

IN THE ENVIRONMENT COURT OF NEW ZEALAND
I MUA I TE KŌTI TAIAO O AOTEAROA

Env-2025-CHC-

IN THE MATTER

of the Resource Management Act 1991
(the **RMA**)

AND

an appeal under clause 14 Schedule 1 of
the RMA

BETWEEN

MERIDIAN ENERGY LIMITED

Appellant

AND

MACKENZIE DISTRICT COUNCIL

Respondent

NOTICE OF APPEAL

Dated 2 September 2025

Solicitor acting:

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**Notice of appeal to Environment Court against parts of the decision
by Mackenzie District Council on Plan Changes 28 and 30 to the Mackenzie
District Plan**

To The Registrar
Environment Court
Christchurch

1. **MERIDIAN ENERGY LIMITED (Meridian)** appeals against parts of the Decisions of the Mackenzie District Council on:
 - (a) Plan Change 28 to the Mackenzie District Plan (“Hazards and Risks, Historic Heritage and Notable Trees, Variation 1 to Plan Change 26 and Variation 1 to Plan Change 27”); and
 - (b) Plan Change 30 to the Mackenzie District Plan (“Special Purpose Zones, Variation 2 to Plan Change 23, Variation 3 to Plan Change 26, and Variation 3 to Plan Change 27”).
2. Meridian made a submission and further submission on the plan changes.
3. Meridian is not a trade competitor for the purposes of section 308D of the RMA.
4. Meridian is directly affected by an effect of the subject of the appeal that—
 - (a) adversely affects the environment; and
 - (b) does not relate to trade competition or the effects of trade competition.
5. Meridian received notice of the final decision on the plan change by the Mackenzie District Council on 24 July 2025.
6. The decisions were made by a combined Hearings Panel of three independent commissioners appointed pursuant to section 34A(1) of the RMA, via two decision reports, both dated 24 July 2025 (collectively “the Decision”).

7. The part of the Decision appealed against is summarised in Column B of the table in **Attachment 1**. Areas of appeal relate to the following inclusive list of matters as they relate to activities within the Special Purpose Airport Zone which are also in the Hydro Inundation Hazard Overlay:
 - (a) AIRPZ-P2 Other Activities;
 - (b) AIRPZ-R3 Residential Unit / Residential Activity - Special Purpose Airport Zone;
 - (c) AIRPZ-R4 Staff Accommodation - Special Purpose Airport Zone;
 - (d) AIRPZ-R5 Aviation Related Visitor Accommodation - Special Purpose Airport Zone; and
 - (e) AIRPZ-R8 Activities Not Otherwise Listed - Special Purpose Airport Zone.
8. The reasons for the appeal are summarised in Column D of the table in **Attachment 1**, and include that the Decision fails to properly recognise and address that the Pūkaki Airport is within the Hydro Inundation Hazard Overlay, and so:
 - (a) fails to have particular regard to s 7(i) and (j) of the RMA, and is not consistent with Part 2 of the RMA;
 - (b) fails to give effect to the National Policy Statement for Renewable Electricity Generation 2011 or the Canterbury Regional Policy Statement;
 - (c) is inconsistent with the Strategic Objective ATC-O4 of the Mackenzie District Plan, and with the approach taken in the Hydro-Inundation Chapter of the Plan as reflected in decisions on Plan Change 28;
 - (d) fails to appropriately avoid reverse sensitivity effects on the Waitaki Power Scheme which could result from intensification of the scale enabled by the Decisions within parts of the Special

Purpose Airport Zone that are within the Hydro Inundation Hazard Overlay; and

- (e) fails to minimise risk to human health and property from hydro inundation.

9. Meridian seeks the following relief:

- (a) The relief in Column C of **Attachment 1**;
- (b) Such other alternative or consequential relief that is necessary or appropriate to address the substance of the matters addressed in the appeal or to achieve the outcomes in Meridian's submission and further submission and to implement the NPS-REG.

10. I attach the following documents to this notice:

- (a) Attachment 1 – Parts of the Decision appealed by Meridian Energy Limited's;
- (b) Attachment 2 - a copy of Meridian's submission and further submission;
- (c) Attachment 3 - A copy of the Decision; and
- (d) Attachment 4 - A list of names and addresses of persons to be served with a copy of this notice.

Date: 2 September 2025



Signature of Ellie Taffs

Senior Legal Counsel – RMA

Meridian Energy Limited

This document is filed by Ellie Taffs, Senior Legal Counsel – RMA, for the Appellant.

The Appellant's address for service is Level 2, Awly Building, 287/293 Durham Street North, Christchurch Central.

Documents for service on the Appellant should be:

- (a) Posted or left at the address for service; or
- (b) sent by email to ellie.taffs@meridianenergy.co.nz where less than 20 MB in size.

Any documents served on the Appellant's solicitor should also be served on the Appellant's counsel, Mr John Maassen at john@johnmaassen.com

Advice to recipients of a copy of this notice of appeal

How to become party to proceedings

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

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

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

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act. You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (see form 38).

How to obtain copies of documents relating to appeal

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

Advice

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

Attachment 1: Parts of the Decision on appeal on Plan Changes 28 and 30 appealed by Meridian Energy Limited

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
AIRPZ-P2 Other Activities	<p>“AIRPZ-P2 Other Activities</p> <p>Avoid non-airport related commercial, industrial and other activities unless they:</p> <ol style="list-style-type: none"> 1. Are compatible with the ongoing safe and efficient operation and function of airports; 2. Are compatible with the character and amenity values anticipated within the AIRPZ; and 3. Do not detract from the existing commercial centres in Takapō/Lake Tekapo or Twizel.” 	<p>The Appellant seeks the following amendments to Policy AIRPZ-P2.</p> <p>“AIRPZ-P2 Other Activities</p> <p><u>1.</u> Avoid non-airport related commercial, industrial and other activities unless they:</p> <p><u>1. i.</u> Are compatible with the ongoing safe and efficient operation and function of airports;</p> <p><u>1. ii.</u> Are compatible with the character and amenity values anticipated within the AIRPZ; and</p> <p><u>1. iii.</u> Do not detract from the existing commercial centres in Takapō/Lake Tekapo or Twizel.; and</p> <p><u>2. In the Hydro Inundation Hazard Overlay at the Pūkaki Airport avoid, as far as practicable, non-airport related activities where such activities may increase the</u></p>	<p>The Appellant considers that Policy AIRPZ-P2 fails to recognise and appropriately address that the Pūkaki Airport is in the Hydro Inundation Hazard Overlay. The policy is also inconsistent with the following:</p> <p>a. The decisions version of HI-O1 which states, “Development in the Hydro Inundation Hazard Overlay minimises risks to human health and property from hydro inundation, and avoids reverse sensitivity effects on hydro electricity generation activities”;</p> <p>b. The decisions version of HI-P1 which requires that changes to land use that may increase the likelihood or scale of harm to people or property from hydro inundation or the potential for reverse sensitivity effects are avoided far as practicable, and where it is demonstrated that</p>

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
		<p><u>likelihood or scale of harm to people or property from hydro inundation, or the potential for reverse sensitivity effects. Where it has been demonstrated that avoidance is not practicable, minimise the potential for harm.</u></p>	<p>avoidance is not practicable, the potential for harm is minimised;</p> <p>c. Strategic Objective ATC-O4 of the Mackenzie District Plan which states, “The local, regional and national benefits of the District’s renewable electricity generation and electricity transmission activities and assets are recognised and their development, operation, maintenance and upgrade are provided for and reverse sensitivity effects on those activities and assets are avoided” and</p> <p>d. Policy D in the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG) which reads “to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on consented and on existing renewable electricity generation activities”.</p> <p>Because the Pūkaki Airport is in the Hydro Inundation Hazard Overlay, the Appellant considers that providing for “non-airport related commercial, industrial and other activities” has the potential to inappropriately increase risks to human</p>

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
			<p>health and property from hydro inundation and increase the potential for reverse sensitivity effects on the Waitaki Power Scheme's hydro electricity generation activities.</p> <p>For the reasons identified above the appellant considers that non-airport related development in the Hydro Inundation Hazard Overlay at the Pūkaki Airport must be avoided as far as practicable, or otherwise the potential for harm must be minimised.</p>
AIRPZ-R3 Residential Unit / Residential Activity	"AIRPZ-R3 Residential Unit / Residential Activity Special Purpose Airport Zone Activity Status: PER Where: 1. The use is contained within an airport building and the	The Appellant seeks the following amendments to Rule AIRPZ-R3. "AIRPZ-R3 Residential Unit / Residential Activity Special Purpose Airport Zone Activity Status: PER	Rule AIRPZ-R3 permits the use of residential units ¹ and residential activities ² at the Pūkaki Airport (and other parts of the Special Purpose Airport Zone), provided that "The use is contained within an airport building and the maximum combined total gross floor area of any residential, staff accommodation and

¹ The Mackenzie District Plan adopts the same definition of "residential unit" as set in the National Planning Standard, and that is "means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities."

² The Mackenzie District Plan adopts the same definition of "residential activity" as set in the National Planning Standard, and that is "means the use of land and building(s) for people's living accommodation."

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
	<p>maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation does not exceed 150m².</p> <p>Activity status when compliance is not achieved with R3.1: DIS"</p>	<p>Where:</p> <ol style="list-style-type: none"> 1. The use is contained within an airport building and the maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation does not exceed 150m² <u>per site</u>. <p>Activity status when compliance is not achieved with R3.1 <u>outside the Hydro Inundation Hazard Overlay</u>: DIS</p> <p><u>Activity status when compliance is not achieved with R3.1 inside the Hydro Inundation Hazard Overlay: NC</u>"</p>	<p>aviation related visitor accommodation does not exceed 150m².</p> <p>However, the maximum floor area permitted for a "Residential Unit / Residential Activity" can be read as applying to any single airport building³. This would mean that where there were multiple airport buildings on a site, the permitted maximum floor area would apply to each building and the number of households residing on a site could increase accordingly.</p> <p>The Appellant considers that even though the Pūkaki Airport is within the Hydro Inundation Hazard Overlay, it is appropriate to allow limited residential activity of up to one residential household per site which will provide for residential use that is airport related. Correlatively, the Appellant considers that because of the risks posed to the Pūkaki Airport and reverse sensitivity effects it is inappropriate to allow more than one residential unit or residential activity per site at the Pūkaki Airport.</p>

³The definition of "airport building" adopted in Plan Change 30 is "any building constructed for the purpose of conducting an airport activity".

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
			<p>To permit more than one residential unit or residential activity per site at the Pūkaki Airport would inappropriately increase risks to human health and property from hydro inundation and increase the potential for reverse sensitivity effects on the Waitaki Power Scheme's hydro electricity generation activities.</p> <p>The Appellant considers that more than one residential unit or residential activity per site at the Pūkaki Airport should be a non-complying activity.</p> <p>For the preceding reasons, the Appellant considers that AIRPZ-R3 is not consistent with HI-O1, HI-P2 and ATC-O4 in the Mackenzie District Plan and Policy D in the NPS-REG.</p>
AIRPZ-R4 Staff Accommodation	<p>“AIRPZ-R4 Staff Accommodation</p> <p>Special Purpose Airport Zone</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The use is contained within an airport building and the 	<p>The Appellant seeks the following amendments to Rule AIRPZ-R4.</p> <p>“AIRPZ-R4 Staff Accommodation</p> <p>Special Purpose Airport Zone</p> <p>Activity Status: PER</p>	<p>Rule AIRPZ-R4 permits the use of airport buildings for staff accommodation at the Pūkaki Airport (and other parts of the Special Purpose Airport Zone) provided that “The use is contained within an airport building and the maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation</p>

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
	<p>maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation does not exceed 150m²; and</p> <p>2. The maximum building occupancy does not exceed six staff per night.</p> <p>Activity status when compliance is not achieved with R4.1 - R4.2: DIS"</p>	<p>Where:</p> <ol style="list-style-type: none"> 1. The use is contained within an airport building and the maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation does not exceed 150m² <u>per site</u>; and 2. The maximum <u>building nightly</u> occupancy does not exceed six staff per <u>night site</u>. <p>Activity status when compliance is not achieved with R4.1 - R4.2 <u>outside the Hydro Inundation Hazard Overlay</u>: DIS</p> <p><u>Activity status when compliance is not achieved with R4.1 – R4.2 inside the Hydro Inundation Hazard Overlay: NC</u>"</p>	<p>does not exceed 150m²" and the maximum building occupancy does not exceed six staff per night.</p> <p>However, Rule AIRPZ-R4 does not specifically apply the maximum floor area and maximum staff occupancy on a per site basis. For this reason, the maximum floor area and staff occupancy can be read as applying to any single airport building. This would mean that where there were multiple airport buildings on a site, the permitted maximum floor area and staff occupancy would apply to each building and the number of people occupying the site could increase accordingly.</p> <p>Further to this, Rules AIRPZ-R3, AIRPZ-R4 and AIRPZ-R5 in combination permit a maximum "building occupancy" of more than 12 people (i.e., 6 staff plus 6 aviation related guests plus a household with no size limit). If the permitted activity conditions are not applied on a per site basis, then the permitted nightly occupancy (resulting from multiple airport buildings per site) can be significantly more than this.</p>

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
			<p>The Appellant considers that because of the risks posed to the Pūkaki Airport from being within the Hydro Inundation Hazard Overlay it is not appropriate to permit a maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation that exceeds 150m² per site, and it is not appropriate to permit the occupancy of more than 6 staff per site. To do so would unnecessarily increase risks to human health and property from hydro inundation and increase the potential for reverse sensitivity effects on the Waitaki Power Scheme's hydro electricity generation activities.</p> <p>For the preceding reasons, the Appellant considers that AIRPZ-R4 is not consistent with HI-O1, HI-P2 and ATC-O4 in the Mackenzie District Plan and Policy D in the NPS-REG and that AIRPZ-R4 should clearly apply the permitted occupancy and floor area limits on a per site basis. Where such limits cannot be complied with at the Pūkaki Airport, the activity should be a non-complying activity.</p>

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
AIRPZ-R5 Aviation Related Visitor Accommodation	<p>“AIRPZ-R5 Aviation Related Visitor Accommodation</p> <p>Special Purpose Airport Zone</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The use is contained within an airport building and the maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation does not exceed 150m²; and 2. The maximum building occupancy does not exceed six guests per night. <p>Activity status when compliance is not achieved with R5.1 - R5.2: DIS”</p>	<p>The Appellant seeks the following amendments to Rule AIRPZ-R5.</p> <p>“AIRPZ-R5 Aviation Related Visitor Accommodation</p> <p>Special Purpose Airport Zone</p> <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The use is contained within an airport building and the maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation does not exceed 150m² <u>per site</u>; and 2. The maximum <u>building nightly</u> occupancy does not exceed six guests per <u>night site</u>. 	<p>Rule AIRPZ-R5 permits the use of airport buildings for aviation related visitor accommodation⁴ at the Pūkaki Airport (and other parts of the Special Purpose Airport Zone) provided that “The use is contained within an airport building and the maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation does not exceed 150m²” and the maximum building occupancy does not exceed six guests per night.</p> <p>However, Rule AIRPZ-R5 does not specifically apply the maximum floor area and maximum guest occupancy on a per site basis. For this reason, the maximum floor area and guest occupancy can be read as applying to any single airport building. This would mean that where there were multiple airport buildings on a site, the permitted maximum floor area and guest occupancy would apply to each building and the number of people</p>

⁴The definition of “Aviation Related Visitor Accommodation” adopted in Plan Change 30 is “means the use of a residential unit for visitor accommodation including any residential unit used as a holiday home where occupants arrive and depart by aircraft, including both fixed wing and helicopter.”

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
		<p>Activity status when compliance is not achieved with R5.1 - R5.2 <u>outside the Hydro Inundation Hazard Overlay</u>: DIS</p> <p><u>Activity status when compliance is not achieved with R5.1 - R5.2 inside the Hydro Inundation Hazard Overlay: NC</u></p>	<p>occupying the site could increase accordingly.</p> <p>Further to this, Rules AIRPZ-R3, AIRPZ-R4 and AIRPZ-R5 in combination permit a maximum “building occupancy” of more than 12 people (i.e., 6 staff plus 6 aviation related guests plus a household with no size limit). If the permitted activity conditions are not applied on a per site basis, then the permitted nightly occupancy (resulting from multiple airport buildings per site) can be significantly more than this.</p> <p>The Appellant considers that because of the risks posed to the Pūkaki Airport from being within the Hydro Inundation Hazard Overlay it is not appropriate to permit a maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation that exceeds 150m² per site, and it is not reasonable to permit the occupancy of more than 6 guests per site. To do so would inappropriately increase risks to human health and property from hydro inundation and increase the potential for reverse sensitivity effects on</p>

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
			<p>the Waitaki Power Scheme's hydro electricity generation activities.</p> <p>For the preceding reasons, the Appellant considers that AIRPZ-R5 is not consistent with HI-O1, HI-P2 and ATC-O4 in the Mackenzie District Plan and Policy D in the NPS-REG and that it should clearly apply the permitted occupancy and floor area limits on a per site basis. Where such limits cannot be complied with at the Pūkaki Airport, the activity should be a non-complying activity.</p>
AIRPZ-R8 Activities Not Otherwise Listed	<p>“AIRPZ-R8 Activities Not Otherwise Listed</p> <p>Special Purpose Airport Zone</p> <p>Activity Status: DIS”</p>	<p>The Appellant seeks the following amendments to Rule AIRPZ-R8.</p> <p>“AIRPZ-R8 Activities Not Otherwise Listed</p> <p>Special Purpose Airport Zone</p> <p><u>Outside the Hydro Inundation Hazard Overlay</u> Activity Status: DIS</p> <p><u>Inside the Hydro Inundation Hazard Overlay</u> Activity Status: NC”</p>	<p>The Appellant considers that Rule AIRPZ-R8 fails to recognise and inadequately addresses the fact that the Pūkaki Airport is in the Hydro Inundation Hazard Overlay. Also the Rule is inconsistent with HI-O1, HI-P2 and ATC-O4 in the Mackenzie District Plan and Policy D in the NPS-REG.</p> <p>Because the Pūkaki Airport is in the Hydro Inundation Hazard Overlay, the Appellant considers that providing for “Activities Not Otherwise Listed” inappropriately increases risks to human health and property from hydro inundation and increases the potential for reverse sensitivity effects on the Waitaki Power</p>

A: Part appealed	B: Commissioner's recommended provision	C: Relief sought by Appellant	D: Reasons for relief
			Scheme's hydro electricity generation activities. For these reasons, the Appellant seeks that the activity status for such activities at the Pūkaki Airport be non-complying.

**FURTHER SUBMISSION ON
PROPOSED PLAN CHANGES 28, 29 and 30
TO THE MACKENZIE DISTRICT PLAN
UNDER THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991**

To: Proposed Plan Changes 28, 29 and 30 to the Mackenzie District Plan
Mackenzie District Council
PO Box 52
Main Street
Fairlie 7949
districtplan@mackenzie.govt.nz

From: Meridian Energy Limited
PO Box 2146
Christchurch 8140

Attention: Andrew Feierabend
Phone: (03) 357 9731
Mobile: 021 898 143
Email: andrew.feierabend@meridianenergy.co.nz

Meridian Energy Limited (**Meridian**) makes the specific further submissions on Proposed Plan Changes 28, 29 and 30 to the Mackenzie District Plan (**PC28, PC29 and PC30**) that are set out in the attached document.

Meridian would like to be heard in support of its submissions.

In accordance with Clause 8(1)(b) of the First schedule of the Resource Management Act 1991 (**the Act**), Meridian has an interest in PC28, PC29 and PC30 that is greater than the interest of the general public.

Meridian could not gain an advantage in trade competition through this submission.

If other persons make a similar submission, then Meridian would consider presenting joint evidence at the time of the hearing.



Andrew Feierabend
For and on behalf of Meridian Energy Limited

Dated this 24 day of February 2025

FURTHER SUBMISSIONS OF MERIDIAN ON THE PROPOSED PC28, PC29 and PC30 TO THE MACKENZIE DISTRICT PLAN

PROPOSED PC28: Hazards and Risks, Historic Heritage, Notable Trees and Variation 1 to PC26 and Variation 1 to PC27					
Submitter Name	Sub No	Provision	Support/ Oppose	Reason	Relief sought
Springwater Trust	PC28.02.01	HI-R3	Oppose	<p>The submission seeks to change the activity status for residential visitor accommodation in that part of the Rural Lifestyle Zone that is in the Hydro Inundation Hazard Overlay. The change sought is from non-complying to permitted when a community response plan is completed in conjunction with Civil Defence and is made available to visitors on arrival at the accommodation, and the accommodation clearly displays actions required in the event of hydro inundation.</p> <p>Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter
Springwater Trust	PC28.02.02	All Hydro Inundation provisions	Oppose	<p>The submission requests that MDC apply a risk-based approach to ensuring that development in the Hydro Inundation Hazard Overlay minimises risks to human health and property from hydro inundation, and that the Hydro Inundation provisions of PC28 be reconsidered following application of a risk-based approach.</p> <p>Meridian considers that a risk-based approach has been applied in the notified Hydro Inundation provisions. While the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro</p>	Decline the relief sought by the submitter

				Inundation Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.	
Mary Murdoch	PC28.03.01	All Hydro Inundation provisions	Oppose	The submission seeks no additional control of activities at the Pūkaki Airport from what is in place today and application of a numerical measure of risk. Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.	Decline the relief sought by the submitter
Peter Finnegan	PC28.04.01	All Hydro Inundation provisions	Oppose	<p>It is unclear what specific relief is sought, and whether the relief relates to the risk of flooding or the risk of hydro inundation.</p> <p>If the relief sought by the submitter is to "change the risk status" of hydro inundation at the Pūkaki Airport to "low risk", Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process.</p> <p>Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter
James Leslie	PC28.05.01	All Hydro Inundation provisions	Oppose	The submission seeks no additional control of activities at the Pūkaki Airport from what is in place today and application of a numerical measure of risk.	Decline the relief sought by the submitter

				<p>Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	
Anthony Honeybone	PC28.08.01	All Hydro Inundation provisions	Oppose	<p>The submission seeks to either delete the Hydro Inundation section or amend it to ensure a risk-based approach is applied.</p> <p>Meridian considers that a risk-based approach has been applied in the notified Hydro Inundation provisions. While the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter
Grant and Natasha Hocken	PC28.12.01	All Hydro Inundation provisions	Oppose	<p>The submission seeks to delete the Hydro Inundation Hazard Overlay and to instead apply a risk-based approach.</p> <p>Meridian considers that a risk-based approach has been applied in the notified Hydro Inundation provisions. While the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter

Mackenzie Properties Ltd	PC28.13.01	All Hydro Inundation provisions	Oppose	<p>The submission seeks to delete the Hydro Inundation Hazard Overlay and to instead apply a risk-based approach.</p> <p>Meridian considers that a risk-based approach has been applied in the notified Hydro Inundation provisions. While the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter
High Country Properties Ltd	PC28.14.01	All Hydro Inundation provisions	Oppose	<p>The submission seeks to delete the Hydro Inundation Hazard Overlay and to instead apply a risk-based approach.</p> <p>Meridian considers that a risk-based approach has been applied in the notified Hydro Inundation provisions. While the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter
Fat Albert Ltd	PC28.23.01	All Hydro Inundation provisions	Oppose	<p>The submission requests that statements be made about the unlikely probability of a hydro dam breach (including use of a numerical measure of risk) and that no more controls be applied to the Pūkaki Airport area than are in place today.</p> <p>Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation</p>	Decline the relief sought by the submitter

				Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.	
John Ten Have	PC28.26.01	All Hydro Inundation provisions	Oppose	<p>The submission requests that no more controls be applied to the Pūkaki Airport area than are in place today.</p> <p>Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter
Heritage New Zealand Pouhere Taonga	PC28.27.17	HH-P2	Oppose	<p>The submission seeks to delete “<i>unacceptable</i>” from the policy.</p> <p>Meridian opposes this relief as it would leave the policy requiring that all adverse effects on historic heritage values are avoided. Meridian considers that this approach is too inclusive and unnecessarily restrictive. Meridian considers that avoidance of “<i>unacceptable adverse effects</i>” is appropriate and more consistent with the RMA and the NPS-REG.</p>	Decline the relief sought by the submitter
Natural Hazards Commission Toka Tu Ake	PC28.29.15	NH-P7	Oppose in part	<p>The submission seeks to amend NH-P7 so that “<i>Subdivision, land use and development of natural hazard sensitive buildings</i>” are “<i>avoided</i>” in the “<i>Fault Hazard (Subdivision) Overlay</i>” and the “<i>Ostler Fault Hazard Area Overlay</i>”.</p> <p>Meridian opposes the relief sought on the basis that ‘avoidance’ is unnecessarily restrictive and, concerning renewable electricity generation activities, the relief sought is not consistent with the NPS-REG. Meridian considers that NH-P7 as notified is appropriate as it requires ‘management’ of the risks “<i>to ensure land use enabled by subdivision does not result in an</i></p>	Decline the relief sought by the submitter

				<i>unacceptable risk to people and property" (NH-P7, bullet 1) and 'avoidance' of the risks "if the subdivision, use or development increases risks associated with the surface fault rupture that cannot be mitigated to an acceptable level". Meridian considers that this is a more appropriate risk-based approach.</i>	
Natural Hazards Commission Toka Tu Ake	PC28.29.18	NH-R4	Oppose	<p>The submission seeks that NH-R4 be retained, but that there is more 'clarification on what appropriate measures that have been incorporated into the design to provide for the continued operation of the infrastructure' entails.</p> <p>Meridian opposes this submission on the basis that there is insufficient detail of what the 'clarification' would contain and therefore Meridian is not able to determine the potential impact of the relief on its interests.</p>	Decline the relief sought by the submitter.
Natural Hazards Commission Toka Tu Ake	PC28.29.19	NH-R6	Oppose	<p>The submission requests that NH-R6 be retained, but that there is 'clarification on what appropriate measures that have been incorporated into the design to provide for the continued operation of the infrastructure' entails and what 'risks to the structural integrity of the critical infrastructure, major hazard facility, education facility or visitor accommodation activities can be appropriately managed' entails.</p> <p>Meridian opposes this submission on the basis that there is insufficient detail in the relief sought to determine the potential impact of the relief on Meridian's interests.</p>	Decline the relief sought by the submitter.
Michael Beauchamp	PC28.30.01	All Hydro Inundation provisions	Oppose	<p>The submitter seeks to remove a property (not specifically identified) from the Hydro Inundation Hazard Overlay or alternatively to exclude the same property from the proposed rules that apply to the Hydro Inundation Hazard Overlay.</p> <p>In the absence of knowing which property the submitter is referring to Meridian notes the following. Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation</p>	Decline the relief sought by the submitter

				provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.	
Transpower New Zealand Ltd	PC28.31.08	NH-P5	Support	<p>The submitter seeks to insert a new bullet point into NH-P5 as follows:</p> <p><i>“x. enable the operation, maintenance, repair, replacement, upgrading of critical infrastructure where the infrastructure does not increase flood risk on surrounding properties;”</i></p> <p>Meridian supports this relief for the same reasons as provided by the submitter.</p> <p>In addition, Meridian would support enabling the <i>development</i> of critical infrastructure where the infrastructure does not increase flood risk on surrounding properties. This would be consistent with the relief sought in submission PC28.56.05 concerning NH-P4.</p>	Accept the relief sought by the submitter and consider inclusion of “ <i>development</i> ” in the new bullet.
Transpower New Zealand Ltd	PC28.31.11	NH-R6	Support	<p>The submitter seeks insertion of an additional matter of discretion, i.e. “<i>Any positive effects from the proposal</i>”.</p> <p>Meridian supports the relief sought for the same reasons as given by the submitter.</p>	Accept the relief sought by the submitter
Jason Wakelin	PC28.32.01	All Hydro Inundation provisions	Oppose	<p>The submission requests that if the Hydro Inundation Hazard Overlay is to be retained then guidance to the risk likelihood should be provided; and that no more controls be applied to the Pūkaki Airport area than are in place today.</p> <p>Guidance on hydro inundation risks would be helpful to landowners. However, Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan’s Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately</p>	Decline the relief sought by the submitter

				assessed via a resource consent process. Meridian considers that this approach is appropriate.	
Chorus, Connexa, FortySouth, One NA and Spark	PC28.35.06	NH-O2	Oppose in part	<p>The submission requests that bullet 1 of NH-O2 be amended as follows:</p> <p><i>“1. Critical infrastructure is located and designed to be <u>as</u> resilient <u>as possible</u> to the effects of natural hazards, <u>while achieving the functional need or operational need of the critical infrastructure</u>”</i></p> <p>Meridian supports the addition of the reference to functional need and operational need for the same reasons as provided by the submitter.</p> <p>Meridian opposes reference to “<i>as possible</i>” as this would lead to an unnecessarily onerous objective. Meridian prefers either no reference to “<i>as possible</i>” or use of “<i>as practicable</i>” in its place.</p>	Accept the part of the relief seeking to insert “ <i>while achieving the functional need or operational need of the critical infrastructure</i> ”; and reject the part of the relief seeking to insert “ <i>as possible</i> ”.
Elizabeth Shadbolt	PC28.37.01	All Hydro Inundation provisions	Oppose	<p>The submission requests that no more controls be applied to the Pūkaki Airport area than are in place today.</p> <p>Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan’s Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter
Brent Lovelock	PC28.41.01	All Hydro Inundation provisions	Oppose	<p>The submission requests that MDC not proceed with the notified Hydro Inundation provisions.</p> <p>Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful</p>	Decline the relief sought by the submitter

				management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.	
Genesis Energy Limited	PC28.46.27	SUB-R7E	Support	Genesis seeks the insertion of a new matter of discretion addressing the potential for future activities on the site to raise or change the Potential Impact Classification (Low, Medium, High) under the Building Act 2004. Meridian supports the relief sought for the same reasons as provided by Genesis in their submission.	Accept the relief sought by Genesis Energy Limited.
Chris White	PC28.47.01	All Hydro Inundation provisions	Oppose	The submission seeks a review of risks from Hydro Inundation prior to settling on regulatory change. Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.	Decline the relief sought by the submitter.
Nick Ashley	PC28.48.01	All Hydro Inundation provisions	Oppose	The submission requests that the existing rules be retained. Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a	Decline the relief sought by the submitter.

				resource consent process. Meridian considers that this approach is appropriate.	
Alistair Shearer	PC28.53.01	All Hydro Inundation provisions associated with Lyford Land	Oppose	<p>The submission seeks deletion of the Hydro Inundation provisions that apply to Lyford Lane.</p> <p>Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter
Nova Energy Ltd	PC28.56.05	NH-P4	Support	<p>The submitter seeks to amend bullet 2 of NH-P4 to enable not just the <i>“operation, maintenance, repair, replacement, upgrading of critical infrastructure where the infrastructure does not increase flood risk on another site”</i> but also to enable the <i>“development”</i> of such infrastructure.</p> <p>Meridian considers that this amendment better supports achievement of NH-O1 and is more consistent with the RMA and the NPS-REG.</p>	Accept the relief sought by Nova Energy Ltd
Brent Mander	PC28.58.01	All Hydro Inundation provisions	Oppose	<p>The submission requests that the existing rules be retained.</p> <p>Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter

Rachel Trumper	PC28.59.01	All Hydro Inundation provisions	Oppose	<p>The submission seeks no additional control of activities at the Pūkaki Airport. Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter
Anna Carr	PC28.60.01	All Hydro Inundation provisions associated with Lyford Land	Oppose	<p>The submissions seeks re-evaluation of the Hydro Inundation provisions relating to Lyford Lane.</p> <p>Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter
Neville Cunningham	PC28.63.01	All Hydro Inundation provisions	Oppose	<p>The submission seeks no additional control of activities at the Pūkaki Airport. Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property warrant careful management of activities in the Mackenzie District Plan's Hydro Inundation Hazard Overlay. The notified Hydro Inundation provisions do not prohibit activities in the Hydro Inundation Hazard Overlay, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	Decline the relief sought by the submitter

Opupa Water Limited	PC28.64.10	NH-R5	Support	<p>The submitter seeks to amend NH-R5 to enable natural hazard mitigation works undertaken by operators of critical infrastructure. The relief sought by the submitter is inserting "<i>or an operator of critical infrastructure</i>" into NH-R5.2 and NH-R5.3.</p> <p>Meridian considers that this is necessary given the need to protect critical infrastructure from natural hazards, and that natural hazard mitigation works may not be seen to be part of the critical infrastructure itself (i.e. may not be seen to be regulated by NH-R4).</p>	Accept the relief sought by Opupa Water Limited
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Proposed PC29 - Open Space & Recreation Zones, Noise, Signs & Temporary Activities, Variation 1 to PC23, Variation 2 to PC26 & Variation to PC27					
Submitter Name	Sub No	Provision	Support/ Oppose	Reason	Relief sought
New Zealand Agricultural Aviation Association	PC29.04.06	New NOISE objective	Support	<p>The submitter seeks insertion of a new objective addressing reverse sensitivity effects.</p> <p>Meridian supports the new objective for the same reasons as given by the submitter.</p>	Accept the relief sought by New Zealand Agricultural Aviation Association
New Zealand Helicopter Association (Tony Michelle)	PC29.05.04	New NOISE objective	Support	<p>The submitter seeks insertion of a new objective addressing reverse sensitivity effects.</p> <p>Meridian supports the new objective for the same reasons as given by the submitter.</p>	Accept the relief sought by New Zealand Helicopter Association
Nicki McMillan	PC29.09.01	New NOISE objective	Support	The submitter seeks insertion of a new objective addressing reverse sensitivity effects.	Accept the relief sought by the submitter

				Meridian supports the new objective for the same reasons as given by the submitter.	
Opuha Water Limited	PC29.28.03	NOISE – P2	Support	<p>The submitter seeks insertion of “<i>critical infrastructure</i>” in the list of activities that are to be protected from reverse sensitivity effects.</p> <p>Meridian supports this submission for the same reasons as given by the submitter.</p>	Accept the relief sought by Opuha Water Limited.
Opuha Water Limited	PC29.28.06	NOISE – R13	Support	<p>The submitter seeks insertion of noise “<i>generated by the use of motorised craft for infrastructure inspections or natural and physical resource monitoring required by statutory or regulatory instruments</i></p> <p>to the list of permitted activity conditions in NOISE-R13. The submitter also seeks that the permitted activity conditions 1(a) and 1(b) of NOISE-R13 include a clear reference to the time-period during which the stated noise limits apply. Concerning the latter, there appears to be a typo in the notified version of the provision.</p> <p>Meridian supports this submission for the same reasons as given by the submitter.</p>	Accept the relief sought by Opuha Water Limited.
Opuha Water Limited	PC29.28.07	NOISE – R17	Support	<p>The submitter seeks insertion of “<i>or critical infrastructure</i>” to the activities being protected from reverse sensitivity by NOISE-R17.</p> <p>Meridian supports this submission for the same reasons as given by the submitter.</p>	Accept the relief sought by Opuha Water Limited.

Proposed PC30 - Special Purpose Zones, Variation 2 to PC23, Variation 3 to PC26 and Variation 3 to PC27					
Submitter Name	Sub No	Provision	Support/ Oppose	Reason	Relief sought
Heliventures New Zealand Ltd	PC30.02.01 PC30.02.02 PC30.02.03 PC30.02.04 PC30.02.05 PC30.02.06 PC30.02.07	All provisions in PC30 that address residential, staff and commercial visitor accommodation at Pūkaki Airport	Oppose	<p>The submitter seeks to amend the objectives, policies, rules, standards and associated definitions to ensure that a suitable level of residential, staff and commercial visitor accommodation are enabled. The submitter offers some amendments to provisions but notes that they will provide more detailed amendments in their planning expert's evidence.</p> <p>The submitter is seeking to ensure that any residential, staff, visitor accommodation development is subject to:</p> <ul style="list-style-type: none"> • A higher gross floor space threshold. • Has a default restricted discretionary activity status, with matters of discretionary that guide the assessment of the application. • A no-complaints covenant registered on the site's record of title that would prevent owners and occupiers complaining or objecting to airport activity. • A management plan to ensure that customers are made aware of the no complaints covenant and kept safe from aircraft activities. <p>Meridian opposes the submissions and relief sought.</p> <p>The submission of Heliventures New Zealand Ltd does not recognise the potential consequences of possible hydro inundation (as identified in the Hydro Inundation Chapter of PC28) on the activity that is the subject of their submission.</p> <p>Meridian considers that while the probability of a dam breach is very low, the potential consequences of a breach to life and property at the Pūkaki Airport warrant careful management of activities in the Mackenzie District Plan.</p>	Constrain activities undertaken at the Pūkaki Airport to core airport and airport related activities only, as set out in Meridian's submission on PC28 and PC30.

				<p>The notified Hydro Inundation and Airport Special Purpose Zone provisions do not prohibit activities in the Hydro Inundation Hazard Overlay and Airport Special Purpose Zone, rather where activities are not permitted, they require that the activity be appropriately assessed via a resource consent process. Meridian considers that this approach is appropriate.</p>	
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Address List of Submitters Referenced in this Further Submission

Submitter	Address for Service (email and postal)	
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Anna Carr	anna.carr@otago.co.nz	PO Box 386 Twizel
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Brent Lovelock	brent.lovelock@otago.ac.nz	77 Eglinton Road, Dunedin
Brent Mander	base@zell.nz	
Chorus, Connexa, FortySouth, One NZ & Spark	tom@incite.co.nz	C/- Tom Anderson, Incite, PO Box 2058, Wellington 6140
Chris White	chris@greenstonefund.com	50 Rhoboro Road, Twizel 7901
Elizabeth Shadbolt	liz.shadbolt@outlook.com	9 Avro Avenue, Pukaki Airport, Twizel
Fat Albert Ltd (Alison and Keith Hatton)	alijhatton@gmail.com	Alison & Keith Hatton, 6 Dakota Drive, Pukaki
Genesis Energy Limited	mhairi.rademaker@genesisenergy.co.nz	Mhairi Rademaker, Genesis, PO Box 9180, Hamilton 3204
Grant and Natasha Hocken	grant@mackenzieproperties.co.nz	PO Box 70, Twizel
Heliventures New Zealand Limited	mark@perspective.net.nz	Perspective Consulting Ltd, 15 Church Street, Timaru 7940
Heritage New Zealand Pouhere Taonga	mbisnar@heritage.org.nz	Mitzie Bixnar, Heritage New Zealand Pouhere Taonga, PO Box 4403, Christchurch Mail Centre 8140
High Country Properties Ltd	grant@mackenzieproperties.co.nz	Grant Hocken, High Country Properties Ltd, PO Box 70, Twizel
James Leslie	james@robel.co.nz	PO Box 147 Twizel, 7944
Jason Wakelin	home@wakelinfamily.co.nz	PO Box 69174, Lincoln
John Ten Have	john.tenhave@gmail.com	4 Dakota Drive, Pukaki
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Mary Murdoch	mary@pukakiairlodge.co.nz	PO Box 352, Twizel 7944

Michael Beauchamp	mikezqn@gmail.com	PO Box 342, Twizel
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Neville Cunningham	contact@mtcooktrophyhunting.co.nz	310 spur Road, RD5, Timaru 7975
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New Zealand Helicopter Association	eonzaaa@aviationnz.co.nz	NZ Helicopter Association, PO Box 2096, Wellington, 6140, Attn: Tony Michelle
Nick Ashley	nickashley172@gmail.com	64 Sioux Avenue, Wigram, Christchurch 8042
Nicki McMillan	nicki@heliventuresnz.com	PO Box 241, Oamaru 9444
Nova Energy Ltd	atapsell@toddcorporation.com	Adam Tapsell, Nova Energy Ltd, Level 15, The Todd Building, 95 Customhouse Quay, Wellington 6011
Opupa Water Limited	georgina@gressons.co.nz lucy@gressons.co.nz	C/- Gresson Dorman & Co, PO Box 244, Timaru 7940, Attn: Georgina Hamilton & Lucy O'Brien
Rachel Trumper	rachel.trumper@callplus.net.nz	627 Levels Plain Road, RD5, Timaru 7975
Springwater Trust	ray@hugoandbland.co.nz	Springwater Trust (Ray Parker), PO Box 328 Twizel 7944
Transpower New Zealand Ltd	ainsley@amconsulting.co.nz environment.policy@transpower.co.nz	C/- Ainsley McLeod, 8 Aikmans Road, Merivale, Christchurch 8014

**SUBMISSION ON
PROPOSED PLAN CHANGES 28, 29 and 30
TO THE MACKENZIE DISTRICT PLAN
UNDER THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991**

To: Plan Changes 28, 29 and 30 to the Mackenzie District Plan
Mackenzie District Council
PO Box 52
Main Street
Fairlie 7949
districtplan@mackenzie.govt.nz

From: Meridian Energy Limited
PO Box 2146
Christchurch 8140

Attention: Andrew Feierabend
Phone: (03) 357 9731
Mobile: 021 898 143
Email: andrew.feierabend@meridianenergy.co.nz

Meridian Energy Limited (**Meridian**) makes the general and specific submissions on Proposed Plan Changes 28, 29 and 30 to the Mackenzie District Plan (hereafter referred to as **PC28, PC29 and PC30**) that are set out in the attached document.

Meridian confirms that its submissions do not relate to trade competition or the effects of trade competition.

Meridian would like to be heard in support of its submissions.

If other persons make a similar submission, then Meridian would consider presenting joint evidence at the time of the hearing.



Andrew Feierabend
For and on behalf of Meridian Energy Limited

Dated this 22nd day of January 2025

STRUCTURE OF SUBMISSION

1. This submission is structured as follows:
 - Part One: About the submitter;
 - Part Two: Context for Meridian's submissions; and
 - Part Three: Relief sought.
2. All of Parts 1 to 3 (inclusive) of this submission are to be read together, and together they form Meridian's submissions on PC28, PC29, and PC30.

PART ONE: ABOUT THE SUBMITTER

3. Meridian is a limited liability company listed on the New Zealand Stock Exchange, with 51% of the company owned by the New Zealand Government. It is one of the three companies formed from the split of the Electricity Corporation of New Zealand on the 1st of April 1999. Meridian's core business is the generation, marketing, trading and retailing of electricity and the management of associated assets and ancillary structures in New Zealand. As well as being New Zealand's largest generator of electricity, Meridian is also the country's largest generator of renewable electricity.
4. Meridian has a significant interest in the Mackenzie District Plan, with large parts of the nationally significant Waitaki Power Scheme (hereafter referred to as the **WPS** or **the Scheme**) being located in the district.
5. The Scheme consists of eight power stations, four canal systems and numerous dams, weirs, gates and other control structures that operate as a linked hydroelectricity generation chain. The chain includes large, modified storage lakes, a series of diversions via canals, and a cascade of in-river dams.
6. Of the eight power stations, Meridian owns and operates six of these, from Lake Pūkaki to Lake Waitaki. The portion of the Scheme that lies above Lake Ohau, the Ohau River and Lake Ruataniwha resides in the Mackenzie District.
7. The scheme was progressively constructed between 1928 and 1985. It contributes an average of 18% of New Zealand's annual electricity supply, and at times this can be as high as 30% of the national requirement. The scheme supports the HVDC link (which starts at the Benmore Power Station and connects the electricity networks of the North and South Islands) along with additional essential ancillary services.
8. The national significance of the WPS is established in the National Policy Statements for Renewable Electricity Generation 2011 (**NPS-REG**) and for Freshwater 2020 (**NPS-FM**).

PART TWO: CONTEXT FOR MERIDIAN'S SUBMISSIONS

9. Meridian has previously advised Mackenzie District Council on the energy related provisions in recent plan changes. Meridian considers that such provisions need to fully reflect the importance of renewable electricity generation in New Zealand and the need to protect the existing WPS.
10. In 2011, New Zealand recognised the vital role that renewable electricity generation plays in reducing greenhouse gas emissions, and the growing demand for renewable electricity generation in New Zealand. In response, the NPS-REG was Gazetted, with the objective of

recognising “*the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand’s electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government’s national target for renewable electricity generation*”.

11. In 2016 New Zealand ratified the Paris Agreement with the long-term goal of keeping the increase in the global average temperature to below 2°C above pre-industrial levels and to pursue efforts to limit the increase to 1.5°C. In 2019 New Zealand’s Climate Change Response (Zero Carbon) Amendment Act 2019 was passed and set into law a domestic target of net zero emissions of long-lived greenhouse gases (other than biogenic methane) by 2050. In the same year, the Climate Change Commission was established to provide independent, evidence-based advice to the Government to help the transition to a climate-resilient and low emissions future. The previous government had the goal of 100% of electricity generated in New Zealand being from renewable resources by 2030. The current government has not proposed changes to this goal, rather they have committed to doubling renewable electricity generation by 2050 as a key component to achieving the ‘net zero 2050’ target. With this, the Government has committed to a range of regulatory changes to better enable the development of renewable electricity generation.¹
12. Section 75(3) of the Resource Management Act 1991 (**the Act**) requires that all district plans must give effect to a national policy statement. Accordingly, PC28, PC29 and PC30 must give effect to the NPS-REG (amongst other national policy statements).
13. As discussed previously, the objective of the NPS-REG is to recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, so that the proportion of New Zealand’s electricity generated from renewable energy sources increases to meet or exceed the New Zealand Government’s national target for the same.
14. The preamble of the NPS-REG recognises “*The contribution of renewable electricity generation, regardless of scale, towards addressing the effects of climate change plays a vital role in the wellbeing of New Zealand, its people and the environment*”. Consistent with this, Policy A of the NPS-REG recognises the national significance of “*maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions*” and Policy 4 of the NPS-FM requires that “*Freshwater is managed as part of New Zealand’s integrated response to climate change*”.
15. Accordingly, to give effect to the NPS-REG, plan changes PC28, PC29 and PC30 must provide for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities. At the same time, decision makers must have particular regard to protecting the assets and operational capacity of existing renewable electricity generation activities and to the need for significant development of new renewable electricity generation activities.
16. The NPS-REG also requires that decision makers have particular regard to the need to locate the renewable electricity generation activity where the renewable energy resource is available; the logistical or technical practicalities associated with developing, upgrading,

¹ *Our journey towards net zero, New Zealand’s second emissions reduction plan 2026-30, Tā Aotearoa mahere whakahēke tukunga tuarua, December 2024, page 37*

operating or maintaining the renewable electricity generation activity; and the need to connect renewable electricity generation to the national grid (amongst other matters).

17. Policy C2 of the NPS-REG requires that when decision makers are considering any residual effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated, they must have regard to offsetting measures or environmental compensation, including measures or compensation that benefit the local environment and community affected.
18. In addition to the NPS-REG, sections 7(i) and 7(j) of the Act expressly require that all persons exercising functions and powers under the Act, in relation to managing the use, development, and protection of natural and physical resources, have particular regard to the effects of climate change and the benefits to be derived from the use and development of renewable energy.
19. The vital role that renewable electricity generation plays in combating climate change is also reflected in the National Policy Statement for Indigenous Biodiversity (**NPS-IB**) which explicitly excludes the development, operation, maintenance or upgrade of renewable electricity generation assets and activities from the application of the NPS-IB (clause 1.3(3) of the NPS-IB).
20. PC28, PC29 and PC30 go some way towards meeting the requirements of the NPS-REG and sections 7(i) and 7(j) of the Act, however Meridian considers that they do not go far enough. In particular, Meridian considers that the following changes to PC28, PC29 and PC30 are needed:
 - a) Stronger prevention of new activities resulting in reverse sensitivity effects against existing renewable electricity generation activities;
 - b) Greater provision for subdivision, use and development of land for critical infrastructure needs, including consideration of the positive effects resulting from such activities;
 - c) Greater recognition of and provision for the functional needs and operational needs of renewable electricity generation activities; and
 - d) Stronger provisions to address the risks posed by the Pukaki Airport being within the Hydro Inundation Hazard Overlay.

PART THREE: RELIEF SOUGHT

21. Based on the preceding context, Appendices 1, 2 and 3 of this submission set out Meridian's support for or opposition to specific provisions in PC28, PC29 and PC30, and the relief sought. With this, Meridian accepts that consequential amendments to these plan changes and other parts of the Mackenzie District Plan may be needed to give full effect to their submissions and seeks that such amendments are made where necessary.

APPENDIX 1

PC28 – Hazards and Risks, Historic Heritage, Notable Trees and Variation 1 to PC26 and Variation 1 to PC27

PC28 Provision	Support or Oppose	Reasons	Relief Sought
Definition – critical infrastructure (in relation to Natural Hazards Chapter only)	Oppose in part	<p>The proposed new definition reads:</p> <p><i>Those necessary facilities, services, and installations which are critical or of significance to either New Zealand, Canterbury, or Mackenzie, which if interrupted, would require immediate reinstatement. Critical infrastructure includes:</i></p> <ul style="list-style-type: none"> a. <i>Strategic transport network</i> b. <i>Telecommunication and radio communications networks</i> c. <i>National, regional and local electricity generation activities</i> d. <i>The National Grid and electricity distribution networks including emergency electricity supply facilities</i> e. <i>Public and community wastewater collection, treatment and disposal networks</i> f. <i>Public and community land drainage infrastructure</i> g. <i>Public and community stormwater infrastructure</i> h. <i>Public and community potable water and fire fighting supply systems</i> 	<p>Amend the definition of <i>critical infrastructure (in relation to Natural Hazards Chapter only)</i> as follows:</p> <p><i>critical infrastructure (in relation to Natural Hazards Chapter only)</i></p> <p><i>Infrastructure that is necessary to provide Those necessary facilities, services, and installations which are critical or of significance to either New Zealand, Canterbury, or Mackenzie, which if interrupted, would have a significant effect on communities within the Mackenzie District, Canterbury region or wider populations and which would require immediate reinstatement. This includes any structures that support, protect or form part of critical infrastructure. Critical infrastructure includes.....</i></p>

	<ul style="list-style-type: none"> i. <i>Public and community-scale irrigation and stockwater infrastructure</i> j. <i>Gas storage and distribution infrastructure</i> k. <i>Bulk fuel supply infrastructure including terminals, and pipelines</i> l. <i>New Zealand Defence Force facilities</i> m. <i>Emergency Services facilities</i> n. <i>Healthcare facilities</i> o. <i>Airports.</i> <p>Meridian considers that the definition comprehensively identifies infrastructure types that are critical to ensuring the resilience of communities to the effects of natural hazard events and is therefore consistent with references to <i>critical infrastructure</i> in the Canterbury Regional Policy Statement.</p> <p>At the same time, Meridian considers that clarity of the chapeau to the list could be improved by more closely adopting the Canterbury Regional Policy Statement's definition for the same term, in particular by specifically stating that the definition includes <i>any structures that support, protect or form part of critical infrastructure</i>.</p> <p>Further to this, use of the term <i>critical infrastructure</i> is only used in the NH chapter of the notified version of PC28 meaning, it is not necessary to include "<i>(in relation to Natural Hazards Chapter only)</i>" in the term being defined. In addition, Meridian's submissions on other parts of PC28, PC29 and PC30 consider the term <i>critical infrastructure</i> and its proposed definition is useful in</p>	
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		some provisions beyond those address NH matters. This further supports	
HAZS-O1 Use and storage of hazardous substances	Oppose in part	<p>HAZS-O1 reads:</p> <p><i>The benefits of the use and storage of hazardous substances are recognised while protecting human health and the environment from risks associated with these activities.</i></p> <p>This objective is too broad. Not all risks need to be eliminated to ensure the health and safety of people and the environment.</p> <p>Meridian seeks insertion of “<i>by minimising</i>”, where minimising is understood to mean ‘<i>to reduce to the smallest amount reasonably practicable</i>’. Insertion of these words allows for consideration of both the cost of reducing risk and the associated benefits to be gained from the reduction in risk.</p>	<p>Amend HAZS-O1 as follows:</p> <p><i>The benefits of the use and storage of hazardous substances are recognised while protecting human health and the environment from<ins>by</ins> <u>minimising</u> risks associated with these activities.</i></p>
HAZS-O2 Sensitive activities	Oppose in part	<p>HAZS-O2 aims to both protect existing major hazard facilities from the reverse sensitivity effects that can result from new sensitive activities locating close to the former and protect existing sensitive activities from new major hazard facilities.</p> <p>Regarding protection of existing sensitive activities from new major hazard facilities, this is generally addressed in HASZ-O1.</p> <p>Meridian considers that HAZS-O2 should focus on protecting existing major hazard facilities from the reverse sensitivity effects that can result from new sensitive activities locating close to the former.</p>	<p>Amend HAZS-O2 as follows:</p> <p><u>HASZ-O2 Reverse Sensitivity Effects Sensitive Activities</u></p> <p><i>Reverse sensitivity effects of sensitive activities on existing major hazard facilities are managed, and unacceptable risks to the sensitive activity are avoided.</i></p>

HAZS-P3 Location of sensitive activities	Oppose in part	<p>HAZS-P3 aims to both protect existing major hazard facilities from the reverse sensitivity effects that can result from new sensitive activities locating close to the former and protect existing sensitive activities from new major hazard facilities.</p> <p>Regarding protection of existing sensitive activities from new major hazard facilities, this is addressed in HAZS-P2.</p> <p>Meridian considers that HAZS-P3 should focus on protecting existing major hazard facilities from the reverse sensitivity effects that can result from new sensitive activities locating close to the former.</p>	<p>Amend HAZS-P3 as follows:</p> <p><i>Ensure any new sensitive activity is separated from any existing major hazard facility to <u>minimise</u> <u>avoid</u> the potential for reverse sensitivity effects on the major hazard facility, <u>and</u> <u>avoid unacceptable risk to the sensitive activity</u>.</i></p>
HAZS-R3 Sensitive activities on a site adjoining a major hazard facility in all zones	Oppose	<p>HAZS-R3 reads</p> <p><i>Sensitive Activities on a Site Adjoining a Major Hazard Facility</i></p> <p><i>All Zones</i></p> <p><i>Activity Status: RDIS</i></p> <p><i>Matters of discretion are restricted to:</i></p> <ol style="list-style-type: none"> <i>The risks associated with locating in proximity to the major hazard facility that are identified in a Quantitative Risk Assessment; and</i> <p>Meridian is concerned that HAZS-R3 fails to clearly consider the potential reverse sensitivity effects of new sensitive activities on the effective and efficient operation and maintenance of existing major hazard facility and seeks that discretion be directly applied to such matters.</p>	<p>Amend HAZS-R3 as follows:</p> <p><i>Activity Status: RDIS</i></p> <p><i>Matters of discretion are restricted to:</i></p> <ol style="list-style-type: none"> <i>The risks associated with locating in proximity to the major hazard facility that are identified in a Quantitative Risk Assessment; and</i> <i>The potential reverse sensitivity effects of the sensitive activity on the effective and efficient operation and maintenance of major hazard facilities.</i>

HAZS-R4 Sensitive activities on the same site as a major hazard facility in all zones	Support	<p>HAZS-R4 makes the establishment of a sensitive activity on the same site as a major hazard facility in all zones a non-complying activity.</p> <p>Meridian supports this approach so as to avoid potential reverse sensitivity effects on the effective and efficient operation and maintenance of the major hazard facility.</p>	Retain HAZS-R4 as notified.
NH-O1 Risk from natural hazards	Oppose in part	<p>NH-O1 reads:</p> <p><i>New subdivision, land use and development:</i></p> <ol style="list-style-type: none"> 1. <i>is avoided in areas where the risks from natural hazards to people, property and infrastructure are assessed as being unacceptable; and</i> 2. <i>in all other areas, is undertaken in a manner that ensures that the risks of natural hazards to people, property and infrastructure are avoided or appropriately mitigated.</i> <p>Concerning critical infrastructure, Meridian considers that this objective is not consistent with Policy 11.3.4 of the Canterbury Regional Policy (CRPS) which states that:</p> <p><i>New critical infrastructure will be located outside high hazard areas unless there is no reasonable alternative...</i></p> <p>NH-O1 does not reflect that there may be functional needs or operational needs for critical infrastructure to be located in specific locations, including locations at risk of natural hazards. For this reason, Meridian seeks insertion of a new objective that recognises and provides for such needs.</p>	<p>Provide separate objectives, policies and rules that apply to critical infrastructure by:</p> <ol style="list-style-type: none"> 1. Amending NH-O1 as follows: <p><i>New subdivision, land use and development (<u>except when related to critical infrastructure</u>):</i></p> <ol style="list-style-type: none"> 1. <i>is avoided in areas where the risks from natural hazards to people, property and infrastructure are assessed as being unacceptable; and</i> 2. <i>in all other areas, is undertaken in a manner that ensures that the risks of natural hazards to people, property and infrastructure are avoided or appropriately mitigated.</i> <p>and</p> <ol style="list-style-type: none"> 2. Insert a new objective as follows: <p><u>NH-O1A Critical Infrastructure</u></p> <p><i>New subdivision, use and development of land for critical infrastructure avoids increasing the risks of natural hazards to people, property and infrastructure or, where avoidance is not</i></p>

			<u><i>practicable, mitigation measures minimise such risks.</i></u>
NH-O2 Critical infrastructure and specific buildings in Natural Hazard Overlays	Oppose in part	It is possible that some <i>critical infrastructure</i> will also fit into the definition of <i>major hazard facility</i> . There may be functional needs or operational needs for critical infrastructure to be located in specific places, including places at risk of natural hazards. For this reason, Meridian considers that NH-O2 (2) should be amended to be clear that it does not address a major hazard facility that is also critical infrastructure.	<p>Amend NH-O2 as follows:</p> <ol style="list-style-type: none"> <i>Critical infrastructure is located and designed to be resilient to the effects of natural hazards; and</i> <i>Major hazard facilities <u>(other than major hazard facilities that are also critical infrastructure)</u>, education facilities or visitor accommodation activities avoid locating in areas of high natural hazard risk associated with surface fault rupture where the effects on occupants and neighbours are assessed as being unacceptable</i>
NH-P4 Flood hazards	Support	<p>NH-P4 reads:</p> <p><i>Within the Flood Hazard Assessment Overlay Area (except High Flood Hazard Areas), enable:</i></p> <ol style="list-style-type: none"> <i>new non critical infrastructure, or the operation, maintenance, repair, replacement, upgrading of non critical infrastructure where the infrastructure does not increase flood risk on another site; and</i> <i>the operation, maintenance, repair, replacement, upgrading of critical infrastructure where the infrastructure does not increase flood risk on another site; and</i> 	Retain NH-P4 as notified.

		<p>3. <i>any other new subdivision, use and development only where every new natural hazard sensitive building has an appropriate floor level above the 500 year ARI design flood level.</i></p> <p>Meridian considers that this provision strikes an appropriate balance between enabling critical infrastructure in the Flood Hazard Assessment Overlay and minimising risks to human health and property associated with flooding.</p>	
NH-P5 High flood hazard area	Support	<p>Concerning critical infrastructure, NH-P5 requires that new critical infrastructure in a High Flood Hazard Area is avoided unless:</p> <ul style="list-style-type: none"> a. <i>there is a functional need or operational need to locate in that environment; and</i> b. <i>the infrastructure is designed to be resilient to flood hazard as far as is practicable; and</i> c. <i>the infrastructure is designed so as not to increase flood risk to people and property.</i> <p>Meridian considers that this provision strikes an appropriate balance between providing for critical infrastructure in the Flood Hazard Assessment Overlay and minimising risks to human health and property associated with flooding.</p>	Retain NH-P5 as notified.

NH-P8 Fault hazard risk to critical infrastructure and specific buildings	Oppose in part	<p>NH-P8 reads:</p> <ol style="list-style-type: none"> 1. <i>Critical Infrastructure only locates within the Fault Hazard (Critical Infrastructure) Overlay where:</i> <ol style="list-style-type: none"> a. <i>there is a functional need or operational need to locate in that environment; and</i> b. <i>the infrastructure is designed to be resilient to surface fault rupture hazard as far as is practicable.</i> 2. <i>Critical infrastructure, major hazard facilities, education facilities or visitor accommodation activities only locate within the Fault Hazard (Critical Infrastructure) Overlay where:</i> <ol style="list-style-type: none"> a. <i>the building can be designed to manage the risks to people and property, and buildings on adjoining sites, to an acceptable level.</i> <p>Meridian is concerned that provision 2. a. references <i>risk</i> too broadly, and this should be narrowed to read <i>risks resulting from a surface fault rupture hazard</i>.</p>	<p>Amend NH-P8 as follows:</p> <ol style="list-style-type: none"> 1. <i>Critical Infrastructure only locates within the Fault Hazard (Critical Infrastructure) Overlay where:</i> <ol style="list-style-type: none"> a. <i>there is a functional need or operational need to locate in that environment; and</i> b. <i>the infrastructure is designed to be resilient to surface fault rupture hazard as far as is practicable.</i> 2. <i>Critical infrastructure, major hazard facilities, education facilities or visitor accommodation activities only locate within the Fault Hazard (Critical Infrastructure) Overlay where:</i> <ol style="list-style-type: none"> a. <i>the building can be designed to manage the risks <u>resulting from a surface fault rupture hazard</u> to people and property, and buildings on adjoining sites, to an acceptable level.</i>
NH-R4 New critical infrastructure in the Flood Hazard Assessment Overlay	Support	<p>NH-R4 permits new critical infrastructure in the Flood Hazard Assessment Overlay where:</p> <ol style="list-style-type: none"> 1. <i>It is located outside a High Flood Hazard Area as stated in a Flood Hazard Assessment issued in accordance with NH-S1; and</i> 2. <i>The Flood Hazard Assessment is provided to Council.</i> 	Retain NH-R4 as notified

		<p>Where 1. and 2. cannot be achieved, the activity is RDIS and the matters of discretion are limited to:</p> <ol style="list-style-type: none"> a. <i>The extent to which infrastructure increases the natural hazard risk or transfers the risk to another site.</i> b. <i>The ability for flood water conveyance to be maintained.</i> c. <i>The extent to which there is a functional or operational requirement for the infrastructure to be located in the High Flood Hazard Area.</i> d. <i>The extent to which the location and design of the infrastructure can address relevant natural hazard risk and appropriate measures that have been incorporated into the design to provide for the continued operation of the infrastructure.</i> e. <i>Any positive effects from the proposal.</i> <p>Meridian considers that this provision strikes an appropriate balance between enabling critical infrastructure in the Flood Hazard Assessment Overlay and minimising risks to human health and property associated with flooding.</p>	
NH-R6 New critical infrastructure, major hazard facilities, education facilities and visitor accommodation	Oppose in part	<p>NH-R6 makes <i>new critical infrastructure</i> and <i>major hazard facilities</i> (amongst other activities) in the <i>Fault Hazard (Critical Infrastructure) Overlay</i> RDIS.</p> <p>The matters of discretion include (amongst others):</p> <ol style="list-style-type: none"> a. <i>The extent to which there is a functional need or operational need for the critical</i> 	<ol style="list-style-type: none"> 1. Retain matter of discretion a. as notified; and 2. Amend the matters of discretion by adding the following: <p style="color: red;"><i>e. Any positive effects from the proposal</i></p>

activities or extensions to existing critical infrastructure and major hazard facilities, education facilities and visitor accommodation activities in the Fault Hazard (Critical Infrastructure) Overlay		<p><i>infrastructure to be located in the Fault Hazard (Critical Infrastructure) Overlay.</i></p> <p>Meridian supports inclusion of a. and seeks that it be retained.</p> <p>Unlike NH-R4, the matters of discretion in NH-R6 do not include <i>Any positive effects from the proposal</i>. Meridian considers that to give effect to the NPS-REG, any positive effects from the proposal should be included in the matters of discretion in NH-R6. This amendment would ensure that an appropriate balance is struck between providing for critical infrastructure in the <i>Fault Hazard (Critical Infrastructure) Overlay</i> and minimising risks to human health and property.</p>	
NH-R8 Buildings and structures not otherwise provided for in the Ostler Hazard Area Overlay	Oppose in part	<p>Meridian is concerned that the <i>Fault Hazard (Critical Infrastructure) Overlay</i> lies over part of the area that is also covered by the <i>Ostler Fault Hazard Area Overlay</i>.</p> <p>Meridian considers that NH-R8 should be clear that critical infrastructure is not regulated by NH-R8, rather NH-R6 is the relevant rule.</p>	<p>Amend the activity descriptor of NH-R8 as follows:</p> <p><i>Buildings and Structures Not <u>Provided for by NH-R6 or</u> Otherwise Provided For</i></p>
HI Introduction	Oppose in part	<p>Meridian requests that the HI Introduction is amended to be clear that the Waitaki Power Scheme infrastructure both contains water (for example behind dams) and conveys water (for example through canals) for hydro electricity generation purposes.</p>	<p>Amend HI Introduction as follows:</p> <p><i>There are eight hydro electricity stations within the District that are part of the Waitaki Power Scheme, spread between Takapō / Lake Tekapo and Lake Waitaki. <u>These hydro-electricity stations</u> <u>The Waitaki Power Scheme's infrastructure</u> <u>contains and infrastructure</u> that conveys water to support hydro electricity generation that meets local, regional and national needs. While the infrastructure is</i></p>

			<i>managed under best practice dam safety assurance programmes, there remains a risk that failure can occur, for example as a consequence of an extreme earthquake. While the likelihood of a structural failure is very low, the consequences can be serious for people and property....</i>
HI-O1 Hydro Inundation Hazard	Support	Meridian considers that this provision strikes an appropriate balance between enabling landowners to develop and use their land and minimising risks to human health and property from possible hydro inundation. Further to this, HI-O1 also provides for the avoidance of reverse sensitivity effects which is generally consistent with the NPS-REG.	Retain HI-O1 as notified.
HI-P1 Development in Hydro Inundation Hazard Areas	Support	Meridian considers that this provision strikes an appropriate balance between enabling landowners to develop and use their land and minimising risks to human health and property from possible hydro inundation. Further to this, HI-P1 also provides for the avoidance of reverse sensitivity effects which is generally consistent with the NPS-REG.	Retain HI-P1 as notified
HI-R1 New occupied buildings in the GRUZ within the Hydro Inundation Hazard Overlay	Support	Meridian considers that this provision strikes an appropriate balance between enabling landowners to develop and use their land and minimising risks to human health and property from possible hydro inundation.	Retain HI-R1 as notified
HI-R2	Support	Meridian considers that this provision strikes an appropriate balance between enabling landowners to develop and use their land and minimising risks to	Retain HI-R2 as notified

Residential units in RLZ within the Hydro Inundation Hazard Overlay		human health and property from possible hydro inundation.	
HI-R3 Residential visitor accommodation in: GRUZ within the Hydro Inundation Hazard Overlay RLZ within the Hydro Inundation Hazard Overlay AIRPZ within the Hydro Inundation Hazard Overlay	Support	Meridian considers that this provision strikes an appropriate balance between enabling landowners to develop and use their land and minimising risks to human health and property from possible hydro inundation.	Retain HI-R3 as notified
HH-MD1 Maintenance and Repairs, Alterations and Additions	Oppose in part	<p><i>HH-R1 Maintenance and Repair of Items included in HH-SCHED2 and HH-R4 Additions and Alterations to the Exterior of Items included in HH-SCHED2 both rely on HH-MD1 Maintenance and Repairs, Alterations and Additions.</i></p> <p>Matter e. in HH-MD1 reads:</p> <p style="padding-left: 40px;"><i>“The extent to which the heritage fabric has been damaged by natural events, weather and environmental factors and the necessity of work to prevent further deterioration.”</i></p> <p>Meridian has recently had to repair an item listed in HH-SCHED2 that was damaged as a result of vandalism.</p>	<p>Either:</p> <ol style="list-style-type: none"> 1. Amend HH-MD1 e. as follows: <ul style="list-style-type: none"> e. <i>The extent to which the heritage fabric has been damaged by natural events, weather, and environmental factors and the necessity of work to prevent further deterioration.</i> <p>Or</p> <ol style="list-style-type: none"> 2. Amend HH-MD1 e. as follows: <ul style="list-style-type: none"> e. <i>The extent to which the heritage fabric has been damaged by natural events, weather,</i>

		<p>While in this instance the repairs did not require a resource consent, there is potential for future vandalism or accidental events (e.g. traffic damage to a bridge) to lead to the need to repair a heritage item in a manner that does not comply with the conditions in HH-R1.</p> <p>HH-MD1 e. includes the extent to which damage has resulted from certain types of factors; however, it is unclear that vandalism or accidents would be considered part of "<i>environmental factors</i>".</p> <p>Meridian seeks to remove the cause of damage from the matter of discretion as this is not relevant to considering the potential effects of any proposed maintenance and repair. By removing the reference to causes, the provision then focuses on the extent of damage and necessity of the repairs.</p>	<p><i>and environmental factors, accident or vandalism and the necessity of work to prevent further deterioration.</i></p>
TREE-P2 Protection of notable trees	Oppose in part	<p>PC28 includes Variation 1 to PC26 which makes all provisions in the TREE Chapter apply to REG activities.</p> <p>The provisions in the TREE chapter fail to give effect to the requirements of the National Policy Statement for Renewable Electricity. In particular, the TREE Chapter does not give effect to Policy A of the NPS-REG which requires that decision-makers recognise and provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities.</p>	<p>Amend TREE-P2 as follows:</p> <p><i>Protect as far as practicable any tree or group of trees listed in TREE-SCHED1 from the adverse effects of subdivision, land use and development, by considering:</i></p> <ol style="list-style-type: none"> <i>whether the subdivision, use or development provides for the protection of the tree or trees;</i> <i>methods to contain and control plant pathogens and diseases including measures for preventing the spread of soil and the safe disposal of plant material; and</i>

			<p>3. <i>the provision and implementation of a tree management plan in accordance with best arboricultural practice; and</i></p> <p>4. <i>the functional needs or operational needs to locate critical infrastructure in a place that would require the destruction or removal of any tree or group of trees listed in TREE-SCHED1.</i></p>
TREE-P5 Destruction or removal of notable trees	Oppose in part	<p>PC28 includes Variation 1 to PC26 which makes all provisions in the TREE Chapter apply to REG activities.</p> <p>The provisions in the TREE chapter fail to give effect to the requirements of the National Policy Statement for Renewable Electricity. In particular, the TREE Chapter does not give effect to Policy A of the NPS-REG which requires that decision-makers recognise and provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities.</p>	<p>Amend TREE-P5 as follows:</p> <p><i>Only allow the destruction or removal of Notable Trees listed in TREE-SCHED1, where:</i></p> <p>1. <i>the tree is certified as being dead or in terminal decline by a qualified arborist; or</i></p> <p>2. <i>the destruction or removal of the tree is necessary to avoid adverse effects of the tree on public safety, or damage to property or infrastructure; or</i></p> <p>3. <i>the use and enjoyment of a property and surrounds is significantly compromised or diminished; or</i></p> <p>4. <i>there is a functional need or operational need to locate critical infrastructure in a place that would require the destruction or removal of Notable Trees listed in TREE-SCHED1.</i></p>
SUB-R7E Subdivision where any part of any proposed allotment	Oppose in part	<p>Meridian generally supports new rule SUB-R7E, which addresses <i>Subdivision where any part of any proposed allotment is within the Hydro Inundation Hazard Overlay</i>,</p>	<p>1. Concerning the part of SUB-R7E that applies in the <i>General Rural Zone within the Hydro Inundation Hazard Overlay</i>, amend as follows:</p> <p><i>Activity Status: RDIS</i></p>

is within the Hydro Inundation Hazard Overlay	<p>however, Meridian considers that there is a drafting error in this rule.</p>	<p><i>Matters of discretion are restricted to:</i></p> <p>a. The potential effects of hydro inundation on people, buildings and structures.</p> <p>And the <u>Where the</u> activity complies with the following standards:</p> <p><i>SUB-S1 Allotment Size and Dimensions</i></p> <p><i>SUB-S2 Property Access</i></p> <p><i>SUB-S3 Water supply</i></p> <p><i>SUB-S4 Wastewater Disposal</i></p> <p><i>SUB-S5 Walkable Blocks</i></p> <p><i>SUB-S6 Corner Splays</i></p> <p><i>SUB-S7 Electricity Supply and Telecommunications</i></p> <p><i>SUB-S10 Stormwater Disposal</i></p> <p><i>PA-S1 Esplanade Requirements</i></p> <p><i>Matters of discretion are restricted to:</i></p> <p><u><i>The potential for the subdivision to increase adverse effects of hydro inundation on people, buildings and structures, and</i></u></p> <p><i>SUB-MD1 Design</i></p> <p><i>SUB-MD2 Infrastructure</i></p> <p><i>SUB-MD3 Water Supply</i></p> <p><i>SUB-MD4 Stormwater Disposal</i></p> <p><i>SUB-MD5 Transportation Networks</i></p>
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APPENDIX 2

PC29 – Open Space & Recreation Zones, Noise, Signs & Temporary Activities, Variation 1 to PC23, Variation 2 to PC26 & Variation to PC27

PC29 Provision	Support or Oppose	Reasons	Relief Sought
NOISE-O1 Noise	Oppose in part	<p>PC29 makes all provisions in the Noise Chapter apply to REG activities.</p> <p>As notified, NOISE-O1 can be read as inappropriately protecting the status quo. To achieve the objective, the functional needs and operational needs of critical infrastructure could be overlooked, and this would be inconsistent with the NPS-REG.</p> <p>Meridian prefers wording that focuses on ensuring that activities do not adversely affect the health and well-being of people and communities, similar to the Noise Objective in Section 14 - Temporary Activities and Buildings and Environmental Noise of the current MDP.</p>	<p>Either:</p> <ol style="list-style-type: none"> 1. Amend NOISE-O1 as follows: <p><i>The effects of noise Noise is consistent with the purpose, and anticipated character and qualities of the receiving environment, and maintains the are not adverse to the health and well-being of people and communities.</i></p> <p>Or</p> <ol style="list-style-type: none"> 2. Amend NOISE-O1 as follows, or with words of similar effect: <p><i>Noise is consistent with the purpose, and anticipated character and qualities of the receiving environment, <u>while recognising and providing for the functional needs and operational needs of critical infrastructure</u>, and maintains the health and well-being of people and communities.</i></p>
NOISE-P1 Noise effects	Oppose in part	<p>NOISE-P1 fails to recognise that critical infrastructure, such as renewable electricity generation, can have functional needs and operational needs to be located in particular places.</p> <p>For this reason, NOISE-P1 is not consistent with Policy A of the NPS-REG which requires that decision-makers</p>	<p>Amend NOISE-P1 as follows:</p> <p><i>Manage noise effects to maintain the character and amenity anticipated in the area in which the effects are received, taking into account the</i></p>

		recognise and provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities.	<i>nature, frequency, <u>and</u> duration and benefits of the activity generating the noise.</i>
NOISE-P2 Reverse sensitivity	Oppose in part	<p>NOISE-P2 fails to recognise that critical infrastructure, such as renewable electricity generation, can have functional needs and operational needs to be located in particular places and should be protected from reverse sensitivity effects.</p> <p>For this reason, NOISE-P2 is not consistent with Policy A of the NPS-REG which requires that decision-makers recognise and provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities.</p>	<p>Amend NOISE-P2 as follows:</p> <p><i>Manage noise sensitive activities in proximity to <u>critical infrastructure, State Highways and Airports</u>, and <u>within</u> the Town Centre Zone, to protect <u>such infrastructure and the Town Centre Zone</u> <u>them</u> from reverse sensitivity effects.</i></p>
NOISE-R1 Noise generating activity not otherwise listed	Support	<p>NOISE-R1 states that noise generating activities that are not otherwise listed are permitted activities where they do not exceed the limits set out in NOISE-TABLE 1. Where the limits in NOISE-TABLE 1 cannot be complied with, the activity is a RDIS, and the matters of discretion are limited to NOISE-MD1 Noise Effects. NOISE-MD1 Noise Effects includes <i>the benefits of the activity generating noise</i>.</p> <p>Meridian supports NOISE-R1 and considers that it goes some way to being consistent with the NPS-REG.</p>	Retain NOISE-R1 as notified.
NOISE-R17 Any new building containing a noise sensitive activity, or the alteration of an	Oppose in part	Meridian considers that the application of this rule needs to be extended to address noise sensitive activities within 500m of any critical infrastructure. This recognises that critical infrastructure, such as renewable electricity generation, can have functional needs and operational	<p>Amend NOISE-R17 as follows:</p> <p><i>Any New Building Containing a Noise Sensitive Activity, or the Alteration of an Existing Building which Creates a New Habitable Room, or the Use of an Existing Building for a New Noise Sensitive</i></p>

existing building which creates a new habitable room, or the use of an existing building for a new noise sensitive activity, within 500m of any special purpose airport zone	<p>needs to be located in particular places and should be protected from reverse sensitivity effects.</p> <p>Without protecting renewable electricity generation activities from the potential for reverse sensitivity effects to arise, the NOISE chapter is not consistent with Policy A of the NPS-REG which requires that decision-makers recognise and provide for the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities.</p>	<i>Activity, within 500m of any Special Purpose Airport Zone <u>or within 500m of any critical infrastructure</u></i>
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APPENDIX 3

PC30 – Special Purpose Zones, Variation 2 to PC23, Variation 3 to PC26 and Variation 3 to PC27

PC30 Provision	Support or Oppose	Reasons	Relief Sought
Definition of <i>Airport activity</i>	Support	<p>The notified definition of <i>Airport activity</i> reads:</p> <p><i>means land and buildings used wholly or partly for the landing, departure, and surface movement of aircraft (including fixed wing, helicopter, rotary, hot air balloons, and unmanned aerial vehicles) for aviation related activity including:</i></p> <ul style="list-style-type: none"><i>a. Aircraft take-off and landing operations.</i><i>b. Runways, taxiways, aircraft parking aprons, and other aircraft movement areas.</i><i>c. Commercial and general aviation including buildings and facilities for aircraft maintenance, servicing and testing, aircraft component manufacture, airport or aircraft training facilities, aviation schools and associated offices.</i><i>d. Aviation research and testing laboratories.</i><i>e. Terminal buildings and facilities for aircraft arrivals and departures including waiting rooms, booking facilities together with baggage and freight and including facilities for management and maintenance of the airport.</i>	Retain the definition of <i>Airport activity</i> as notified.

		<p><i>f. Hangars, air traffic control towers and facilities, navigation and safety aids, rescue facilities, lighting, car parking, air freight forwarding and air cargo warehousing, maintenance and service facilities, airline depots, cabin and catering services, fuel storage and fuelling facilities and facilities for the handling and storage of hazardous substances for the purpose of airport operation.</i></p> <p>Meridian considers that this list is comprehensive and reflects activities that for operational needs must be located in an airport facility.</p>	
Definition of <i>Airport building</i>	Support	<p>The notified definition of <i>Airport building</i> reads:</p> <p><i>means any building constructed for the purpose of conducting an airport activity.</i></p> <p>Meridian considers that, in combination with the definition of <i>airport activity</i>, the definition of <i>airport building</i> is comprehensive and appropriate.</p>	Retain the definition of <i>Airport building</i> as notified.
Definition of <i>Airport support activity</i>	Support	<p>The notified definition of <i>Airport support activity</i> reads:</p> <p><i>means land and buildings used for terminal support and airport accessory uses, such as car parking, conference rooms, restaurants, shops, recreation facilities, rental car storage and maintenance, service stations, bus and taxi terminals and other commercial activities which directly serve development and personnel at the airport. It does not include any accommodation related activity.</i></p>	Retain the definition of <i>Airport support activity</i> as notified.

		Meridian considers that this definition is comprehensive and appropriate.	
AIRPZ-O1 Zone purpose	Oppose in part	Concerning the Pūkaki Airport, Meridian is concerned that AIRPZ-O1 is too broad and could be read to include activities that are not related to airport activities, airport support activities and aviation related residential or visitor accommodation (for example, non-airport related commercial and industrial activities). Meridian considers that the potential risks posed by the location of the Pūkaki Airport in the Hydro Inundation Hazard Overlay warrants constraining the activities undertaken at the Pūkaki Airport to core airport and airport related activities only.	<p>1. Amend AIRPZ-O1 as follows, or words of similar effect:</p> <p><i><u>Concerning airports located outside the Hydro Inundation Hazard Overlay, the efficient use and development of airport zoned land and facilities to supports the economic and social well-being of Te Manahuna/the Mackenzie District.</u></i></p> <p>And</p> <p>2. Insert new objective AIRPZ-O1A as follows, or words of similar effect:</p> <p><i><u>Concerning airports located inside the Hydro Inundation Hazard Overlay, the efficient use and development of airport zoned land and facilities for airport activities, airport support activities, aviation related residential units or activities, or aviation related visitor accommodation supports the economic and social well-being of Te Manahuna/the Mackenzie District.</u></i></p>
AIRPZ-O2 Zone character and amenity values	Oppose in part	<p>Meridian considers that AIRPZ-O2 matter 1. duplicates the content of AIRPZ-O1 and should be deleted from AIRPZ-O2.</p> <p>Meridian considers that AIRPZ-O2 matter 2. is unclear in its use of “<i>and related supporting activities</i>”. This provision would be clearer by using the term “<i>airport support activities</i>” which is defined in PC30.</p>	<p>Amend AIRPZ-O2 as follows:</p> <p><i><u>The use of land within the AIRPZ is managed in a way that:</u></i></p> <p><i><u>1. Provides for economic and social benefits to the region;</u></i></p> <p><i><u>2. Recognises the functional needs and operational needs of airport activities and</u></i></p>

			<p><u>airport support activities and related supporting activities;</u></p> <ol style="list-style-type: none"> 3. <i>The efficient use and development of airports is not constrained or compromised by incompatible activities establishing within the AIRPZ; and</i> 4. <i>Achieves a high standard of amenity reflective of the role and function of the AIRPZ, but also does not compromise the landscape character and visual amenity of the surrounding Te Manahuna/Mackenzie Basin ONL.</i>
AIRPZ-P2 Other activities	Oppose	Concerning the Pūkaki Airport, Meridian is concerned that AIRPZ-P2 is too broad and could lead to the establishment of activities that are not related to airport activities, airport support activities and aviation related residential or visitor accommodation (for example, non-airport related commercial and industrial activities). Meridian considers that the potential risks posed by the location of the Pūkaki Airport in the Hydro Inundation Hazard Overlay warrants constraining the activities undertaken at the Pūkaki Airport to core airport and airport related activities only.	<ol style="list-style-type: none"> 1. Amend AIRPZ-P2 as follows: <p><u>Concerning airports located outside the Hydro Inundation Hazard Overlay, avoid</u> Avoid non-airport related commercial, industrial and other activities unless they:</p> <ol style="list-style-type: none"> 1. <i>Are compatible with the ongoing safe and efficient operation and function of airports;</i> 2. <i>Are compatible with the character and amenity values anticipated within the AIRPZ; and</i> 3. <i>Do not detract from the existing commercial centres in Takapō/Lake Tekapo or Twizel.</i> <p>And</p> 2. Insert new policy AIRPZ-P2A as follows: <p><u>Concerning airports located inside the Hydro Inundation Hazard Overlay, avoid</u> activities that</p>

			<u><i>are not airport activities, airport support activities, residential units or activities, aviation related visitor accommodation, or earthworks associated with the preceding activities.</i></u>
AIRPZ-R1 Airport activity	Support	AIRPZ-R1 permits <i>Airport activities</i> in the AIRPZ, subject to compliance with standards. Provided that the notified definition of <i>Airport activity</i> is retained, Meridian generally supports AIRPZ-R1.	Retain AIRPZ-R1 as notified.
AIRPZ-R2 Airport support activity	Support	AIRPZ-R2 permits <i>Airport support activities</i> in the AIRPZ, subject to compliance with standards. Provided that the notified definition of <i>Airport support activity</i> is retained, Meridian generally supports AIRPZ-R2.	Retain AIRPZ-R2 as notified.
AIRPZ-R3 Residential unit / Residential activity	Oppose in part	It is possible that an airport building may provide for a combination of residential, staff and visitor accommodation. Meridian considers that the potential risks posed by the location of the Pūkaki Airport in the Hydro Inundation Hazard Overlay warrants constraining the maximum occupancy of an airport building to a combined total of not more than 6 people per night, made up of residential persons, staff and aviation related visitors.	<p>Amend AIRPZ-R3 as follows:</p> <p><i>Activity Status: PER</i></p> <p><i>Where:</i></p> <p><u><i>1. The use is contained within an airport building and the maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation does not exceed 150m²; and</i></u></p> <p><u><i>2. Concerning a residential unit/residential activity in airports located inside the Hydro Inundation Hazard Overlay, the combined residential occupancy, staff occupancy and aviation related visitors does not exceed six persons per night per airport building.</i></u></p>

AIRPZ-R4 Staff accommodation	Oppose in part	<p>Provided that the notified definitions of <i>Aviation related visitor accommodation, Airport building, Airport activity and Airport support activity</i> are retained, Meridian generally supports AIRPZ-R4. This reflects the need to constrain activities in the Pūkaki Airport area of AIRPZ to activities that have an operational need to be located in this area thereby minimising unnecessary risks associated with this airport being in the Hydro Inundation Hazard Overlay.</p> <p>At the same time, Meridian is concerned that it is possible that an airport building may provide for a combination of residential, staff and visitor accommodation. Meridian considers that the potential risks posed by the location of the Pūkaki Airport in the Hydro Inundation Hazard Overlay warrants constraining the permitted maximum occupancy per building to a combined total of not more than 6 people per night, made up of residential persons, staff and aviation related visitors.</p>	<p>Amend AIRPZ-R4 as follows:</p> <p><i>Activity Status: PER</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <i>The use is contained within an airport building and the maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation does not exceed 150m²; and</i> <i><u>Concerning airports located outside the Hydro Inundation Hazard Overlay, the The maximum occupancy does not exceed six staff per night:-; and</u></i> <i><u>Concerning staff accommodation in airports located inside the Hydro Inundation Hazard Overlay, the combined residential occupancy, staff occupancy and aviation related visitors does not exceed six persons per night.</u></i>
AIRPZ-R5 Aviation related visitor accommodation	Oppose in part	<p>Provided that the notified definitions of <i>Aviation related visitor accommodation, Airport building, Airport activity and Airport support activity</i> are retained, Meridian generally supports AIRPZ-R5.</p> <p>This reflects the need to constrain activities in the Pūkaki Airport area of AIRPZ to activities that have a need to be located in this area thereby minimising unnecessary risks associated with this airport being in the Hydro Inundation Hazard Overlay.</p>	<p>Amend AIRPZ-R5 as follows:</p> <p><i>Activity Status: PER</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <i>The use is contained within an airport building and the maximum combined total gross floor area of any residential, staff accommodation and aviation related visitor accommodation does not exceed 150m²; and</i>

		<p>At the same time, Meridian is concerned that it is possible that an airport building may provide for a combination of residential, staff and visitor accommodation. Meridian considers that the potential risks posed by the location of the Pūkaki Airport in the Hydro Inundation Hazard Overlay warrants constraining the permitted maximum occupancy of an airport building to a combined total of not more than 6 people per night, made up of residential persons, staff and aviation related visitors.</p>	<p>2. <i>Concerning airports located outside the Hydro Inundation Hazard Overlay, the The maximum occupancy does not exceed six guests per night; and</i></p> <p>3. <i>Concerning aviation related visitor accommodation in airports located inside the Hydro Inundation Hazard Overlay, the combined residential occupancy, staff occupancy and aviation related visitors does not exceed six persons per night.</i></p>
AIRPZ-R8 Activities not otherwise listed	Oppose in part	<p>AIRPZ-R8 makes <i>Activities not otherwise listed</i> in this chapter a discretionary activity in the AIRPZ.</p> <p>Concerning the Pūkaki Airport (which is located in the Hydro Inundation Hazard Overlay) Meridian opposes this rule since Rules AIRPZ-R1 to AIRPZ-R7 (inclusive) are a comprehensive list of activities (subject to the changes sought in Meridian's relief addressing these provisions) that are appropriate in the part of the AIRPZ that resides in the Hydro Inundation Hazard Overlay.</p> <p>Meridian considers that, along with the activities addressed in Rules AIRPZ-R9 to AIRPZ-R11 (inclusive), any other activity in that part of the AIRPZ that resides in the Hydro Inundation Hazard Overlay that is not otherwise identified in this chapter should be a non-complying activity.</p>	<p>1. Amend AIRPZ-R8 as follows:</p> <p><i>AIRPZ-R8 Outside the Hydro Inundation Hazard Overlay Activities Not Otherwise Listed</i></p> <p><i>Activity Status: DIS</i></p> <p>And</p> <p>2. Insert new rule AIRPZ-R8A as follows:</p> <p><i>AIRPZ-R8A Inside the Hydro Inundation Hazard Overlay Activities Not Otherwise Listed</i></p> <p><i>Activity Status: NC</i></p>
AIRPZ-R9 Residential visitor accommodation	Support	<p>AIRPZ-R9 makes <i>Residential visitor accommodation</i> a non-complying activity in the <i>Special Purpose Airport Zone</i>.</p>	Retain AIRPZ-R9 as notified.

		Meridian supports this rule, particularly with respect to the Pūkaki Airport which lies in the Hydro Inundation Hazard Overlay.	
AIRPZ-R10 Commercial visitor accommodation	Support	AIRPZ-R10 makes <i>Commercial visitor accommodation</i> a non-complying activity in the <i>Special Purpose Airport Zone</i> . Meridian supports this rule, particularly with respect to the Pūkaki Airport which lies in the Hydro Inundation Hazard Overlay.	Retain AIRPZ-R10 as notified.
AIRPZ-R11 Planting of any wildling conifers	Support	AIRPZ-R11 makes <i>Planting of any wildling conifers</i> a non-complying activity where the planting is for a scientific or research purpose and has been exempted under the Biosecurity Act 1993. In all other cases the activity is a prohibited activity. Meridian considers that this rule is appropriate both in terms of controlling the spread of wilding pines and preventing unnecessary obstructions in the Pūkaki Airport area which is in the Hydro Inundation Hazard Overlay.	Retain AIRPZ-R11 as notified.



Mackenzie
DISTRICT PLAN REVIEW
TOMORROW'S MACKENZIE
KA AWATEA HŌU

Plan Change 28 Part A

**Contaminated Land, Hazardous Substances,
Natural Hazards and Hydro Inundation
Variation 1 to Plan Change 26
Variation 1 to Plan Change 27**

Decision Report

24 July 2025

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Appendix 1: Amended Provisions including definitions for Plan Change 28

Appendix 2: Amended Planning Maps

Appendix 3: Appearances and Tabled Evidence

List of submitters addressed in this report:

Submitter Ref	Further Submitter Ref	Submitter Name	Abbreviation
PC28.01	FS3	BP Oil New Zealand Limited, Mobile Oil New Zealand Limited and Z Energy Limited	Fuel Companies
PC28.02		Springwater Trust	
PC28.03		Mary Murdoch	
PC28.04		Peter Finnegan	
PC28.05		James Leslie	
PC28.08		Anthony Honeybone	
PC28.09		Tekapo Landco Ltd & Godwit Leisure Ltd	TLGL
PC28.12		Grant and Natasha Hocken	
PC28.13		Mackenzie Properties Ltd	Mackenzie Properties
PC28.14		High Country Properties Ltd	High Country Properties
PC28.23		Fat Albert Ltd	
PC28.25		Kelvin Duncan	
PC28.26		John Ten Have	
PC28.29	FS10	Natural Hazards Commission Toka Tu Ake	NHC
PC28.30		Michael Beauchamp	
PC28.31		Transpower New Zealand Limited	Transpower
PC28.32		Jason Wakelin	
PC28.35		Chorus New Zealand Limited, Connexa Limited, FortySouth Group LP (trading as FortySouth), One New Zealand Group Limited and Spark New Zealand Trading Limited	The Telcos
PC28.36		Fairlie and Districts Residents and Ratepayers Society	FDRRS
PC28.37		Elizabeth Shadbolt	
PC28.39	FS4	Meridian Energy Limited	Meridian
PC28.41		Brent Lovelock	
PC28.42		Director-General of Conservation	DOC
PC28.45		NZ Transport Agency Waka Kotahi	NZTA
PC28.46	FS5	Genesis Energy Limited	Genesis
PC28.47		Chris White	
PC28.48		Nick Ashley	
PC28.50	FS8	Canterbury Regional Council	CRC
PC28.52		Susan Allan	
PC28.53		Alistair Shearer	
PC28.55		Gary Burrowes	
PC28.56		Nova Energy Limited	Nova
PC28.57		Andrew Hocken	
PC28.58		Brent Mander	
PC28.59		Rachel Trumper	
PC28.60		Associate Professor Anna Carr (PhD)	Dr Carr
PC28.63		Neville Cunningham	
PC28.64		Opuha Water Limited	OWL

PC28.65	FS6	New Zealand Defence Force	NZDF
	PC28.FS11	The Wolds Station Ltd	
	PC28.FS12	Bronwen Murray	
	PC28.FS02	Lionel Green Family Trust	

Abbreviations used in this report:

Abbreviation	Full Text
AIRPZ	Airport Special Purpose Zone
Council	Mackenzie District Council
CLWRP	Canterbury Land and Water Regional Plan
CRPS	Canterbury Regional Policy Statement
CL	Contaminated Land
Damwatch	Damwatch Engineering Ltd
GRUZ	General Rural Zone
HAZS	Hazardous Substances
HI	Hydro Inundation
HI Hazard Overlay	Hydro Inundation Hazard Overlay
INF	Infrastructure
MDP	Mackenzie District Plan
MDPR	Mackenzie District Plan Review
NH	Natural Hazards
NH Overlays	Natural Hazards Overlays
NP Standards	National Planning Standards
NESTF	National Environmental Standards for Telecommunication Facilities) Regulations 2016
ONL	Outstanding Natural Landscape
ONF	Outstanding Natural Feature
PC13	Plan Change 13
REG	Renewable Electricity Generation
RMA	Resource Management Act 1991
SCA	Special Character Area
SUB	Subdivision
TEMP	Temporary Activities
V1PC26	Variation 1 to Plan Change 26 - Renewable Electricity Generation and Infrastructure
V2PC27	Variation 1 to Plan Change 27 - Subdivision, Earthworks, Public Access and Transport

1. Purpose of Report

1. Pursuant to section 43(1) of the Resource Management Act 1991 (RMA), the Mackenzie District Council (MDC) has appointed a combined Hearings Panel of three independent commissioners¹ to hear and decide the submissions and further submissions on Part A Plan Change 28 addressing:
 - Contaminated Land
 - Hazardous Substances
 - Natural Hazards
 - Hydro Inundation
 - Variation 1 to Plan Change 26 Renewable Electricity Generation and Infrastructure (V1PC26)
 - Variation 1 to Plan Change 27 Subdivision, Earthworks, Public Access and Transport (V1PC27)which form part of the Mackenzie District Plan Review (MDPR).
2. This Decision Report sets out the Hearings Panel's decisions on the submissions and further submissions received on Plan Change 28 Part A.
3. The initial Section 42A Report and the end of hearing Section 42A Report (Reply Report) for PC28 were:
 - Section 42A Report: Plan Change 28 – Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation; Variation 1 to Plan Change 26; Variation 1 to Plan Change 27. Author: Meg Justice. Date: 24 April 2025.
 - Section 42A Report: Plan Change 28 – Contaminated Land, Hazardous Substances, Natural Hazards and Hydro Inundation; Variation 1 to Plan Change 26; Variation 1 to Plan Change 27, Hazards and Risks, Reply Report. Author: Meg Justice. Date: 19 June 2025.
4. In our Minute 3 dated 7 May 2024 we posed a number of questions to Ms Justice (the Section 42A Report author). We received written answers to those questions².
5. The Hearing Panel's amendments to the notified provisions of PC28 Part A are set out in Appendix 1.
6. In Appendix 1 we also include all definitions relevant to PC28 Part A.
7. Amendments recommended by the Section 42A Report authors that have been adopted by the Hearing Panel are shown in ~~strike out~~ and underlining. Further or different amendments made by the Hearing Panel are shown in **red font** as ~~strike out~~ and underlining.
8. Amendments to the District Plan planning maps are shown in Appendix 2.

2. Hearing and Submitters Heard

9. There were 65 primary submissions and 12 further submissions on PC28. Of these, 39 submissions and 9 further submissions related to the Hazards and Risks Chapters.
10. Further submissions are generally not discussed in this Decision, because they are either accepted or rejected in conformance with our decisions on the original submissions to which they relate.
11. The Hearing for PC28 Part A was held in Fairlie and Twizel over the period Tuesday 27 May 2025 to Thursday 29 May 2025. The submitters and further submitters who attended the Hearing are listed below:

¹ Megen McKay, Ros Day-Cleavin and Rob van Voorthuysen.

² Section 42A Reporting Officers' Response to Hearings Panel Questions, 20 May 2027.

Submitter Ref	Submitter Name
PC28.03	Pukaki Airlodge (Mary Murdoch)
PC28.08	Anthony Honeybone
PC28.09	Tekapo Landco Ltd
PC28.36	Fairlie Residents and Ratepayers Association
PC28.39	Meridian
PC28.46	Genesis
PC28.47	Chris White
PC28.50	Canterbury Regional Council
PC28.53	Alistair Shearer
PC28.64	Opuha Water Limited
PC28.FS11	The Wolds Station (Bronwen Murray)

12. The individuals we heard from are listed in Appendix 3. Five submitters tabled evidence but did not appear at the Hearing and they are also listed in Appendix 3.
13. Copies of all legal submissions and evidence (either pre-circulated or tabled at the Hearing) are held by the MDC. We do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Decision. We record that we considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the Hearing.
14. We received opening legal submissions from MDC's legal counsel Michael Garbett who addressed the statutory framework. We also received 'overview' evidence from Julie-Anne Shanks regarding the current stage of the MDPR, the PCs notified as part of Stage 4 of the MDPR and their integration with existing operative District Plan provisions.

3. Our Approach

15. We have decided to structure this Decision in the following manner.
16. Ms Justice's Section 42A Report sequentially addressed the submissions under the following topic-based headings:
 - Definitions
 - Contaminated Land Chapter
 - Hazardous Substances Chapter
 - Natural Hazards Chapter
 - Hydro Inundation Chapter
 - Variations
 - Site Specific Requests
17. For the ease of readers of this Decision, we have adopted the same approach here and mimic the headings used in the Section 42A Report.
18. The submissions received on the provisions covered by each of these headings were summarised in the Section 42A Report. We adopt those summaries, but do not fully repeat them here for the sake of brevity.
19. Where, having considered the submissions and the submitters' evidence and legal submissions, we nevertheless accept Ms Justice's final recommendations, we state that we adopt her analysis and recommendations as our reasons and decisions. Where we disagree with Ms Justice's final recommendations, we set out our own reasons based on the evidence received and state our decisions on the relevant submissions.

20. The consequence of our approach is that readers of this Decision should also avail themselves of the Section 42A Reports listed in paragraph 3 above.

3.1 Statutory Framework

21. We adopt the statutory framework assessment set out in section 6 of the Section 42A Report. We note that to be consistent with the framework described by Mr Garbett in paragraphs 5 and 6 of his opening legal submissions.

3.2 Out of Scope Submissions

22. We agree with Ms Justice that Kelvin Winston Duncan's (25.02) submission point is not within the scope of PC28 Part A because it seeks to control the placement and scope of renewable electricity generation facilities. Consequently, we decline to consider that submission point.

3.3 Uncontested Provisions

23. Table 1 of the Section 42A Report listed provisions within PC28 Part A which were either not submitted on, or where submitters sought their retention. Table 1 also listed the relevant submissions. We have decided to accept the submissions listed in Table 1 of the Section 42A Report and we do not discuss them further in this Decision. Consequently, the provisions listed in Table 1 of the Section 42A Report are retained as notified (unless a clause 10(2)(b) or clause 16(2) change has been made to them).

3.4 Section 32AA Assessments

24. Where we adopt Ms Justice's recommendations, we also adopt her s32AA assessments. For those submissions we are satisfied that Ms Justice's recommendations are the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the District Plan and for giving effect to other relevant statutory instruments.

25. Where we differ from Ms Justice's recommendations, we are required to undertake our own s32AA assessment at a level of detail that corresponds to the scale and significance of any changes we recommend to the notified District Plan provisions. In that regard we are satisfied that any such amendments are a more efficient and effective means of giving effect to the purpose and principles of the RMA and the higher order statutory instruments, for the reasons we set out in this Decision.

4. Definitions

4.1 Assessment

26. Having considered the submissions received, we agree with Ms Justice's analysis in her Section 42A report that:

- the 'critical infrastructure' definition should be amended to clarify that only permanent NZDF buildings and structures are included in the definition and the words 'telecommunications and' should be omitted from the definition to align with the NESTF;
- the definition for 'high flood hazard area' should be amended to include a water depth criterion for determining high flood hazard areas and grammatical improvements should be made to the definition; and
- the definitions of 'natural hazard sensitive building' and 'surface fault rupture' should be retained as notified.

27. We note that submitters supported a number of definitions as notified. We agree with Ms Justice that those submissions³ should be accepted.

³ The relevant submissions are set out in Table 2 of the Section 42A Report.

28. Meridian sought an amendment to the definition of 'critical infrastructure' to support its proposed changes to the Notable Trees Chapter, which included reference to 'critical infrastructure'. However, as our decision on the Notable Trees Chapter does not recommend the amendment sought by Meridian, no change to the definition of 'critical infrastructure' is necessary.
29. Meridian also sought to amend the definition of 'critical infrastructure' to refer to supporting infrastructure. We agree with Ms Justice's Reply Report assessment that any structures forming part of 'critical infrastructure' are already captured by the definition and so we are not persuaded that Meridian's amendment is necessary.
30. CRC sought an amendment to the definition of 'critical infrastructure' regarding telecommunication and radio networks. We agree with Ms Justice's Reply Report assessment that it is sufficient to refer to 'networks' because poles and antennas are components of a network. However, we see merit in clarifying that the definition excludes items regulated by the NESTF, as was sought in the evidence of Rachel Tutty for CRC. We note her point⁴ that facilities not managed under the NESTF include small cell units on new structures, and aerial lines that do not follow existing routes.
31. Ms Justice endorsed the amendment sought by CRC in her Reply Report⁵.
32. NZDF⁶ sought to retain the notified word 'facilities' in the definition of 'critical infrastructure' which we find to be appropriate as it is more consistent with other references in the definition.
33. CRC sought to amend the definition of 'natural hazard sensitive building' to omit the exclusion of 'attached garages'. We agree with the evidence of Nicholas Griffiths⁷ that garages attached to modern residential units often have the same potential for flood damage as the rest of the building, they are integral to the structure and use of the building, and they often contain items of value that could be damaged or destroyed during a flood. We note Mr Griffiths' evidence⁸ that there is a resource consent pathway that could enable garages to be built with lower floor levels in certain circumstances. In our view, this would address Ms Justice's concern that, depending on the finished floor level stipulated in the Flood Hazard Assessment, issues may arise with forming a vehicle access into a garage.
34. Accordingly, we find that the definition of 'natural hazard sensitive building' should be amended as sought by Ms Tutty.

4.2 Decisions

35. Other than as discussed above, we adopt Ms Justice's analysis and recommendations as our reasons and decisions on submissions on the definitions for 'critical infrastructure'⁹, 'high hazard flood area'¹⁰ and 'surface fault rupture'¹¹.
36. We also adopt her analysis and recommendations as our reasons and decisions on the submission from NHC¹² seeking new definitions for 'unacceptable risk from natural hazards' and 'unacceptable risk from surface fault rupture to building occupants and neighbours'.
37. We accept CRC's (50.05) submission on the definition of 'natural hazard sensitive building'.
38. Other than as set out above, we made no changes to the definitions that were amended by PC28 Part A, Variation 1 to Plan Change 26 or Variation 1 to Plan Change 27.
39. Relevant definitions are shown in Appendix 1.

⁴ EIC Rachael Tutty paragraph 38(a).

⁵ Paragraph 15(a).

⁶ EIC Rebecca Davis, Principal Statutory Planner, NZDF.

⁷ EIC Nicholas Griffiths paragraph 16.

⁸ Paragraph 17.

⁹ (CRC (50.01), NZTA (45.01), Transpower (31.01), Genesis (46.01), OWL (64.02), NZDF (65.01), the Telecos (35.01), NHC (29.02) and Meridian (39.02)

¹⁰ CRC (50.04)

¹¹ NHC (29.05)

¹² NHC (29.06)

5. Contaminated Land Chapter

5.1 Assessment

40. Several submitters¹³ sought the retention of the Contaminated Land Chapter as notified. CRC (50.10) requested that the Introduction be amended to include additional words alerting MDP users dealing with contaminated land to the possible requirement for a consent from CRC. We find that to be appropriate.

5.2 Decision

41. We adopt Ms Justice's analysis and recommendations as our reasons and decisions on the Contaminated Land Chapter.

42. The Introduction statement of the Chapter is amended as shown in Appendix 1.

6. Hazardous Substances Chapter - Objectives HAZS-O1, HAZS-O2 and HAZS Policies

6.1 Assessment

43. Several submissions supported the HAZS Chapter and sought that either the whole chapter, or specific objectives or policies, be retained as notified¹⁴. Other submitters¹⁵ sought changes to the provisions.

44. Having considered the submissions and any evidence presented at the Hearing, we largely agree with Ms Justice's analysis and recommendations that:

- the title of HAZS-O1 should be amended to refer to "Storage and Use ..." and the text of the objective should be amended to culminate with the words "an appropriate level";
- the title of objective HAZS-O2 should be amended to sensitive activities "in proximity to" Major Hazard Facilities. In her Reply Report Ms Justice advised that NH-O2 is intended to protect existing (once they are established) major hazard facilities from reverse sensitivity effects. Consequently, we find that the text of the objective should omit the word "existing";
- HAZS-P2 should be amended to change the policy title to "New Major Hazard Facilities and Additions or Alterations to Existing Major Hazard Facilities" and to add the words 'and designed' in the chapeau of the policy; and
- that the formatting of policy HAZS-P3 should be amended so that the two distinct outcomes sought by the policy are clear.

6.2 Decisions

45. We adopt Ms Justice's analysis and recommendations as our reasons and decisions, subject to the above discussion on HAZS-O2.

46. The HAZS chapter provisions are amended as shown in Appendix 1.

7. Hazardous Substances Chapter - HAZS Chapter Rules and Matters of Discretion

7.1 Assessment

47. As we noted previously, several submissions supported the HAZS Chapter and sought that either the whole chapter, or specific rules and matters of discretion, be retained as notified¹⁶. Other submitters¹⁷ sought changes to the provisions.

48. Having considered the submissions, we accept Ms Justice's analysis and recommendations that:

- HAZS-R1 matter of discretion (a) should refer to a 1:500 year ARI and that a clause 10(2)(b) a consequential change is made to HAZS-MD1.c;

¹³ NZDF (65.03), Nova (56.02), Fuel Companies (01.01) and Transpower (31.03).

¹⁴ See paragraph 86 of the Section 42A Report.

¹⁵ DOC (42.02), Meridian (39.03), (39.04) and (39.05)

¹⁶ See paragraphs 109 and 110 of the Section 42A Report.

¹⁷ CRC (50.15), Meridian (39.06) and NHC (29.07).

- HAZS-R2.1 should refer to 'cumulative risks';
- HAZS-R2 has the word 'Assessment' added to HAZS-R2.3; and
- HAZS-R3 should be amended to include an additional matter of discretion to allow for the consideration of reserve sensitivity effects on Major Hazard Facilities.

7.2 Decisions

49. We adopt Ms Justice's analysis and recommendations as our reasons and decisions.

50. The HAZS chapter provisions are amended as shown in Appendix 1.

8. Natural Hazards Chapter - Introduction

8.1 Assessment

51. Several submissions¹⁸ generally supported the NH chapter and others sought amendment to the Introduction text¹⁹. Various submitters²⁰ sought changes to the NH chapter provisions.

52. One submitter²¹ opposed the NH chapter due to concerns about the MDP's approach to flood risk at SCA 12 Lyford Lane. We were not persuaded by their evidence that the MDP's approach to that matter is inappropriate. The reason being that while we acknowledge that elevated floor levels can mitigate localised flood risk, we agree with Ms Justice that relying solely on the Building Consent process does not give effect to the CRPS or fulfil MDC's RMA obligations to manage natural hazard risk consistently across the wider area.

53. Having considered the submissions received and the submitters' evidence, we accept Ms Justice's analysis and recommendations that the Introduction section of the NH chapter should be amended to recognise that natural hazard events can affect the natural environment, to more clearly describe how the faults are mapped and to delete the erroneous reference to the Rural-Urban Interface Overlay.

54. We address CRC's request for a new rule for buildings and structures that will divert or displace floodwater in section 12 of this Decision Report. However, we agree that the Introduction text should be amended to refer to that matter in response to the submission of CRC (50.30). In our view that suitably reflects one element of the NH-S1 flood hazard assessments undertaken for NH-R1.

55. We also agree with Ms Justice's Reply Report recommendations that text be added to:

- recognise 'managing the planting of wilding conifers' in response to the submission of DOC (42.09); and
- clarify that the NH chapter does not apply to works with the beds of lakes and rivers in response to the submission of OWL (64.10).

8.2 Decisions

56. We adopt Ms Justice's analysis and recommendations as our reasons and decisions.

57. The NH chapter Introduction is amended as shown in Appendix 1.

9. Natural Hazards Chapter - Overlays

9.1 Assessment

58. Several submissions²² supported the NH Overlays²³ in full or in part.

¹⁸ Nova (56.04), DOC (42.04) and NHC (29.01).

¹⁹ OWL (64.06), DOC (42.05), CRC (50.18) and NHC (29.08).

²⁰ CRC (50.15), Meridian (39.06) and NHC (29.07).

²¹ A. Hocken (57.01).

²² OWL (64.05) and NHC (29.09).

²³ Flood Hazard Assessment Overlay; Fault Hazard (Critical Infrastructure) Overlay; Fault Hazard (Subdivision) Overlay; Fault Hazard (Ostler Fault) Overlay; and Liquefaction Overlay

59. FDRRS (36.01 and 36.03) opposed the Flood Hazard Assessment Overlay and the Liquefaction Overlay and sought that those overlays are deleted. Both overlay maps were produced by CRC and the relevant technical reports are found at Appendices 1 and 5 of the Section 32 materials for PC28 Part A.
60. At the Hearing we heard from FDRRS Chairperson Simon Abbott and FDRRS Secretary Dr. Elizabeth McKenzie. Neither witness addressed the Liquefaction Overlay, nor was any evidence provided that disputed CRC's overlay mapping methodology.
61. Dr. McKenzie helpfully clarified that FDRRS' concern was based on their understanding that the flood overlay was not based on modelling. In response to our questions, she advised that FDRRS was not opposed to the NH-S1 flood hazard assessments, but considered that the 'flood maps' should not be publicly available.
62. We pointed out that the NH permitted activity rules relied on the NH-S1 flood hazard assessments and those assessments relied in turn on the Flood Hazard Assessment Overlay being publicly available. Dr. McKenzie responded that FDRRS would be happy with the Flood Hazard Assessment Overlay if it contained appropriate caveats that the resultant flood hazard needed to be confirmed by the NH-S1 flood hazard assessments.
63. We understand that is already the case as is explained in the NH Introduction text which states:
For instance, the District Plan maps identify part of the district that may be subject to flooding. It does not identify high flood hazard areas, rather high flood hazard areas are identified through the site specific flood hazard assessment process. This enables the most up-to-date technical information to be used. Information showing the modelled flood characteristics within specific parts of the district is publicly available online via Canterbury Maps. This information is indicative only and will be updated to reflect the best information as it becomes available.

64. Accordingly, we do not consider that any amendment is required to address FDRRS' concerns.

9.2 Decisions

65. We adopt Ms Justice's analysis and recommendation as our reasons and decisions.
66. All the Natural Hazard Overlays are retained as notified, aside from one minor site specific amendment addressed in section 16 of this Decision.

10. Natural Hazards Chapter - Objectives

10.1 Assessment

67. Several submitters²⁴ supported some or all of the NH Chapter objectives.
68. Meridian (39.09) sought a new objective to provide additional direction for the management of critical infrastructure. They also sought an amendment to objective NH-O1 to exclude it from applying to critical infrastructure.
69. CRC (50.20) and the Telcos (35.06) sought amendments to NH-O2 so that it would align with NH-P8. CRC (50.21) also sought an amendment to objective NH-O4 to enable the development of natural hazard mitigation works and systems.
70. Having considered the submissions received and the submitters' evidence we agree with Ms Justice that:
 - NH-O2 should be amended so that it and not NH-O1 addresses new critical infrastructure;
 - NH-O2 should address the situation where there is a functional need or operational need for critical infrastructure to be located within areas of high natural hazard risk;
 - NH-O2 should require critical infrastructure to firstly avoid increased natural hazard risks to people, property and infrastructure where practicable and to otherwise mitigate those risks;
 - there may be situations where critical infrastructure also falls into the definition of major hazard facility and NH-O2 should recognise that fact;

²⁴ OWL (64.06), CRC (50.19), Genesis (46.13, 46.14) and Transpower (31.06).

- NH-O2 should be amended to give better effect to CRPS objective 11.2.1 and policy 11.3.4;
- in relation to NHC (29.12) NH-O3 as worded with the inclusion of 'exacerbate' could be applied to the consideration of residual risks that may occur in the event of a natural hazard mitigation structure failing and so no further amendment is required; and
- in response to CRC (50.21) NH-O4 should enable natural hazard mitigation works and systems. We discuss that particular matter further in section 12 of this Decision Report.

10.2 Decision

71. We adopt Ms Justice's analysis and recommendation as our reasons and decisions.
72. NH-O1, NH-O2 and NH-O4 are amended as shown in Appendix 1.

11. Natural Hazards Chapter - Policies

11.1 Assessment

73. A number of submissions²⁵ supported the various NH policies and sought to retain them as notified.
74. Other submissions sought to amend NH-P1²⁶, NH-P3²⁷, NH-P4²⁸, NH-P5²⁹, NH-P6³⁰, NH-P7³¹, NH-P8³² and NH-P10³³.
75. Notably in terms of those submissions:
 - NZTA advised that based on Ms Justice's recommendations they did not wish to be heard;
 - Transpower advised that they agreed with Ms Justice's recommendations relating to their submission points and so they did not wish to be heard;
 - DOC advised that as a result of discussions with MDC officers, their concerns had largely been addressed, such that there were no outstanding matters that warranted appearance at the Hearing; and
 - NHC and NOVA did not provide any evidence and did not attend the Hearing.
76. Consequently, we accept Ms Justice's recommendations relating to the submissions of those parties. That includes the new NH-P4A addressing 'Critical Infrastructure In High Flood Hazard Area' recommended by Ms Justice in response to the submission of Transpower.
77. In response to the submission of CRC (50.22) we agree that NH-P1 should be amended to refer to "natural hazard assessments", consistent with NH-S1. In response to the submission of Meridian (39.12) we agree that NH-P8.2.a should be clarified to refer to "risks resulting from a surface fault rupture hazard".

11.2 Decisions

78. We adopt Ms Justice's analysis and recommendations as our reasoning and decisions.
79. The amended NH policies are set out in Appendix 1.

²⁵ NHC (29.13), OWL (64.06), CRC (50.23), NZDF (65.05, 65.06), Meridian (39.11), NZTA (45.02, 45.04) and Genesis (46.15, 46.16, 46.17).

²⁶ CRC (50.22),

²⁷ DOC (42.06),

²⁸ DOC (42.07), NOVA (56.05), Transpower (31.08),

²⁹ NZTA (45.03), Transpower (31.08), CRC (50.25) and NHC (29.14).

³⁰ DOC (42.08)

³¹ NHC (29.15) and Transpower (31.09)

³² Transpower (31.09), NHC (29.16), Meridian (39.12) and CRC (50.26).

³³ DOC (42.09).

12. Natural Hazards Chapter -Rules, Standards and Matters of Discretion

11.1 Assessment of rules

- 80. A number of submissions³⁴ supported various NH rules and sought to retain them as notified.
- 81. Amendments were sought to NH-R3³⁵, NH-R4³⁶, NH-R6³⁷ and NH-R8³⁸. As we noted earlier, NHC did not participate any further in the Hearing process and Transpower accepted Ms Justice's recommendations. The Telcos³⁹ agreed with Ms Justice's recommendations.
- 82. For OWL Julie Crossman advised that an amendment was sought to NH-R5 to permit natural hazard mitigation works undertaken in accordance with a rule in the Canterbury Land and Water Regional Plan or a resource consent granted by CRC. We are not persuaded that is appropriate, because we understand that the District Plan rules relate to activities regulated under section 9 of the RMA outside the beds of lakes and rivers and those rules do not seek to duplicate the regulatory functions of the CRC. In that regard we accept Ms Justice's recommendation to insert a note in the Introduction section of the Natural Hazards and Earthworks chapters stating that the chapter does not apply to earthworks within the beds of lakes and rivers as they are managed under the regional planning framework.
- 83. CRC (50.28) and OWL (64.10) sought to amend to NH-R5 so that it would apply to new natural hazard mitigation works undertaken by regional and territorial authorities. OWL also sought for the rule to apply to critical infrastructure providers.
- 84. We asked CRC planner Joeline Irvine to consider wording for a revised rule that was limited to new works that were likely to have only a minor adverse effect. She provided Supplementary Evidence⁴⁰ containing wording for a revised rule. In her Reply Report Ms Justice considered Ms Irvine's wording could be simplified. Reflecting on their respective views, we find that NH-R5 should be amended to refer to the upgrading or establishment of new natural hazard mitigation works, but that it should be limited to works that maintain or reinstate the pre-existing level of protection, as was suggested by Ms Irvine.
- 85. We agree with Ms Justice that it is appropriate that the provisions of other District Wide Matters chapters⁴¹ continue to apply to natural hazard mitigation works in addition to rule NH-R5 where relevant. Accordingly, we do not consider that the advisory note in NH-R5 should refer to chapters other than the Earthworks chapter.
- 86. We have amended NH-R5 so that new and upgrades to existing natural hazard mitigation works undertaken by parties other than regional and territorial authorities is a restricted discretionary activity. That would include OWL. We do not consider an RDIS consent to be unduly onerous and so we conclude that the rule does not need to be amended to explicitly include critical infrastructure providers.
- 87. CRC sought a new permitted activity rule that would address the diversion or displacement of floodwaters and not worsen effects on other properties. In his opening legal submissions, counsel for MDC, Michael Garbett, submitted that the diversion of water more directly fits under CRC's statutory section 30(1)(e) functions of the Act. He also submitted that the rule sought by CRC was not capable of objective determination. It would likely involve experts producing a model and determining inputs to be able to verify whether flood flows from a particular structure do or do not worsen flood effects (and by how much) on the adjoining land. We agree that would be the likely outcome.
- 88. We asked Ms Justice and CRC planner Rachel Tutty to consider this matter further and prepare a Joint Witness Statement for our consideration. The resulting JWS⁴² led to some amendments to the rule initially

³⁴ NHC (29.17, 29.20), CRC (50.27, 50.31, 50.32), OWL (64.07, 64.09, 64.11), Fuel Companies (01.03), The Telcos (35.07), Transpower (31.10), Meridian (39.13) and Genesis (46.18, 46.19, 46.20).

³⁵ OWL(64.08)

³⁶ NHC (29.18) and Telcos (35.08)

³⁷ NHC (29.19), Telcos (35.09) and Transpower (31.11).

³⁸ Telcos (35.10)

³⁹ EIC Tom Anderson

⁴⁰ Supplementary Statement of Evidence of Jolene Margaret Irvine on Behalf of The Canterbury Regional Council, Natural Hazards, 6 June 2025

⁴¹ For example, the SASM, Historic Heritage, Natural Character and Natural Features and Landscapes Chapters.

⁴² Joint Witness Statement, Planning Experts For Canterbury Regional Council And Mackenzie District Council, 11 June 2025.

proposed by Ms Tutty, and agreement that, should the rule be included in the MDP, CRC would provide some technical assistance to support MDC with implementing the rule.

89. We are grateful for the assistance provided by Ms Justice and Ms Tutty, but we are not persuaded that a rule is required to address the diversion and displacement of floodwater. Firstly, we were not provided with any evidence that this is a significant issue in the Mackenzie District. We also agree with Mr Garbett that managing the diversion of floodwater is primarily a CRC section 30 function. We are not convinced that a permitted activity rule that is reliant on flood modelling for its implementation is appropriate, because as the JWS states⁴³, CRC does not agree to quantify off-site flooding effects associated with proposed activities on behalf of applicants or the MDC, nor comment on the significance of off-site flooding effects that have been quantified. That would differ from other NH permitted activity rules which rely on the NH-S1 flood hazard assessments which are undertaken by CRC.
90. However, in her Reply Report Ms Justice noted that the Earthworks Chapter included matters of discretion that enable flooding effects of earthworks, that require resource consent, to be addressed. The relevant provisions are EW-S1(b), EW-S2(e) and EW-S3(b). Ms Justice recommended an amendment to rule EW-R3 to include 'flooding' in matter of discretion (b) to ensure that potential flooding effects of earthworks that require consent under this rule are addressed. We find that to be appropriate and recommend accordingly.
91. We decline to insert a new permitted activity rule addressing the diversion or displacement of flood waters and CRC's submission on that matter is rejected.

11.2 Assessment of standards and matters of discretion

92. NZDF⁴⁴ supported Ms Justice's recommendation to amend NH-S1 and accepted or was neutral on her recommendations regarding their other PC28 Part A submission points⁴⁵. NZDF did not attend the hearing.
93. Regarding FDRRS' (36.02) submission on standard NH-S1, we agree with Ms Justice that raising floor levels 300 mm above the 500-year ARI flood level is the commonly used and widely preferred approach to mitigate the potential effects of flooding. We note that alternative mitigation options can be assessed through a resource consent process which we find to be appropriate.
94. Regarding Susan Allen (52.02), we note that NH-R10 only applies at the interface of urban and rural zones, and will not apply to land at or adjacent to the freedom camping area at Edwards Stream.
95. There were no submissions on the matters of discretion.

11.3 Decisions

96. We adopt Ms Justice's analysis and recommendations as our reasoning and decisions, other than as outlined in section 11.1 above.
97. The NH rules and standards and Earthworks chapter are amended as set out in Appendix 1.

13. Hydro Inundation Chapter – Whole Chapter, HI Hazard Overlay and HI Rules

13.1 Assessment

98. Nova (56.06) supported the HI Hazard Overlay and the HI Chapter.
99. Twenty-one submissions⁴⁶ opposed the HI Chapter and the HI Hazard Overlay. Three further submitters⁴⁷ who were not original submitters, also opposed those provisions.

⁴³ Paragraph 14.

⁴⁴ EIC Rebecca Davis, Principal Statutory Planner, NZDF.

⁴⁵ Including the definition of "natural hazard sensitive building".

⁴⁶ Michael Beauchamp (30.01), Neville Cunningham (63.01), Peter Finnegan (04.01), Rachel Trumper (59.01), Anthony Honeybone (08.01), Nick Ashley (48.01), Grant and Natasha Hocken (12.01), Jason Wakelin (32.01), Mckenzie Properties Ltd (13.01), Brent Mander (58.01), High Country Properties Ltd (14.01), Fat Albert Ltd (23.01), Alistair Shearer (53.01), Chris White (47.01), John Ten Have (26.01), Springwater Trust (02.02), Brent Lovelock (41.01), Mary Murdoch (03.01), Associate Professor Anna Carr (PhD) (60.01), James Leslie (05.01) and Elizabeth Shadbolt (37.01)

⁴⁷ Lionel Green Family Trust (FS02), The Wolds Ltd (FS11) and B Murray (FS12).

100. The main reasons for opposition related to a perception that the HI Overlay was not based on a risk-based approach, given the acknowledged low likelihood of a Waitaki Power Scheme (WPS) canal or dam breach occurring.
101. We firstly note Mr Garbett's opening submission that the HI overlay was first established by PC13 and subsequently approved by the Environment Court in a consent order⁴⁸. At that time jurisdiction only extended to what was then the Rural Zone. This meant that the full extent of the hydro inundation overlay mapped by Damwatch was not included and gaps in the HI Overlay occurred at Pūkaki Airport, the Lyford Lane area and a small area near Flanagan Lane. PC28 Part A simply seeks to fill those gaps which we find to be appropriate.
102. Mr Garbett submitted that MDC relied on the technical advice of Damwatch regarding the extent of the potential risk in the event of a dam or canal breach occurring.
103. Meridian Energy provided substantial evidence relating to the HI Overlay and the associated HI provisions. That evidence included a statement by William Veale from Damwatch. He described the regulatory regime for dams in NZ and the HI Overlay mapping undertaken by Damwatch. We have no reason to doubt the veracity of Mr Veale's evidence and we note no submitter in opposition presented any technical evidence to the contrary. We are satisfied that the HI Overlay represents areas that could be flooded in the unlikely event of failure of any of the respective dams and canals associated with the WPS.
104. We find that HI is a potential hazard that needs to be appropriately managed.
105. In that regard we consider the HI hazard to be an RMA section 3 "potential effect of low probability which has a high potential impact".
106. However, we were not satisfied that the notified version of HI-R1 was appropriate for a permitted activity. We were particularly concerned about the practicality of HI-R1.1 and the inability of anyone except Meridian or Genesis being able to determine if that condition was met or not.
107. Accordingly, we explored with James Walker⁴⁹ exactly what the impacts of additional development within the HI Overlay might be on Meridian. He advised that would relate to additional monitoring of the canals and dams using automated equipment or a greater frequency of manual inspections; an automated dam breach monitoring system that would inform MDC and other affected parties of the breach; and the establishment of evacuation plans⁵⁰. Mr Walker confirmed that additional development within the HI Overlay would be highly unlikely to cause the WPS to "cease to operate". His helpful responses confirmed our view that HI-R1 as notified was inappropriate.
108. We invited Meridian planning witness Sue Ruston (along with Richard Matthews for Genesis) to caucus with MDC officers to develop an alternative rule that more closely mirrored NH-R1, which was a rule that we understood to be functioning well and capable of practical implementation. We note that submitter Anthony Honeybone⁵¹ also supported a response that was similar to CRC's approach to flooding, as reflected in NH-R1.
109. We received a JWS⁵² setting out agreed wording for a replacement HI-R1. Importantly, the replacement rule had a new condition requiring that "A Hydro Inundation Hazard Assessment is issued in accordance with HI-S1 and is provided to Council". The JWS also included a new HI-S1 that addressed a "Hydro Inundation Hazard Assessment" that would be undertaken by the relevant hydro electricity generation asset owner, namely either Meridian or Genesis.

⁴⁸ Consent order Federated Farmers of NZ Inc v Mackenzie DC (ENV-2009-CHC-193) dated 11 May 2018, paragraphs 2 and 3 ordering changes to Section 7 Rural Zone and 13 Subdivision, Development and Financial Contributions and to insert a new Appendix being Annexure D the Hydro-Electricity Inundation Hazard Area Maps.

⁴⁹ Principal Dam Safety and Civil Engineer at Meridian Energy Limited.

⁵⁰ Mr Walker advised that Meridian does not itself produce community evacuation plans as they are developed by MDC. However, it does participate in civil defence exercises.

⁵¹ One of three lay submitters in opposition that we heard from.

⁵² Joint Witness Statement, Planning Experts For Meridian Energy Limited, Genesis Energy Limited and Mackenzie District Council, Dated 6 June 2025.

110. We are satisfied that the versions of HI-R1 and HI-S1 set out in the JWS are appropriate and capable of practical implementation.
111. Regarding the concerns forcefully expressed by Mary Murdoch (Pukaki Airlodge) and Bronwen Murray (The Wolds Station), we are not persuaded that the HI Overlay and associated rules should be omitted from the MDP, due to the high potential impact of the HI hazard should it eventuate and the absence of any technical evidence to support removal of the Overlay. This includes Pukaki Airport.
112. In response to our queries regarding the HI Overlay maps, Ms Justice recommended the addition of an annotation to the District Plan maps that would read:

Hydro Inundation Hazard Overlay – represents areas that could be flooded in the unlikely event of failure of any of the dams and canals associated with the Waitaki Power Scheme. While the likelihood of a structural failure of a dam or canal is very low, the consequences could be serious for people, property and the environment.
113. We find that annotation to be appropriate.
114. Genesis sought the inclusion of a new rule to capture other activities⁵³ that might place people at risk within the HI Overlay. Ms Justice did not initially support that request, but the JWS referred to above included a new rule addressing 'camping grounds' and 'community facilities', both of which are defined terms in the MDP. Mr Matthews additionally sought the new rule to include 'rural tourism facilities', which is also a defined term.
115. We are generally satisfied with the new rule contained in the JWS. However, we find that 'camping grounds' and 'community facilities' should be qualified to those that provide overnight accommodation as we understand that to be the greatest area of risk given the difficulty of implementing evacuation plans in the middle of the night. While we consider the rule should not include 'rural tourism facilities' as defined in the MDP in an unqualified manner, given the broad nature of the associated definition, we also find that if that same qualification is applied to 'rural tourism facilities' then it would be appropriate to include that term in the new rule.

13.2 Decisions

116. We adopt Ms Justice's analysis and recommendations as our reasons and decisions, other than as outlined above.
117. The amended HI chapter provisions are set out in Appendix 1.

14. Hydro Inundation Chapter – Introduction, Objectives and Policies

14.1 Assessment

118. Meridian (39.16) sought and amendment to the Introduction whereas Genesis (46.12) supported it as notified. NHC (29.22, 29.23), Genesis (46.22, 46.23) and Meridian (39.17, 39.18) supported HI-O1 and HI-P1 and sought to retain them as notified. CRC (50.34, 50.35) was neutral on those provisions.
119. Ms Justice recommended a minor amendment to the Introduction which we find to be appropriate.

14.2 Decisions

120. We adopt Ms Justice's analysis and recommendation as our reasoning and decision.
121. The amended HI chapter provisions are set out in Appendix 1.

15. Variation 1 to PC 26 and Variation 1 to PC 27

15.1 Assessment

122. Section 14 of the Section 42A Report described the nature of the Variations and the submissions received. Several submissions⁵⁴ sought no change.

⁵³ Other than occupied buildings.

⁵⁴ Telcos (35.05), Nova (56.12, 56.11), OWL (64.12, 64.13), CRC (50.08, 50.09) and Genesis (46.04).

123. Transpower (31.13) sought an amendment to Table 1 of the INF Chapter to remove reference to HAZS-O2 and replace it with HAZS-O1. Genesis (46.05) sought an amendment to Table 1 of the REG Chapter to remove reference to the HAZS chapter.
124. CRC (50.48, 50.49) sought an amendment to SUB-O1 and SUB-P1 to recognise that the MDP manages subdivision in areas subject to natural hazards. CRC (50.50) also sought an amendment to SUB-R7A, which manages subdivision in the Fault Hazard (Subdivision) Overlay, to amend the scale of mapping required. Genesis (46.27) sought an amendment to rule SUB-R7E, which manages subdivision within the HI Hazard Overlay and applies a restricted discretionary activity for subdivision in the GRUZ. Meridian (39.23) sought to correct a drafting error in SUB-R7E.
125. Ms Justice agreed with CRC's submissions and recommended amendments to SUB-O1 and the scale of the mapping required for subdivision within the Fault Hazard (Subdivision) overlay. For CRC Rachel Tutty supported Ms Justice's recommendations and we find the resultant amendments to be appropriate.
126. For Meridian Sue Ruston advised that she accepted Ms Justice's recommendations. As we noted earlier, so did Transpower. We are similarly satisfied with those recommendations.
127. Regarding Table 1 of the REG Chapter, we note Ms Justice's advice that If REG facilities require the storage of hazardous substances for batteries, transformers, and other operational necessities, then it is appropriate to apply HAZS-R1, which requires the hazardous substances activity to be located outside of a high flood hazard area. Where this cannot be achieved, a restricted discretionary resource consent process is initiated. We note that HAZS-R1 has only one matter of discretion, which relates to the safe storage of a hazardous substance. We do not find that to be unduly onerous and find no change is required to the rule.

15.2 Decisions

128. We adopt Ms Justice's analysis and recommendations as our reasoning and decisions.
129. The amendments to PC26 and PC27 are set out in Appendix 1.

16. Site Specific Requests

16.1 Assessment

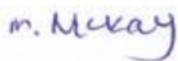
130. Tekapo Landco Limited and Godwit Leisure Limited sought the deletion of the Flood Hazard Assessment Overlay (09.01) and the Liquefaction Overlay (09.02) from part of its property (Lot 1 DP 455053). Having considered that submission, we accept Ms Justice's analysis and recommendations as our reasons and decisions.

16.2 Decisions

131. The Flood Hazard Assessment Overlay is amended to exclude Lot 1 DP 455053 as set out in Appendix 2.



Rob van Voorthuysen (Chair)



Megan McKay



Ros Day- Cleavin

24 July 2025

Appendix 1: Amended Provisions

Appendix 2: Amended Planning Maps

Appendix 3: Appearances

Sub. Ref	Submitter Name	Name	Role
PC28.03	Pukaki Airlodge	Mary Murdoch	Self
PC28.08	Anthony Honeybone		Self
PC28.09	Tekapo Landco Ltd	Jonathan Speedy Kin Banks	Representative Planner
PC28.36	Fairlie Residents and Ratepayers Association	Simon Abbott Dr. Elizabeth McKenzie	Chairperson Secretary
PC28.39	Meridian	Ellie Taffs Andrew Feierabend Jim Walker Bill Veal Sue Ruston	Counsel Representative Engineer Damwatch Planner
PC28.46	Genesis	Richard Matthews	Planner
PC28.47	Chris White		Self
PC28.50	Canterbury Regional Council	Marie Dysart Nick Griffiths Helen Jack Jolene Irvine Rachel Tutty	Counsel Hazards Scientist Hazards Scientist Planner Planner
PC28.53	Alistair Shearer		Self
PC28.64	Opuha Water Limited	Julia Crossman	Planner
PC28.FS11	The Wolds Station	Bronwen Murray	Self

Tabled Evidence

	Submitter	Name	Role
PC28.01	Fuel Companies	Georgia Alson	Planning
PC28.65	NZDF	Rebecca Davis	Planner
PC28.45	NZTA	Jeremy Talbot	Planner
PC28.02	Springwater Trust	Ray Parker	Self
PC28.31	Transpower	Rebecca Eng	Policy



Mackenzie
DISTRICT PLAN REVIEW
TOMORROW'S MACKENZIE
KA AWATEA HŌU

Plan Change 30 Part A
Accommodation Special Purpose Zone, Pūkaki
Downs Special Purpose Zone and Pūkaki
Village Special Purpose Zone
Variation 2 to Plan Change 23
Variation 3 to Plan Change 26
Variation 3 to Plan Change 27

Decision Report

24 July 2025

List of submitters addressed in this report:

Submitter Ref	Further Submitter Ref	Submitter Name	Abbreviation
PC30.01	FS05	Pukaki Tourism Holdings Ltd Partnership & Pukaki Village Holdings Ltd	PTHL and PVHL
PC30.04	FS06	Tekapo Landco Ltd & Godwit Leisure Ltd	TLGL
PC30.08		Heritage New Zealand Pouhere Taonga	HNZPT
PC30.11	FS13	Director-General of Conservation	DOC
PC30.12		NZ Transport Agency Waka Kotahi	NZTA
PC30.13		Canterbury Regional Council	CRC
PC30.14		Nova Energy Limited	Nova

Abbreviations used in this report:

Abbreviation	Full Text
ASPZ	Accommodation Special Purpose Zone
BDA	Built Development Area
Council	Mackenzie District Council
LMA	Land Management Area
MDP	Mackenzie District Plan
MDPR	Mackenzie District Plan Review
ODP	Outline Development Plan
PC30	Plan Change 30
PDSPZ	Pūkaki Downs Special Purpose Zone
PVSPZ	Pūkaki Village Special Purpose Zone
RMA	Resource Management Act 1991
SNA	Significant Natural Area
SONS	Site of Natural Significance
SPZ	Special Purpose Zone
V2PC23	Variation 2 to Plan Change 23
V3PC26	Variation 3 to Plan Change 26
V3PC27	Variation 3 to Plan Change 27

Accommodation Special Purpose Zone, Pūkaki Downs Special Purpose Zone and Pūkaki Villages Special Purpose Zone
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1. Purpose of Report

1. Pursuant to section 43(1) of the Resource Management Act 1991 (RMA), the Mackenzie District Council (MDC) has appointed a combined Hearings Panel of three independent commissioners¹ to hear and decide the submissions and further submissions on Plan Change 30 Part A addressing:
 - Accommodation Special Purpose Zone
 - Pūkaki Downs Special Purpose Zone
 - Pūkaki Village Special Purpose Zone
 which all form part of the Mackenzie District Plan Review (MDPR).
2. The Decision Report sets out the Hearings Panel's decisions on the submissions and further submissions received on Plan Change 30.
3. The initial Section 42A Report for PC30 Part A were:
 - Section 42A Report Part A: Plan Change 30 – Accommodation Special Purpose Zone, Pūkaki Downs Special Purpose Zone and Pūkaki Village Special Purpose Zone; Variation 2 to Plan Change 23; Variation 3 to Plan Change 26; Variation 3 to Plan Change 27, Report on submissions and further submissions. Author: Emma Spalding. Date: 24 April 2025.
 - Section 42A Report Part A: Plan Change 30 – Accommodation Special Purpose Zone, Pūkaki Downs Special Purpose Zone and Pūkaki Village Special Purpose Zone; Variation 2 to Plan Change 23; Variation 3 to Plan Change 26; Variation 3 to Plan Change 27, Reply Report. Author: Emma Spalding. Date: 19 June 2025
4. In our Minute 6 dated 7 May 2025 we posed a number of questions to Ms Spalding (the Section 42A Report author). We received written answers to those questions².
5. The Hearing Panel's amendments to the notified provisions of PC30 Part A are set out in Appendix 1. Amendments recommended by Ms Spalding that have been adopted by the Hearing Panel are shown in ~~strike-out~~ and underlining. Further or different amendments made by the Hearing Panel are shown in **red** font as ~~strike-out~~ and underlining.
6. There are no amendments to the District Plan planning maps.

2. Hearing and Submitters Heard

7. There were 18 primary submissions and 14 further submissions on PC30 Part A. Of these, three submissions relate to the ASPZ, six relate to PDSPZ and five relate to PVSPZ.
8. Further submissions are generally not discussed in this Decision, because they are either accepted or rejected in conformance with our decisions on the original submissions to which they relate.
9. The Hearing for PC30 was held in Fairlie and Twizel over the period Tuesday 27 May 2025 to Thursday 29 May 2025. The three submitters and further submitters set out below were heard:

Submitter Ref	Submitter Name
PC30.04 FS06	Tekapo Landco Ltd & Godwit Leisure Ltd
PC30.08	Heritage New Zealand Pouhere Taonga
PC30.13	Canterbury Regional Council

¹ Megen McKay, Ros Day-Cleavin and Rob van Voorthuysen.

² PC30 Section 42A Report Author's Response to Hearings Panel Questions, 20 May 2025.

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10. The individuals we heard from are listed in Appendix 2. Three submitters tabled evidence but did not appear at the Hearing and they are also listed in Appendix 2.
11. Copies of all legal submissions and evidence (either pre-circulated or tabled at the Hearing) are held by the MDC. We do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Decision. We record that we considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the Hearing.
12. We received opening legal submissions from MDC's legal counsel Michael Garbett who addressed the statutory framework.
13. We also received 'overview' evidence from Julie-Anne Shanks regarding the current stage of the MDPR, the PCs notified as part of Stage 4 of the MDPR and their integration with existing operative District Plan provisions.

3. Our Approach

14. We have decided to structure this Decision in the following manner.
15. Ms Spalding's Section 42A Report sequentially addressed the submissions under the following topic-based headings:
 - Accommodation Special Purpose Zone
 - Pūkaki Downs Special Purpose Zone
 - Pūkaki Village Special Purpose Zone
 - Variations and Consequential Changes
16. For the ease of readers of this Decision, we have adopted the same approach here and mimic the headings used in the Section 42A Report.
17. The submissions received on the provisions covered by each of these headings were summarised in the Section 42A Report. We adopt those summaries, but do not repeat them here for the sake of brevity.
18. Where, having considered the submissions and the submitters' evidence and legal submissions, we nevertheless accept Ms Spalding's final recommendations, we state that we adopt her assessment and recommendations as our reasons and decisions. Where we disagree with Ms Spalding's final recommendations, we set out our own reasons based on the evidence received and state our decisions on the relevant submissions.
19. The consequence of our approach is that readers of this Decision should also avail themselves of the Section 42A Report listed in paragraph 3 above.

3.1 Statutory Framework

20. We adopt the statutory framework assessment set out in section 6 of the Section 42A Report. We note that to be consistent with the framework described by Mr Garbett in paragraphs 5 and 6 of his opening legal submissions.

3.2 Uncontested Provisions and Supporting Submissions

21. Table 1 of the Section 42A Report listed provisions within PC30 Part A, V3PC27 and V3PC27 which were either not submitted on, or where submitters sought their retention. Table 1 also listed the relevant submissions.
22. DOC (11.08) and Nova (14.03) supported the entire PDSPZ Chapter and sought no amendments.

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23. We have decided to accept the submissions listed in Table 1 of the Section 42A Report and DOC (11.08) and Nova (14.03) supporting submissions and we do not discuss those submissions further in this Decision. Consequently, the provisions listed in Table 1 of the Section 42A Report are retained as notified (unless a clause 10(2)(b) or clause 16(2) change has been made to them).

3.3 Section 32AA Assessments

24. Where we adopt Ms Spalding's recommendations, we also adopt her s32AA assessments. For those submissions we are satisfied that Ms Spalding's recommendations are the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the District Plan and for giving effect to other relevant statutory instruments.
25. Where we differ from Ms Spalding's recommendations, we are required to undertake our own s32AA assessment at a level of detail that corresponds to the scale and significance of any changes we recommend to the notified District Plan provisions. In that regard we are satisfied that any such amendments are a more efficient and effective means of giving effect to the purpose and principles of the RMA and the higher order statutory instruments, for the reasons we set out in this Decision.

4. Consequential Changes

4.1 Assessment

26. Ms Spalding advised that PC30 Part A proposes to make consequential changes to various sections in the Operative District Plan (ODP), including:
 - Deleting Section 9 and Appendix T;
 - Introducing abbreviations and adopting definitions in the Interpretation Chapter; and
 - Consequential changes to the Subdivision Chapter, Natural Character Chapter, Infrastructure Chapter, and Earthworks Chapter.
27. We agree with Ms Spalding that these amendments are minor in nature and will ensure consistency with the infrastructure and subdivision rules across the Pūkaki Special Purpose Zones and align with the Zone Objectives.

4.2 Decision

28. We adopt Ms Spalding's analysis and recommendation as our reasons and decisions.

5. Pūkaki Downs Special Purpose Zone – PDSPZ-P1

5.1 Assessment

29. PTHL and PVHL (01.04) supported PDSPZ-P1 but sought correction of a drafting error, while NZTA (12.06) supported it in part and requested an additional clause to address potential effects on State Highway 80. We accept Ms Spalding's analysis and recommendation to reinstate omitted wording in PDSPZ-P1(8) to promote public access linkages, and accept the NZTA submission in part, preferring revised wording for a new clause to ensure that the form and location of vehicle access off State Highway 80 maintains its safe and efficient operation.

5.2 Decisions

30. We adopt Ms Spalding's assessment and recommendations as our reasons and decisions.
31. Our amendments to PDSPZ-P1 are set out in Appendix 1.

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6. Rules (note for Plan users), PDSPZ-R1 and PDSPZ-MD4

6.1 Assessment

32. CRC (13.21) supported the PDSPZ rules as notified, as did PTHL and PVHL (01.05), who also sought clarification of the PDSPZ rules note, to align it with the Earthworks Chapter by specifying which earthworks rules apply (01.06). NZTA (12.07) requested an amendment to PDSPZ-R1 to refer to both the form and location of access off State Highway 80. HNZPT (08.01, 08.02) supported the reference to PDSPZ-MD4 in PDSPZ-R1, but sought an additional requirement to consult with HNZPT when assessing effects on historic heritage values.
33. Having considered the submissions and evidence, we accept Ms Spalding's analysis that:
 - Clarifying that Earthworks Rules EW-R1 and EW-R2 apply within the PDSPZ improves Plan usability and consistency, and should be reflected through an amended advice note;
 - Including reference to the form as well as the location of access off State Highway 80 is sensible and necessary for proper assessment; and
 - Seeking mandatory consultation with HNZPT and additional wording in PDSPZ-MD4 is unnecessary as existing provisions sufficiently address heritage effects.
34. We further agree with her recommendation to delete the reference to standards EW-S1 to EW-S6 in the advice notes, as these are already cross-referenced in the relevant rules (PDSPZ-R10 and PVSPZ-R10), and to relocate the advice note in the Earthworks Chapter to sit under the "Rules" heading for better visibility, as a clause 16(2) amendment.

6.2 Decision

35. We adopt Ms Spalding's assessment and recommendations as our reasons and decisions.
36. Our amendments to the 'Note for Plan Users', PDSPZ-R1 and PDSPZ-MD4, and the Earthworks Chapter are set out in Appendix 1.

7. Figure PDSPZ-1: Structure Plan, PDSPZ-R1 and PDSPZ-MD5

7.1 Assessment

37. PTHL and PVHL (01.09) supported retaining the PDSPZ Structure Plan as notified, while DOC (11.09) sought amendments to prevent conflicts with conservation covenants and better protect the Pūkaki Scientific Reserve, highlighting potential encroachments and unassessed effects. In response, PTHL and PVHL (FS 05.01) clarified that most Built Development Areas (BDA) do not overlap with covenanted lands, and that the Outline Development Plan (ODP) process and covenants ensure protection of these values.
38. Having considered the submissions and evidence, we accept Ms Spalding's analysis that:
 - DOC's concern about conservation covenants being overlooked during development is valid, and amending BDA3 boundaries to exclude overlapping covenant areas is appropriate to protect those values; and
 - Additional wording to PDSPZ-R1 and PDSPZ-MD5, which was circulated and supported by submitters, will ensure ecological effects on adjacent sites, including the Pūkaki Scientific Reserve, are considered during the ODP approval process.

7.2 Decision

39. We adopt Ms Spalding's assessment and recommendations as our reasons and decisions.
40. Our amendments to the Structure Plan, PDSPZ-R1 and PDSPZ-MD5 are set out in Appendix 1.

Accommodation Special Purpose Zone, Pūkaki Downs Special Purpose Zone and Pūkaki Villages Special Purpose Zone
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8. Pūkaki Village Special Purpose Zone – General approach

8.1 Assessment

41. DOC (11.10, 11.11) supported the PVSPZ framework, particularly the Structure Plan and ODP for ecological protection, but questioned whether development for up to 1,000 people can protect biodiversity and sought a review of that density limit. Nova (14.02) and PTHL and PVHL (01.11) supported retaining the provisions as notified, with PTHL and PVHL emphasising that development is design-led rather than fixed by density, and that the provisions appropriately balance development and ecological values.
42. Having considered the submissions and evidence, we accept Ms Spalding's analysis that:
 - The 1,000-person capacity limit was not carried forward from the Operative District Plan to avoid implementation challenges and potential misinterpretation as a target or permitted baseline; and
 - Amendments to PVSPZ-R1 and PVSPZ-MD5 requiring assessment of ecological effects both within and beyond the development site are appropriate and will ensure potential impacts on significant vegetation, habitats, and biodiversity are thoroughly considered and managed, especially given the zone's proximity to the Lake Pūkaki Terminal Moraine Conservation Area and adjoining SNAs.

8.1 Decision

43. We adopt Ms Spalding's assessment and recommendations as our reasons and decisions.
44. Our amendments to the PVSPZ-R1 and PVSPZ-MD5 are set out in Appendix 1.

9. PVSPZ-P1, Rules (note for Plan users) and PVSPZ-R1, PVSPZ-R6 and PVSPZ-S7

9.1 Assessment

45. PTHL and PVHL (01.13, 01.15, 01.16) requested corrections to a Plan user note to clarify the applicability of earthworks rules within PVSPZ and sought fixes for typographical errors in PVSPZ-R6 and PVSPZ-S7. NZTA (12.09, 12.10) sought amendments to PVSPZ policies and rules to manage development impacts on State Highway 80, including specific consideration of the form and location of vehicle access through the ODP process.
46. Having considered the submissions and evidence, we accept Ms Spalding's analysis that:
 - The suggested amendment to the 'note for Plan users' in the rules section by PTHL and PVHL improves internal consistency, including deletion of the reference to Standards EW-S1 to EW-S6;
 - Minor typographical errors identified by PTHL and PVHL in PVSPZ-R6 and PVSPZ-S7 should be corrected to improve the Plan;
 - Including a clause in PVSPZ-P1 addressing the form and location of vehicle access off State Highway 80 is appropriate to maintain the highway's safe and efficient operation, with recommended wording adjustments to improve clarity and policy alignment; and
 - Including assessment of both the form and location of State Highway access in PVSPZ-R1 is sensible and aligns with standard planning practice involving NZTA consultation.

9.1 Decision

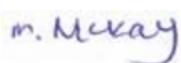
47. We adopt Ms Spalding's assessment and recommendations as our reasons and decision.

Accommodation Special Purpose Zone, Pūkaki Downs Special Purpose Zone and Pūkaki Villages
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48. Our amendments to the PVSPZ-P1, 'Note for Plan Users', PVSPZ-R1, PVSPZ-R6 and PVSPZ-S7, are set out in Appendix 1.



Rob van Voorthuysen (Chair)



Megan McKay



Ros Day- Cleavin

24 July 2025

Accommodation Special Purpose Zone, Pūkaki Downs Special Purpose Zone and Pūkaki Villages
Special Purpose Zone
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Appendix 1: Amended Provisions

Accommodation Special Purpose Zone, Pūkaki Downs Special Purpose Zone and Pūkaki Villages Special Purpose Zone
 Variation 2 to Plan Change 23
 Variation 3 to Plan Change 26
 Variation 3 to Plan Change 27

Appendix 2: Appearances

Sub. Ref	Submitter Name	Name	Role
PC30.04 FS06	Tekapo Landco Ltd & Godwit Leisure Ltd	Johnathan Speedy Kim Banks Richard Tyler	Development Manager Planner Landscape Architect
PC30.08	Heritage New Zealand Pouhere Taonga	Mitzie Bisnar	Planner
PC30.13	Canterbury Regional Council	Rachel Tutty Jolene Irvine Nick Griffith Helen Jack	Planner Team Leader – Rivers Planning Natural Hazards Scientist Natural Hazards Scientist

Tabled Evidence

	Submitter	Name	Role
PC30.01 FS05	Pukaki Tourism Holdings Ltd Partnership & Pukaki Village Holdings Ltd	Steven Tuck	Planner
PC30.11 FS13	Director-General of Conservation	Di Finn	Manager Operations
PC30.12	NZ Transport Agency Waka Kotahi	Jeremy Talbot	Principal Planner

Attachment 4: List of persons to be served Meridian Energy Limited's appeal on Plan Changes 28 and 30, Mackenzie District Plan

Party	Electronic address for service
Decision maker	
Mackenzie District Council	info@mackenzie.govt.nz ; michael.garbett@al.nz
Persons who submitted on Plan Change 28	
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Natural Hazards Commission Toka Tu Ake	resilience@naturalhazards.govt.nz
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Jason Wakelin	home@wakelinfamily.co.nz
The Church of the Good Shepherd Tekapo Committee	carollsimcox@gmail.com
Burkes Pass Residents Assoc.	j-h-capstick@xtra.co.nz
Chorus, Connexa, FortySouth, One NZ & Spark	tom@incite.co.nz
Fairlie & Districts Residents & Ratepayers Soc Inc	fairlieratepayers@gmail.com
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Philip Quelch	hello@burkespass.nz
Meridian Energy Limited	andrew.feierabend@meridianenergy.co.nz
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New Zealand Defence Force	mwoods@tonkintaylor.co.nz; rebecca.davies@nzdf.mil.nz

Persons who submitted on Plan Change 30

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Heliventures New Zealand Limited	mark@perspective.net.nz
Timothy Rayward	tim@airsafaris.co.nz

Tekapo Landco Ltd & Godwit Leisure Ltd	jonathan@covington.co.nz / kim.banks@patersons.co.nz
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Glentanner Park Ltd, Glentanner Ltd	george@glentanner.co.nz
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