	Landscaping where five or more at grade car parking spaces are provided <u>and grouped together</u>¹⁵⁶ for non-residential activities on a site	
All Zones except the <u>PORTZ</u>¹⁵⁷ and <u>Clandebye Manufacturing Zone / Precinct</u>¹⁵⁸	<ol style="list-style-type: none"> 1. Where more than five at grade car parking spaces are provided for non-residential activities on a site, landscaping must be provided within a landscaping strip/s or within a planting protection area/s with a minimum dimension or diameter of 1.5 metres within, or immediately adjacent to, the parking area on the site. 2. Landscaping must consist of a combination of trees, shrubs and ground cover species. 3. Planting must be limited to indigenous vegetation sourced from within the ecological district to enhance local or regional indigenous biodiversity.¹⁵⁹ 4. Landscaping may be integrated with stormwater management for the parking area, and may include the use of raingardens for stormwater collection and attenuation of stormwater runoff. 5. Trees must: 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the extent of reduction in anticipated on-site and adjacent amenity values; and 2. the extent to which the non-compliance is required for traffic safety reasons or due to impacts on underground services; and 3. The landscaping design, type of species and height of landscaping; <u>and</u> 4. <u>the operational and functional requirements of the activity.</u>¹⁶¹

¹⁵⁶ Z Energy [116.8]

¹⁵⁷ PrimePort [175.26] and Timaru District Holdings [186.12],

¹⁵⁸ Fonterra [165.41], subject to the Panel recommending to create a new zone

¹⁵⁹ Rooney, et al [174.24, 191.24, 249.24, 250.24, 251.24, 252.24]

¹⁶¹ Woolworths [242.12]

	<ul style="list-style-type: none"> a. be spaced one tree every 10 metres of road frontage (excluding access ways and any other means of access to the building) on the side of a road boundary or within a parking area; b. have a minimum stem diameter of 40mm at the time of planting and be capable of reaching a height of at least three metres at maturity; c. be planted no closer than 2m from an underground service or 1m from a footpath or kerb. <p>6. Landscaping strips or planting protection areas adjacent to a road boundary, or within a parking area, must be protected from damage by vehicles through the use of wheel stop barriers. Such wheel stop barriers must be located at least 1m from any tree.</p> <p><u>Note: This standard does not apply to Car Parks for refuelling lanes or EV Charging Stations.</u>¹⁶⁰</p>	
TRAN-S2	Road design requirements	
All Zones	<ul style="list-style-type: none"> 1. Roads must meet the requirements specified in <i>Table 8— Road design requirements</i> and explained in <i>Figure 5 6</i>¹⁶² — <i>Transport corridor cross section example</i>. 2. Cul de sacs must meet the Local Road requirements in Table 8 and the following additional requirements: <ul style="list-style-type: none"> a. it must not exceed a maximum length of 150m. b. there must be a pedestrian link at the end of a cul-de-sac in all residential and commercial zones. c. there must be no cul-de-sac located off a cul-de-sac. d. there must be no more than one private way at the end of a cul-de-sac. 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. the potential for adverse effects on the safety and efficiency of land transport infrastructure.

¹⁶⁰ Z Energy [116.8]

¹⁶² Bruce Spiers [66.23]

	<p>e. the minimum turning head diameter requirements that must be met are as follows:</p> <ul style="list-style-type: none"> i. 25m diameter with on-street parking permitted (Residential Zone); ii. 30m diameter with no on-street parking permitted (other zones). <p>Note: Where classification of the roading hierarchy is required to read Table 8, refer to SCHED1 — Schedule of Roding Hierarchy.</p>	
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Table 8 — Road design requirements

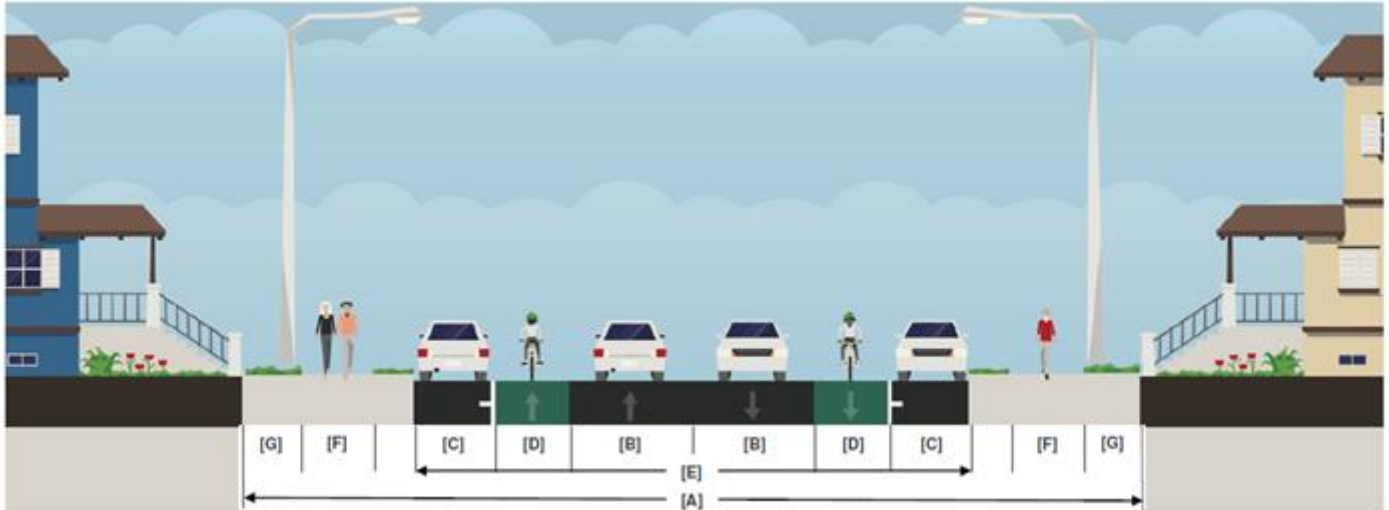
Zone	Road classification	Minimum Road reserve width (m) [A]	Minimum lane allocation and carriageway widths						Minimum sealed carriageway width (m) [E]	Footpath requirement (minimum 1.8m where provided) [F]	Utility / Amenity strip requirement (minimum 1.0m where provided) [G]
			Traffic lane [B]	Shoulder	Parking [C]		Cycle lane [D]				
Residential zones	Collector	22	2 x 3.0m	n/a	Both sides	2.0m	Both sides	Minimum 1.8m where provided	13.6	Both sides	Both sides
Open Space Zones (urban area not within or adjoining rural zones) ¹⁶³	Local	20	2 x 3.0m	n/a	Both sides		Optional		10.0	Both sides	Both sides
General Industrial Zone	Collector	22	2 x 4.0m	n/a	Both sides	2.5m	Both sides		16.6	Both sides	Both sides
Port Zone	Local	20	2 x 4.0m	n/a	Both sides		Optional		13.0	Both sides	Both sides
Commercial and Mixed Use Zones	Collector	20	2 x 3.0m	n/a	One side	2.2m	Both sides		11.8	Both sides	Both sides
	Local	20	2 x 3.0m	n/a	One side		Optional		8.2	Both sides	Both sides
General Rural Zone	Collector	20	2 x 3.5m	2 x 1.5m (sealed)	No	n/a	No		10.0	No	One side
Open Space Zones (non-urban area within or adjoining rural zones) ¹⁶⁴	Local	20	2 x 3.5m	2 x 0.5m (sealed)	No	n/a	No		8.0	No	One side
Rural Lifestyle Zone	Collector	20	2 x 3.5m	2 x 0.5m (sealed)	No	n/a	No		8.0	One side	One side
Settlement Zone	Local										
Māori Purpose Zone											

Note:

¹⁶³ Fenlea Farms [171.19], AJ Rooney [177.9], KJ Rooney [197.2] and ECan [183.10]¹⁶⁴ Fenlea Farms [171.19], AJ Rooney [177.9], KJ Rooney [197.2] and ECan [183.10]

1. Optional to mark on-street parking on Local Road but the space must be provided
2. Utility strip to be located at least 300mm, ideally 1.0m, from the kerb and channel or edge of seal.
3. Cycle lanes must be marked.

Figure 6 — Transport corridor cross section example

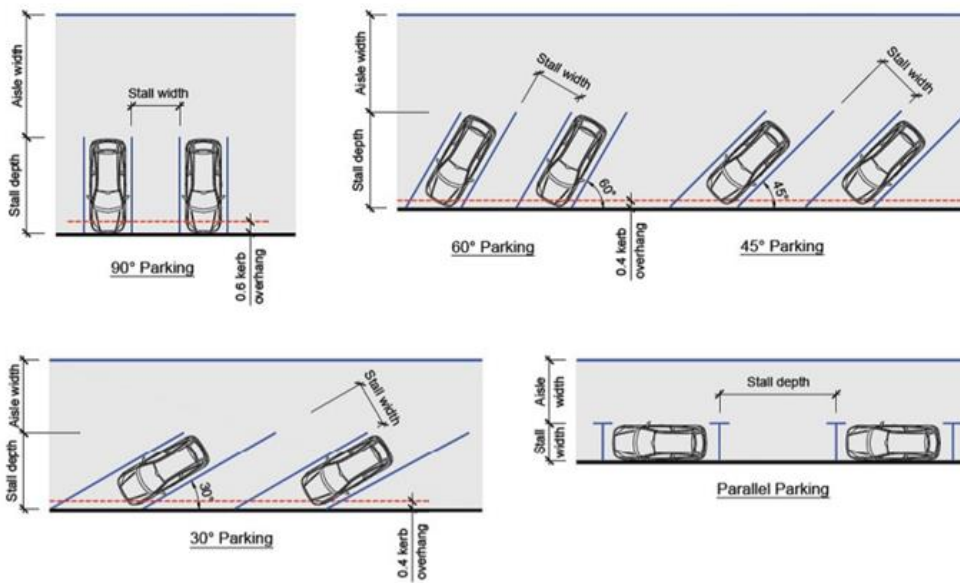


TRAN-S3	Street lights	
All Zones	Any development that creates a new road or which extends the requirement for street lighting must include a street lighting layout that is designed and constructed in accordance with AS/NZS 1158 Lighting for Roads and Public Spaces and all relevant parts of the standard.	Matters of discretion restricted to: <ol style="list-style-type: none"> 1. the potential for adverse effects on the safety and efficiency of the site and land transport infrastructure.
TRAN-S4	Vehicle parking <u>and manoeuvring areas</u>¹⁶⁵	technical standards
All zones	<ol style="list-style-type: none"> 1. Where parking spaces are provided, they must comply with the dimensions set out in Table 9 — Car parking dimensions. 2. On-site queuing spaces shall be provided for all vehicles entering a parking area or loading area in accordance with Table 10 — Queueing space requirements. 3. Accessible parking spaces must be provided in accordance with Table 11 — Accessible parking spaces requirements. 4. All parking spaces and queuing spaces must be provided with vehicular access to a road by way of a vehicle crossing, driveway and/or right of way. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the ability for people with disabilities to safely and effectively park and enter and exit a vehicle and manoeuvre around it; and 2. the potential for adverse effects on the safety and efficiency of land transport infrastructure; 3. the safety and efficiency of the car-park, manoeuvring areas, vehicle access and vehicle crossings.

Table 9 – Car parking dimensions

Car parking dimensions are to be measured in accordance with the diagram below

¹⁶⁵ Bruce Spiers [66.11]



90 Degree Parking Angle

Type of use	Stall Width (m)	Stall Depth (m)	Aisle Width (m)	Kerb Overhang (m)
Long term	2.4	5.0	6.7	0.6
Medium term	2.5		6.4	
Short term	2.6		6.3	
Accessible parking	3.6*	5.0	6.7	0.6

60 Degree Parking Angle

Type of use	Stall Width (m)	Stall Depth (m)	Aisle Width (m)	Kerb Overhang (m)
Long term	2.4	5.0	4.9	0.6
Medium term	2.5		4.6	
Short term	2.6		4.3	

45 Degree Parking Angle

Type of use	Stall Width (m)	Stall Depth (m)	Aisle Width (m)	Kerb Overhang (m)
Long term	2.4	5.0	3.9	0.4
Medium term	2.5		3.7	
Short term	2.6		3.5	

30 Degree Parking Angle

Type of use	Stall Width (m)	Stall Depth (m)	Aisle Width (m)	Kerb Overhang (m)
Long term	2.1	4.0	3.1	0.4
Medium term	2.3		3.0	
Short term	2.5		2.9	

Parallel Parking

Type of use	Stall Width (m)	Aisle Width (m)	Stall Depth (m)
Long term	2.1	3.0	6.3
Medium term		3.3	6.1
Short term		3.6	5.9
Accessible parking	3.5*	3.3	7.4

Long term parking: generally all day parking.
 Medium term parking: generally two to four hour parking.
 Short term parking: generally two hour parking or less.

*1.1m of which may be a shared area

1. Stall widths must be increased by 300mm where they abut permanent obstructions. If obstructions are present on both sides of the parking space, the width must be increased by 600mm.
2. Parking spaces must be located so as to ensure that no vehicle is required to carry out any reverse manoeuvring when moving from any vehicle access way to any parking space, except for parallel parking spaces.
3. Parking spaces must be located so that vehicles are not required to undertake more than one reverse manoeuvre when manoeuvring out of any parking space.
4. Manoeuvring within car parking areas must be designed to accommodate an 85th percentile car except for critical areas where tracking must accommodate a 99th percentile car. Critical areas include all aisles, in or between major structures or locations where there is a change in grade.
5. The maximum gradient within car parking spaces must not exceed:
 - a. Measured parallel to angle of parking – 1 in 20 (5%)
 - b. Measured in any other direction – 1 in 16 (6.25%)
6. Any space required for parking must be available during the hours of operation of the related activity, and must not be obstructed by the subsequent erection of any structure, storage of goods, or any other use.
7. The whole of the parking area, vehicle access ways, manoeuvring areas and aisles must, before the commencement of the related activity, and thereafter for as long as that activity is undertaken, be formed, sealed and drained, provided with a sealed surface, drained, marked out or delineated, and maintained

Table 10 — Queueing space requirements

Number of parking spaces provided	Minimum queueing space (metres)
5-20	6
21-50	12
51-150	18
151 and over	24

Table 11— Accessible parking spaces requirements

Total GFA (excluding residential activities)	Minimum number of accessible parking spaces
less than 500m ²	0
500m ² to 1,000m ²	1
more than 1,000m ²	1 plus 1 space for every additional 2,500m ² GFA or part thereof

TRAN-S5	Cycle parking provision	
All Zones, except the Clandeboy Manufacturing Zone / Precinct ¹⁶⁶	<ol style="list-style-type: none"> 1. An activity must provide a minimum number of cycle parks on the same site of the activity in accordance with <i>Table 12 — Minimum number of cycle parks</i>. 2. The total cycle parking requirement for any activity will be the sum of the parking requirements for each area. 3. Where the calculation of the required cycle parks results in a fractional space, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one space. The parking requirements for different types of cycle parks (i.e. short term and long 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the effects of the shortfall in the number of bicycle parking spaces; and 2. the extent to which the activity promotes active transport modes; and 3. the extent to which the activity promotes the integration of public transport modes.

¹⁶⁶ Fonterra [165.42], subject to the Panel recommending to create a new zone

- term) must be calculated and rounded separately.
4. Where an activity falls under the definition of more than one activity in *Table 12 — Minimum number of cycle parks*, then the higher cycle parking requirement shall apply.
 5. Where an activity does not fall within a particular category, the activity which is closest in definition shall apply.
 6. Network utilities that have no permanent staff do not require cycle parking.

Table 12 — Minimum number of cycle parks

Activity	Minimum cycle parking requirement	
	Short term (visitor)	Long term (student/staff/resident)
Preschool	1 space per 10 children	1 space per 3 FTE employees
Schools	Year 8 and below: 1 space per 30 students Year 9 and above: 1 space per 100 students	Year 8 and below: 1 space per 7 students Year 9 and above : 1 space per 5 students
Tertiary Education	1 space/ 100 FTE students	1 staff space per 4 FTE staff; and 1 student space per 4 FTE students
Places of Assembly	1 space per person the facility is designed to accommodate	10% of visitor requirements
Sports Fields	1 space per 15 participants the facility is designed to accommodate	Nil
Sports Courts	1 space per 15 participants the facility is designed to accommodate	Nil
Gymnasiums	1 space per 100m ² GFA	1 space per 300 m ² GFA
Visitor Accommodation	1 space per 20 beds	1 space per 50 beds (2 spaces minimum)
Health Care Facility	Hospital: 1 space per 1000 m ² GFA Other health care facilities: 1 space per 200 m ² GFA	1 space per 300m ² GFA
Warehousing and Storage	Nil	1 space per 1,500m ² GFA (2 spaces minimum)
Industrial Activity other than warehousing and storage	Nil	1 space per 1,000m ² GFA (2 spaces minimum)
Residential Activity	Nil	1 residents' space per dwelling without a garage
Home Business	Nil	Nil
Retirement Village	1 space per 10 units, for developments with 10 or more units (for independent living units) 1 space per 50 clients (for supported residential care)	Nil (for independent living units) 1 space per 30 clients (for supported residential care)
Office (excludes commercial office)	1 space per 500 m ² GFA (2 spaces minimum)	1 space per 100 m ² GFA
Commercial Office and Personal Services	1 space per 500 m ² GFA (2 spaces minimum)	1 space per 200 m ² GFA

Food and beverage	1 space per 100 m ² GFA (2 spaces minimum)	1 space per 100 m ² GFA
Supermarkets	1 space per 300m ² GFA (2 spaces minimum)	1 space per 500m ² GFA
General Retail	1 space per 150 m ² GFA (2 spaces minimum)	1 space per 500 m ² GFA
Large format retail other than trade supplier	1 space per 600 m ² GFA (2 spaces minimum)	1 space per 750m ² GFA
Trade supplier	1 space per 1000 m ² GFA (2 spaces minimum)	1 space per 750 m ² GFA
Service station	2 spaces	Nil
Motor Garage	Nil	Nil
Emergency Service Facilities	Nil	1 space per emergency service vehicle bay

TRAN-S6 Cycle parking technical standards

All Zones	<p>Cycle parking spaces must meet the following minimum specifications:</p> <ol style="list-style-type: none"> 1. All stands must be securely anchored to an immovable object 2. Stands must support the bicycle frame and front wheel 3. Stands must allow the bicycle frame to be secured 4. Long term parking must be located in a covered and secure area. 5. Cycle parking must be constructed to allow at least 1.1m of clear space between parking stands or other obstruction 6. Short term cycle parking must be clearly signposted or visible to cyclists entering the site 7. If in a publicly accessible space, cycle parking must be detectable by visually impaired pedestrians through use of a kick stand or other method so as to not create a hazard. 8. Cycle parking facilities must be located outside of vehicle manoeuvring areas and where there is no risk of damage from vehicle movements within the site. 9. Short term cycle parking must be located as close as possible to and no more than 15m from at least one main pedestrian public entrance to the building/activity. 10. Long term cycle parking facilities must be located so they are easily accessible for staff / residents / students of the activity 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the ability to use the cycle parking facilities safely and efficiently; 2. for staff parking, the extent to which the cycle parking space(s) and area is as close as practicable to a building entrance; and 3. for visitor parking, the extent to which the cycle parking space(s) and area is located in a prominent location close to the entrance to encourage use; and 4. the potential for adverse effects on the safety and efficiency of land transport infrastructure.
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	<div>11.All cycle parking spaces which are used during the hours of darkness must be illuminated in accordance with the Lighting Chapter.</div> <div>12.Cycle parking facilities must be available during the hours of operation and must not be diminished by the subsequent erection of any structure, storage of goods, landscape planting or any other use.</div> <div>Notes:<div><div>1. Where there is more than one public entrance to the building, it is recommended that visitor parking is apportioned between entrances in accordance with their potential usage.</div><div>2. End of trip facilities are recommended as follows:<div><div>a. 10 staff cycle parks or less required: none</div><div>b. >11 staff cycle parks required: 1 shower for every 10 staff cycle parks.</div></div></div></div></div>			
TRAN-S7	Minimum loading space requirements			
All Zones	<div>Loading space requirements</div> <div><div>1. An activity must provide the minimum number of on-site loading spaces in accordance with <i>Table 13 — Minimum number of loading spaces</i>.</div><div>2. The loading space requirements listed in Table 13 are categorised by activity. The loading space requirement for any activity will be the sum of the loading requirements for each area.</div><div>3. The design requirements for different types of loading space (i.e. heavy vehicle bay, 99th percentile car bay in <i>Table 14 — Minimum dimension of Loading Space</i>) shall be calculated and rounded separately.</div><div>4. Where an activity falls under the definition of more than one activity in Table 13, then the higher loading space requirement shall apply.</div><div>5. Network utilities that have no permanent staff do not require loading spaces.</div></div> <div>Table 13 — Minimum number of loading spaces</div> <table><tr><td>Activity</td><td>>Minimum loading space number and design requirement</td></tr></table>	Activity	>Minimum loading space number and design requirement	<div>Matters of discretion are restricted to:</div> <div><div>1. the potential for adverse effects on the safety and efficiency of land transport infrastructure.</div></div>
Activity	>Minimum loading space number and design requirement			

Preschool	3. Preschool with less than 20 children enrolled: Nil 4. Preschool with more than 20 children enrolled: 1 99 th percentile car bay
Schools	3. Schools with less than 100 students: 1 99 th percentile car bay 4. Schools with 100 or more students: 1 99 th percentile car bay; and 5. 1 heavy vehicle bay (to accommodate an 8m truck or the DHB dental van - whichever is greater)
Tertiary Education	5. Schools with less than 100 students: 1 99 th percentile car bay 6. Schools with 100 or more students: 1 99 th percentile car bay; and 7. 1 heavy vehicle bay (to accommodate at least an 8m truck)
Places of Assembly	1 heavy vehicle bay (to accommodate at least an 8m truck)
Sports Fields	Nil
Sports Courts	Nil
Gymnasiums	1 99 th percentile car bay
Visitor Accommodation	3. 1 heavy vehicle bay per 100 bedrooms/units (to accommodate at least an 11.5m truck); and 4. 1 99 th percentile car bay per 50 bedrooms
Health Care Facility	5. Hospital: 1 heavy vehicle bay 6. Other health care facilities: 1 99 th percentile car bay (or ambulance bay as appropriate)
Warehousing and Storage	1 heavy vehicle bay per 2000m ² GFA (to accommodate at least an 11.5m truck)
Industrial Activity other than warehousing and storage	2. GFA less than 1000m ² : 1 99 th percentile car 3. GFA 1000m ² or greater: 1 heavy vehicle bay per 2000m ² GFA (to accommodate at least an 11.5m truck)
Residential Activity	Nil
Home Business	Nil
Retirement Village	4. Nil (for independent living units) 5. Nil (for supported care for up to 20 clients); and 6. 1 heavy vehicle bay to accommodate at least an 8m truck (for supported residential care for more than 20 clients)
Office (excluding commercial office)	3. GFA less than 1000m ² : Nil 4. GFA of 1000m ² or greater: 1 99 th percentile car bay
Commercial Office and Personal Services	4. GFA less than 200m ² : Nil 5. GFA of 200m ² or greater: 1 99 th percentile car bay
Food and Beverage	5. GFA less than 250m ² : Nil 6. GFA 250m ² or greater: 1 heavy vehicle bay (to accommodate at least an 8m truck)

	<table><tr><td>Supermarkets</td><td><div>3. GFA less than 1000m²: 1 heavy vehicle bay (to accommodate at least an 8m truck)</div><div>4. GFA 1000m² or greater: 1 heavy vehicle bay (to accommodate at least a 11.5m truck)</div></td></tr><tr><td>General Retail</td><td><div>1. GFA less than 250m²: Nil</div><div>2. GFA 250-1500m²: 1 99th percentile car bay</div><div>3. GFA 1500m² or greater: 1 99th percentile car bay per 5000m² GFA (minimum 1); and</div><div>4. 1 heavy vehicle bay (to accommodate at least an 8m truck) per 5000m² GFA (minimum 1 bay)</div></td></tr><tr><td>Large Format Retail other than Trade Supplier</td><td><div>2. GFA less than 1000m²: 1 heavy vehicle bay (to accommodate at least an 8m truck)</div><div>3. GFA 1000m² or greater: 1 heavy vehicle bay (to accommodate at least a 11.5m truck)</div></td></tr><tr><td>Trade Supplier</td><td><div><div>• GFA less than 2000m²: 1 heavy vehicle bay (to accommodate at least an 8m truck)</div><div>• GFA 2000m² or greater: 1 heavy vehicle bay (to accommodate at least a 11.5m truck)</div></div></td></tr><tr><td>Service station</td><td>1 unmarked heavy vehicle bay for fuel deliveries</td></tr><tr><td>Motor Garage</td><td>Nil</td></tr></table> <p>Note: <i>Where the calculation of the required loading space results in a fractional space, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one space.</i></p>	Supermarkets	<div>3. GFA less than 1000m²: 1 heavy vehicle bay (to accommodate at least an 8m truck)</div> <div>4. GFA 1000m² or greater: 1 heavy vehicle bay (to accommodate at least a 11.5m truck)</div>	General Retail	<div>1. GFA less than 250m²: Nil</div> <div>2. GFA 250-1500m²: 1 99th percentile car bay</div> <div>3. GFA 1500m² or greater: 1 99th percentile car bay per 5000m² GFA (minimum 1); and</div> <div>4. 1 heavy vehicle bay (to accommodate at least an 8m truck) per 5000m² GFA (minimum 1 bay)</div>	Large Format Retail other than Trade Supplier	<div>2. GFA less than 1000m²: 1 heavy vehicle bay (to accommodate at least an 8m truck)</div> <div>3. GFA 1000m² or greater: 1 heavy vehicle bay (to accommodate at least a 11.5m truck)</div>	Trade Supplier	<div><div>• GFA less than 2000m²: 1 heavy vehicle bay (to accommodate at least an 8m truck)</div><div>• GFA 2000m² or greater: 1 heavy vehicle bay (to accommodate at least a 11.5m truck)</div></div>	Service station	1 unmarked heavy vehicle bay for fuel deliveries	Motor Garage	Nil	
Supermarkets	<div>3. GFA less than 1000m²: 1 heavy vehicle bay (to accommodate at least an 8m truck)</div> <div>4. GFA 1000m² or greater: 1 heavy vehicle bay (to accommodate at least a 11.5m truck)</div>													
General Retail	<div>1. GFA less than 250m²: Nil</div> <div>2. GFA 250-1500m²: 1 99th percentile car bay</div> <div>3. GFA 1500m² or greater: 1 99th percentile car bay per 5000m² GFA (minimum 1); and</div> <div>4. 1 heavy vehicle bay (to accommodate at least an 8m truck) per 5000m² GFA (minimum 1 bay)</div>													
Large Format Retail other than Trade Supplier	<div>2. GFA less than 1000m²: 1 heavy vehicle bay (to accommodate at least an 8m truck)</div> <div>3. GFA 1000m² or greater: 1 heavy vehicle bay (to accommodate at least a 11.5m truck)</div>													
Trade Supplier	<div><div>• GFA less than 2000m²: 1 heavy vehicle bay (to accommodate at least an 8m truck)</div><div>• GFA 2000m² or greater: 1 heavy vehicle bay (to accommodate at least a 11.5m truck)</div></div>													
Service station	1 unmarked heavy vehicle bay for fuel deliveries													
Motor Garage	Nil													
TRAN-S8	Loading space technical standards													
All Zones	<div><div>1. Any loading space must be designed to comply with <i>Table 14 — Minimum dimension of Loading Space</i>;</div><div>2. The size of the loading space to be provided shall align with TRAN-S7, except where the largest vehicle expected on-site is larger and thus the required bay(s) shall be provided in accordance with this vehicle.</div><div>3. Loading spaces must be located on the same site as the activity to which it relates and be available at all times.</div><div>4. The design vehicles must be able to manoeuvre into the loading bay with only one reverse movement</div><div>5. The loading space must not be located in an area required by other vehicles for manoeuvring.</div></div>	<div>Matters of discretion are restricted to:</div> <div><div>1. the potential for adverse effects on the safety and efficiency of land transport infrastructure; and</div><div>2. the extent of adverse effects on other users of the site, including people/pedestrians accessing the activity.</div></div>												

6. Any loading space must be available during the hours of operation and shall not be diminished by the subsequent erection of any structure, storage of goods, or any other use.
7. The maximum gradient of any part of a loading space must be no greater than 1:25 (4%) measured in any direction including directions oblique to bay centreline.
8. The whole of the loading space or spaces, access drives, manoeuvring areas and aisles must, before the commencement of the activity to which those parking and loading spaces relate, and thereafter for as long as that activity is continued, be formed, provided with a sealed and drained surface (except rural zones), marked out or delineated, and maintained.

Table 14 — Minimum dimension of Loading Space

Vehicle Class	Bay Width (m)	Bay Length (m)	Vertical Clearance (m)	
99 percentile car	3.2	5.2	<2.5	
Medium Rigid Vehicle (8m truck)	3.5	8.8	4.5	
Large Rigid Vehicle (11.5m truck)	3.5	12.5		
Articulated Vehicle	3.5	20.0		
Design Vehicle Dimensions are as follows				
Vehicle Class	Overall Length	Design Width	Wheel Base	Design Turning Radius
99 percentile car	5.2	1.9	3.1	7.1
Medium Rigid Vehicle	8.0	2.5	5.0	10.0
Large Rigid Vehicle	11.5	2.55	8.5*	12.5
Articulated Vehicle	19.45	2.55	13.35	
*centre of axle groups				

TRAN-S9

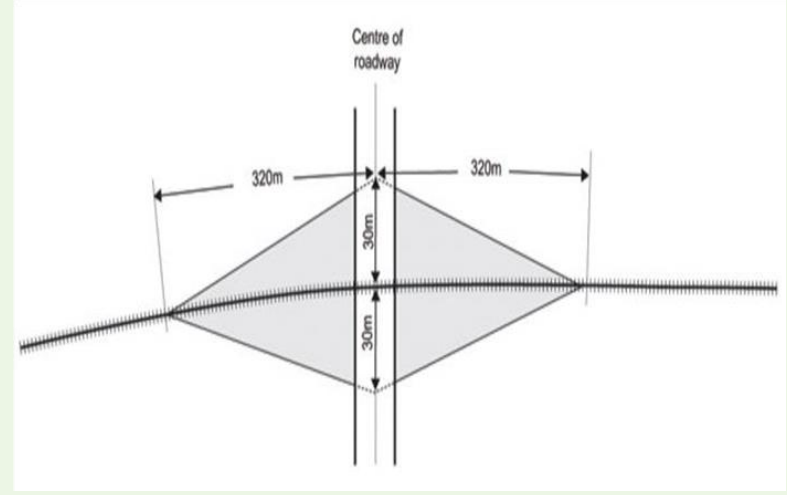
Approach sight triangles for public road/rail level crossings **Rail level crossing sightlines and vehicle crossing setbacks**¹⁶⁷

¹⁶⁷ KiwiRail [187.42] for all TRAN-R9 changes

All Zones

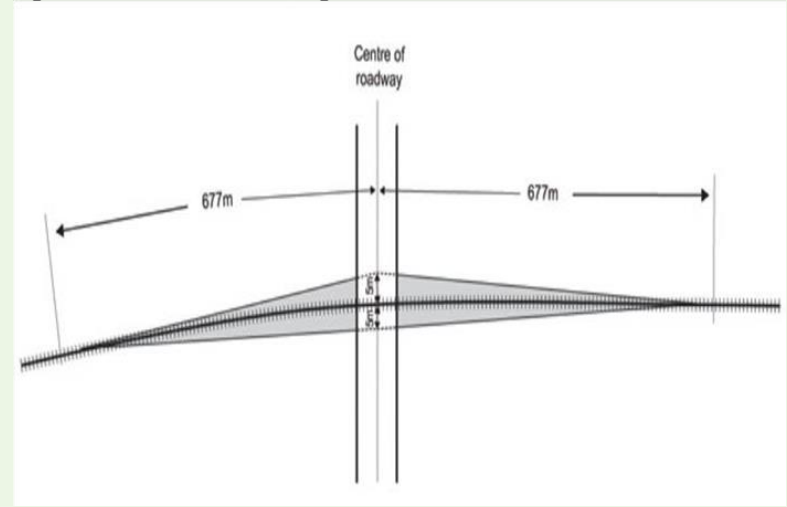
- 1. Any vehicle access way and vehicle crossing must not cross a railway line and any vehicle crossing must not be located less than 30 metres from a rail level crossing. The 30 metres shall be measured from the edge of the closest rail track to the edge of seal on the proposed vehicle access point.
- 2. Any building, structure, or planting or other visual obstruction must not be located within the shaded restart or approach sightline areas of a rail level crossing as shown in the shaded areas as identified in Figure 7 or Figure 8 below.

Figure 7 – level crossings controlled by Stop or Give Way control Approach sight triangles for level crossings with Give Way signs



- Advice note:
- 3. The 30-metre distance is measured from the closest outside rail.
 - 4. Where there is more than one set of railway tracks, then 25 metres is added to the 320-metre distance along the railway track for each additional set of tracks.

Figure 8 – all other level crossings



- Advice note:
- 5. The 5-metre distance is measured from the closest outside rail.
 - 6. For each additional set of tracks, 50m is added to the 677m along the railway track.

- Matters of discretion are restricted to:**
- 1. any adverse effects on the ease and safety of vehicle manoeuvres, and on the visibility and safety of pedestrians, cyclists and motorists; and
 - 2. the extent to which the safety and efficiency of rail and road operations will be adversely affected; and
 - 3. the outcome of any consultation with KiwiRail; and
 - 4. any characteristics of the proposed use that will make compliance unnecessary.

All zones

1. Vehicle access way must meet the requirements outlined in *Table 15 — Vehicle access way requirements*, measured in accordance with Figure 14 in TRAN-S13.
2. Where a vehicle access way is provided in Rural lifestyle zone, Settlement zone, Māori Purpose or General rural zone onto a sealed road, then the vehicle access way must be formed, sealed and drained for at least the first 205m¹⁶⁸ from the road boundary. Vehicle access way in other zones must be formed, sealed and drained for their entire length.
3. Where any site fronting a Primary Road (National Route, Regional Arterial, District Arterial or Principal Road) also has frontage to a Secondary Road (Collector or Local Road or a Service Lane), all vehicle access way to the site (providing for either ingress or egress) must be provided to the Secondary Road.
4. When a vehicle access way is provided in the Residential Zones, where two-way access (5.5m formed width or greater) is not provided, a passing bay is required at the boundary, and thereafter at a minimum interval of every 50m. A passing bay should have a minimum width of 5.5m and length 7m with 45-degree tapers.

Table 15 — Vehicle access way requirements

Zone	Development served	Minimum vehicle access way width	Minimum vehicle access way formed width	Maximum length	Maximum gradient**
Residential Zones	1 to 2 parking spaces	3.5m**	2.7m	No limit	1:5 (20%)
	3 to 9 parking spaces*	5m	4m 3.5m ¹⁶⁹		
Commercial and Mixed Use Zones	Up to 15 parking spaces	5.0m	4.0m	100m	1:8 (12.5%)
General Industrial Zone	More than 15 parking spaces	6.5m	5.5m	100m	1:8 (12.5%)
Port Zone					
Rural Zones	Up to 6 allotments*	6.5m	5.5m	No limit	1:5 (20%)
Māori Purpose Zone					

Matters of discretion are restricted to:

1. any adverse effects on the ease and safety of vehicle manoeuvres; and
2. the extent to which the safety and efficiency of road operations will be adversely affected; and
3. any adverse effects on amenity values.
4. any impacts on public waste collection; and
5. the effect on on-street parking demand; and
6. any characteristics of the proposed use that will make compliance unnecessary.

¹⁶⁸ Rooney, et al [174.25, 191.25, 249.25, 250.25, 251.25, 252.25], Andrew Scott Rabbidge, Holly Renee Singline and RSM Trust Limited [27.3], Milward Finlay Lobb [60.21] John Leonard Shirtcliff and Rosemary Jean Shirtcliff [81.4]

¹⁶⁹ Kainga Ora [229.36]

**a vehicle access way servicing 10 or more parking spaces should be vested as a road*

*** Where a vehicle access way terminates greater than 135m from the nearest road that has a reticulated water supply (including hydrants), the minimum access width required is 4m to allow for access by emergency service vehicles.*

*Note: Emergency responder access requirements are further informed by the dimensions required for fire appliances for developments in SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice where a driveway length exceeds 75m or a fire appliance is not able to reach the source of a firefighting water supply from a public road.*¹⁷⁰

TRAN-S11 Vehicle tracking curve diagrams

All Zones

1. Manoeuvring within car parking areas must accommodate an 85th percentile car (as per Figure 9) except for critical areas where tracking must accommodate a 99th percentile car. Critical areas include all aisles, in or between major structures or locations where there is a change in grade.
2. Manoeuvring areas associated with a 99th percentile car bay must accommodate the tracking of 99th percentile vehicle (as per Figure 10) and manoeuvring areas for a heavy vehicle bay must accommodate the tracking of a medium rigid vehicle (as per Figure 11) as a minimum. If the largest vehicle expected to access a heavy vehicle bay is larger than the specified medium rigid heavy vehicle, the manoeuvring areas must be provided to accommodate the largest vehicle.

Matters of discretion are restricted to:

1. any adverse effects on the ease and safety of vehicle manoeuvres, and on the visibility and safety of pedestrians, cyclists and motorists; and
2. the extent to which the safety and efficiency of road operations will be adversely affected; and
3. any characteristics of the proposed use that will make compliance unnecessary.

Figure 9 – 85 percentile design motor car

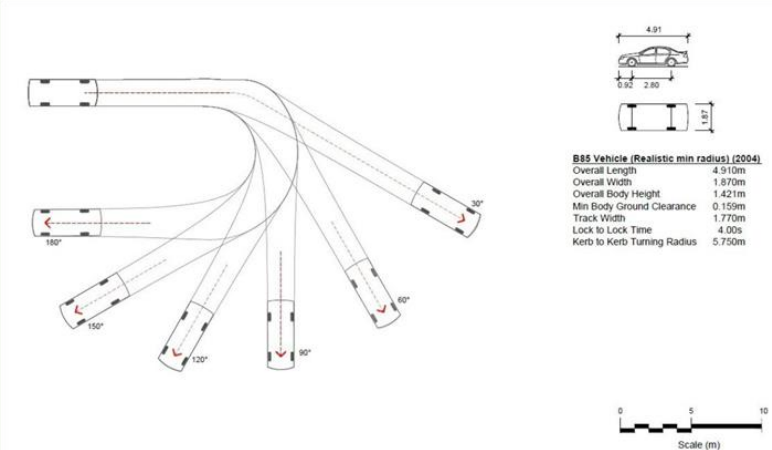


Figure 10 – 99 percentile design vehicle

¹⁷⁰ Fire and Emergency [131.7]

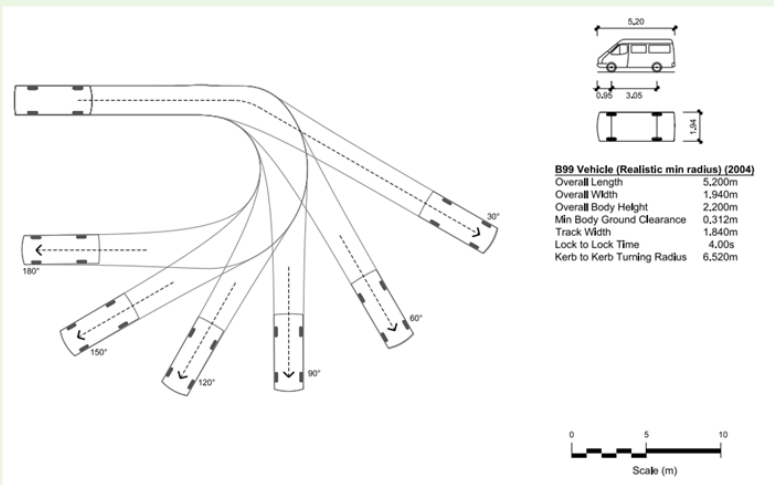
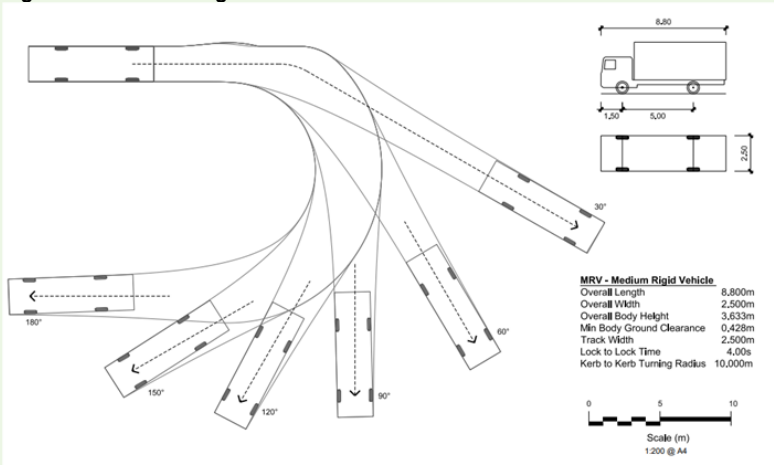


Figure 11 – Medium Rigid Vehicle



TRAN-S12 Minimum sight distance from vehicle crossings		
All Zones	<div>1. Any vehicle crossing onto roads with greater than a 60km/h posted speed <u>or onto any State Highway</u>¹⁷¹ must comply with the minimum sight distance in Figure 12.</div> <div>2. Any vehicle crossing onto roads with less than a 60km/h posted speed must comply with the minimum sight distance in Figure 13.</div> <div>Figure 12 – Sight distance requirements where posted speed limit is 60km/h or greater (New Zealand Transport Agency - Waka Kotahi Planning Policy Manual)</div>	<div>Matters of discretion are restricted to:</div> <div>1. the number of pedestrian movements and the number and type of vehicles using or crossing the vehicle crossing; and</div> <div>2. the ability for vehicles to use the vehicle crossing without adversely affecting the safety and/or efficiency of the frontage road and manoeuvring vehicles at the crossings; and.</div> <div>3. the extent to which the operating speed environment of the road, and site characteristics are such that</div>

¹⁷¹ Waka Kotahi [143.59]

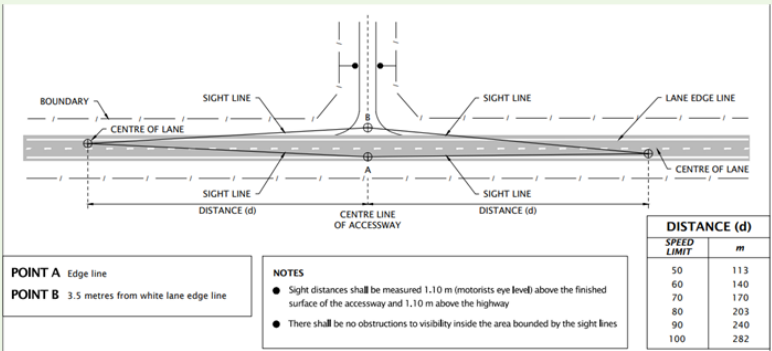
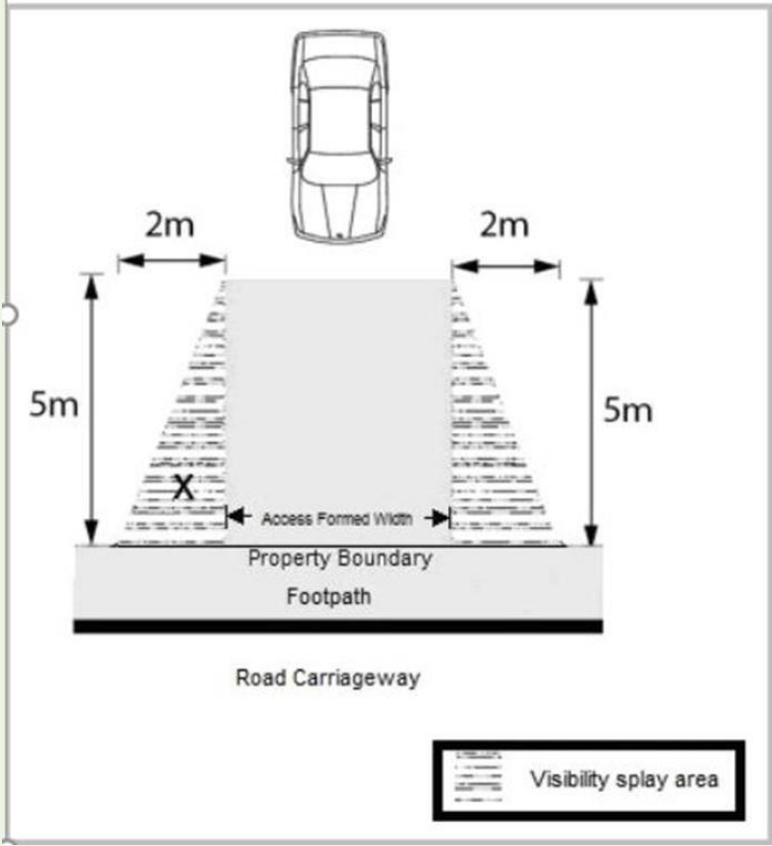


Figure 13 – Visibility splay for 60 Km/h or less posted speed limits



TRAN-S13

Vehicle crossing widths

All Zones

1. The maximum width of any vehicle crossing must comply with *Table 16 – maximum width of vehicle crossing*, calculated in accordance with Figure 14.
2. Where a vehicle access way terminates greater than 135m from the nearest road that has a reticulated water supply (including hydrants), the minimum access width required is 4m to allow for access by emergency service vehicles.

Note: Vehicle crossings to roads with speed limits 70km/h and above should be designed in accordance with TRAN-S17.

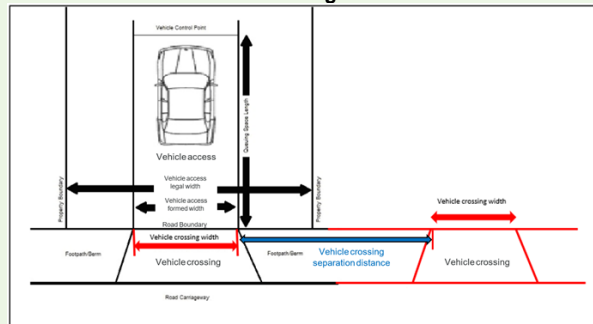
Matters of discretion are restricted to:

1. the potential for adverse effects on the safety and efficiency of land transport infrastructure; and
2. the extent and impact of any reduction in on-street parking.

Table 16 – maximum width of vehicle crossing

Zone	Maximum width of crossing at road boundary
Residential Zones	6.0m
Open Space Zones (urban area not within or adjoining rural zones) ¹⁷²	
Commercial and Mixed Use Zones	7.0m*
Rural Zones	6.0m*
Open Space Zones (non-urban area within or adjoining rural zones) ¹⁷³	

*Maximum width of up to 9.0m is permitted where the crossing needs to accommodate the tracking path of large heavy vehicles

Figure 14 – Measurements of a vehicle crossing width and distance between vehicle crossings**TRAN-S14 Maximum number of vehicle crossings**

All Zones The maximum number of vehicle crossings per site must comply with *Table 17 – Maximum number of vehicle crossings* below.

Table 17 – Maximum number of vehicle crossings

Frontage length	Frontage road classification		
	National Route	Regional Arterial, District Arterial and Principal	Collector and Local
0-20m	1	1	1
>20m-100	1	1	2
>100	1	2	3

Matters of discretion are restricted to:

1. the potential for adverse effects on the safety and efficiency of land transport infrastructure.
2. the extent and impact of any reduction in on-street parking.

TRAN-S15 Minimum distance between vehicle crossings

All Zones The minimum distance between vehicle crossings must comply with *Table 18 –*

Matters of discretion are restricted to:

¹⁷² Fenlea Farms [171.19], AJ Rooney [177.9], KJ Rooney [197.2] and ECan [183.10]

¹⁷³ Fenlea Farms [171.19], AJ Rooney [177.9], KJ Rooney [197.2] and ECan [183.10]

Recommended minimum distance between vehicle crossings on same side of road, measured in accordance with Figure 15 in TRAN-S16.

Table 18 — Minimum distance between vehicle crossings on same side of road

Frontage road speed limit	Minimum distance between vehicle crossing on <u>Local, Collector, Regional Arterial, District Arterial and Principal roads</u>	Minimum distance between vehicle crossing on <u>National Route</u>
70km/h	40m	40m
80km/h	70m	100m
90km/h	85m	200m
100km/h	105m	200m ¹⁷⁴

1. the potential for adverse effects on the safety and efficiency of land transport infrastructure.

TRAN-S16 Minimum distance between vehicle crossings and intersections

All Zones

The minimum distance between vehicle crossings and intersections must comply with *Table 19 – Minimum distance of vehicle crossings from intersections* below, measured in accordance with Figure 15.

Table 19 – Minimum distance of vehicle crossings from intersections

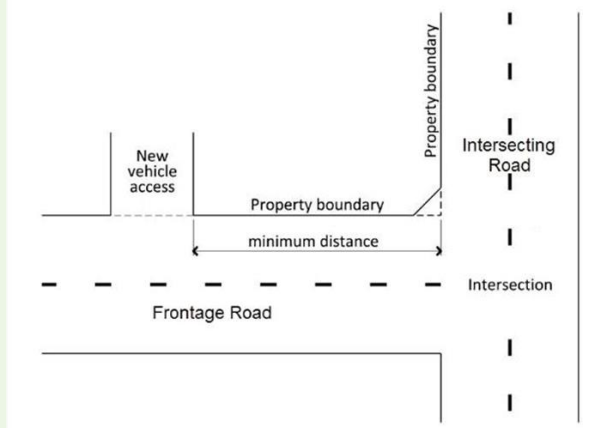
Frontage road speed limit	Minimum distance between vehicle crossing from intersection
70km/h	100m
80km/h	100m
90km/h	200m
100km/h	200m

Figure 15 – Minimum distance of vehicle crossings from intersections measurement requirements

Matters of discretion are restricted to:

1. the potential for adverse effects on the safety and efficiency of land transport infrastructure.

¹⁷⁴ Waka Kotahi [143.61] for all the changes to TRAN-S15



TRAN-S17 Vehicle crossings onto roads with 70km/h or greater posted speed limits

All Zones

- Any gates in the General Rural Zone and Rural Lifestyle Zone must be recessed back from the road in accordance with the gate setback distances to allow any vehicle using the vehicle access way to stop clear of the road's traffic lanes while the gate is being opened or closed for all rural vehicle crossings.
- Any vehicle crossings onto roads with 70km/h or greater posted speed limits must comply with the standards in *Table 20 – Vehicle crossings*, except that activities that generate more than 100 vehicle movements per day (ECMs) are required to be accessed by way of an intersection.

Matters of discretion are restricted to:

- the potential for adverse effects on the safety and efficiency of land transport infrastructure.

Table 20 – Vehicle crossings

	Daily traffic volume using the vehicle crossing (ECMs*)	Is the vehicle crossing on a state highway?	Figure to use for vehicle crossing design
a.	1 – 30; and No more than 1 heavy vehicle per day	No	Figure 16 (Vehicle crossing without shoulder widening)
b.	1 - 30	Yes	Figure 17 (Vehicle crossing with shoulder widening) Figure 16 (Vehicle crossing without shoulder widening) ¹⁷⁵
c.	31-100; or More than 1 heavy vehicle per day	Yes or No	Figure 17 (Vehicle crossing with shoulder widening)

*ECMs (equivalent car movements per day) are defined as follows:

- 1 car to and from the property = 2 ECMs;
- 1 truck to and from a property = 6 ECMs
- 1 truck and trailer to and from a property = 10 ECMs

A single residential dwelling is deemed to generate 9 ECMs per day.

¹⁷⁵ Waka Kotahi [143.63]

Notes:

- Area to be constructed and sealed
- *R=6.0m (light vehicles only)

Largest vehicle using the vehicle access	Gate setback distance from road edge of seal
Large single unit truck	11m
Semi-trailer	17m
B-train	20m

The diagram illustrates the seal area for a road construction project. It shows a cross-section of a road with a central seal area. Key dimensions include a width of 6.0m for the seal area and a radius R^+ for the transition. A table lists vehicle types and their corresponding gate setback distances from the road edge of the seal.

Labels in the diagram include:

- LEGAL BOUNDARY
- EDGE OF SEAL
- SEAL UP TO BOUNDARY LINE
- CULVERT IF NECESSARY (minimum diameter = 375mm)
- LEGAL LINE
- CENTRE OF ROAD
- EDGE OF SEAL

LENGTH OF SHOULDER WIDENING

SPEED LIMIT	d (m)
100	90
90	80
80	70
70	60

Diagram illustrating the shoulder widening for a road with a central accessway. The diagram shows a cross-section of a road with a central accessway. The road has a 6.0m wide central accessway. The shoulder widening is shown on both sides of the accessway. The widening is 6.0m MIN FROM CENTRE LINE. The taper is 1:10 TAPER TO EDGE OF SEAL. The road edge is marked as ROAD CENTRE LINE and EDGE LINE. The diagram also shows a PROPERTY ACCESSWAY and a CULVERT IF NECESSARY (Minimum diameter = 375mm).

Notes:

- Area to be constructed and sealed
- R = 9.0m (Light vehicle use only)
- R = 15.0m (Frequent HCV use)

Largest vehicle using the vehicle access	Gate setback distance from road edge of seal
Large single unit truck	11m
Semi-trailer	17m
B-train	20m

Matters of discretion are restricted to:

1. the extent to which the safety and efficiency of road operations will be adversely affected; and
2. any adverse effects on the ease and safety of vehicle manoeuvres, and on the visibility and safety of pedestrians, cyclists and motorists; and
3. any characteristics of the proposed use and site that will make compliance unnecessary.

Matters of discretion are restricted to:

1. any adverse effects on the ease and safety of vehicle manoeuvres, and on the visibility and safety of pedestrians, cyclists and motorists.

177 Clause 10(2)

	<div>1. all non-residential activities which have parking areas and/or loading areas used during hours of darkness; and</div> <div>2. residential activities, where there are 10 or more <u>marked</u>¹⁷⁸ parking spaces.</div>						
TRAN-S20	High Trip Generating Activities						
All Zones	Table 21 — High traffic generating activities					Matters of discretion restricted to: Not applicable	
	Activity		Basic ITA Required		Full ITA Required		
	Education — Pre-school	40	Children	90	Children		
	Education - Schools	70	Students	170	Students		
	Education - Tertiary	250	FTE students	750	FTE students		
	Industrial Activity (excluding warehousing and distribution activity)	5000	m² GFA	12000	m² GFA		
	Warehousing and Distribution	6500	m² GFA	25000	m² GFA		
	Health Care Facility	280	m² GFA	1200	m² GFA		
	Office	2000	m² GFA	4800	m² GFA		
	Residential Activity	40	Residential Unit / lot	90	Residential Unit / lo		
	General Retail and (including Supermarkets) ¹⁷⁹	200	m² GLFA	800	m² GLFA		
	Large Format Retail other than trade suppliers	550	m² GLFA	2300	m² GLFA		
	Service Station	2	Filling points	6	Filling points		
	Mixed Use or other activities not listed above, including all activities within the Clandeboy Diary Manufacturing Zone / Precinct ¹⁸⁰	50	vehicle movements/ peak hour	120	vehicle movements/ peak hour		
		250	vehicle movements/ day	1000	vehicle movements/ day		
whichever is the greatest of above		whichever is the greatest of above					
<i>Note: peak hour means any hour when the greatest number of vehicle movements occurs.</i>							

Amend EW-R1 as follows: _____

¹⁷⁸ Rooney, et al [174.27, 191.27, 249.27, 250.27, 251.27, 252.27] for all the TRAN-S19 amendments

¹⁷⁹ Woolworths [242.15]

¹⁸⁰ Fonterra [165.44]. Evidence of Ms Tait for Fonterra dated 23 January 2025 (paragraph 5.3.9)

~~EW-R1 Earthworks, excluding earthworks:~~

- ~~a. for tree planting, or the removal of trees not protected by the District Plan;~~
- ~~b. for test pits, wells or boreholes permitted under a regional plan or where all necessary regional resource consents have been obtained;~~
- ~~c. for infrastructure that is identified as permitted or restricted discretionary in Sections A to Section G of the Energy, and Infrastructure chapter, with the exception of RDIS activities under EI-R26 and in TRAN-R1, TRAN-R2, TRAN-R4, TRAN-R5, TRAN-R7, TRAN-R9 and TRAN-R10 of the Transport chapters of the Plan;~~¹⁸¹
- ~~d. [...]~~

See the Amended EI-R1 rule covered in the Earthworks Chapter s42A report.

¹⁸¹ Transpower [159.38]

Appendix 10 — Aerodrome Flight Paths Protection Area for Richard Pearce (Timaru) Airport

Buildings, structures or trees within close proximity to runways

1. No buildings, structures or tree (other than stock-fences less than 1.2 metre high above existing ground level) shall be erect within 500 metres of the ends of the future extended main runway and existing cross wind runways. AND

Buildings, structures or trees penetrating flight paths

6. No building, structure or tree shall penetrate any of the flight paths, side clearances or horizontal and conical surfaces. For details of flight paths, side clearances and horizontal and conical surfaces described below and illustrated in Figures 7(a) and 7(b) and their associated tables.

Flight Paths

The flight paths consist of take-off and approach corridors in and out of the North South sealed runway 02-20 and East West grassed runway 11-29 together with a horizontal surface and a conical surface lying over the aerodrome.

(1) Runway 02-20

Takeoff

1. The takeoff surfaces at each end of the runway commences at the locations and levels shown in table 1 and continue out on the runway extended centreline for 15,000 metres.
2. The base width at the origin is 150 metres (75 metres either side of the runway centreline) and the surface rises upwards at a gradient of 1 in 50 and each side expands at a rate of 1 in 8 to a maximum width of 1200 metres and then continues parallel out to a distance of 15,000 metres from the origin.

Approach

1. The approach surfaces at each end of the runway commence at the locations and levels shown in table 1 and continue out on the runway extended centreline for a distance of 15,000 metres from the origin. The base width at the origin is 220 metres (110 metres either side of the runway centreline) and the surface rises upwards at a gradient of 1 in 50 and each side expands at a rate of 1 in 6.6 out to a distance of 15,000 metres from the origin.

(2) Runway 11-29

Takeoff and Approach Path

3. The takeoff and approach surfaces at each end of the runway commence at the locations and levels shown in table 1 and continue out on the runway extended centreline for 2,500 metres from the origin.
4. The base width at the origin is 150 metres (75 metres either side of runway centreline) and the surface rises upwards at a gradient of 1 in 30 and each side expands at a rate of 1 in 6.6 out to a distance of 2,500 metres from the origin.

(3) Glider Grass 10

Takeoff path

5. The takeoff surface at the east end of the runway commences at the location and level shown in table 1 and continues out on the runway extended centreline for 1,200 metres from the origin. The west end of the runway is located as shown in table 1.
6. The base width at the origin is 60 metres (30 metres either side of runway centreline) and the surface rises upwards at a gradient of 1 in 20 and each side expands at a rate of 1 in 20 out to a distance of 1,200 metres from the origin.

(4) Side Clearances

1. The side clearance surface for runway 02-20 rises at a gradient of 1 in 7 and the side clearance surface for runway 11-29 at a gradient of 1 in 5, both up to the horizontal surface. The side clearance surfaces originate at the edge of the respective runway strips.

(5) Horizontal Surface

2. This surface is located in a horizontal plane which extends over the aerodrome and surrounding land at a height of 45 metres above the runways (elevation 72 metres above MSL).
3. The outer limits of the horizontal surface is measured from the periphery of the strip of runway 02-20 and a locus of 3,500 metres from the periphery of runway 11-29.

(6) Conical Surface

3. The conical surface slopes upwards and outwards from the periphery of the horizontal surface at a gradient of 1 in 20 up to a height of 150 metres above the runways (elevation 177 metres above MSL).

(7) Future Runway Extension

2. Any future development of the aerodrome will consist of lengthening of runway 02-20 to the north and south by up to 657 metres in total plus 60 metres grassed strip and 90 metres grassed runway end safety area beyond the end of the sealed runway at each end.
3. In order to protect the aerodrome for future runway extensions no permanent structures shall be built under the flight path within the area shown on Figure 7(b).

NOTE: For the purposes of this rule the possible runway extension to the north is 262 metres and to the south is 395 metres.

(c) See Figure 7(c) for details of proposed runway extension.

(8) Table 1: Location of takeoff and approach surface bases¹⁸²

Surface		mN (metres North)	mE (metres East)	Height (Above Mean Sea Level)
North Surfaces origin	Runway 02-20	711855.50	313966.34	25.9m
	South Surfaces origin	710588.56	312842.67	26.7m
Runway 11-29	East Surfaces origin	710523.40	314079.43	22.0m
	West Surfaces origin	711156.57	313380.70	26.2m
Glider-grass	10 East Surfaces origin	710475.01	314159.05	21.4m
	West Surfaces origin	710992.14	313313.80	26.3m

¹⁸² Millward Finlay Lobb [60.58]

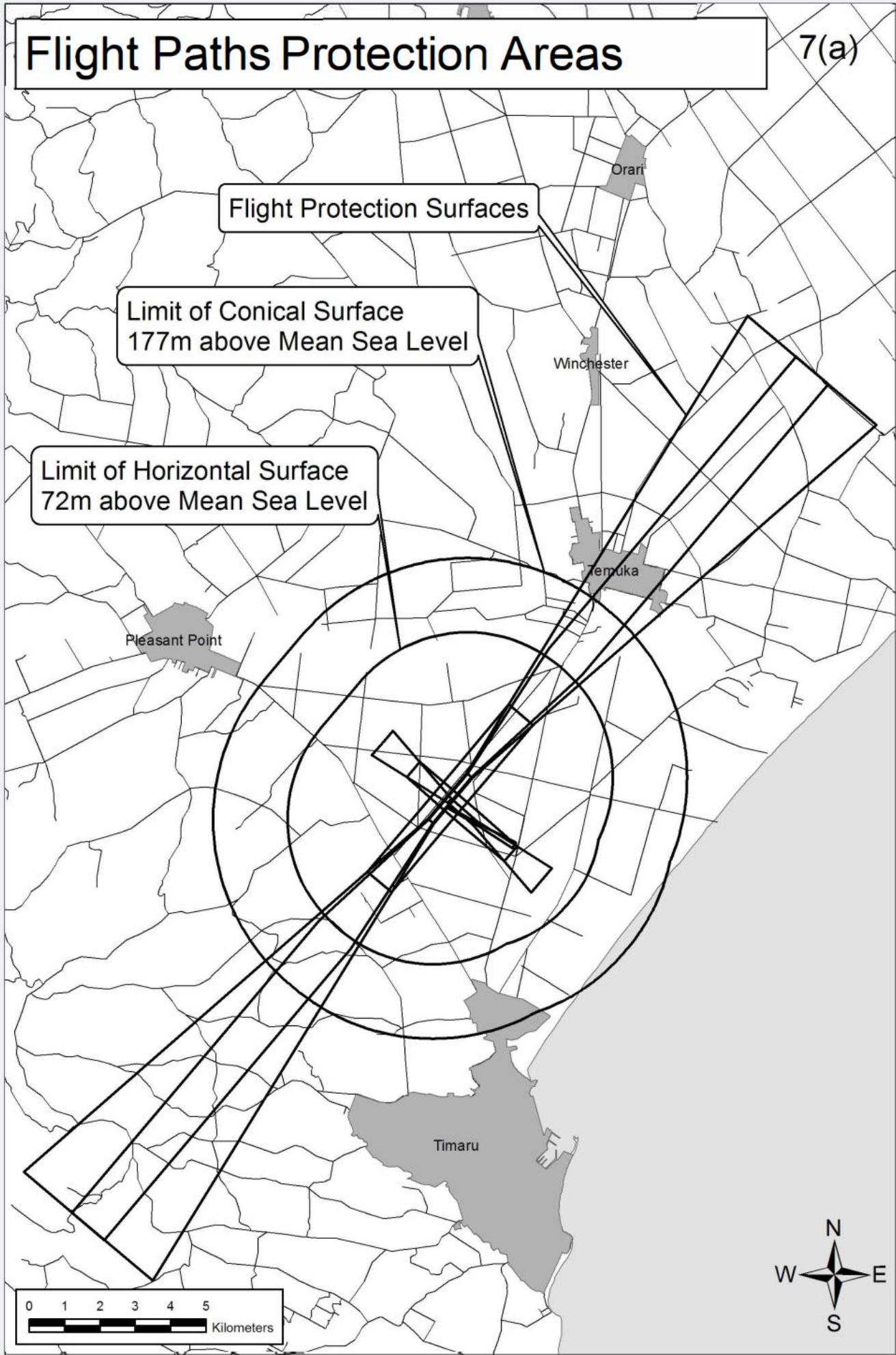
<u>Surface</u>	<u>Easting (metres east)</u>	<u>Northing (metres north)</u>	<u>Height (Metres Above Mean Sea Level)</u>
Runway 02-20-North Surface origin	<u>1458979.89</u>	<u>5093981.55</u>	<u>25.9</u>
Runway 02-20-South Surface origin	<u>1457886.71</u>	<u>5092688.55</u>	<u>26.7</u>
Runway 11-29-East Surface origin	<u>1459124.46</u>	<u>5092652.71</u>	<u>22</u>
Runway 11-29-West Surface origin	<u>1458411.05</u>	<u>5093269.06</u>	<u>26.2</u>
Glider grass-10 East Surface origin	<u>1459205.19</u>	<u>5092606.23</u>	<u>21.4</u>
Glider grass-West Surface origin	<u>1458348.07</u>	<u>5093103.11</u>	<u>26.3</u>

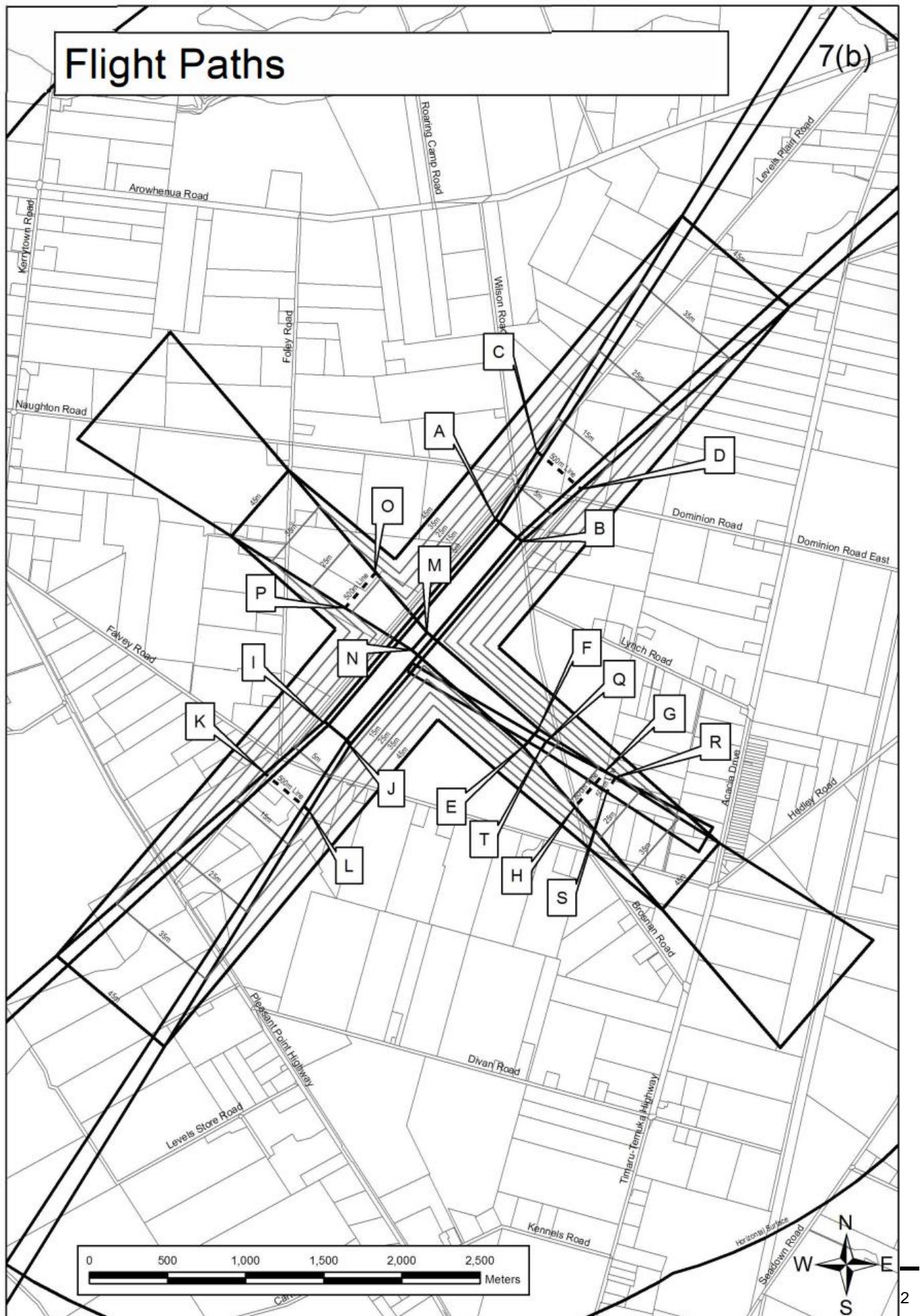
(9) Table 2: Coordinates of points A - T on Figure 7(b) ¹⁸³

A	2368849.29	5655663.94
B	2369017.23	5655521.8
C	2369114.42	5656094.54
D	2369398.03	5655854.57
E	2369028.27	5654207.10
F	2369126.37	5654320.56
G	2369551.60	5654047.89
H	2369356.93	5653822.76
I	2367755.49	5654371.24
J	2367923.43	5654229.14
K	2367374.69	5654038.48
L	2367658.30	5653798.54
M	2368413.14	5654937.26
N	2368315.04	5654823.8
O	2368084.48	5655321.60
P	2367887.26	5655093.52
Q	2369173.10	5654243.26
R	2369616.67	5654011.45
S	2369562.73	5653918.54
T	2369142.98	5654191.36

¹⁸³ Millward Finlay Lobb [60.59]

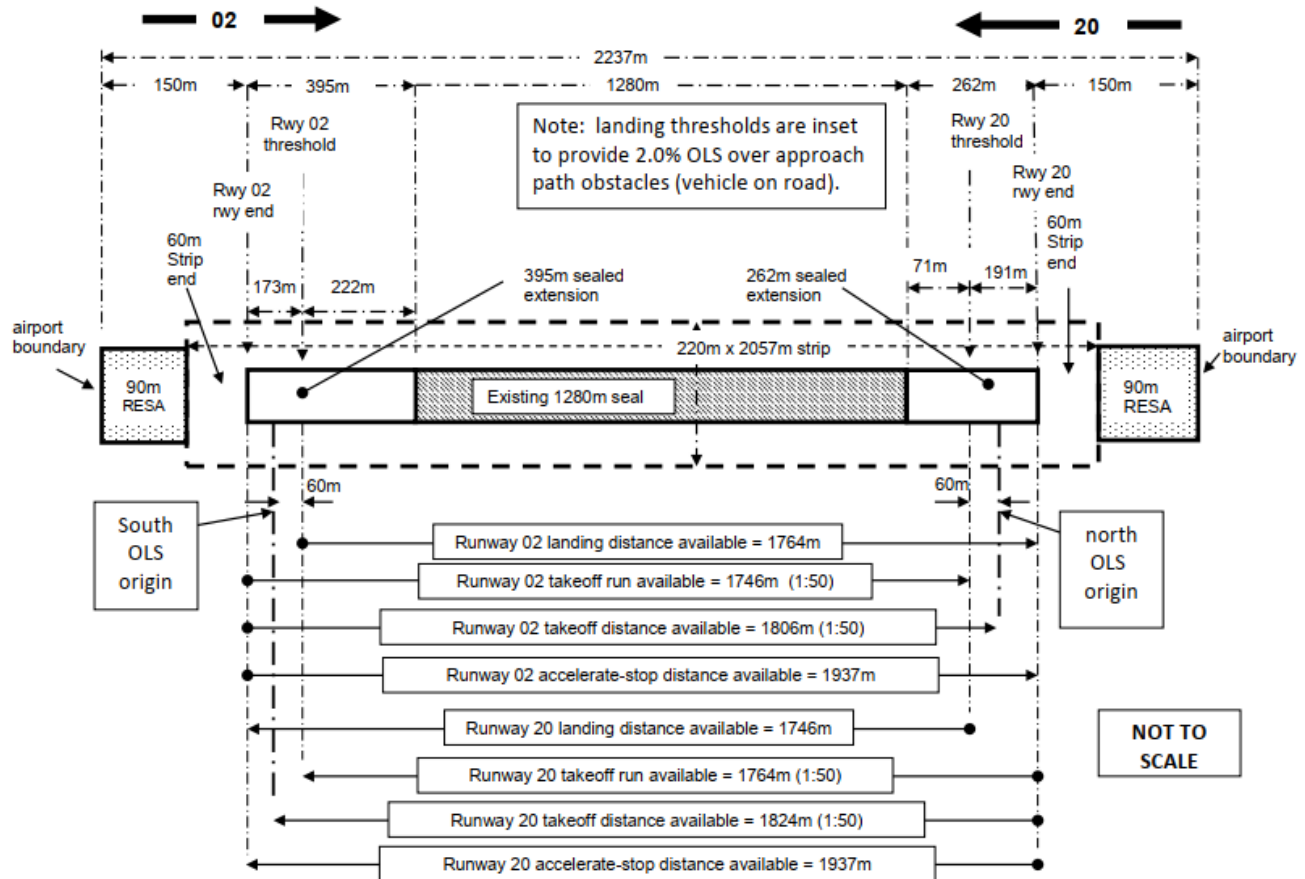
Point	Easting (metres east)	Northing (metres north)
<u>A</u>	<u>1458895.89</u>	<u>5094052.56</u>
<u>B</u>	<u>1459063.87</u>	<u>5093910.53</u>
<u>C</u>	<u>1459160.82</u>	<u>5094483.25</u>
<u>D</u>	<u>1459444.50</u>	<u>5094243.42</u>
<u>E</u>	<u>1459075.44</u>	<u>5092595.96</u>
<u>F</u>	<u>1459173.48</u>	<u>5092709.45</u>
<u>G</u>	<u>1459598.78</u>	<u>5092436.98</u>
<u>H</u>	<u>1459404.22</u>	<u>5092211.80</u>
<u>I</u>	<u>1457802.72</u>	<u>5092759.57</u>
<u>J</u>	<u>1457970.70</u>	<u>5092617.55</u>
<u>K</u>	<u>1457422.09</u>	<u>5092426.68</u>
<u>L</u>	<u>1457705.77</u>	<u>5092186.85</u>
<u>M</u>	<u>1458460.08</u>	<u>5093325.80</u>
<u>N</u>	<u>1458362.03</u>	<u>5093212.31</u>
<u>O</u>	<u>1458131.29</u>	<u>5093709.97</u>
<u>P</u>	<u>1457934.18</u>	<u>5093481.84</u>
<u>Q</u>	<u>1459220.24</u>	<u>5092632.18</u>
<u>R</u>	<u>1459663.86</u>	<u>5092400.57</u>
<u>S</u>	<u>1459609.96</u>	<u>5092307.62</u>
<u>T</u>	<u>1459190.14</u>	<u>5092580.27</u>





UPDATED 12 OCT 2006 BASED
ON SURVEY DATA

Timaru Airport - proposed layout of extended main runway 02-20



Definitions

Delete the existing definition of “urban development” and replace it with the following:

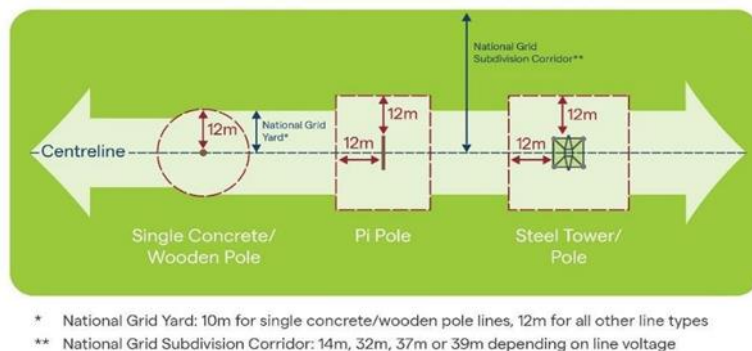
Urban development

means development within an area zoned as a Residential Zone, Settlement Zone, Commercial and Mixed Use Zone, General Industrial Zone, [Special Purpose Port and Māori Purpose zones](#), and Open Space Zone or a Sport and Active Recreation Zone that ~~is~~ [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.¹⁸⁴

Amend the definition of “lifeline utilities” as follows:

Means infrastructure that delivers a service operated by a lifeline utility¹⁸⁵ [\(those entities listed in Part A, or described in Part B, of Schedule 1 to the Civil Defence Emergency Management Act 202 that are within the Timaru District\)](#).

Replace the diagram in the definition of “National Grid Subdivision Corridor” with the following diagram:¹⁸⁶



Amend the definition of “national grid yard” as follows:

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;
- 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 [\(including tubular steel towers where these replace steel lattice towers\)](#);¹⁸⁷
- the area located within 12m in any direction from the outer visible edge of an electricity transmission pole or

¹⁸⁴ ECan [183.9]

¹⁸⁵ TDC [42.4]

¹⁸⁶ Transpower [159.10]

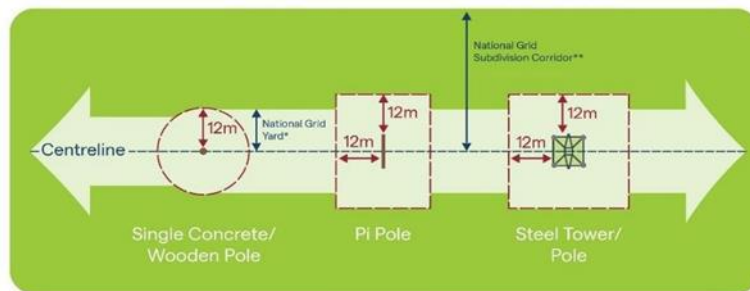
¹⁸⁷ Transpower [159.11]

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.

Replace Diagram 1 – National Grid Yard and National Grid Subdivision Corridor with the following diagram:¹⁸⁸



* National Grid Yard: 10m for single concrete/wooden pole lines, 12m for all other line types

** National Grid Subdivision Corridor: 14m, 32m, 37m or 39m depending on line voltage

Amend the definition of “Pole” as follows:

Pole:

In relation to Energy and infrastructure chapter, means a ~~non-lattice~~¹⁸⁹ 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.

Amend the definition of “Regionally Significant Infrastructure” follows:

Regionally Significant Infrastructure is:

- a. Strategic land transport network, including National Routes, Regional Arterials and District Arterials,¹⁹⁰ ~~and arterial roads~~
- b. Timaru Airport
- c. Port of Timaru
- d. Telecommunication facilities network¹⁹¹

¹⁸⁸ Transpower [159.11]

¹⁸⁹ The Telcos [176.15, 208.15, 209.15 and 210.15]

¹⁹⁰ TDC [42.1]

¹⁹¹ [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 20](#)

e. National, regional and local renewable electricity generation activities of any scale

f. The National Grid electricity transmission network¹⁹²

g. Sewage collection, treatment and disposal networks

h. Community land drainage infrastructure

i. Community potable water systems

j. Established community-scale irrigation and stockwater infrastructure

k. Transport hubs

l. Bulk fuel supply infrastructure including terminals, wharf lines and pipelines.

m. The electricity distribution network¹⁹³

n. The Redruth Landfill and Resource Recovery Facility in Timaru¹⁹⁴

Amend the definition of “upgrading / upgrade” as follows:

Means the ~~replacement, renewal or~~ improvement of infrastructure that results in an increase in carrying capacity and size,¹⁹⁵ and may include replacement and renewal, but excludes repair and maintenance.¹⁹⁶

Amend the definition of “maintenance” as follows:

1. In relation to values, means the act of making a state or situation continue;

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, nor replacement where this involves upgrading.¹⁹⁷

Amend the definition of “transmission line” as follows:

¹⁹² Transpower [159.14]

¹⁹³ Alpine Energy [55.1]

¹⁹⁴ Enviro NZ [162.2]

¹⁹⁵ The Telcos [176.25, 208.25, 209.25, 210.25]

¹⁹⁶ Transpower [159.24], The Telcos [176.25, 208.25, 209.25, 210.25] and BP Oil, et al [196.15]

¹⁹⁷ Transpower [159.24], the Telcos [176.25, 208.25, 209.25 and 210.25] and BP Oil, et al [196.15]

...has the same meaning as in the National Environment Standards ELECTRICITY TRANSMISSION ACTIVITIES 2009, which ~~means~~ means¹⁹⁸—

- 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.

Include a new definition of “Radio Communications” as follows:

Radio Communications

has the same meaning as in the Radio communications Act 1989 (as set out in the box below) means any transmission or reception of signs, signals, writing, images, sounds, or intelligence of any nature by radio waves.¹⁹⁹

Amend the abbreviation of “the Council” as follows:

The Council: means the Timaru District Council, and includes the successors of infrastructure management.²⁰⁰

Amend the definition of “Vehicle Parking” as follows:

Vehicle Parking and Manoeuvring²⁰¹ Area

means that part of a site or building within which vehicle parking and manoeuvring are accommodated.

Note: this definition change also requires the rule references in all chapters to be amended to refer to “vehicle parking and maneuvering area”.

Add a definition of “telecommunication line” as follows:

Telecommunication line means:²⁰²

(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
(b) includes—

¹⁹⁸ Transpower [159.23]

¹⁹⁹ The Telcos [176.27, 208.27, 209.27, 210.27]

²⁰⁰ TDC [42.8, 42.24, 42.25, 42.26]

²⁰¹ Bruce Spiers [66.11]

²⁰² 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 15.

(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
(ii) any part of a telecommunication line.

Amend the definition of **Tower [in relation to energy and infrastructure chapter]** as follows:

In relation to Energy and Infrastructure chapter, means a steel-lattice structure that supports conductors, lines, cables or antennas (other than telecommunications equipment).²⁰³ A tower includes ~~it~~ the foundations and hardware associated with the structure such as insulators, cross arms and guywires.

Amend the definition of Impervious surface as follows:

Impervious surface

Means an area with a man-made surfaces, such as compacted gravel, chip seal or asphalt,²⁰⁴ which prevents or significantly reduces the soakage or filtration of water into the ground. It includes:

- Roofs;
- Paved areas including driveways and sealed or compacted metal parking areas and patios;
- Sealed outdoor sports surfaces
- Sealed and compacted-metal roads, carparks, and yards and other trafficked hardstand areas;²⁰⁵
- Engineered layers such as compacted clay.

It excludes:

- Grass or bush areas;
- Gardens and other landscaped areas;
- Permeable paving and green roofs;
- Permeable artificial surfaces, fields or lawns, including permeable crop protection cloth;
- Slatted decks;
- Swimming pools, ponds and dammed water; and
- Rain tanks.

²⁰³ The telcos [176.24, 208.24, 209.24, 210.24]. See also the evidence of Mr Anderson for the Telcos for Hearing E dated 23 January 2025, paragraphs 21 to 29

²⁰⁴ Kainga Ora [229.24]. Also, see the evidence of Ms Seaton for Hearing E dated 23 January 2025

²⁰⁵ 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”

Planning Maps

COUNCIL TO PROVIDE UPDATED PLANNING MAP TO ILLUSTRATE THE 500m of the runway and runway extension, as shown in the map attached in Appendix 2 under the TDC [42.79] submission.²⁰⁶

I recommend that the planning map is amended to show the voltage for the National Grid.²⁰⁷

Amend the PDP Planning Maps to remove Kotuku Place from the Road Hierarchy, and consequential changes to Canal Road to change its status.²⁰⁸

Classify "Road 1 [full length²⁰⁹](#)" as a Collector Road in SCHED1.²¹⁰

Classify "Road 5 [full length²¹¹](#)" as a Principal Road in SCHED1.²¹²

²⁰⁶ TDC [42.79]

²⁰⁷ Transpower [159.107]

²⁰⁸ Fonterra [165.6]

²⁰⁹ Clause 16(2)

²¹⁰ Broughs Gully [167.49]

²¹¹ Clause 16(2)

²¹² TDC [42.69]
