

PLAN CHANGE 13 – AS AMENDED BY DECISIONS, WITH CHANGES INCORPORATED

For the purpose of this document text to be added by Plan Change 13 as amended by decision are treated as being accepted. This document only incorporates the text of Plan Change 13.

The Plan Amendments are listed in the following order:

1. Section 7 – Rural issues - Add to Issue 7
2. Section 7 – Rural Objectives and Policies – Amend Objective 3 and supporting policies
3. Section 3 – Definitions – add new definitions
4. Section 7 – Rural Rules - Amend existing rules and add new rules
5. Section 7A – Rural Residential – Manuka Terrace Zone – new zone provision
6. Section 12 – Subdivision, Development and Financial Contributions Rules
7. Planning Map Amendments
8. Miscellaneous Amendments

1. SECTION 7 – RURAL ISSUES

Add the following to Rural Issue 7 –Landscape Values

Rural lifestyle developments and rural residential development around existing towns if too extensive or in the wrong location have the potential to alter the extensive open character that much of the Mackenzie Basin still offers. Where subdivision and housing occurs, the Basin becomes more strongly an “occupied rural place” as in the lowlands of South Canterbury. This potentially reduces the Basin’s unspoiled openness and vastness, which are its main attributes. The breaking up of land through subdivision could result in the loss of the former high country ethos and landscape pattern. It may also result in more intensive use of the remaining farmed areas. This process has the potential to increase with the removal of former pastoral lease land, from the working landscape and return to full Crown ownership in conjunction with the freeholding of some of this lease land, particularly, at lower altitudes. Particular landscape values, which could be degraded by inappropriate redevelopment, include visual openness, a sense of naturalness, sense of landform continuity, small well-separated towns and spectacular views such as the iconic views up the lakes, particularly Tekapo and Pukaki. The loss or degradation of views from the iconic tourist highways could also occur.

Existing and new development, other than rural lifestyle development, may also result in an increase in the level of modification in the landscape and in an associated reduction in naturalness. As an example, nationally significant electricity and defence infrastructure can be found within the Mackenzie Basin including at Pukaki, Tekapo and Ohau. This infrastructure will need to be maintained and upgraded from time to time. Striking a balance between the need for essential infrastructure and the desire to protect particular landscape values is an issue in this context.

2. SECTION 7 – RURAL OBJECTIVES AND POLICIES

Delete Objective 3 – Landscape Values and add the following Objectives 3A, 3B, and 3C, and amend supporting policies as set out below. Please note that the numbering of the original policies and policies introduced through PC13 has altered to allow for new, deleted and amended policies.

Objective 3A – Distinctive and Outstanding Landscapes

To protect and sustain the distinctive and outstanding natural landscapes and features of the District from subdivision and development that would detract from those landscapes.

Explanations and Reasons

- Section 6(b) of the Resource Management Act requires the Council to recognise and provide for the protection of outstanding natural features and landscapes within its District from inappropriate subdivision, use and development as a matter of national importance.
- It is appropriate that development, particularly in the high country and Mackenzie Basin, has an overriding regard to the wider visual and landscape considerations that are important to the well-being of the District, its residents and visitors.

Policy 3A – Recognition of Mackenzie Basin

To recognise the Mackenzie Basin as having a distinctive and highly valued landscape containing outstanding natural landscapes, and through the Mackenzie Basin Subzone within the Rural Zone, to protect the Basin from inappropriate subdivision, use and development.

Explanations and Reasons

- As for Objective 3A
- A distinctive 'Mackenzie Country' character has developed, based on the visual and physical qualities of the Basin, combined with the land use practice and the social pattern of run holders, workers and extensive stations. Substantial areas of the Mackenzie Basin are in the public estate, including areas that provide the most dramatic landscape features: the lake surfaces and margins, Mount Cook/Aoraki National Park, the Southern Alps backdrop, and extensive areas of Crown land and conservation estate. Despite its modified and managed land surface as a working landscape, virtually the entire Basin remains, in 2007, "outstanding" in terms of landscape values. This is because of the uniqueness, natural and visual qualities of the high-mountain basin environment, lakes, landforms, land use, community and Mackenzie identity. The landscape values of the Mackenzie Basin thus result from cultural factors such as land use, social pattern and identity, and from physical factors such as built structures including houses, roads, transmission lines and power generation structures, as well as from natural factors such as the ecology, climate and topography.
- Not all areas within the Mackenzie Basin are outstanding. However for the purposes of the District Plan objectives and policies relating to outstanding natural landscapes, reference to the Mackenzie Basin is used to refer to those parts of the Basin that are distinctive and/or outstanding.
- Sustainable management of natural and physical resources will not be achieved unless the integrity of the values associated with the Mackenzie Basin including the visual and landscape qualities of this resource can be assured.
- The uniqueness of the Mackenzie Basin, with its naturalistic appearance, legible geomorphology, natural and cultural heritage extensive and dramatic vistas from mountain

tops to valley floors, and lack of apparent “clutter” is to be protected from inappropriate subdivision, use and development.

Policy 3B – Landscape Diversity

To recognise the diversity of physical settings and landscapes within the Mackenzie Basin and the varying capacity of these to absorb further subdivision, buildings and domestication, and in particular to recognise the suitability of existing farm base areas to accommodate and absorb additional buildings.

Explanations and Reasons

- The Basin has a diversity of conditions with a north to south altitude gradient and a west to east rainfall gradient. To this can be added the topographic and soil variability of outwash, moraine, valley, lake, hillside and high mountain environments and the variability of closeness to or remoteness from the state highways and other roads. Although the term Mackenzie Basin is frequently used (and is used throughout this District Plan) the area being referred to incorporates a number of land forms including the basin proper and areas of moraine valley, upland and range lands and mountains.
- The 2007 report “*The Mackenzie Basin Landscape: character and capacity*” by Graham Densem which assessed the Mackenzie Basin landscape identifies various landscape character areas and sub-areas and describes their characteristics and values. The report also contains descriptions of the types of landform and areas, and classifies areas as having high, medium or low ability to absorb development.

Policy 3C – Adverse impacts of Buildings and Earthworks

To avoid adverse impacts on the outstanding natural landscape and features of the Mackenzie Basin, in particular from residential, buildings, domestication, structures, earthworks, tracks and roads.

Explanations and Reasons

- Domestication of the Mackenzie Basin landscape can reduce or remove those qualities for which it is valued. These effects include the imposition of buildings, structures, plantings and other patterns associated with development (earthworks, lighting, reflective surfaces etc.) that detract from the open and uncluttered landscape of the Basin.
- If poorly sited, the traditional landscape values of the Basin could be significantly changed and diminished by infilling empty rural areas and disrupting land use patterns with random rural lifestyle and other housing and tourism developments.
- Rural lifestyle subdivisions, as found throughout lowland rural areas of New Zealand, and other Southern Lakes districts, have the potential to lessen the sense of extensive wilderness and long views to distant points by dispersing developments over wide areas of the Basin.
- Some structures associated with more intensive farming such as large irrigators or industrial style buildings, when placed in the foreground of views can reduce the scenic values and sense of openness valued within the Basin.
- Poorly sited and constructed tracks and roading can result in scars on the landscape, reducing its value, naturalness and intactness.

Policy 3D- Adverse Effects of Sporadic Development

To control non-farming buildings and subdivision in the Mackenzie Basin (outside of existing farm base areas) to ensure adverse effects on the environment of sporadic development and subdivision are avoided and to sustain existing and likely future productive use of farm holdings

Explanations and Reasons

- Subdivision creates separate legal entities each having a bundle of rights and set of landowner expectations about what can be done within each legal entity, e.g. building a house. Subdivision is therefore the first step in a process that can ultimately result in changes to, and adverse effects on landscape, rural character and sustainable resource use. Although individual subdivisions and resulting activities may only have a limited adverse effect on their own if sensitively sited, the incremental and cumulative effect of further subdivisions may be significant. Adverse effects which are of concern within the Mackenzie Basin include:
 - a Cumulative impacts on rural character and in particular the unique character of the Mackenzie Country
 - b Impacts on rural amenity values including a sense of isolation and naturalness
 - c Impacts on rural productivity resulting from incompatibility of rural and non-rural activities
 - d Impacts on native plant and animal biodiversity and ecological patterns
 - e Impacts on landscape values from earthworks, including additional access roads and tracks, structures and built development
 - f Loss of versatility of rural land from fragmentation of existing land holdings
 - g Impacts on water quality from overland runoff with increased hard surface, land modification and earthworks, and sewage treatment and disposal
 - h Impacts on waahi tapu, archaeological sites and historic heritage.
 - i Minimise the potential for reverse sensitivity effects on hydro-electricity generation and transmission infrastructure and operations.
 - i Impacts on the provision of and/or safe and efficient operation of existing infrastructure including reverse sensitivity effects on utilities and facilities of national importance.
 - j Impacts on the availability of water to existing water users.

Policy 3E – Limitations on Residential Subdivision and Housing

To provide for residential subdivision and housing development in the Mackenzie Basin only within identified urban areas of the Basin (Twizel and Lake Tekapo), within the special zone for a possible small settlement at Lake Pukaki and within identified farm base areas.

Explanations and Reasons

- As for Objective 3A
- It is desirable that the majority of housing and accommodation growth within the Mackenzie Basin occurs within the towns of Twizel and Lake Tekapo to:
 - a Reinforce and enhance these towns as commercial and service centres both for residents and rural residents and as sources of employment
 - b Reinforce and build on the social and community cohesion of these towns
 - c Maintain the character of these towns
 - d Provide support for and utilise existing and planned community, recreational, social and educational facilities.
 - e Achieve efficient utilisation of existing and planned infrastructure services of these towns.
- Traditional occupation of the Mackenzie Basin comprises periodic nodes of shelter and development (shelter trees, home paddocks and yards, farm sheds, houses, seasonal accommodation) within an otherwise vast, open and highly undeveloped landscape. In this pattern, the developed 'nodes' are small points of civilization, far outweighed in area by the natural 'landscape'. Thus the sense of extensive areas of highly natural landscape is maintained in the traditional Mackenzie land use pattern. Retaining much of this traditional

pattern is possible by requiring buildings to either be located within existing farm base areas unless they are required to be sited elsewhere to facilitate farming.

Policy 3F – Design and Appearance of Buildings

To control the design, scale, appearance and location of residential buildings, and other buildings where reasonable, with regard to the purpose of the buildings, within the Mackenzie Basin to avoid, remedy or mitigate adverse impacts on the landscape and heritage values of the Basin Subzone.

Explanations and Reasons

- As for Objective 3A.
- Refer also Policy 3C.
- The Council will have regard to the extent to which applications for buildings and associated earthworks, tracks etc met the guidelines in Appendix K of the Plan.
- The Council recognises technical, operational and security requirements associated with electricity generation and transmission mean that some adverse effects on the landscape from these activities cannot be avoided or mitigated. For example, there may be no realistic alternatives.
- The effects of built development are not confined simply to the structure, but also frequently include the domestication or modification of the surrounding environment. The Council seeks to manage these potential effects when considering the merits of proposals to erect buildings within the Mackenzie Basin Subzone.

Policy 3G - Lakeside areas

To avoid adverse impacts of buildings, structures and uses on the landscape values and character of the Mackenzie Basin lakes and their margins.

Explanations and Reasons

- The Mackenzie Basin contains two of the South Island's significant 'Southern Lakes'; Tekapo and Pukaki. It also contains the smaller Lake Alexandrina in its entirety, parts of Lakes Benmore and Ruataniwha, and parts of the margin of Lake Ohau, although not the lake surface itself. Although modified and in two cases man-made, these lakes variously are jewels of the Basin, and of the most outstanding value. Pukaki and its setting is a tourist icon, both visually and as the approach to Mount Cook/Aoraki and the National Park. Tekapo similarly, without the specific Aoraki connection, but with a high mountain backdrop. Ohau is similar in importance among the Southern Lakes, and its margins within Mackenzie District should be considered in the same terms as those of Tekapo and Pukaki. Lake Alexandrina, while of smaller scale and differing character, is much valued for fishing and also of outstanding value. Lake Benmore, while man made, has a scale and ruggedness also of outstanding value. Although the shoreline of Lake Benmore within Mackenzie District is the gentlest and least rugged of that lake's surrounds, the totality of Lake Benmore dictates that this lake and its surrounds within Mackenzie District should also be considered outstanding. The landscape values of the Mackenzie lakes arise from the naturalness, vastness, glacial colouration, legibility and the pure visual unity of both the lakes and their settings.
- Built development, roads, land use intensification, wilding tree spread and earthworks in the vicinity of these lakes have the real potential to degrade not only their more local landscape character and naturalness, but also the wider and more expansive views up, down and across them. Notwithstanding this, the presence of nationally significant electricity generation and transmission infrastructure within the Mackenzie Basin, and particularly within the outstanding natural landscape areas of Pukaki, Tekapo and Ohau must be

acknowledged and the benefits derived from the supply of electricity need to be taken into account when assessing landscape values, character and capacity.

- A Lakeside Protection Area has been identified in the Plan. This reflects the visual sensitivity of the landscapes around the major lakes in the District. Any proposed development within this area needs to be carefully considered. Buildings and subdivision within the Lakeside Protection Area are non-complying activities.

Policy 3H – Views from Roads

To require buildings to be set back from roads, particularly state highways, and to encourage the sensitive location of structures such as large irrigators to avoid or limit screening of views of distinctive and outstanding landscapes of the Mackenzie Basin.

Explanations and Reasons

- As for Objective 3A.
- As for Policies 3A, 3B, 3C, 3D, 3F, 3G, 3L, 3M, 3N, and 3O
- Refer also Policy 3M Scenic Viewing Areas, which applies within the Rural Zone and Mackenzie Basin Subzone.
- Structures such as large irrigators and storage of polythene-wrapped feed and long lengths of shelter planting aligned along roads can impact on the experience of road users. Given the emphasis on the unique natural character and landscapes of the Mackenzie Basin it is appropriate to encourage sensitive placement of structures, feed etc including setbacks from road frontages, particularly state highways, through information and guidelines.

Policy 3I – Manuka Terrace Rural-Residential Zone

To avoid, remedy or mitigate the adverse effects of existing and further subdivision and development on Manuka Terrace, Lake Ohau through the Rural Residential –Manuka Terrace Zone.

Explanations and reasons

- The Rural Residential zone for Manuka Terrace specifies how adverse effects of past and future subdivisions such as landscape impacts, servicing issues with water supply and sewage treatment and disposal, winter shading and severe wind hazard, and adverse effects on hydro-electricity generation and transmission infrastructure and operations are to be avoided, remedied or mitigated by:
 - a Setting a minimum lot size of 4ha,
 - b Setting servicing standards for water supply, sewage treatment and disposal, stormwater, power and telecommunications,
 - c Controlling the design and appearance of subdivisions and housing,
 - d In addition to recognition of the wind hazard in this District Plan, all Property Information Memoranda and Land information Memoranda for the area will advise of the wind hazard.
 - e Controlling the clearance of indigenous shrubland.
 - f Taking into consideration the availability of a sustainable domestic water supply and potential effects on water quantity (including existing users) in the District.
 - g Taking into account any actual or potential effects on the safe and efficient operation of the Waitaki Power Scheme, including taking into account civil safety matters associated with the operation of the hydro-electricity generation in proximity to the site. This can be achieved for example by appropriate setbacks, the location of buildings in relation to monitoring equipment and facilities, and avoiding the potential for reserve sensitivity effects.

Policy 3J – Renewable Energy

To recognise and provide for the use and development of renewable energy generation and transmission infrastructure and operations while, as far as practicable, avoiding, remedying or mitigating significant adverse effects on the outstanding natural landscapes and features of the Mackenzie Basin.

Explanations and reasons

- The Resource Management Act specifies, amongst other matters, that particular regard must be given to the benefits to be derived from the use and development of renewable energy. Utilities of national significance are found within the Mackenzie District. These have distinctive and varied characteristics. Key infrastructure includes the Pukaki High Dam, Tekapo A and B, the Ohau Power Stations, and part of Lake Benmore (which was created specifically for hydro-electricity generation purposes).
- There is also a clear recognition by Government of both the importance of the use and development of renewable energy and the need to address climate change. Recognising and providing for this type of development in the District Plan goes some way to contributing to New Zealand renewable energy targets.

Implementation Methods for all policies

To protect the distinctive and outstanding landscapes of the Mackenzie Basin by:

- *Identify existing farm base areas in the Plan, recognising that existing homestead areas and associated farm buildings generally fit within the landscape without adversely affecting values and character*
- *Providing for residential development and subdivision only within the established townships of Twizel and Lake Tekapo, in a potential new small settlement at Lake Pukaki, and within the defined existing farm base areas.*
- *Requiring consent (as controlled activities) for farm buildings and farm retirement buildings (both defined in the District Plan) outside the farm base areas.*
- *Requiring consent (as a discretionary activity) for non-farming buildings and subdivision outside the farm base areas.*
- *Requiring consent (as a non-complying activity) for buildings and subdivision within Lakeside Protection Areas.*
- *Encouraging placement of various temporary farm structures such as irrigators and wrapped feed back from roads and state highways, through preparation and distribution of guidelines to landowners and managers.*
- *Creation of a Rural-Residential - Manuka Terrace Zone with a minimum lot size and residential density of 4ha.*

Objective 3B – Economy, Environment and Community [Was Policy 3B]

To encourage a healthy productive economy, environment, and community within, and maintain the identity of, the Mackenzie Country.

Explanations and Reasons

- To sustain the valued landscapes of the Mackenzie Basin it is considered necessary to also foster its economic, social and environmental viability. In this way the communities, infrastructure and economic health can be sustained over time providing a situation where continued pastoral use and extensive runs can be maintained and developed. Along with this, it is intended that environmental values of the Basin will also be protected and enhanced.

- It is not considered reasonable or appropriate in achieving the Resource Management Act's purpose to prevent all further development in the Basin or regard the current environment as a museum piece. Sustainable management requires a balance to be found that provides for the social, economic and cultural well-being of the community, while sustaining natural and physical resources and safeguarding the environment from adverse effects.

Policy 3K – Farming Buildings and Subdivision

To enable productive use of the land of the Mackenzie Basin and in particular farming use, by providing for farming buildings and subdivision to facilitate farming, while limiting their potential adverse impacts on important landscape values.

Explanations and Reasons

- The open natural-looking landscape of the Mackenzie Basin is maintained by controlling the spread of wilding pines in grazed areas as part of farming. Grazing is effective in controlling wildings in many places, but in other places additional control measures are needed. These measures may be economically viable only if subsidized by more intensive farming elsewhere on properties. More intensive farming may require new buildings, and where new farming units are feasible through irrigation they may require subdivision. Similarly, viable farming is needed to fund rabbit control and soil loss through wind erosion.
- The new buildings that may be required for farming include new homesteads and farm workers' accommodation (permanent and temporary).
- Farm buildings are an expected element in the Mackenzie Basin landscape. They "read" as related to the clearly evident farming activities being carried out, in a way that even the most carefully "disguised" buildings for other purposes, such as visitor accommodation cannot. Traditionally they have been loosely grouped and located in sheltered situations so that generally they do not appear obtrusive or incongruous in the landscape.
- Ideally new farm buildings will be located within the existing farm base areas so as to keep most of the Basin free of buildings. It is recognised however that sometimes this is not feasible for farm management reasons. Most properties within the Basin have sufficient size and topographical complexity to provide sites for new farm buildings where they will be no more inconspicuous than existing buildings, provided care is taken with details such as colour finishes.
- While farm retirement dwellings can also assist to maintain the viability of farming, if they are erected away from buildings with a more visually obvious link to farming they may appear out of place and thus undermine landscape values. Particular care in siting and design is required.

Objective 3C – Landscape Values

Protection of the natural character of the landscape and margins of lakes, rivers and wetlands and of the natural processes and elements that contribute to the District's overall character and amenity.

Explanations and Reasons

- While the Mackenzie Basin has been the focus of concern to protect a distinctive landscape, the whole Mackenzie District has landscape that is a resource deserving protection.
- Refer also to Objective 4, Policy 4B and Implementation, Objective 2, Policy 2A and 2C, and Objective 6
- It is appropriate that development, particularly in the high country and Mackenzie Basin has an overriding regard to the wider visual and landscape considerations which are important to the well-being of the District and its inhabitants.
- To sustainably manage the physical resource of the District, some priority is required to ensure the protection of the landscape and visual amenity and in particular the landscapes

which have been identified as outstanding. The high country of the District and the Mackenzie Basin have an impressive array of landscapes

- Assessment of landscapes shall be based on the following characteristics: natural science values, aesthetic values, recognised values and takata whenua values. Refer Rural Issue 7 for more detail.

Policy 3L - Important Landscapes And Natural Features

To limit earthworks on steeper slopes, high altitude areas, and on land containing geopreservation sites to enable the landforms and landscape character of these areas to be maintained.

Explanation and Reasons

- As for Objective 3
- Earthworks, other than small scale earthworks, have the potential to scar the landscape or destroy the landform or visual value of natural features (geopreservation sites)..
- Earthworks and tracks on steeper slopes (over 25°) and in high altitude areas (over 900m) can be visibly obtrusive because of their slowness in rehabilitating, their high degree of visibility and the greater amount of earthworks required to ensure stability. It is appropriate therefore that controls be in place relating to location, design and revegetation.

Implementation Methods

- Controls on Earthworks in Geopreservation Sites and High Altitude Areas
- Controls on Earthworks and Tracking on land over 25°

Environmental Results Anticipated

- Protection of the visual values and natural character of areas containing steep slopes, high altitude areas and natural features (geopreservation sites) from unsightly or damaging earthworks.

Policy 3M - Scenic Viewing Areas

To limit structures and tall vegetation within scenic viewing areas to enable views of the landscape to be obtained within and from these areas.

Explanation and Reasons

- As for Objective 3.
- Areas have been identified by the Council as being significant because of the landscapes contained in these areas, the views obtained from these areas, and because of the high degree to which these areas are visited for the purpose of experiencing the Mackenzie Basin and high country landscapes. To ensure that views within and from these areas are not obstructed it is considered appropriate that structures and tall vegetation not be permitted as of right. It is also appropriate that earthworks be limited and vegetation clearance controlled in these areas.
- Because the controls needed in these areas are the same as those required for areas of natural significance (refer Policy 1B) these scenic viewing areas have been incorporated into areas of natural significance for control and mapping purposes. In addition there is often an overlapping of these two types of area. A schedule listing all these sites details the values of each site in terms of their conservation and/or scenic values.

Implementation Methods

- Controls on Buildings and Trees in Scenic Viewing Areas

Environmental Results Anticipated

- Retention of view within and from scenic viewing areas.

Rural Policy 3N - Impacts Of Subdivision Use And Development

Avoid or mitigate the effects of subdivision, uses or development which have the potential to modify or detract from areas with a high degree of naturalness, visibility, aesthetic value, including important landscapes, landforms and other natural features.

Explanation and Reasons

- As for Objective 3
- Sustainable management of natural and physical resources will not be maintained unless the protection of the District's natural resources, including the visual and landscape qualities of those resources, can be assured. This is because the quality of life and development within the District is, in part, dependant on the quality of the visual and landscape character within which it operates.

Implementation Methods

- Administration of resource consents guided by this policy.
- Promotion of adoption of the Design Guidelines in Appendix K
- To undertake a study, in consultation with the community, to identify landscapes of value outside the Mackenzie Basin.

Policy 3O - Tree Planting

To control the adverse effects of siting, design and potential wilding tree spread of tree planting throughout the District, to enable forestry to be integrated within rural landscapes and to avoid screening of distant landscapes.

Explanation and Reasons

- As for Objective 3
- Plantation Forestry can impact significantly on landscapes and potential adjacent landuses. This is particularly so in the open and uncluttered landscapes of the Mackenzie Basin and high country. Within these areas the grasslands give a unity to the landscape and allow the landforms to dominate the landscape and define the horizons. The tussock grassland also emphasises even subtle changes in light and colour. Because of this potential for impact it is considered important that the Council have power, through Controlled Activity status of forestry, to place conditions on the siting and design of forests and on potential wilding tree spread.
- Because of the natural character, visibility and environmental sensitivity of sub-alpine and alpine areas, and the potential for wilding tree spread from plantings it is necessary to control tree plantings in higher altitude areas as a Discretionary Activity.
- As for Rural Policy 3M - Scenic Viewing Areas.
- Generally the landscape character of the District is such that further small scale plantings can be assimilated without adversely impacting on the landscape character.

Implementation Methods

- Small scale forestry – Permitted Activity Fairlie Basin – Permitted Activity.
- Other planting in the Fairlie Basin – Controlled Activity.
- Small scale forestry in the vicinity of homesteads and farm buildings in the Mackenzie Basin – Permitted Activity.
- Other planting in the Mackenzie Basin – Restricted Discretionary Activity.
- Tree planting in riparian areas – Restricted Discretionary Activity.
- Tree planting in scenic viewing areas and high altitude areas –Discretionary Activity.
- Tree planting in wetlands and Sites of Natural Significance – Non-complying Activity.
- To undertake a study, in consultation with the community, to identify landscapes of value outside the Mackenzie Basin.

- To review the provisions for forestry following assessment of landscape values outside the Mackenzie Basin.

Environmental Results Anticipated

- Tree planting in the high altitude areas limited to locations where adverse effects on landscape values, ecology, visual amenity and natural values can be avoided or mitigated.
- Retention of views from and within scenic viewing areas.
- Tree planting in other parts of the District which is in sympathy with the landscape and which avoids, remedies or mitigates adverse effects on the environment.

Rural Policy 3P - In Harmony With The Landscape

To encourage the use of guidelines for the siting and design of buildings and structures, tracks, and roads, tree planting, signs and fences.

To encourage the use of an agreed colour palette in the choice of external materials and colours of structures throughout the district, which colours are based on those which appear in the natural surroundings of Twizel, Tekapo and Fairlie.

Explanation and Reasons

- As for Objective 3.
- A harmony of colour and design between the built and natural environment is one which most people find agreeable and desirable. For this reason the Council has had prepared three colour palettes containing the predominant colours of Twizel, Fairlie and Tekapo areas and adopted a set of design guidelines. Because it was considered that there may be some administrative and enforcement difficulties in requiring these palettes and design guidelines to be applied in all cases the Council has chosen to encourage the use of these by bringing the existence and advantages of the palettes and guidelines to the attention of all people who are building within the District. Council will however apply these to resource consents where appropriate.

Implementation Methods

- Design guidelines - Appendix K
- Encourage use of colour palette.
- Through resource consent conditions

Environmental Results Anticipated

- Increased use over time of colours within the colour palettes prepared for the Fairlie, Tekapo and Twizel areas.

3. SECTION 3 DEFINITIONS

Add the following definitions:

Farm Base Area means a Farm Base Area identified in Appendix S of this District Plan.

Farm building means a building the use of which is incidental to the use of the site for a farming activity (refer definition) and includes residential units and accommodation used predominantly for people engaged in farming activity and their families.

Farm Retirement Dwelling means a residential unit and associated outbuildings occupied by someone who has been engaged in full-time farming of the property on which the farm retirement dwelling is established and his/her family.

4. SECTION 7 RURAL ZONE RULES

4.0 Add the following statement to the Rural Zone Statement:

1 Zone Statement

The Rural Zone comprises the majority of the District, apart from the settlement areas. The Mackenzie Basin Subzone is that land identified on the Planning Maps. [If a single map, then refer to that map specifically]

4.1 Amend Rural Zone Rule 2- Status of Activities statement as follows:

2 District Wide Rules

The following General Provisions containing District Wide Rules apply in the Rural Zone.

- Hazardous Substances Section 9
- Heritage Protection Section 10
- Signs and Outdoor Lighting Section 11
- Subdivision, Development and Financial Contributions Section 12
- Temporary Activities and Buildings and Environmental Noise Section 13
- Transportation Section 14
- Utilities Section 15

STATUS OF ACTIVITIES

All rules in the Rural Zone shall apply to the Mackenzie Basin Subzone unless otherwise stated.

For the avoidance of doubt, these rules do not apply to utilities, which are addressed in Section 15 – Utilities Rules.

The following Clauses 3 to 15 specify the status of activities under the District Plan i.e. Permitted, Controlled, Restricted Discretionary, Discretionary and Non-Complying Activities, for the following activities:

- 3 Buildings
- 4 Earthworks and Tracking
- 5 Factory Farming
- 6 Forestry
- 7 Recreational Activities
- 8 Visitor Accommodation
- 9 Retail Sales
- 10 Mining Activities
- 12 Vegetation Clearance

- 13 Scheduled Activities
- 14 Aviation Activities
- 15 Other Activities (Including farming, but not factory farming).

Any activity which is not provided for in these Rural Zone rules as either a Permitted, Controlled, Restricted Discretionary, Discretionary or Non-Complying Activity shall be a Discretionary Activity.

4.2 Amend Rural Zone Rule 3.1 Permitted Activities – Buildings 3.1.1 as follows:

3.1 Permitted Activities - Buildings

3.1.1 Any Building outside the Mackenzie Basin Subzone which is not specified as a Controlled Activity, Discretionary Activity or Non-Complying Activity and which complies with all the following standards:

4.3 Retain and amend Rural Zone Rule Permitted Activities – Buildings Standard 3.1.1.i Lakeside Protection Areas as follows:

3.1.1.i Lakeside Protection Area

No building or extensions to buildings, other than stock fencing, shall be erected in Lakeside Protection Areas identified on the Planning Maps (refer Non-Complying Activities - Rule 3.4.5).

4.4 Add the following Activity to 3.1 Permitted Activity - Buildings

3.1.2 Any building within farm base areas (see Appendix S) within the Mackenzie Basin Subzone which complies with all the following standards:

3.1.2.a Height of Buildings

- i Maximum height farm buildings, excluding residential units and buildings used for accommodation shall be 15m;
- ii Maximum height for all other buildings shall be 8m.

3.1.2.b Setback

- i Minimum setback of buildings from the boundary of the defined farm base areas shall be 20m
- ii Minimum setback of buildings from state highways shall be 100m
- iii Minimum setback of buildings from other roads shall be 20m

3.1.2.c Reflectivity

The maximum reflectivity index of the exterior of any buildings shall be 40%; except that extensions increasing the floor area of farm buildings existing at 1 August 2009

by up to 50% may be clad in the same material and with the same finish as the existing building.

3.1.2.d **Riparian Areas**

Rule 3.1.1.f shall apply

3.1.2.e **Flight Protection Areas**

Rule 3.1.1.n shall apply

3.1.2.f **Sites of Natural Significance, Scenic Viewing and High Altitude Areas**

Rule 3.1.1.e shall apply

4.5 Amend 3.2.1 Controlled Activities – Buildings as follows:

3.2 Controlled Activities - Buildings

3.2.1 Relocated buildings, other than accessory buildings, used for residential purposes within the Rural Zone (excluding the Mackenzie Basin Subzone):

Standards and Terms for Relocated Buildings

- i All the standards in 3.1.1 above shall be complied with.
- ii The Council may require a bond from the consent holder in respect of the performance of one or more conditions of any consent granted, including any conditions relating to the alteration or removal of structures on the expiry of the consent.

Matters Subject to Council's Control

- External appearance of the relocated building.

Non-Notified Application

Any application under clause 3.2.1 will not require the written approval of other persons and shall be non-notified.

4.6 Add the following Activity to 3.2 Controlled Activities – Buildings

3.2.2 Within the Mackenzie Basin Subzone, farm buildings and farm retirement dwellings outside the defined farm base areas (see Appendix S).

Standards and Terms

- i Maximum height of farm buildings, excluding residential units and buildings used for accommodation shall be 15m;
- ii Maximum height for all other buildings shall be 8m.

- iii Minimum setback of buildings from state highways shall be 100m
- iv Minimum setback of buildings from other roads shall be 20m
- v Minimum setback from internal boundaries shall be 20m
- vi Sites of Natural Significance, Scenic Viewing and High Altitude Areas – Rule 3.1.1.e shall apply
- vii Riparian Areas – Rule 3.1.1.f shall apply
- viii Lakeside Protection Areas – Rule 3.1.1.i shall apply
- ix Flood Mitigation – Rule 3.1.1.j shall apply

Matters Subject to Council’s Control

- External appearance and location within the landscape

Non-Notified Application

Any application under clause 3.2.2 will not require the written approval of other persons and shall be non-notified.

4.7 Delete 3.3.1 Discretionary Activities – Buildings, Buildings in Lakeside Protection Areas.

4.8 Add the following rule under 3.3 Discretionary Activities - Buildings as 3.3.3 and amend rule 3.3.4

3.3.3 Within the Mackenzie Basin Subzone, buildings other than farm buildings and farm retirement dwellings outside the defined farm base areas (see Appendix S).

3.3.4 Any Building which does not comply with any one or more of the following standards for Permitted Activity Buildings:

- 3.1.1.a Height of Buildings
- 3.1.1.b Setback from Roads
- 3.1.1.c Setback from Neighbours
- 3.1.1.d Access
- 3.1.1.e Sites of Natural Significance, Scenic Viewing and High Altitude Areas
- 3.1.1.f Riparian Areas
- 3.1.1.g Ruataniwha Rowing Area
- 3.1.1.h Airport Noise
- 3.1.1.j Flood Mitigation - Floor Height/Location
- 3.1.1.n Flight Protection Areas

In considering any such Discretionary Activity the consent authority shall restrict the exercise of its discretion to those matters of non-compliance.

4.9 Add the rule 3.3.5 under 3.3 Discretionary Activities - Buildings

3.3.5 Any Building which does not meet the Standards and Terms for Controlled Activities Buildings.

In considering any such Discretionary Activity the consent authority shall restrict the exercise of its discretion to those matters of non-compliance.

4.10 Add the following rule under 3.4 Non-Complying Activities - Buildings as 3.4.5

3.4.5 Except for buildings within identified Farm Base Areas (refer Appendix S), all buildings or extensions and additions to buildings within the Lakeside Protection Area identified on the Planning Maps are a non-complying activity.

4.11 Add the following new rule 3.5 Prohibited Activities – Buildings:

3.5 Prohibited Activities - Buildings

3.5.1 **Amenity Tree Planting** – It is a Prohibited Activity for which no resource consent will be granted to plant the following species within a farm base area:

- *Pinus contorta* (Lodgepole Pine)
- *Pinus nigra* (Corsican Pine)
- *Pinus muricata* (Bishops Pine)
- *Pinus sylvestris* (Scots Pine)
- *Pinus menziesii* (Douglas Fir)

4.12 Amend 4.1.1 Permitted Activities – Earthworks and Tracking to read:

4.1.1 Any earthworks or tracking involving excavation and/or fill 300m³ or less, or bare exposed soil 1000m² or less which complies with all of the following standards:

4.13 Add the following activity to 4.2 Controlled Activities – Earthworks and Tracking:

4.2.2 Other than in the areas listed below, any earthworks (both excavation and fill) greater than 300m³ and less than 1000m³ per site or bare soil exposed greater than 1000m² and less than 2500m² per site, will be a controlled activity:

- areas containing Geopreservation Sites identified on the Planning Maps and listed in Appendix I;
- Sites of Natural Significance identified on the Planning Maps and listed in Appendix I;
- areas above 900m in altitude;
- areas within 10m of a river;
- areas within 50m of a wetland or lake.
- areas within 20m of a river listed in Schedule B to the Rural Zone

This rule shall not apply to earthworks:

- Approved as part of a subdivision or building consent
- For routine repair and maintenance of operational tracks, roads and drains
- Levelling of fence lines
- For utility services
- Approved as part of a resource consent for a building
- Approved as part of resource consent for a farming building except where the earthworks are for access
- For the installation of pipes and re-grading of land for irrigation purposes

Matters Subject to Council's Control

- Siting, slope and camber of the track;
- Manner of forming the track;
- Terrain disturbance including vegetation clearance, volumes and materials to be removed;
- Rehabilitation of disturbed ground
- Visual impact of stockpiles.
- Impact on landscape, amenity and indigenous ecosystems

4.14 Add the following assessment matters, as new rules 16.2.l and 16.2.m:

16.2.l Farm buildings and Farm Retirement Dwellings

- i. Whether the farming building(s) or farm retirement dwelling would be located away from main surfaces, ridgelines and skylines of landforms. (Refer to the report "The Mackenzie Basin Landscape: character and capacity" Graeme Densem Landscape Architects November 2007 for descriptions of areas to be avoided in terms of their vulnerability to change.)
- ii. Whether the proposed building(s) would be adjacent to a change point of the topography, such as a slope, stream course, or forest edge.
- iii. Whether the farming building(s) or farm retirement dwelling would be highly visible when viewed from public viewpoints such as the state highway or the surface of a lake.
- iv. The extent to which existing natural topography would be or could be used to ensure that development is located where it is not highly visible when viewed from public viewpoints.
- v. Whether the building(s) would be located so they would be highly visible in the foreground of views of the mountains surrounding the Basin or views of the lakes, from public viewpoints.
- vi. Where the siting and/or scale of proposed building(s) means they would have an adverse effect on the landscape, whether there are other sites on the application property where the building(s) could be located and serve the intended function without such adverse effect.
- vii. The extent to which any potential adverse effects on the landscape would be avoided or mitigated by appropriate design and landscaping, and/or other measures (including covenants and other restrictive instruments).
- viii. Whether the building(s) would be located where it/they would break the line and form of any skylines, ridges, hills or prominent slopes, and in particular whether buildings would appear above the skyline when viewed from any public viewpoint.
- ix. The extent to which any proposed accessways, earthworks or landscaping would follow the form and lines of the natural topography and landscape.

- x. Whether the farm building(s) or farm retirement dwelling would be concentrated together or in close proximity to existing buildings or other man-made structures (preferred).
- xi. Whether the colours of the roofs and walls would be recessive and of low reflectivity.

16.2.m Non-Farming Activities and Buildings

- i. The extent to which building(s) would be visible when viewed from public viewpoints such as the state highway or the surface of a lake.
- ii. Whether existing natural topography would be or could be used to ensure that activities and buildings are located where not visible when viewed from public viewpoints.
- iii. Whether building(s) would be visible in the foreground of views of the mountains surrounding the Basin or of the lakes, from public viewpoints.
- iv. Whether and the extent to which the nature, scale and overall layout of the development would compromise the character of the surrounding landscape.
- v. Where the siting and/or scale of proposed building(s) means it/they would have an adverse effect on the landscape, whether there are other sites on the application property or in the wider area where the building(s) could be located and serve the intended function without such adverse effect.
- vi. The extent to which any potential adverse effects on the landscape would be avoided or mitigated by appropriate design and landscaping, and/or other measures (including covenants and other restrictive instruments).
- vii. Whether building(s) would be located where they would break the line and form of any skylines, ridges, hills or prominent slopes, and in particular whether buildings would appear above the skyline when viewed from any public viewpoint.
- viii. The extent to which any proposed accessways, earthworks or landscaping would follow the form and lines of the natural topography and landscape.
- ix. Whether building(s) would be concentrated together or in close proximity to existing buildings or other man-made structures (preferred).
- x. Whether the colours of the roofs and walls would be recessive and of low reflectivity.
- xi. Whether the site is within a Lakeside Protection Area.
- xii. Whether the application includes proposals for ecological restoration and/or the containment and control of wilding species.
- xiii. The extent to which any exterior lighting can be minimised to avoid adverse effects on amenity values.
- xiv. Any adverse effects of the proposed activity in terms of:
 - Noise, vibration and lighting from the activity and from vehicles entering and leaving the site.
 - Loss of privacy for adjacent properties.
 - Levels of traffic congestion or reduction in levels of traffic safety.
 - Noise, dust and traffic from earthworks.

5 SECTION 7A – RURAL-RESIDENTIAL ZONE

Add the following Rural Residential Manuka Terrace Zone rule after the Rural Zone Rules in Section 7:

RURAL RESIDENTIAL - MANUKA TERRACE ZONE

1 ZONE STATEMENT

The Rural Residential Zone at Manuka Terrace near Lake Ohau provides an alternative low-density living environment within the District's rural areas.

The Manuka Terrace Rural Residential Zone recognises the recent subdivision of land into residential sized lots, and provides for the maintenance of the scale of subdivision to provide lower density living environments that are semi-rural in nature. The minimum lot size set for the zone protects its viability in respect of the balance between providing services and maintaining amenity and the outstanding landscape values of the area. The area is close to the Ben Ohau Range and is subject to strong winds.

2. DISTRICT WIDE RULES

The following General Provisions containing District Wide Rules apply in the:

- Hazardous Substances Section 9
- Heritage Protection Section 10
- Signs and Outdoor Lighting Section 11
- Subdivision, Development and Financial Contributions Section 12
- Temporary Activities and Buildings and Environmental Noise Section 13
- Transportation Section 14
- Utilities Section 15

STATUS OF ACTIVITIES

3. PERMITTED ACTIVITIES

The following shall be Permitted Activities provided they comply with the Site Standards in, and are not otherwise listed as Controlled, Discretionary, Non-complying or Prohibited Activities.

3.1 Residential Activities

- 3.2. **Buildings** – for or directly associated with farming activity, and dwellings on lots created or approved prior to 19 December 2007, where such approval had not lapsed and where the approval specifically provides for a building platform within the lot.
- 3.3. **Amenity Tree Planting** – Planting of those species listed in Rule 8.1 shall be a Prohibited Activity
- 3.3. **Visitor Accommodation** – providing accommodation for a maximum of six guests on site at any one time.
- 3.4. **Home Occupations** – home occupations, other than those that involve noxious activities that comply with the site and zone standards.
- 3.5. **Farming Activities**
- 3.6. **Earthworks** – Any earthworks (excavation and filling) 300m³ or less or bare soil exposed 1000m² or less.
- 3.7. **Vegetation Clearance**

4. CONTROLLED ACTIVITIES

- 4.1. **Buildings** – Buildings for any purpose other than farming purposes, except for dwellings on lots created or approved by subdivision consent prior to 30 November 2007 and such approval has not lapsed, and where the approval specifically provides for a building platform within the lot.

Matters Subject to Council's Control

- bulk and location including location to avoid natural hazard risk;
- access;
- servicing;
- earthworks;
- external appearance and condition;
- ability to withstand strong winds

All Site Standards in 9 must be complied with.

- 4.2. **Earthworks** – Any earthworks (excavation and filling) greater than 300m³ and less than 1000m³ per site or bare soil exposed greater than 1000m² and less than 2500m² per site is a Controlled Activity.

This rule shall not apply to earthworks:

- Approved as part as part of a subdivision or building consent
- For routine repair of operational tracks
- Levelling of fence lines
- For utility services
- Approved as part of a resource consent for a building
- Approved as part of resource consent for a farming building except where the earthworks are for access

Matters Subject to Council's Control

- Siting, slope and camber of the track;
- Manner of forming the track;
- Terrain disturbance including vegetation clearance, volumes and materials to be removed;
- Rehabilitation of disturbed ground.

5. RESTRICTED DISCRETIONARY ACTIVITIES

- 5.1. Any Permitted Activity or Controlled Activity that does not comply with the Site Standards in 9 shall be a Discretionary Activity, with Council's discretion limited to the matters of non-compliance.

6. DISCRETIONARY ACTIVITIES

- 6.1. **Retail Sales** – All retail sales.
- 6.2. **Visitor Accommodation** - providing accommodation for more than six guests on site at any one time.
- 6.3. **Commercial Activities** – commercial activities other than complying visitor accommodation activities and complying farm activities
- 6.4. **Any activity** which is not listed as a Permitted, Controlled, Restricted Discretionary, non-Complying or Prohibited Activity

7. NON-COMPLYING ACTIVITIES

- 7.1 **Forestry Activities**
- 7.2. **Mining Activities**
- 7.3. **Industrial Activities**
- 7.4. **Noxious Activities** – no activity shall involve the following:
- Panel beating, spray painting, motor vehicle repairs or vehicle dismantling, fibre glassing, sheet metal work, bottle or scrap storage, rubbish collection or a recycling service, motor or marine body building, meat processing or require an Offensive Trade Licence under the Health Act 1956 or its amendments.

8. PROHIBITED ACTIVITIES

- 8.1. **Amenity Tree Planting** – It is a Prohibited Activity for which no resource consent will be granted to plant the following species:
- *Pinus contorta* (Lodgepole Pine)
 - *Pinus nigra* (Corsican Pine)
 - *Pinus muricata* (Bishops Pine)

- *Pinus sylvestris* (Scots Pine)
- *Pinus menziesii* (Douglas Fir)
- *Pinus mugo/uncinata* (Mountain Pine)
- *Pinus pinaster* (Maritime Pine)
- *Pinus ponderosa* (Ponderosa Pine)
- *Larix deciduas* (European Larch)

9. SITE STANDARDS

- 9.1 **Residential Density** – no more than one residential unit and one minor unit per site provided the minor unit can comply, in its own right with setback, height and parking requirements for a residential unit.

The minimum site area for each residential unit and minor unit shall be:

- 2ha for lots created or approved by subdivision consent prior to 30 November 2007 and such approval has not lapsed;
- 4ha for all other lots

- 9.2 **Building Setbacks** – Minimum setback from road and internal boundaries of 20m.

- 9.3 **Building and Hard Surface Coverage** – the maximum coverage of all buildings and hard surfaces on each separate title shall not exceed 700m². For the purposes of this rule hard surface shall not include any access whose formation and surfacing is permeable.

- 9.4 **Building Height** - The maximum height of any building shall not exceed 8m above existing ground level.

- 9.5 **Noise** – All activities shall be conducted to comply with the following standards as measured at any point within the boundary of any other site:

Daytime	0700 – 2000 hours	50 dBA L ₁₀
Night-time	2000 – 0700 hours	40 dBA L ₁₀
At all times		70 dBA L _{max}

Noise levels shall be measured and assessed in accordance with NZS6801:1991 and NZS 6802:1991 or their successors.

- 9.6 **Nature and Scale of Home Occupations**

- No more than one full-time equivalent person who permanently resides elsewhere than on the site may be employed in undertaking an activity on the site.
- All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles associated with an activity shall be carried out within a building.
- Hours of Operation – the maximum total number of hours the site shall be open to visitors, clients or deliveries shall be 50 hours per week. All activities associated with the home occupation or non-residential use of the site shall be restricted to within the following hours:

- 0700 – 2000 Monday to Friday; and
- 0800 – 2000 Saturday, Sunday and Public Holidays

except: where the activity is carried out entirely within a building; and where each person involved in the activity resides permanently on the site.

9.7 **Aircraft** – No activity shall involve the take-off or landing of aircraft, other than for emergency services landing and rescues, or civil defence purposes.

9.8 **Vegetation Clearance** – Clearance of indigenous shrubland shall be limited to those areas required for the establishment and occupation of buildings, access and services.

10. Assessment Matters

In considering whether or not to grant consent or impose conditions the Council shall have regard to, but not be limited by, the appropriate assessment matters in the Rural Zone or Residential Zone rules.

6. SECTION 12 – SUBDIVISION, DEVELOPMENT AND FINANCIAL CONTRIBUTIONS

6.1 Amend Rule 1e of Rule 1 General Provisions Applicable to all Subdivision and Development Activities as follows:

- 1.e
- Any reference to Residential Zones in these Subdivision Rules shall be a reference to the Residential 1, Residential 2 Zone, and Pukaki Village Zone.
 - Any reference to Business Zones in these Subdivision Rules shall be a reference to the Village Centre, Service, Industrial, Tourist, Tourist G, and Travellers Accommodation Zone.
 - Unless otherwise stated any reference to Rural Zones in these Subdivision Rules shall be a reference to the Rural Zone, the Mackenzie Basin Subzone, any Rural Residential Zone and the Aoraki/Mount Cook National Park.
 - Any reference to Special Purpose Zones in these Subdivision Rules shall be a reference to the Opuha Dam, Recreation A, Recreation P, Open Space H, Open Space G and Airport Zones.

6.2 Amend the first clause in Rule 3 Controlled Activities –Subdivision, add wind as a Natural hazard and add Earthworks as a new matter in respect of which subdivision is a Controlled activity, as follows:

3 Controlled Activities - Subdivision

3a Any subdivision outside the Mackenzie Basin Subzone or within a Farm Base Area within the Mackenzie Basin Subzone which complies with all Primary and Secondary Subdivision Standards shall be a **Controlled Activity** in respect of the following matters:

Natural and Other Hazards

- Provision of works, the location and type of services, building location, and location and quantity of filling and earthworks that could be affected by the following natural

hazards or which could affect the impact of those natural hazards on the site or other land in the vicinity.

- Erosion
- Flooding and Inundation
- Landslip
- Rockfall
- Alluvion (affect of river wash)
- Avulsion (removal of land by flooding)
- Unconsolidated Fill
- Wind
- Soil Contamination
- Subsidence

Earthworks

- The volume and area of earthworks
- The methods of excavation and filling
- The size and location of stockpiles
- Avoidance or mitigation of impacts on waterways, ecological and landscape values, heritage, cultural and archaeological values and neighbouring properties
- Methods of controlling stormwater runoff and erosion
- Rehabilitation of disturbed areas

3b Any subdivision in the Mackenzie Basin Subzone (excluding subdivision within Farm Base Areas) for the purpose of providing for a retirement dwelling (see definition) on an identified building platform within a site of at least 50 hectares, where land use consent has been granted for the subdivision or is being applied for simultaneously, shall be a **Controlled Activity** with the Council's discretion limited to the following matters:

- The matters listed in 3a
- The effect on the landscape of the proposed dwelling sited on the identified building platform

6.3 Add the following new RESTRICTED DISCRETIONARY ACTIVITIES rule after rule 4 Controlled Activities as follows:

4A Restricted Discretionary Activities - Subdivision in Mackenzie Basin Subzone

4A.a Any subdivision within the Mackenzie Basin Subzone (excluding subdivision within Farm Base Areas) for the purpose of facilitating farming activity or providing an identified building platform within a site of at least 50 hectares for a farm retirement dwelling where land use consent has not been obtained and is not being sought simultaneously, shall be a **Restricted Discretionary Activity** with the Council's discretion limited to the following matters:

- All the matters listed in rule 3a above
- In the case of subdivision to facilitate farming activity, the effects of proposed or likely buildings and structures on landscape values and the location of building platforms
- In the case of subdivision to provide a site for a farm retirement dwelling, the effect on the landscape of the proposed dwelling sited on the identified building platform.

6.4 Amend Discretionary Activities– Subdivisions Rule 4a, delete 4.d and add new rules as 4d and 4e as follows:

- 4a Any subdivision outside the Mackenzie Basin which complies with all the Primary Subdivision Standards but does not comply with any one or more Secondary Subdivision Standards shall be a **Discretionary Activity**, in respect of the applicable matter.
- 4.d Any subdivision in the Mackenzie Basin Subzone outside a Farm Base Area to facilitate an activity other than farming activity where that activity is a permitted activity or land use consent has been obtained or is being sought simultaneously.

6.5 Amend Non-Complying Discretionary Activities– Subdivisions Rule 5a and add new rule 5b and 5c as follows:

5. Non-Complying Activities – Subdivision

- 5.a Any subdivision outside the Mackenzie Basin Subzone which does not comply with one or more Primary Subdivision Standards shall be a **Non-complying Activity**.
- 5.b Except for within identified Farm Base Areas within the Mackenzie Basin Subzone (refer Appendix S), any subdivision on any site within the Lakeside Protection Area identified on the Planning Maps shall be a **Non-complying Activity**.
- 5.c Any subdivision within the Mackenzie Basin Subzone which is not listed as a Permitted, Controlled, Restricted Discretionary or Discretionary Activity.

6.6 Amend Primary Subdivision Standards 6.a Allotment Size, 6.a.ii Unsewered Areas, 6b Water Supply and 6d Energy Supply and Telephone Systems as follows:

6 Primary Subdivision Standards

6.a Allotment Size

6.a.ii Unsewered Areas

- In Residential 1 Zones where public reticulation is not available, no allotments created by subdivision (including balance titles) shall have a net area less than 1500m².
- In Rural-Residential–Manuka Terrace Zone no lots created by subdivision (including balance titles) shall have a net area less than 4ha.

6.b Water Supply

All new allotments in the Residential, Rural Residential and Business Zones other than allotments for access, roads, utilities and reserves, shall be provided with a connection to a Council reticulated water supply laid to the boundary of the net area of the allotment, except where:

- 6.b.i there is no Council reticulation network and/or
- 6.b.ii there is no water available from a water scheme to supply the new allotments.

6.d Energy Supply and Telephone Systems

All new allotments in the Residential, Rural Residential and Business Zones, other than allotments for access, roads, utilities and reserves, shall be provided with connections to electric supply and telephone systems to the boundary of the net area of the allotment. Refer to Part 15 Utilities Rules for standards relating to lines.

6.7 Add the following new rule to Section 12 – Subdivision and Development Assessment Matters, Rule 11.2 Assessment Matters:

11.2.u Subdivision for farming activities (see definition), farm retirement dwellings (see definition), and non-farming activities.

- i. In the case of subdivision to create a separate title for a farm retirement dwelling, the extent to which the proposed building platform would allow the future dwelling to meet the assessment matters for farm buildings and farm retirement dwellings.
- ii. In the case of subdivision to facilitate farming activities, the extent to which the proposed lot(s) could provide sites for potential buildings associated with the identified farming purpose that would allow the buildings to meet the assessment matters for farm buildings.
- iii. In the case of subdivision for non-farming activities, the extent to which the proposed lot(s) could provide sites for the proposed buildings and associated development that meets the assessment matters for non-farm activities and buildings.
- iv. In all cases, the safety of the proposed access point to the road.

6.8 Renumber rules/clauses, references to these and any other consequential changes required as a result of amendments to the Subdivision and Development Rules

7. PLANNING MAP /APPENDIX AMENDMENTS

7.1 Insert Attachment 1 MACKENZIE BASIN SUBZONE into the Planning Maps.

7.2 Amend Planning Maps 51 and 33 by replacing the Twizel Water Supply Protection Zone area with the area identified Attachment 2.

- 7.3 **Insert Attachment 4 as Appendix S Farm Base Areas**
- 7.4 **Amend Planning Maps 32, 33 and 37 by rezoning the area identified in Attachment 5 from Rural to “Rural-Residential – Manuka Terrace Zone”**

8. MISCELLANEOUS AMENDMENTS

- 8.1 **Amend Section 9 HAZARDOUS SUBSTANCES Table 1 as follows:**

Table 1: Quantity Limits For Hazardous Substances Identified In Schedule 1

Residential, Rural Residential, Recreation A & P, Open Space H & G, And Pukaki Village Zones

- 8.2 **Amend Section 11 SIGNS Rule7 as follows:**

7 Signs In Rural Zones, Rural Residential Zones and Opuha Dam Zone

In addition to signs permitted in Rule 2, signs in Rural zones, Rural Residential zones and the Opuha Dam Zone, other than those listed in Rule 14 below shall be **Permitted Activities**, provided they comply with all of the following standards:

- 8.3 **Amend Section 12 SUBDIVISION, DEVELOPMENT AND FINANCIAL CONTRIBUTIONS clauses 6.a.iii and 6.a.v as follows:**

6.a.iii Boundary Adjustments

Notwithstanding 6.a.i and 6.a.ii above, where there are two separately saleable existing allotments, which have separate Certificates of Title, any adjustment of the boundaries shall be such that the resultant allotments are not less than the smallest that existed before the subdivision. In Residential and Rural Residential zones that allotments shall be contiguous or separated by a road.

6.a.v Access, Utilities, Roads and Reserves

Notwithstanding 6.a.i and 6.a.ii above, there shall be no specified minimum allotment sizes in any zone for allotments for access, utilities, reserves and roads.

- 8.4 **Amend Section 12 SUBDIVISION, DEVELOPMENT AND FINANCIAL CONTRIBUTIONS Secondary Subdivision Standards clause 7.b Property Access by amending the Table 7.b.i and adding a new clause 7.b.x as follows:**

Type of Road	Road Width(m) Min/max	Carriageway Width (m) Min/Max	Kerb & Channel	Footpath(s)
Rural Zone and Rural Residential Roads	15/20	6.2/6.5	-	-

7.b.x Access to allotments with the potential to accommodate more than 6 residential units shall be provided by way of a public road and not by private way or access lot.

8.5 Amend Section 12 SUBDIVISION, DEVELOPMENT AND FINANCIAL CONTRIBUTIONS Secondary Subdivision Standards clauses 7.d Provision for Land for Open Space and Recreation as follows:

7.d Provision of Land for Open Space and Recreation

Rate of Contribution - Residential Purposes

Where any subdivision creates separately saleable, additional allotments for residential or visitor accommodation purposes in Residential zones, Business zones, Special Purpose zones, Rural Residential Zone or the Rural zone, other than in the Aoraki/Mount Cook National Park, a cash contribution shall be made to the Council towards the provision of land for open space in the locality, land for recreational facilities and maintenance of recreational facilities and open space calculated as follows:

$$5\% \times (a-b) \times c$$

Where:

a = the number of allotments authorised by the subdivision consent and includes

- i Vacant allotments, including vacant parts of allotments for cross-leases and unit titles; and
- ii Allotments created after the erection of a household unit, or where the subdivision and building consent for the household unit are issued in conjunction with one another:

b = number of allotments in the land prior to the subdivision (which were held in separate Certificates of title or for which Certificates of title could be issued without consent of the Council) that when created (either pursuant to a resource consent or previous legislation) complied with the minimum subdivision standards for their respective zones or standards contained in the Plan

c = the average per allotment market value (\$) of all allotment's in the subdivision, determined at the date on which the subdivision is granted, as if the allotments had been subdivided in accordance with the subdivision consent. The value of land for the purposes of determining the average cash value of allotments shall reflect the value of the lots in the completed development

In the Rural Zone and Rural Residential Zone 5% of the average value of 1500m² of each lot assessed as a site for a residential unit.

In all other zones 5% of the average cash value of the allotments in the subdivision, excluding the area of allotments for roads, utilities, reserves, access and similar purposes.

All contributions shall be to the Council in cash, unless negotiated land purchases are made in conjunction with the subdivision.

This rule shall not apply to any subdivision for the purposes of farm worker accommodation.

Where, within the preceding 10 years:

- a subdivision of land creating the allotment(s) has made provision for land for open space and/or conservation in excess of a previous contribution assessment; or
- building(s) erected on the allotment(s) have paid a financial contribution towards the provision of land for land for open space and recreation

the excess contribution or the financial contribution from the building development shall be assessed as a credit and deducted from the value of the subdivision contribution.

8.6 Amend Section 12 SUBDIVISION, DEVELOPMENT AND FINANCIAL CONTRIBUTIONS 9 Provision for Open Space and Recreation – Residential and Visitor Accommodation Developments, clauses 9.a Application of Rules to Zones and 9.c Discretionary Activity as follows:

9.a Application of Rule to Zones

This rule applies to the following zones:

- i Residential zones
- ii Business zones
- iii Special Purpose zones
- iv The Rural Zone, other than in the Aoraki/Mount Cook National Park and Rural Residential zones

9.c Discretionary Activity

Any development which does not meet the standard of contribution specified in Standard 9b above shall be a Discretionary Activity.

8.7 Amend Section 14 TRANSPORTATION RULES 2.q Private Vehicle Access as follows:

2.q Private Vehicle Access

- i All private vehicular access to fee simple title allotments, cross leases, unit titles or leased premises shall be in accordance with the standards set out in the table below.

Table 6 - Private Vehicular Access

Zone	Potential No of Lots	Length	Legal Width (m)	Carriage-way Width (m)	Turning Area	Passing Bay	Footpaths
Residential	0-2	All lengths	3.5	3.0	Optional	Optional	Optional
Residential	3-6	0-50	4	3.5	Required	Required	Optional
Residential	3-6	Over 50	4.5	4.0	Required	Required	Required
Rural and Rural Residential	0-6	All Lengths	5.0	4.0	Required	Optional	Optional
All Other Zones	0-6	All Lengths	6.0	4.0	Required	Optional	Optional

- ii Minimum height clearance for private vehicular traffic access shall be 3.5m.
- iii Access to more than 6 allotments or residential units shall be provided by way of a road and not by a private way or access lot.

8.8 Amend Section 15 UTILITIES Standards for Permitted Activities Rules 1.2.b and 1.2c as follows:

- 1.2.b Any support structure for lines within Rural Zones and Rural Residential zones shall be setback a minimum distance of 15m from any intersection, measured parallel from the centreline of the carriageways, at the point where the roads intersect.
- 1.2.c No facility or support structure for telecommunication, radiocommunication and/or meteorological facilities shall exceed the following applicable maximum height (refer definition) above ground level:
 - 11m in Residential, and Pukaki Village Zone.
 - 20m in Rural, Rural Residential or Business Zones.

8.9 Amend Section 15 UTILITIES Rule 1.5 Discretionary Activities as follows:

1.5 Discretionary Activities

The following activities shall be **Discretionary Activities** throughout the District:

- a Any activity listed as a Permitted Activity which does not comply with any one or more Standards applying to that Activity shall be a Discretionary Activity, with the exercise of the Council's discretion being restricted to the matter(s) specified in that

- standard.
- b Any activity listed as a Permitted Activity which is located within the Lakeside Protection Area.
 - c Weather Radar.
 - d Lines and support structures for conveying electricity at a voltage exceeding 110KV and a capacity exceeding 100MVA.
 - e Any other utility not specifically listed as a Permitted or Discretionary Activity.