

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHĪ**

Decision No. [2025] NZEnvC 364

IN THE MATTER of the Resource Management Act 1991

AND appeals under clause 14 of the First
Schedule of the Act

BETWEEN THE ROYAL FOREST AND BIRD
PROTECTION SOCIETY OF NEW
ZEALAND INCORPORATED

(ENV-2024-CHC-91)

AVIATION INDUSTRY
ASSOCIATION OF NEW
ZEALAND

(ENV-2024-CHC-92)

Appellants

AND MACKENZIE DISTRICT
COUNCIL

Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act
In Chambers at Christchurch

Last case event: 9 September 2025

Date of Determination: 7 November 2025

Date of Issue: 7 November 2025

DETERMINATION OF THE ENVIRONMENT COURT



A: Under s279(1)(b) and (c) of the RMA:¹

- (1) the appeal by Aviation Industry Association of New Zealand against decisions on PC23 is allowed to the extent that Mackenzie District Council (MDC) is directed to amend the Mackenzie District Plan (Plan) by making the changes set out in Annexure 1, attached to and forming part of this determination and the appeal is otherwise dismissed;
- (2) the appeal by Royal Forest and Bird Protection Society of New Zealand Incorporated against decisions on PC23 and PC26 is allowed to the extent that MDC is directed to amend the Plan as set out in Annexures 2 – 4 to this determination and the appeal is otherwise dismissed.

B: As agreed, there is no order as to costs.

REASONS

Introduction

[1] Mackenzie District Council (MDC) is undertaking a staged review of its District Plan (PDP). Stage 3 of the review included Plan Change 23 (PC23) and Plan Change 26 (PC26).

[2] PC23 would replace Section 7 (Rural) of the Plan with three new dedicated chapters related to the General Rural Zone (GRUZ), Natural Features and Landscapes (NFL), and Natural Character (as to how definitions apply).

¹ Resource Management Act 1991.

[3] PC26 concerns renewable electricity generation and infrastructure. It introduces new standalone chapters as well as making consequential changes to other chapters and to the planning maps.

[4] Aviation Industry Association of New Zealand (AIANZ) appealed some decisions in PC23. So did the Royal Forest and Bird Protection Society of New Zealand Incorporated (Forest & Bird) who also appealed against some decisions on PC26.

[5] Following mediation, all parties to the AIANZ and Forest & Bird appeals reached full settlement on those Stage 3 provisions. They filed joint memoranda seeking that the appeals be resolved by consent orders.²

[6] In each case, however, the parties filed affidavit planning opinions in support of their settlements. Those affidavits offer opinions on why agreed changes to the status quo decision version provisions in the Plan satisfy relevant requirements under the RMA. As that is effectively calling on the court to make an evaluative judgment supported by expert opinion, I have elected to issue this determination giving reasons (notwithstanding that I find that I agree that the changes pursued are appropriate).

[7] The court record of appeals having been checked. I accept the assurances in the joint memoranda that all persons who joined and remain as parties to any

² AIANZ and MDC jointly filed a consent memorandum dated 21 May 2025. Forest & Bird and MDC jointly filed three memoranda, the first in relation to the Infrastructure Chapter dated 29 August 2025 (INF), the second in relation to the Renewable Energy Generation Chapter dated 29 August 2025 (REG) and the third in relation to the Natural Features and Landscape and General Rural Zone Chapters dated 8 September 2025 (NFL/GRUZ).

appeal under s274 RMA have signed the memorandum setting out the relief sought.³

Statutory framework and principles

[8] In view of the settlements reached, I will briefly traverse aspects of the statutory framework that inform my jurisdiction and approach in reaching this determination to endorse the settlements reached.

[9] An Environment Judge sitting alone may make any order that is not opposed or that is in respect of a matter which the parties to the proceedings agree should be heard and decided on that basis.⁴ I rely on both provisions in making this determination in a context where I am satisfied all parties support the agreed outcome and that there are no issues of jurisdictional scope.

[10] Appeals are de novo. In making the determination, I have the powers, duties and discretions that MDC had in regard to those aspects of PC23 and PC26 in issue in these appeals.⁵

[11] Central to the evaluative task in whether what is sought in the settlements by way of changes to the Plan is the most appropriate for achieving relevant Plan objectives.⁶ That is in a context in which no Plan objectives are themselves in issue and nor are any higher order policy instruments. The relevant statutory considerations are traversed in the planning witness affidavits filed with the joint

³ No interested parties joined the AIANZ appeal under s274 RMA. Nine parties joined the Forest & Bird appeal. Canterbury Regional Council, Meridian Energy Limited, Nova Energy Limited and Opuha Water Limited had an interest in and signed all three memoranda. Genesis Energy Limited's interest related to INF and REG. It was a signatory to both these memoranda. Transpower New Zealand Limited's interest was solely related to the INF provisions. It signed the relevant memorandum. Similarly, the extent of the interest of Pukaki Tourism Holdings Limited Partnership and Pukaki Village Holdings Limited, Federated Farmers of New Zealand, Mackenzie Basin Wilding Tree Trust related only to NFL and GRUZ. Each signed the relevant memorandum.

⁴ RMA, s279(1)(b), (c).

⁵ RMA, s290.

⁶ RMA, ss 290, 32AA, 32.

memoranda.

[12] I am to have regard to MDC's decisions the subject of the appeals.⁷ Relevant aspects of that are also traversed in the joint memoranda and associated affidavits.

The evidence

[13] For relevant matters, I draw from the planning affidavits of Ms Liz White⁸ (who is known to the court as having had a significant role in the Plan review) and Mr Nick Boyes.⁹ In particular, for the relevant provisions, their evidence provides an evaluative assessment of the agreed changes in terms of s32AA RMA and provides their opinions supporting what is agreed as appropriate. As evidenced by their affidavits, I am satisfied both experts are independent, duly informed, experienced and reliable.

AIANZ appeal

[14] AIANZ's appeal relates to GRUZ provisions in PC23 and associated definitions for which various amendments were sought.

Agreed changes sought

[15] In their 21 May 2025 joint memorandum, the parties jointly seek the following changes to GRUZ provisions:

- (a) a definition of airstrip;
- (b) amendment to the definition of helicopter landing area;
- (c) addition to GRUZ-P8 of permitted aircraft movements (with related changes to GRUZ-R15);

⁷ RMA, s290A.

⁸ Affidavit of Liz White, affirmed 5 September 2025.

⁹ Affidavit of Nick Boyes, affirmed 9 September 2025.

- (d) exemptions to GRUZ-R16 to ensure temporary airstrips and helicopter landing areas do not require consent when separation distances cannot be met (supporting TEMP-O1).

[16] Mr Boyes explains the parties have agreed to differentiate between frequent aviation activity, which is encouraged within the Special Purpose Airport Zone, and the infrequent, dispersed aircraft movements that support primary production in the GRUZ.

[17] Mr Boyes considers the changes would better achieve GRUZ objectives. He points out that some consequential amendments to provisions using the term ‘airfield’ will be required. These include GRUZ-SCHED1 and NOISE-R11, the latter being part of PC29 within Stage 4 of the plan review. However, he considers that the agreed amendments are appropriate and granting the modified agreed relief would not impact on the resolution of any other proceeding.

Forest & Bird appeal

PC23

[18] Forest & Bird’s appeal sought a number of amendments to PC23 provisions, specifically:

- (a) the definition of ‘Pastoral Intensification’;
- (b) NFL-O2, NFL-R6A, NFL-R7, NFL-R8, NFL-R10 and NFL-R12 within the Natural Features and Landscapes Chapter; and
- (c) GRUZ-02, GRUZ-P1 and GRUZ-P5 within the General Rural Zone Chapter.

Agreed changes sought

[19] The changes to those provisions the parties now agree to seek to determine the appeal are in their joint memorandum dated 8 September 2025.

GRUZ-P1

[20] The proposed change to r GRUZ-P1 shifts the language from “enabled” to “provided for” in relation to supporting activities. Both rr GRUZ-O1 and GRUZ-P2 prioritise primary production and supporting activities. While r GRUZ-P1 uses the term “provided for,” it still explicitly refers to supporting activities alongside primary production. Mr Boyes interprets this as maintaining their prioritised status.

NFL-R3

[21] The parties seek that the title of r NFL-R3 be amended to clarify exemptions for activities covered under rr NFL-R7 and NFL-R8, replacing the previous advice notes and improving clarity. Mr Boyes considers this a structural change that enhances the plan’s usability without altering the substance of the provisions. He views the change as a more efficient and effective way to implement the District Plan and achieve the purpose of the RMA.

NFL-R6A

[22] The parties seek to add to r NFL-R6A a new requirement that the Wilding Conifer Mechanical Discing Removal Management Plan identify and exclude areas of significant indigenous vegetation or fauna habitat from discing. This complements the existing protection in r NFL-R6A.2. Mr Boyes explains that this would better support the achievement of NFL-O1. The change also aligns with the biodiversity protection objectives included in Section 19 of the District Plan under PC18.

NFL-R7

[23] To ensure that r NFL-R7 does not otherwise inadvertently prevent other appropriate land uses (such as indigenous vegetation restoration) the parties seek the deletion of NFL-R7.2. This would remove the requirement to convert land to

pasture grass. Mr Boyes considers this change removes a barrier to conservation activities and better reflects the range of permitted uses under GRUZ and NFL objectives. He considers that the deletion, along with the removal of the related advice note, would improve plan efficiency, and support the District Plan's objectives, particularly in relation to conservation.

NFL-R8

[24] The parties seek an amendment to the title to r NFL-R8 to clarify that topdressing and oversowing are only permitted when undertaken to manage wilding conifers.

[25] The parties seek that r NFL-R8.2 be deleted and replaced with a new permitted activity rule that excludes such activities within Sites of Natural Significance. Non-compliance triggers restricted discretionary status.

[26] Mr Boyes considers the title change is significant but appropriate. He explains that it would ensure the exemption from r NFL-R3 would apply only where wilding conifer management is the purpose. This targeted exemption is sought in view of the serious threat wilding conifers pose to natural features and landscape values. The evidence explains that the added scrutiny for Sites of Natural Significance appropriately supports the policy framework's biodiversity and landscape protection objectives.

[27] Further, I record there is overlap between the agreed provisions for NFL-R8 in this appeal and the content of s19 to be finally resolved under the appeals by Forest & Bird and Environmental Defence Society Incorporated's appeals against PC18. The parties interested in the wilding conifer rule support a consistent application of NFL-R8 across both chapters for landscape and ecological reasons. I am satisfied there will be due consistency between NFL-R8 as the parties now seek and what will in due course be determined in those PC18 appeals.

NFL-MD2

[28] The parties seek several amendments to NFL-MD2 to clarify the matters of control and discretion when assessing activities under rr NFL-R7 and NFL-RS. These include a stronger focus on adverse effects on significant indigenous biodiversity and landscape values and a focus on the potential exclusion of ‘sensitive areas’ in order to manage those adverse effects. A maximum stocking rate is introduced. References to high country pastoral grazing and direct drilling are removed. The reference to ‘development’ is deleted and replaced with the term ‘activity’. New text is included to make it clear that it is the ‘extent and location’ of any new fencing that is of particular concern to prevent mobstocking.

[29] Mr Boyes supports these changes, noting they better balance wilding conifer control with landscape protection, align with relevant plan changes, and improve efficiency by reducing the technical burden of resource consent applications.

PC26 – infrastructure

[30] Forest & Bird’s appeal sought a number of amendments to provisions in the Infrastructure (INF) Chapter, specifically:

- (a) INF-P4 – Managing Adverse Effects of Infrastructure;
- (b) INF-P5 – Infrastructure in Sensitive or Significant Areas;
- (c) INF-P7 – Infrastructure in Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna.

Agreed changes sought

[31] In their 29 August 2025 memorandum, the parties jointly seek amendments to pols INF-P4 and INF-P5 in settlement and resolution of the appeal points

concerning the Infrastructure Chapter.¹⁰

INF-P4

[32] The parties seek that explicit reference be made to “the operation, maintenance, upgrade and development” of infrastructure in this policy. That is in preference to referring to managing infrastructure in the chapeau to the policy.

[33] In addition, the parties jointly seek that a new cl 4 be added to INF-P4 directing that adverse effects on indigenous biodiversity outside areas of significant vegetation and significant habitats of indigenous fauna are to be managed in accordance with Pol 3 in Section 19 of the District Plan. That is except for the National Grid where Pol 5 in Section 19 applies.

[34] Ms White considers that these proposed changes improve the efficiency and effectiveness of Pol INF-P4. That is without altering the policy’s intent. In her opinion, applying the effects hierarchy from Pol 3 would support more robust biodiversity outcomes, albeit potentially giving rise to higher management costs.

INF-P5

[35] INF-P5 provides specific direction in relation to infrastructure located within areas of significant indigenous vegetation and significant habitats of indigenous fauna.

[36] The parties jointly seek that cl 3 of this policy be amended to direct to the effect that:

¹⁰ For completeness, the parties’ mediation agreement dated 1 April 2025 records that the relief sought in relation to the Ecosystem Integrity and Biodiversity Section is resolved and would no longer be pursued.

- (a) “more than minor residual adverse effects” of infrastructure in sensitive environments must be “avoided, remedied, or mitigated”; and
- (b) only in circumstances where that is not possible, will offsetting or compensation be considered.

[37] Ms White supports this change as appropriate. She considers that it better aligns with objectives INF-O1 and INF-O2. That is in the sense that it would help ensure effects on the surrounding environment accords with sensitivity of the environment while acknowledging infrastructure needs. She considers that targeting only residual adverse effects is appropriate and efficient, although it may increase costs due to the stricter requirements. Overall, she considers the agreed amendment more effective and balanced approach to managing environmental impacts.

PC26 – renewable generation

[38] Forest & Bird’s appeal sought a number of amendments to provisions in the Renewable Energy Generation (REG) Chapter, specifically:

- (a) amendments to Table 1 in both the REG and Infrastructure Introductions;¹¹
- (b) the addition of new policies and rules for wind; and
- (c) amendments to REG-O1, REG-02, REG-P3A, REG-P4, REG-P5, REG-P6, REG-R1, REG-R2, REG-R3, REG-R4, REG-R5, REG-R6, REG-R6A, REG-R7 and REG-MD5.

Agreed changes sought

[39] In their 29 August 2025 joint memorandum, the parties jointly seek

¹¹ The appeal originally sought to Delete Table 1 or alternatively amend the REG and INF introductions. By memorandum dated 6 November 2024, Forest & Bird partially withdrew the part of its relief seeking the deletion of Table 1.

amendments to the REG Chapter in settlement and resolution of all appeal points.¹²

REG-O2

[40] The parties jointly seek that REG-O2 be amended to require adverse effects from REG activities to be “appropriately managed.” The amendment would remove the previous reference to their management being undertaken in a way that recognises and provides for their national significance.

[41] Ms White supports this change. She considers it would align with s5(2)(c) RMA and that the concept of “appropriate” management already encompasses the necessary recognition. She considers the change a more effective way to achieve the purpose of the RMA, with REG-P1 continuing to ensure the benefits of renewable electricity generation are acknowledged within the broader policy framework.

REG-P3A

[42] The parties jointly seek that REG-P3A be amended to clarify that the “operation, maintenance, and upgrade of existing renewable electricity generation schemes” must be managed in accordance with REG-P2 and REG-P3, where relevant.

[43] Ms White supports this change. She considers it would resolve a policy gap and help ensure that enabling these activities does not override the need to manage their effects in sensitive areas (e.g. ONLs¹³ and Lakeside Protection Areas). Furthermore, in her opinion the revised wording would improve clarity and better

¹² For completeness, the parties’ mediation agreement dated 1 April 2025 records that the relief sought in relation to the REG and INF Introductions, REG-O1, new pols and rules for wind, REG-R1, REG-R2, REG-R3, REG-R6A are resolved and would no longer be pursued.

¹³ Outstanding natural landscapes.

align with REG-O1 and REG-O2 by balancing enablement with appropriate effects management.

REG-P4

[44] The parties jointly seek that REG-P4 be amended to clarify that adverse effects from investigation and small-scale renewable electricity generation activities should be managed relative to the values of the area in which they occur.

[45] Ms White supports this change. In her opinion, it would align with the rule framework and improve clarity and efficiency in implementation. She considers the amendment a more effective way to achieve REG-O2 without introducing additional costs.

REG-P5, REG-P6, REG-MD4 and REG-MD5

[46] The parties jointly seek amendments to REG-P5, REG-P6, REG-MD4 and REG-MD5. Those are to include reference to “Policy 4 in section 19 and Appendix Z” wherever offsetting or environmental compensation is proposed.

[47] Policy 4 outlines criteria for biodiversity offsets, while Appendix Z sets criteria for qualifying biodiversity compensation.

[48] Ms White supports the change. In her opinion, it would improve clarity without adding costs and allow REG proposals to draw on existing plan criteria. She expects this would improve efficiency by guiding assessments using established standards.

[49] The parties jointly seek that a clause be added to REG-P6 to clarify that, after applying all other policy directions, consideration must be given to whether the benefits of a REG activity outweigh any significant residual adverse effects on the values of the area.

[50] Ms White supports this change, noting it strengthens the policy framework by ensuring effects are appropriately managed in sensitive areas. While the change may result in some REG proposals being declined, it better aligns with REG-O2 and enhances protection of valued landscapes and environments.

[51] The parties seek that REG-R4 be amended to apply only to new hydroelectricity generation activities associated with existing hydroelectric power stations, rather than to all types of renewable electricity generation.

[52] Ms White supports this change. In her opinion, it would align with the original intent of the rule and avoid inadvertently enabling other REG activities (e.g. solar or wind) within sensitive areas. She comments that the change would maintain consistency with the current framework and help ensure other REG activities are assessed under the appropriate rules and policies, improving alignment with REG-P2 to P6.

[53] The parties jointly seek that REG-R5 be amended to limit earthworks associated with investigation activities within ONLs to 500m³ by volume and 500m² by area per site in any 12-month period.

[54] Ms White supports this change. In her opinion, it would better implement REG-P4 and REG-O2 by ensuring adverse effects on ONL values are appropriately managed. While the change may trigger consent requirements for activities exceeding these limits, she considers that the environmental benefits of protecting ONL values would outweigh the potential costs.

[55] The parties jointly seek that REG-R6 be amended to permit small-scale renewable electricity generation activities in ONL only where they are additions to existing buildings or structures, or do not exceed 1000m² in area. Activities that do not meet those conditions would require restricted discretionary consent.

[56] Ms White supports the change. She considers that it would better implement REG-P4 and REG-O2 by ensuring adverse effects on ONL values are

appropriately managed. While the change may introduce consent requirements for larger installations, she considers that the environmental benefits of protecting ONL would outweigh the costs.

Other matters

[57] For completeness, the parties' mediation agreement dated 1 April 2025 records that the relief sought in relation to the Ecosystem Integrity and Biodiversity Section is resolved and would no longer be pursued.

Evaluation

[58] I accept the assurances given by the parties and the planning experts that making the various changes sought to the Plan in granting the updated agreed relief will not impact on the resolution of any other proceeding.

[59] I have reviewed and find appropriate and fit for purpose the drafting proposed with each of the joint memoranda.

[60] For Forest & Bird's appeal, I find all agreed changes to PC23 and PC26 appropriate. As I have noted, that is on the basis of the joint memoranda and related opinions of Mr Boyes (as to PC23) and Ms White (as to PC26).

[61] Accepting Mr Boyes' opinion, I also determine that to be the case for the changes jointly sought to the GRUZ provisions in settlement of relevant appeal points of the AIANZ appeal in regard to PC23.

[62] On a similar basis, I accept parties' agreed position that all changes sought to the Plan conform to the relevant requirements and objectives of the RMA, including, in particular pt 2.

Outcomes

[63] For those reasons, under s279(1)(b) and (c):

- (a) the appeal by AIANZ against decisions on PC23 is:
 - (i) allowed to the extent that MDC is directed to amend the Mackenzie District Plan by making the changes set out in Annexure 1, attached to and forming part of this determination;
 - (ii) otherwise dismissed; and
- (b) the appeal by Forest & Bird against decisions on PC23 and PC26 is:
 - (i) allowed to the extent that MDC is directed to amend the Plan as set out in Annexures 2 – 4 to this determination; and
 - (ii) otherwise dismissed.

[64] There is no order as to costs in view of the parties' agreement that these should lie where they fall.



J J M Hassan
Environment Judge



Annexure 1

Changes to the Decisions Version are marked – additions are underlined and deletions are struck through.

Definitions

Add a definition of airstrip:

airstrip – means any area of land used, whether wholly or partly, for the landing and departure of fixed wing aircraft, where there is no commercial aviation infrastructure or facilities.

Amend the definition of helicopter landing area:

Helicopter landing area – means any area of land, building or structure intended or designed to be used, whether wholly or partly, for helicopter movement where there is no commercial aviation infrastructure or facilities or servicing, including heliports and helipads.

General Rural Zone

Introduction

The General Rural Zone encompasses the majority of the District. The land resource making up this zone is a major contributor to the economic, social and cultural wellbeing of the District.

The purpose of the General Rural Zone is to enable a range of primary production activities, as well as other compatible activities that rely on or support the natural resources within rural areas of the District, including tourism and conservation along with those activities that have an operational need or functional need to locate in the zone.

The character of the zone varies, but is distinctly rural with open grasslands, pastoral farming, and areas of forestry with an overall low density of built form. To recognise and maintain the existing character, the zone has been separated into different areas to manage residential density, most notably through the Eastern Plains Specific Control Area where greater densities of development are anticipated.

The General Rural Zone includes a range of environments including hill and high country, downlands and plains, each with their own associated landscapes, vegetation and ecosystems. The General Rural Zone also has areas of highly productive land, which are important for primary production purposes. It also includes areas with important values such as Outstanding Natural Landscapes, Outstanding Natural Features, Sites of Natural Significance and Sites and Areas of Significance to Māori. The majority of Te Manahuna / the Mackenzie Basin is identified as an Outstanding Natural Landscape. Activities in this area are managed through the districtwide Natural Features and Landscapes chapter in Part 2 of the District Plan, which apply in addition to the provisions set out below.

Objectives and Policies

Objectives	
GRUZ-O1	Zone Purpose
The General Rural Zone prioritises primary production and activities that support primary production, and provides for other activities where they rely on the natural resources found only in a rural location.	
GRUZ-O2	Zone Character and Amenity Values
<p>The adverse effects of activities and built form within the General Rural Zone are managed in a way that:</p> <ol style="list-style-type: none"> 1. Maintains a rural character consisting of a low overall building density with a predominance of open space and vegetation cover; 2. Supports, maintains, or enhances the function and form, character, and amenity values of the zone; 3. Recognises the functional needs and operational needs of activities within the zone; and 4. Allows primary production, activities that directly support primary production, and other activities that have a functional or operational need to locate in the General Rural Zone¹ to operate without risk of being compromised by reverse sensitivity. 	

Policies	
GRUZ-P1	Primary Production and Supporting Activities
<p>Enable a range of primary production and supporting² activities to occur in the General Rural Zone, while maintaining the character and amenity of the Zone, by:</p> <ol style="list-style-type: none"> 1. Managing the adverse effects from intensive primary production to minimise effects on the surrounding area; and 2. Providing for quarrying activities in the rural area to meet local demand and the anticipated amenity of the receiving environment. 	
GRUZ-P2	Other Activities
<p>Recognise the importance of primary production activities to the economic wellbeing of the district, and prioritise primary production and activities which support primary production, within the General Rural Zone, by:</p> <ol style="list-style-type: none"> 1. Providing for new economic activity that directly supports, is dependent on, or is ancillary to primary production, or otherwise has a functional or operational need to locate in the General Rural Zone³; 	

¹ Genesis (40.07) and Meridian (44.11)

² NZAAA (2.16), Aviation NZ (19.13)

³ Genesis (40.08), Meridian (44.12)

<ol style="list-style-type: none"> 2. Enabling recreation and tourism activities based on farming experiences, or conservation activities and/or experiencing the natural environment⁴; 3. Ensuring the land resource of the General Rural Zone is not compromised by activities with no functional need or operational need to locate in the zone. 4. Providing for workers accommodation which exceeds the density requirements, where its location, scale and design maintains the character and amenity values of the surrounding area without compromising the safety or efficiency of the road corridor.⁵ 	
GRUZ-P3	Reverse Sensitivity
Avoid reverse sensitivity effects of non-farm development and residential activity on lawfully-established ⁶ primary production activities, activities that have a direct relationship with or are dependent on primary production, existing ⁷ renewable electricity generation activities, regionally significant infrastructure ⁸ and the Tekapo Military Training Area.	
GRUZ-P4	Protecting Highly Productive Land
<p>Maintain the productive capacity of highly productive land, by:</p> <ol style="list-style-type: none"> 1. Avoiding the irreversible loss of highly productive land from inappropriate subdivision, use or development. 2. Encouraging opportunities that increase that productive capacity of highly productive land. 	
GRUZ-P5	Existing Activities on Highly Productive Land
<ol style="list-style-type: none"> 1. Enable the maintenance, operation, or upgrade of any lawfully established⁹ existing activities on highly productive land; and 2. Ensure that any loss of highly productive land from those activities is minimised.¹⁰. 	
GRUZ-P6	Residential Density
<p>Control the density and location of residential activities within the General Rural Zone to:</p> <ol style="list-style-type: none"> 1. Retain low overall building density with a predominance of open space and vegetation cover; and 2. Ensure consistency with the anticipated character and amenity values of the receiving environment. 	
GRUZ-P7	Wilding Conifers
Reduce the adverse effects of wilding conifers on the rural land resource, including by:	

⁴ Simpson Family (16.09)

⁵ NZ Pork (26.17)

⁶ NZ Pork (26.12), PF Olsen (24.28)

⁷ Transpower (13.04)

⁸ Transpower (13.04), OWL (43.05)

⁹ OWL (43.07)

¹⁰ F&B (36.13)

<ol style="list-style-type: none"> 1. Avoiding the further planting of wilding conifer species; and 2. Promoting land use activities that contain or eradicate wilding conifers in Te Manahuna / the Mackenzie District where adverse effects of those activities can be appropriately managed¹¹. 	
GRUZ-P8	Aircraft Movements, <u>Airstrips</u> Airfields and Helicopter Landing Areas
<p>Enable aircraft and helicopter movements within the rural area when ancillary to rural <u>primary</u> production, <u>conservation activity</u>, <u>biosecurity activity</u>, <u>temporary events</u>, <u>the provision and maintenance of infrastructure</u>; or for personal, emergency, conservation, military¹² and non-commercial recreational use.</p> <p>Manage the location and scale of <u>airstrips</u> airfields and helicopter landing areas to maintain the anticipated character and amenity values of the receiving rural environment.</p>	
GRUZ-P9	Aircraft Take-off/ Landing Approaches
<p>Manage the location and height of any structure and vegetation in the vicinity of a Special Purpose Airport Zone to ensure the safety of aircraft take-off/ landing approaches and wider public safety.</p>	

¹¹ EDS (20.07)

¹² NZDF (54.05)

Rules

Note for Plan Users: For certain activities, consent may be required under rules in this Chapter as well as other District-Wide Matters Chapters or Area-Specific Matters Chapters in the Plan. Unless expressly stated otherwise, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 - How the Plan Works.

GRUZ-R1	The Establishment of a New, or Expansion of an Existing Primary Production Activity Not Otherwise Listed	
GRUZ	Activity Status: PER	
GRUZ-R2	Residential Unit	
GRUZ	Activity Status: PER And the activity complies with the following standards: GRUZ-S1 Density GRUZ-S2 Boundary Setbacks GRUZ-S3 Building Coverage GRUZ-S4 Height GRUZ-S5 Sensitive Activity Setback from Intensive Primary Production GRUZ-S6 Sensitive Activity Setback from Quarrying Activity and Mining GRUZ-S7 Sensitive Activity Setback from Commercial Forestry GRUZ-S8 Wastewater GRUZ-S9 Water Supply for Firefighting GRUZ-S10 Airport Height Restrictions	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
GRUZ-R3	Minor Residential Unit	
GRUZ	Activity Status: PER Where: <ol style="list-style-type: none"> 1. The maximum building coverage of the minor residential unit is 90m² excluding any garage or carport up to a maximum of 40m². 2. The minor residential unit is located within 100m of a principal residential unit on the site. 3. There is a maximum of one minor residential unit per site. 	Activity status when compliance is not achieved with R3.1 to R3.3: RDIS¹³ Matters of discretion are restricted to: <ol style="list-style-type: none"> a. GRUZ-MD1 Scale, Location and Design. b. Whether the minor residential unit is required for workers accommodation.¹⁴ c. The need for and efficacy of any proposed measures to

¹³ MFL (48.02)

¹⁴ Clause 10(2)(b) relating to NZ Pork (26.17) and MFL (48.02)

	<p>And the activity complies with the following standards:</p> <p>GRUZ-S2 Boundary Setbacks GRUZ-S3 Building Coverage GRUZ-S4 Height GRUZ-S5 Sensitive Activity Setback from Intensive Primary Production GRUZ-S6 Sensitive Activity Setback from Quarrying Activity and Mining GRUZ-S7 Sensitive Activity Setback from Commercial Forestry GRUZ-S8 Wastewater GRUZ-S9 Water Supply for Firefighting GRUZ-S10 Airport Height Restrictions</p>	<p>be used to avoid any workers' accommodation being subdivided and sold as a principal residential unit if workers' accommodation is no longer required.¹⁵</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
GRUZ-R4	Relocated Buildings and Structures¹⁶	
GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> Any relocated building used¹⁷ as a residential unit must be designed and built for that purpose. A building pre-inspection report shall accompany the application for a building consent for the destination site. That report is to identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works will be completed within a 12-month period from the date from the relocated building or structure¹⁸ being moved to the site. The building shall be located on permanent foundations approved by building consent, 	<p>Activity status when compliance is not achieved with R4.1 to R4.4: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The proposed timetable for completion of the work required to reinstate the exterior of the residential unit and connections to services. Landscaping in the vicinity of the relocated residential unit to assist reinstatement. The adequacy of any mitigation measures. <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>

¹⁵ NZ Pork (26.03)

¹⁶ NZHHA (51.03)

¹⁷ Clause 10(2)(b) related to PC26: NZHHA (25.05, 25.06)

¹⁸ Clause 10(2)(b) related to NZHHA (51.03)

	<p>no later than 2 months of the building being moved to the site.</p> <p>4. All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated building or structure¹⁹ shall be completed within 12 months of the building being moved to the site. Without limiting 3. above, reinstatement work for any residential_unit/minor residential unit²⁰ is to include connections to all infrastructure services and closing in and ventilation of the foundations.</p> <p>And the activity complies with the following standards: GRUZ-S1 Density GRUZ-S2 Boundary Setbacks GRUZ-S3 Building Coverage GRUZ-S4 Height GRUZ-S5 Sensitive Activity Setback from Intensive Primary Production GRUZ-S6 Sensitive Activity Setback from Quarrying Activity and Mining GRUZ-S7 Sensitive Activity Setback from Commercial Forestry GRUZ-S8 Wastewater GRUZ-S9 Water Supply for Firefighting GRUZ-S10 Airport Height Restrictions</p>	
GRUZ-R5	Buildings and Structures Not Otherwise Listed	
GRUZ	<p>Activity Status: PER</p> <p>Where the activity complies with the following standards: GRUZ-S2 Boundary Setbacks GRUZ-S3 Building Coverage GRUZ-S4 Height GRUZ-S5 Sensitive Activity Setback from Intensive Primary Production</p>	<p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>

¹⁹ Clause 10(2)(b) related to NZHHA (51.03)

²⁰ Clause 10(2)(b) related to NZHHA (51.03)

	GRUZ-S6 Sensitive Activity Setback from Quarrying Activity and Mining GRUZ-S8 Wastewater GRUZ-S10 Airport Height Restrictions	
GRUZ-R6	Home Business	
GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The maximum floor area and land occupied by the home business is less than 100m². 2. Retail sales shall be limited to the sale of produce grown on site, handmade crafts manufactured on site and any goods associated with a professional service. <p>And the activity complies with the following standards: GRUZ-S5 Sensitive Activity Setback from Intensive Primary Production²¹ GRUZ-S11 Hours of Operation GRUZ-S12 Staff Numbers</p>	<p>Activity status when compliance is not achieved with R6.1 or R6.2: RDIS</p> <p>Matters of discretion are restricted to: GRUZ-MD1 Scale, Location and Design</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
GRUZ-R7	Rural Selling Place	
GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The maximum area of land occupied by the rural selling place is less than 100m². <p>And the activity complies with the following standards: GRUZ-S11 Hours of Operation GRUZ-S12 Staff Numbers</p>	<p>Activity status when compliance is not achieved with R7.1: RDIS</p> <p>Matters of discretion are restricted to: GRUZ-MD1 Scale, Location and Design</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
GRUZ-R8	Rural Industry	
GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is not a heavy industrial activity. 	<p>Activity status when compliance is not achieved with R8.1, R8.2.b, R8.2.c, R8.3 or R8.4: DIS</p>

²¹ NZ Pork (26.20)

	<ol style="list-style-type: none"> 2. The maximum area of land associated with the rural industry (excluding access) is less than: <ol style="list-style-type: none"> a. 100m² where located within an ONF or ONL; b. 500m² where located within the Eastern Plains SCA-13; or c. 200m². 3. The activity shall be located a minimum distance of 500m from any residential zone boundary. 4. The activity does not take place on highly productive land. <p>And the activity complies with the following standards: GRUZ-S11 Hours of Operation GRUZ-S12 Staff Numbers</p>	<p>Activity status when compliance is not achieved with R8.2.a: NC</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
GRUZ-R9	Rural Tourism Activity	
GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Visitors are limited to a maximum of 100 persons per day. 2. A maximum of five non-resident staff shall be employed in undertaking the activity at any one time. 3. The maximum combined gross floor area of any building/s occupied for the rural tourism activity shall be 500m². 4. The maximum gross floor area of any building used for overnight track accommodation shall be 50m². 5. A maximum of three huts/cabins or other buildings used for overnight accommodation shall be located on a site. 6. The maximum number of guests that can be accommodated on any site as part of a rural tourism activity shall be six per night. 7. The maximum gross floor area occupied for any ancillary retail sales shall be limited to 50m². 	<p>Activity status when compliance is not achieved with R9.1 to R9.8: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. GRUZ-MD1 Scale, Location and Design b. The extent to which there are any adverse effects on the natural environment (landscape and ecological) and character and values of freshwater bodies. c. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural land. d. Where the activity is located within any SASM, those matters in SASM-MD1 Activities in a SASM. <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>

	<p>8. The activity does not take place within a site listed in SASM SCHED3 – Māori Rock Art.</p> <p>And the activity complies with the following standards: GRUZ-S5 Sensitive Activity Setback from Intensive Primary Production GRUZ-S6 Sensitive Activity Setback from Quarrying Activities and Mining GRUZ-S7 Sensitive Activity Setback from Commercial Forestry</p>	
GRUZ-R10	Residential Visitor Accommodation	
GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. No more than one residential unit on a site is used for residential visitor accommodation, including a minor residential unit; and 2. The maximum occupancy of the unit used for residential visitor accommodation does not exceed six guests per night. <p>And the activity complies with the following standards: GRUZ-S5 Sensitive Activity Setback from Intensive Primary Production GRUZ-S6 Sensitive Activity Setback from Quarrying Activities and Mining GRUZ-S7 Sensitive Activity Setback from Commercial Forestry</p>	<p>Activity status when compliance is not achieved with R10.1: DIS</p> <p>Activity status when compliance is not achieved with R10.2: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 3. The maximum occupancy of a residential unit used for residential visitor accommodation exceeds six guests per night but does not exceed twelve guests per night. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. GRUZ-MD1 Scale, Location and Design. b. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural land. <p>Activity status when compliance is not achieved with R11.3: DIS.</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
GRUZ-R11	Camping Grounds	

GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The camping ground facility is permitted within a Reserve Management Plan, approved under the Reserves Act 1977. <p>And the activity complies with the following standards:</p> <p>GRUZ-S5 Sensitive Activity Setback from Intensive Primary Production</p> <p>GRUZ-S6 Sensitive Activity Setback from Quarrying Activities and Mining</p> <p>GRUZ-S7 Sensitive Activity Setback from Commercial Forestry</p>	<p>Activity status when compliance is not achieved with R11.1: DIS</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
GRUZ-R12	<p>The Establishment of a New, or Expansion of an Existing Conservation Activity</p>	
GRUZ	<p>Activity Status: PER</p> <p>Where the activity complies with the following standards:</p> <p>GRUZ-S10 Airport Height Restrictions</p>	<p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
GRUZ-R13	<p>Commercial Forest and Woodlots</p>	
GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Trees shall be set back a minimum of 50m from a residential unit or principal building on a separate site under different ownership. 2. Trees shall be set back a minimum of 15m from the boundary of a separate site under different ownership (unless that adjoining property is also commercial forest). 3. Trees shall not be planted or allowed to grow in such a position that at any time they would shade a paved public road between the hours of 1000 and 1400 on the shortest day of the year, except where the topography already causes shading. 4. Within the Catchments of the Downlands Water Supply with the intake on the Te Ana a Wai 	<p>Activity status when compliance is not achieved with R13.1 to R13.4: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The effect on nearby properties, including outlook, privacy, shading and sense of enclosure. b. The extent to which the reduction in the setback is necessary due to the shape or natural and physical features of the site. c. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other permitted activities occurring on adjacent rural properties. d. Any adverse effects on the efficient and safe functioning of the road due to shading.

	<p>/ Tengawai River and the Timaru Urban Catchment with the intake on the Pureora River / Pareora River the maximum area of permitted planting is 2ha per Record of Title for every 5-year period.</p> <p>And the activity complies with the following standards: GRUZ-S10 Airport Height Restrictions</p> <p>5. Advice Note: <i>SASM-R8 also applies to commercial forestry within a Māori Rock Art Protection Area.</i></p>	<p>e. Effects on the water quality and operational resilience of community water supplies.</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
GRUZ-R14	Shelterbelt	
GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Trees shall not be planted or allowed to grow in such a position that at any time they would shade a paved public road between the hours of 1000 and 1400 on the shortest day of the year, except where the topography already causes shading. <p>And the activity complies with the following standards: GRUZ-S10 Airport Height Restrictions</p>	<p>Activity status when compliance is not achieved with R14.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Any adverse effects on the efficient and safe functioning of the road due to shading. <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
GRUZ-R15	Aircraft and Helicopter Movements	
GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Associated with purposes ancillary to: <ol style="list-style-type: none"> a. Agricultural Aviation Activities²². b. Personal transportation. c. Emergency services and civil defence. d. Non-commercial recreational purposes. 	<p>Activity status when compliance is not achieved with R15.1 or R15.2: DIS</p>

²² Clause 10(2)(b) related to NZAAA (2.01)

	<ul style="list-style-type: none"> e. <u>Conservation activity. Management purposes on land administered under the Conservation Act or its First Schedule.</u> f. <u>Biosecurity activity under the Biosecurity Act 1993.</u> g. Activities of the New Zealand Defence Force. h. Commercial recreation within public conservation land undertaken in accordance with a concession held from the Department of Conservation. i. Natural and physical resource monitoring required by statutory or regulatory instruments.²³ j. <u>The provision and maintenance of infrastructure.</u> k. <u>Temporary Events.</u> <p>or</p> <p>2. Any other purpose where no more than eight²⁴ aircraft movements or eight helicopter movements per day are undertaken from the same location.</p>	
GRUZ-R16	<u>Airstrips Airfields and Helicopter Landing Areas</u>	
GRUZ	<p>Activity Status: PER</p> <p>Where:</p> <ul style="list-style-type: none"> 1. <u>Airstrips Airfields</u> shall be located a minimum distance of 2km from any residential zone boundary; and 1km from any notional boundary of any sensitive activity not located on the same site. 2. Helicopter landing areas shall be located a minimum distance of 500m from any notional boundary of any sensitive activity not located on the same site. 	<p>Activity status when compliance is not achieved with R16.1 to R16.3: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. GRUZ-MD1 Scale, Location and Design. b. The extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural land.

²³ OWL (43.12)

²⁴ Aviation NZ (19.17)

	<p>3. Airstrips Airfields and helicopter landing areas shall be located a minimum distance of 50m from any public road.²⁵</p> <p>4. The airstrip airfield or helicopter landing area is not used on a regular basis for commercial aviation activity.²⁶</p> <p><u>GRUZ-R16.1-4 above do not apply to:</u></p> <p><u>a. Airstrips and helicopter landing areas used for the purpose of agricultural aviation activities on the same site.</u></p> <p><u>b. Airstrips and helicopter landing areas used for the purposes of a Temporary Event under TEMP-R2 or Temporary Military Training Activity or Temporary Emergency Services Training Activity under TEMP-R6.</u></p>	<p>Activity status when compliance is not achieved with R16.4: DIS²⁷</p>
--	--	--

²⁵ John Evans (30.02)

²⁶ Aviation NZ (19.17)

²⁷ Simpson Family (16.15)

Annexure 2

Only those provisions containing agreed changes are provided below. Deletions are struck through and additions are underlined.

GRUZ-P1	Primary Production and Supporting Activities	
Enable a range of primary production and provide for supporting activities to occur in the General Rural Zone, while maintaining the character and amenity of the Zone, by:		
<div><div>1. Managing the adverse effects from intensive primary production to minimise effects on the surrounding area; and</div><div>2. Providing for quarrying activities in the rural area to meet local demand and the anticipated amenity of the receiving environment.</div></div>		
NFL-R3	Pastoral Intensification and Agricultural Conversion (except as provided under NFL-R7 and NFL-R8)	
Te Manahuna / Mackenzie Basin ONL	<div>Activity Status: PER</div> <div>Where:<div><div>1. Located within a Farm Base Area and which is set back at least 20m from the bank of a river and 50m from a wetland.</div><div>2. There shall be no pastoral intensification or agricultural conversion within the following areas identified on the Planning Maps:<div><div>Sites of Natural Significance</div><div>Scenic Viewing Areas</div><div>Scenic Grasslands</div><div>Lakeside Protection Areas</div></div></div></div></div> <div>Activity status when compliance is not achieved with R3.1: CON</div> <div>Where:<div><div>3. Pastoral Intensification and/or Agricultural Conversion (refer Definitions) within the Te Manahuna / Mackenzie Basin ONL which is within an area for which a water permit to take and use water for the purpose of irrigation has been granted by Canterbury Regional Council prior to 14 November 2015 and the consent has not lapsed, subject to compliance with the following standard:</div><div>Matters over which control are reserved:<div><div>a. The location and visibility of irrigation equipment relative to public vantage points including State Highways.</div><div>b. The screening and/or mitigation of visual effects associated with the pastoral intensification and/or agricultural conversion in relation to public vantage points.</div><div>c. The extent and form of pastoral intensification and/or agricultural conversion taking into account:<div><div>i. The extent to which there is compensatory protection and enhancement of stream corridors on the application property.</div><div>ii. The extent to which wilding trees are removed and controlled in future on the application property.</div></div></div></div></div></div></div>	

		<p>iii. Any agreement between the Mackenzie Country Charitable Trust and landowners that secures protection of significant landscape and biodiversity values as compensation for intensification of production</p> <p>d. Whether any threatened or at risk plants are present, including the at-risk species listed in Appendix W.</p> <p>Activity status when compliance is not achieved with R3.3: DIS</p> <p>Activity status when compliance is not achieved with R3.2: NC</p>
NFL-R6A	Mechanical Discing of Wilding Conifers	
Te Manahuna/ Mackenzie Basin ONL	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is undertaken within the Wilding Conifer Removal Overlay included on the Planning Maps. 2. Any significant indigenous vegetation or significant habitat of indigenous fauna is retained. 3. Stormwater management controls are in place to prevent sediment run-off entering surface water bodies. 4. A Wilding Conifer Mechanical Discing Removal Management Plan <u>that identifies any areas of significant indigenous vegetation or habitat of significant fauna, and provides that discing is not carried out in those areas,</u> shall be prepared and submitted to the Mackenzie District Council for certification not less than 20 working days prior to mechanical discing being undertaken. 5. The removal activity must take place in accordance with the certified Wilding Conifer Mechanical Discing Removal Management Plan. 	<p>Activity status when compliance is not achieved with R6A.1 to R6A.5: DIS</p>
NFL-R7	Land Rehabilitation following Removal of Closed Canopy Wilding Conifers	
Te Manahuna / Mackenzie Basin ONL	<p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 4. The activity is undertaken within the Wilding Conifer Removal Overlay included on the Planning Maps. 	<p>Activity status when compliance is not achieved with R7.1 – R7.32: DIS</p>

	<p>2. The land is placed into pasture grass for the grazing of livestock</p> <p>3. 2.The land is not irrigated.</p> <p>Matters over which control are reserved: NFL-MD2 Wilding Conifer Management</p> <p>Advice Note:</p> <p><i>NFL-R3 does not apply to activity undertaken in accordance with this Rule.</i></p>	
--	---	--

NFL-R8	Topdressing and Oversowing <u>to Manage Wilding Conifers</u> within Wilding Conifer Overlay Areas	
Te Manahuna / Mackenzie Basin ONL	<p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is undertaken within the Wilding Conifer Removal Overlay or Wilding Conifer Management Overlay included on the Planning Maps. 2. The land remains pasture grass for the grazing of livestock. 3. 2.The activity is not undertaken within a Site of Natural Significance as identified on the planning maps. <p>Matters over which control are reserved: NFL-MD2 Wilding Conifer Management</p> <p>Advice Note:</p> <p><i>NFL-R3 does not apply to activity undertaken in accordance with this Rule.</i></p>	<p>Activity status when compliance is not achieved with R8.1 <u>or R8.2</u>: DIS</p> <p>Activity status when compliance is not achieved with R8.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>(a) <u>The matters set out in NFL-MD2 Wilding Conifer Management</u></p>

NFL-MD2 Wilding Conifer Management

- a. The adverse effects on maintenance of indigenous biodiversity and protection of significant indigenous biodiversity and landscape values.
- b. The exclusion of areas to manage adverse effects on significant indigenous biodiversity and landscape values, impact on including any Sites of Natural Significance, Scenic Viewing Areas, Scenic Grasslands, Lakeside Protection Areas or and Geopreservation Sites.
- c. The frequency and rate of direct drilling, topdressing and oversowing required to support a stocking rate of no more than 3 stock units per hectare sufficient to remove emergent wilding conifer seedlings in the short to medium term whilst retaining landscape and ecological values.
- d. Maintenance, and where practicable, enhancement of the composition of indigenous vegetation so as to return the land to extensive high country pastoral grazing following effective wilding conifer control.
- d. The appropriate duration of consent required to control emergent wilding conifer seedlings before returning the land to extensive high country pastoral grazing, conservation activity or other permitted activity.

e. The extent to which the development activity satisfies the Landscape Guidelines in NFL-SCHED3.

f. The extent and location of any new fencing required to facilitate stocking rates to be an effective tool for emergent wilding conifers control whilst preventing mobstocking.

Annexure 3

Provisions containing agreed changes are highlighted below. Deletions are struck through and additions are underlined.

Infrastructure

Introduction

This chapter contains district-wide provisions relating to infrastructure.

Infrastructure is important for the community's well-being and how the community functions. There is a range of infrastructure located in the District, some of which supports the local community, while other infrastructure is important at a regional or national scale. Infrastructure often has a functional need or operational need to be in, or traverse, a particular location, but can have adverse effects on the environment, particularly in areas that have significant or outstanding natural values or mana whenua values. This chapter provides direction on how infrastructure is to be provided for to meet the needs of the community, while appropriately managing its adverse effects.

In relation to the National Grid, the District Plan must give effect to the National Policy Statement on Electricity Transmission. This includes a requirement to avoid, as far as reasonably practicable, reverse sensitivity effects on the electricity transmission network and to ensure that its operation, maintenance, upgrading, and development is not compromised. This chapter, along with the earthworks and subdivision chapters, contain provisions to give effect to this.

In addition to the provisions in this chapter, the provisions in Table 1 also apply to infrastructure. Beyond the provisions listed in Table 1, no other provisions in this plan apply to infrastructure, except where specified within the provisions of this chapter.

Table 1

Topic	Plan Provisions that Apply to Activities Managed in this Chapter
Strategic Directions	All provisions in the ATC, MW, NE and UFD chapters
Natural Hazards	Section 5 – Business Objective 4 Section 7 – Rural Objective 7, Rural Policies 7A & 7B All provisions in Section 18
Historic Heritage	All provisions in Section 11 – Heritage Protection
Notable Trees	All provisions in Section 11 – Heritage Protection
Sites and Areas of Significance to Māori	SASM-R5 and SASM-R6
Ecosystems and Indigenous Biodiversity	Section 19 – Ecosystems and Indigenous Biodiversity - Rules 1.1.1.1, 2.1.1 and 2.2.1 (relating to the National Grid) and the Objective and Policies but only insofar as they apply to the activities managed by Rules 1.1.1.1, 2.1.1 and 2.2.1
Activities on the Surface of Water	Section 7 - Rural Objective 8, Rural Policies 8A – 8H, and Rules 7A – Activities on or Within Waterbodies
Lighting	All provisions in the Light Chapter
Noise	Section 5 – Rules 1.3.1.b, 1.5.1, 1.6.1, 3.3.6.g, 3.5.1 Section 6 – Rule 12

	Section 7 – Rules 15.1.1, 15.1.1h and 15.2.1 Section 8 – Rule 1.7.7
Signs	All provisions in Section 12 – Signs and Aerial Distractions

The provisions in the earthworks chapter do not apply to earthworks ancillary to the infrastructure activities managed in this chapter (unless specified within the rules in this chapter), but do apply to the construction of new roads and access tracks associated with any infrastructure.

Activities which are managed in the Renewable Electricity Generation chapters are not subject to the provisions in the Infrastructure chapter.

Objectives and Policies

Objectives	
INF-O1	Infrastructure
Infrastructure is developed and maintained to meet the needs, and provide for the health, safety and wellbeing, of people and communities and is integrated with subdivision, land use and development.	
INF-O2	Adverse Effects of Infrastructure
The adverse effects of infrastructure on the surrounding environment are managed according to the sensitivity of the environment and the functional needs or operational needs of the infrastructure.	
INF-O3	Adverse Effects on Infrastructure
The efficient, effective and safe operation, maintenance, upgrading and development of regionally significant infrastructure and lifeline utility infrastructure is not constrained or compromised by other activities.	

Policies	
INF-P1	Benefits of Infrastructure
Recognise the national, regional and local benefits of infrastructure to the economic, social, cultural and environmental wellbeing, and health and safety, of people and communities, and the functioning of the District and beyond, by providing for infrastructure throughout the District.	
INF-P2	Ongoing Use of Existing Infrastructure
Enable the operation, maintenance, replacement, reconstruction, and minor upgrades to, existing infrastructure.	
INF-P3	Integration of Infrastructure
Encourage: <ol style="list-style-type: none"> 1. the coordination of infrastructure planning and delivery with land use, subdivision, development and urban growth; 2. the co-location of compatible structures and facilities; and 3. technological improvements and enhancements. 	

INF-P4	Managing Adverse Effects of Infrastructure
<p>Manage the operation, maintenance, upgrade and development of infrastructure, including ancillary earthworks, so that:</p> <ol style="list-style-type: none"> 1. its form, location and scale minimises adverse effects on the environment; 2. it is compatible with the values and anticipated character of the surrounding environment; and 3. consideration is given to the extent that the management of the adverse effects of infrastructure in accordance with clauses 1. and 2. may be constrained by the operational needs and functional needs of the infrastructure; and 4. adverse effects on indigenous biodiversity outside areas of significant indigenous vegetation and significant habitats of indigenous fauna are managed in accordance with Policy 3 in Section 19, except for the National Grid where Policy 5 in Section 19 applies. 	
INF-P5	Infrastructure in Sensitive or Significant Areas
<p>Avoid locating infrastructure in identified sensitive areas (outside the road reserve) or within an area of significant indigenous vegetation or significant habitat of indigenous fauna, unless:</p> <ol style="list-style-type: none"> 1. there is a functional or operational need for the infrastructure to be in that location; 2. it is demonstrated through site, route or method selection, design measures and other management methods how significant adverse effects on the values of the sensitive or significant area have been avoided as far as practicable, and otherwise remedied or mitigated; 3. where there are more than minor residual adverse effects that cannot be avoided, remedied or mitigated and where they cannot be, regard is had to any offsetting or compensation; and 4. Following application of 1. - 3. above, there are no significant adverse effects remaining (except that this clause shall not apply to the National Grid). 	
INF-P6	Infrastructure on Highly Productive Land
<p>Avoid locating infrastructure on Highly Productive Land, unless:</p> <ol style="list-style-type: none"> 1. it is small-scale and does not impact the productive capacity of the land; or 2. it is regionally significant infrastructure or lifeline utility infrastructure and has a functional need or operational need to be located on the highly productive land; and 3. for both 1. and 2. above, any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land within the District is minimised or mitigated. 	
INF-P7	Infrastructure in Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna
<p>In addition to INF-P5, avoid new infrastructure (that is not the National Grid) that has adverse effects on the following, in an area of significant indigenous vegetation and significant habitats of indigenous fauna:</p> <ol style="list-style-type: none"> 1. loss of ecosystem representation and extent; 2. disruption to sequences, mosaics, or ecosystem function; 3. fragmentation of significant indigenous vegetation and significant habitats of indigenous fauna or the loss of buffers or connections within significant indigenous vegetation and significant habitats of indigenous fauna; 4. a reduction in the function of the significant indigenous vegetation and significant habitats of indigenous fauna as a buffer or connection to other important habitats or ecosystems; and 5. a reduction in the population size or occupancy of Threatened or At Risk (declining) species that use significant indigenous vegetation and significant habitats of indigenous fauna for any part of their life cycle, 	

unless it is lifeline utility infrastructure or regionally significant infrastructure, in which case INF-P5 applies instead, where:	
6. the infrastructure provides significant national or regional public benefits; 7. there is a functional need or operational need for the infrastructure to be in that particular location; and 8. there are no practicable alternative locations for the infrastructure outside of an area of significant indigenous vegetation and significant habitats of indigenous fauna.	
INF-P8	Radiofrequency, Electric and Magnetic Fields
Require compliance with national environmental standards or other nationally recognised standards or guidelines to manage the potential adverse effects of radiofrequency, electric and magnetic fields.	
INF-P9	Managing Activities in the National Grid Yard
Within the National Grid yard, avoid sensitive activities, and avoid earthworks, buildings and structures that may compromise the safe, effective and efficient operation, maintenance, upgrading and development of the National Grid, or constrain access to it.	
INF-P10	Managing Activities in the Electricity Distribution Corridor
Manage activities in the Electricity Distribution Corridor to ensure they do not compromise the safe, effective and efficient operation, maintenance, upgrading and development, or unduly constrain access to, the electricity distribution network.	

Rules

Notes for Plan Users:

- Activities must also comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34:2001 and the Electricity (Hazards from Trees) Regulations 2003.
- Notwithstanding the rules in the District Plan:
 - the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 apply to the operation, maintenance, upgrading, relocation or removal of National Grid transmission lines that were operating or able to be operated on, or prior to, 14 January 2010 and remain part of the National Grid.
 - the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 apply to a range of telecommunications infrastructure.
- The rules in this chapter do not apply to activities which are managed through the rules in the Transport chapter.

Existing Infrastructure

INF-R1	Operation, Maintenance or Removal of Existing Infrastructure, Including Access Tracks	
All Zones	Activity Status: PER	Activity status when compliance is not achieved: N/A
INF-R2	Upgrading of Above Ground Infrastructure	

<p>All Zones</p>	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The realignment, reconfiguration, relocation or replacement of a line, pipe, pole, tower, cross arms, switch, transformers, cabinet or accessory structure shall be within 5m of the existing alignment or location. 2. A pole is not replaced with a tower. 3. The height of any replacement pole or tower does not exceed the greater of: <ol style="list-style-type: none"> a. the height of the existing pole or tower; or b. the height set out in INF-S3. 4. The diameter or width of a replacement pole: <ol style="list-style-type: none"> a. Must not exceed twice that of the replaced pole at its widest point; or b. Where a single pole is replaced with a pi pole, the width of the pi pole structure must not exceed three times the width of the replaced pole at its widest point. 5. The footprint of a replacement tower shall not exceed the width of the tower by more than 25%. 6. Additional lines must not exceed a 50mm diameter. 7. The replacement of a line shall not exceed the diameter of the replaced line, or 50mm, whichever is the greater. 8. Additional cross arms must not exceed the length of the existing cross arm by more than 100%, up to a maximum of 4m. 9. A replacement panel antenna must not increase the face area by more than 20%. 10. A replacement dish antenna must not increase in diameter by more than 20%. <p>And the activity complies with the following standards:</p> <p>INF-S2</p>	<p>Activity status when compliance is not achieved with R2.1 – R2.10: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
-------------------------	--	---

INF-R3	Minor Upgrade in Relation to Opuha Dam	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The upgrading relates to machinery, buildings, plant, structures, facilities, works or components of the Opuha Dam. 2. The upgrade does not increase the footprint of any machinery, buildings, plant, structures, facilities, works or components of the Opuha Dam by more than 25%, or 50m², whichever is the lesser. 3. Any upgrade does not increase the overall maximum operating level of the lake. <p>And the activity complies with the following standards:</p> <p>INF-S2, INF-S5</p>	<p>Activity status when compliance is not achieved with R3.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p> <p>SASM-MD1 Activities in a SASM</p> <p>Activity status when compliance is not achieved with R3.1 or R3.3: DIS</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>

All Infrastructure

INF-R4	Temporary Infrastructure	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The temporary infrastructure is located on a site for no more than 12 months and is removed from the site when the works or activity for which the temporary infrastructure is required is complete. <p>And the activity complies with the following standards:</p> <p>INF-S2, INF-S5</p>	<p>Activity status when compliance is not achieved with R4.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The necessity for a longer timeframe. b. The adverse effects, including cumulative adverse effects, of the temporary infrastructure on the anticipated character and amenity values of the surrounding environment. <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>

INF-R5	Navigational Aids, Meteorological, Sensing and Environmental Monitoring Equipment (including air quality and meteorological)	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> Any structure does not exceed 5m above the height limit otherwise applying in the zone, precinct or overlay in which the building is located and 6m² in footprint, but excluding any lightning rods, antennas, earth peak or GPS unit and their associated mounting structures; or Where the equipment is attached to a pole, tower or other support structure, it complies with INF-S3. <p>And the activity complies with the following standards:</p> <p>INF-S2, INF-S5</p>	<p>Activity status when compliance is not achieved with R5.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
INF-R6	Any Infrastructure Buildings or Structure, or Accessory Building to Infrastructure Not Otherwise Listed	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> Any building or structure does not exceed: <ol style="list-style-type: none"> 50m² in gross floor area; and 4m in height in any residential or rural lifestyle zone; or In other zones the height limit otherwise applying in the zone, precinct or overlay in which the building is located. Buildings more than 10m² in gross floor area or over 3.5m in height are set back: <ol style="list-style-type: none"> from the road boundary by a distance of not less than half the height of the structure; and from any internal boundary with a residential zone 	<p>Activity status when compliance is not achieved with R6.1 or R6.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p> <p>Where compliance is not achieved with R6.1.a or R6.1.c, and the activity is located within an area identified in SASM-SCHED1, SCHED-2 or SCHED-4, SASM-MD1 Activities in a SASM</p> <p>Activity status when compliance is not achieved with R6.3: RDIS</p>

	<p>by a distance of not less than half the height of the structure.</p> <p>3. Any building or structure located in an ONF or ONL must be finished in materials with a maximum reflectance value of 30%.</p> <p>And the activity complies with the following standards:</p> <p>INF-S1, INF-S2, INF-S3, INF-S5</p>	<p>Matters of discretion are restricted to:</p> <p>INF-MD2 Reflectivity</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
INF-R7	Below Ground Infrastructure	
All Zones	<p>Activity Status: PER</p> <p>Where the activity complies with the following standards:</p> <p>INF-S1, INF-S5, EW-S4</p>	<p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
INF-R8	New Lines and Associated Support Structures Including Towers and Poles	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> Where located within a Residential, Rural Lifestyle, Open Space, Commercial and Mixed Use, Industrial or <u>Pukaki Village Zone</u>: <ol style="list-style-type: none"> any new lines must be located underground; or any extension to an existing overhead line must involve no more than three additional support structures. Any new lines, or any extension to an existing overhead line of more than three additional support structures, is not located within an ONL or ONF. <p>Where the activity complies with the following standards:</p> <p>INF-S1, INF-S2, INF-S3, INF-S5</p>	<p>Activity status when compliance is not achieved with R8.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The bulk, height, location and design of the lines and associated structures. The visibility of the lines and support structures and their compatibility with the amenity values of the respective zone, overlay or precinct and the extent to which any adverse visual amenity effects can be avoided, remedied or mitigated. <p>Activity status when compliance is not achieved with R8.2: RDIS</p> <ol style="list-style-type: none"> Whether there is a demonstrated functional need or operational need for the location of the activity. The extent to which adverse effects on the values of the ONL or ONF have been avoided as far as practicable through the proposal.

		<p>c. The appropriateness of measures to remedy or mitigate adverse effects that cannot be avoided.</p> <p>d. The effectiveness of any proposed offsetting or compensation measures.</p> <p>e. The functional needs and operational needs of the activity.</p> <p>f. The benefits of the activity.</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
INF-R9	Reservoirs Containing less than 22,700 litres, Wells and Supply Intakes for the Reticulation or Provision of a Water Supply	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <p>1. The activity is not located within an area identified in SASM-SCHED3.</p> <p>Where the activity complies with the following standards:</p> <p>INF-S1, INF-S5, EW-S4</p>	<p>Activity status when compliance is not achieved with R9.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>SASM-MD1 Activities in a SASM</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
INF-R10	Irrigation and Stock Water Races, Open Drains and Channels	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <p>1. The activity is not located within an area identified in SASM-SCHED3.</p> <p>Where the activity complies with the following standards:</p> <p>INF-S1, INF-S5, EW-S4</p>	<p>Activity status when compliance is not achieved with R9.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>SASM-MD1 Activities in a SASM</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
INF-R10A	Infrastructure Located Entirely Within an Existing Building	

All Zones	Activity Status: PER	
INF-R11	Any Infrastructure not Otherwise Listed	
All Zones	Activity Status: DIS	

Telecommunications

INF-R12	Customer Connections	
All Zones	Activity Status: PER	Activity status when compliance is not achieved: N/A
INF-R13	Telecommunications (not regulated under NESTF)	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. any panel antenna: <ol style="list-style-type: none"> a. does not exceed a width of 0.7m; and b. where located in a road reserve, fits within an envelope of 3.5m in length and 0.7m in width; 2. any dish antenna does not exceed a diameter of 1.2m in a residential zone or 3m in any other zone; 3. any omni directional 'whip' or dipole antenna does not exceed: <ol style="list-style-type: none"> a. 1.6m in vertical length; b. 60mm in diameter; and c. 1.5m in horizontal length; 4. any headframe does not exceed: <ol style="list-style-type: none"> a. 2.5m in diameter in Residential Zones outside the road reserve; b. the dimensions set out in 1(b) above in Residential Zones within the road reserve; or c. 6m in diameter in all other zones; 5. any antenna attached to a building does not exceed a height of 5m above the point it is attached to the building; 6. any telecommunications cabinet does not exceed a footprint of 2.5m² or a height above ground level of 2m; 7. any group of telecommunications cabinets does not exceed a footprint of 3m²; and 8. Any pole or telecommunications cabinet 	<p>Activity status when compliance is not achieved with R13.1-R13.7: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p> <p>Activity status when compliance is not achieved with R13.8: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD2 Reflectivity</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>

	<p>located in an ONF or ONL must be finished in materials with a maximum reflectance value of 30%.</p> <p>And the activity complies with the following standards:</p> <p>INF-S1, INF-S2, INF-S3, INF-S5</p>	
INF-R14	Telecommunications regulated under NESTF, but which do not meet the permitted activity standards in Regulations 27, 29, 31, 33 or 35 of the NESTF	
All Zones	<p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. for panel antenna a width of 0.8m is not exceeded; 2. for dish antenna, the antenna does not exceed a diameter of: <ol style="list-style-type: none"> a. 1.2m in a residential zone; or b. 3m in all other zones. 3. Any pole or telecommunications cabinet located in an ONF or ONL must be finished in materials with a maximum reflectance value of 30%. <p>And the activity complies with the following standards:</p> <p>INF-S1, INF-S2, INF-S3, INF-S5</p> <p>Matters over which control are reserved:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p>	<p>Activity status when compliance is not achieved with R14.1 – 14.2 RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p> <p>Activity status when compliance is not achieved with R14.3: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD2 Reflectivity</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
INF-R15	Antenna attached to a building and regulated under NESTF, but which do not meet the permitted activity standards in Regulations 37 of the NESTF	
All Zones	<p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. any panel antenna does not exceed a maximum face area of 2m²; 2. any antenna attached to a building does not exceed a height 	<p>Activity status when compliance is not achieved with R15.1 or R15.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p>

	<p>of 5m above the point it is attached to the building.</p> <p>Matters over which control are reserved:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p>	<p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
--	---	--

INF-R16	Telecommunication cabinets regulated under NESTF, but which do not meet the permitted activity standards in Regulations 20, 21 or 22 of the NESTF	
All Zones	<p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> any cabinet does not exceed a footprint of 2.5m² or a height above ground level of 2m; or a group of telecommunications cabinets do not exceed a footprint of 3m². Any telecommunications cabinet(s) located in an ONF or ONL must be finished in materials with a maximum reflectance value of 30%. <p>Matters over which control are reserved:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p>	<p>Activity status when compliance is not achieved with R16.1 – 16.2 RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p> <p>Activity status when compliance is not achieved with R16.3: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD2 Reflectivity</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>

Activities in the National Grid Yard

INF-R17	Accessory Buildings to any Sensitive Activity within the National Grid Yard	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The accessory building does not include a habitable room (e.g. a sleepout); The accessory building is located more than 12m from a National Grid support structure; and The accessory building is no more than 2.5m in height and no more than 10m² in area. <p>And the activity complies with the following standards:</p>	<p>Activity Status where compliance not achieved with R17.1 – 17.3: NC</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>

	INF-S4	
INF-R18	Network Utility Operation, Infrastructure and Electricity Generation that Connects to the National Grid within the National Grid Yard	
All Zones	Activity Status: PER Where the activity complies with the following standards: INF-S4	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).

INF-R19	Fences within the National Grid Yard	
All Zones	Activity Status: PER Where: <ol style="list-style-type: none"> The fence is located at least 5m from a National Grid pole, or 6m from a National Grid tower. And the activity complies with the following standards: INF-S4	Activity Status where compliance not achieved with R19.1: NC Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
INF-R20	Ancillary Stockyards and Platforms, Including those Associated with Milking Sheds within the National Grid Yard	
All Zones	Activity Status: PER Where: <ol style="list-style-type: none"> The stockyard or platform is located more than 12m from a National Grid support structure. And the activity complies with the following standards: INF-S4	Activity Status where compliance not achieved with R20.1: NC Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
INF-R21	Uninhabited Farm and Horticultural Buildings and Structures within the National Grid Yard	

All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The building or structure is located more than 12m from a National Grid support structure. <p>And the activity complies with the following standards:</p> <p>INF-S4</p>	<p>Activity Status where compliance not achieved with R21.1: NC</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
INF-R22	Artificial Crop Protection Structures or Crop Support Structures within the National Grid Yard	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The structure does not exceed 2.5m in height; and 2. The structure is located at least 8m from a National Grid transmission line pi-pole and 12m from any other National Grid support structure; and 3. The structure is removable or temporary to allow a clear working space of 12m from the pi-pole for maintenance; and 4. All weather access and a sufficient area for maintenance equipment, including a crane, is provided to the transmission line pi-pole. <p>And the activity complies with the following standards:</p> <p>INF-S4</p>	<p>Activity Status where compliance not achieved with R22.1: NC</p>
INF-R23	Alterations and Additions to an Existing Building or Structure for a Sensitive Activity within the National Grid Yard	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The alteration or addition does not result in an 	<p>Activity Status where compliance not achieved with R23.1: NC</p>

	increase in the building height or footprint.	
INF-R24	New Sensitive Activities (including the use of an existing building for a new Sensitive Activity), within the National Grid Yard	
All Zones	Activity Status: NC	
INF-R25	Wintering barns, commercial greenhouses, immovable protective canopies, produce packing facilities and milking sheds within the National Grid Yard	
All Zones	Activity Status: NC	
INF-R26	Buildings or structures for the handling or storage of hazardous substances with explosive or flammable intrinsic properties within the National Grid Yard, excluding the accessory use and storage of hazardous substances in domestic scale quantities	
All Zones	Activity Status: NC	
INF-R27	Any Other Activity, Building or Structure within the National Grid Yard Not Otherwise Listed	
All Zones	Activity Status: NC	

Activities in the Electricity Distribution Corridor

INF-R28	Alterations and Additions to an Existing Building or Structure within the Electricity Distribution Corridor	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The alteration or addition does not result in an increase in the building height or footprint. 	<p>Activity status when compliance is not achieved with R28.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD3 Activities in the Electricity Distribution Corridor</p> <p><i>Advice Note: Any application arising from this rule shall not be subject to public notification but may be limited notified only to the relevant electricity distribution line operator, unless their written approval is provided.</i></p>
INF-R29	Fences within the Electricity Distribution Corridor	
All Zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The fence does not exceed 2.5m in height. 	<p>Activity status when compliance is not achieved with R29.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD3 Activities in the Electricity Distribution Corridor</p> <p><i>Advice Note: Any application arising from this rule shall not be subject to public notification but may be limited notified only to the relevant electricity distribution line operator, unless their written approval is provided.</i></p>
INF-R30	Buildings (excluding accessory buildings), Sensitive Activities, or the use of an existing building for a new sensitive activity, within the Electricity Distribution Corridor	
All Zones	<p>Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD3 Activities in the Electricity Distribution Corridor</p>	

	<p>Advice Note: Any application arising from this rule shall not be subject to public notification but may be limited notified only to the relevant electricity distribution line operator, unless their written approval is provided.</p>	
INF-R31	<p>The storage of hazardous substances with explosive or flammable intrinsic properties within the Electricity Distribution Corridor, excluding the accessory use and storage of hazardous substances in domestic scale quantities</p>	
All Zones	<p>Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD3 Activities in the Electricity Distribution Corridor</p> <p>Advice Note: Any application arising from this rule shall not be subject to public notification but may be limited notified only to the relevant electricity distribution line operator, unless their written approval is provided.</p>	

Standards

INF-S1	Sensitive Areas	Activity Status where compliance not achieved:
All Zones	<p>1. Unless located within road reserve, the infrastructure is located outside of any sensitive area.</p>	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Whether there is a demonstrated functional need or operational need for the location of the activity. The extent to which adverse effects on the values of the sensitive area have been avoided as far as practicable through the proposal. The appropriateness of measures to remedy or mitigate adverse effects that cannot be avoided.

		<p>d. The effectiveness of any proposed offsetting or compensation measures.</p> <p>e. The benefits of the activity.</p>
INF-S2	Radiofrequency, Electric and Magnetic Fields	Activity Status where compliance not achieved:
All Zones	<p>1. Any infrastructure involving radiofrequency fields must not exceed the levels specified in NZS 2772:1999 'Radiofrequency Fields – Maximum exposure levels – 3kHz to 300 GHz.'</p> <p>2. Any infrastructure that emits electric and magnetic fields must comply with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz – 100 Hz), Health Physics 99(6):818-836; 2010.</p>	NC
INF-S3	Pole and Tower Height	Activity Status where compliance not achieved:
All Zones	<p>1. The height of any pole, tower or other support structure shall not exceed:</p> <ul style="list-style-type: none"> a. 5m above the permitted height limit in any residential, Neighbourhood Centre or Mixed Use zone. b. 25m in any industrial or Rural Lifestyle Zone. ba. 35m in any General Rural Zone outside an ONF or ONL. c. 20m in any General Rural Zone within an ONF or ONL. d. 20m in any other zone. e. 5m above any limit specified in a. –d. above, where two or more telecommunication network operators are utilising the same pole or tower. <p>Except that 1. above does not apply to any lightning rods, GPS antennas, and their associated mounting structures, where these do not exceed the maximum height in 1. above by 3.5m.</p> <p>2. Any panel or dish antenna attached to a pole, tower or</p>	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <p>INF-MD1 Scale, Location and Design of Infrastructure</p> <p>Where located within a site identified in SASM-SCHED1, SASM-MD1 Activities in a SASM</p>

	<p>other support structure shall not exceed:</p> <ul style="list-style-type: none"> a. the heights specified for each zone in INF-S3(1) above. b. A width of 700mm for any penal antenna. c. 1.2m in diameter for a dish antenna. 	
INF-S4	National Grid Yard	Activity Status where compliance not achieved:
All Zones	<ul style="list-style-type: none"> 1. Any buildings or structures in the National Grid yard must comply with the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP34:2001). 2. Any building, structure or activity within the National Grid yard must not permanently physically impede vehicular access to a National Grid support structure. 	NC
INF-S5	Indigenous Vegetation Clearance	Activity Status where compliance not achieved:
All Zones	<ul style="list-style-type: none"> 1. The activity does not involve the clearance of any indigenous vegetation. 	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. Whether there is a demonstrated functional or operational need for the location of the activity. b. The extent to which adverse effects on the values of the indigenous vegetation have been avoided as far as practicable through the proposal. c. The appropriateness of measures to remedy or mitigate adverse effects on indigenous vegetation that cannot be avoided. d. Any proposed offsetting that accords with the principles set out in Appendix 3 to the National Policy Statement for Indigenous Biodiversity 2023. e. Any proposed biodiversity compensation that accords with the principles set out in Appendix 4 to

		<p>the National Policy Statement for Indigenous Biodiversity 2023.</p> <p>g. The location of existing electricity generation and distribution infrastructure and the extent to which the proposal contributes to its efficient use.</p>
--	--	---

Matters of Control or Discretion

INF-MD1 Scale, Location and Design of Infrastructure

- a. The purpose of, and necessity for, any breach in the height or size limits.
- b. The potential impact on the levels of service or health and safety if the activity is not undertaken.
- c. Any functional needs and operational needs of the infrastructure.
- d. The bulk, height, location and design of the infrastructure, including any associated buildings or structures
- e. The amenity values of the respective zone, overlay or precinct and the extent to which any adverse visual amenity effects can be avoided, remedied or mitigated.
- f. The location of infrastructure, including the need for connections to existing networks and services.
- g. The benefits of the infrastructure proposed.

INF-MD2 Reflectivity

- a. The visual effects of the proposal on the values of the ONF/ONL.
- b. The functional needs and operational needs of the activity.
- c. The benefits of the infrastructure proposed.

INF-MD3 Activities in the Electricity Distribution Corridor

- a. The extent to which the activity complies with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001).
- b. Adverse effects or risks on the on-going efficient operation, maintenance, development and upgrade of the electricity distribution network.
- c. The provision of continued reasonable access to existing distribution lines and support structures for maintenance, inspections and upgrading.
- d. The outcome of any consultation with, and technical advice from the relevant electricity distribution line operator.

Annexure 4

Provisions containing agreed changes are highlighted below. Deletions are struck through and additions are underlined.

Renewable Electricity Generation

Introduction

This chapter contains District-wide provisions relating to renewable electricity generation activities.

Energy efficiency and the use and development of renewable energy are matters the District Plan must have particular regard to under section 7 of the Act. The District Plan must also give effect to the National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG), which requires that the national significance of renewable electricity generation and the national, regional, and local benefits of renewable electricity generation activities, such as increasing electricity capacity and security of supply while displacing greenhouse gas emissions, are recognised and provided for in district plans.

There are significant renewable energy resources located within the District. Part of the nationally significant Waitaki Power Scheme, which is the largest hydro-electric power scheme in New Zealand, is located within the District. The District also contains the Opuha Hydro-electric Power Scheme. There is also increasing interest in solar power generation in the District, due to the high amount of irradiance, particularly in Te Manahuna / the Mackenzie Basin. At a domestic scale, there are renewable electricity options such as solar water heating and solar panels.

The NPS-REG directs that the development, operation, maintenance and upgrading of both new and existing renewable electricity generation activities is provided for, in order to increase the proportion of electricity generated from renewable energy sources, thereby displacing use of non-renewable energy sources and reducing carbon emissions. These activities often have a functional need or operational need to be in a particular location, but can have adverse effects on the environment, particularly in areas which have important natural values or mana whenua values. This chapter provides direction on how renewable electricity generation activities are to be provided for, while managing the potential adverse effects of these activities.

In addition to the provisions in this chapter, the provisions in Table 1 also apply to renewable electricity generation activities. Beyond the provisions listed in Table 1, no other provisions in this plan apply to renewable electricity generation activities, except where specified within the provisions of this chapter.

Table 1

Topic	Plan Provisions that Apply to Activities Managed in this Chapter
Strategic Directions	All provisions in the ATC, MW, NE and UFD chapters
Natural Hazards	Section 5 – Business Objective 4 Section 7 – Rural Objective 7, Rural Policies 7A & 7B Section 18 – Objective 1 and all policies
Historic Heritage	All provisions in Section 11 – Heritage Protection
Notable Trees	All provisions in Section 11 – Heritage Protection
Ecosystems and Indigenous Biodiversity	Section 19 – Ecosystems and Indigenous Biodiversity - Rules 2.1.1 and 2.2.1 (relating to the Waitaki Power Scheme and Opuha Scheme) and the Objective and Policies 1, 5, 7 and 8 but only insofar as they apply to the activities managed by Rules 2.1.1 and 2.2.1
Activities on the Surface of Water	Section 7 - Rural Objective 8, Rural Policies 8A – 8H, and Rules 7A – Activities on or Within Waterbodies

Lighting	All provisions in the Light Chapter
Noise	Section 5 – Rules 1.3.1.b, 1.5.1, 1.6.1, 3.3.6.g, 3.5.1 Section 6 – Rule 12 Section 7 – Rules 15.1.1, 15.1.1h and 15.2.1 Section 8 – Rule 1.7.7
Signs	All provisions in Section 12 – Signs and Aerial Distractions

Objectives and Policies

Objectives	
REG-O1	General Output
The output from renewable electricity generation activities in the District for national, regional and local use is increased to support achievement of the New Zealand Government's national target for renewable electricity generation.	
REG-O2	Adverse Effects
The adverse effects of renewable electricity generation activities are appropriately managed in a way that recognises and provides for the national significance of renewable electricity generation activities.	
REG-O3	Te Manahuna / Mackenzie Basin ONL Subzone - Waitaki Power Scheme
To maintain and develop structures and works for the Waitaki Power Scheme: <ol style="list-style-type: none"> within the existing footprints of the Takapō / Tekapo, Pūkaki and Ōhau Canal Corridor, the Tekapo, Pūkaki and Ōhau Rivers, along the existing transmission lines, and in the Crown-owned land containing Lakes Takapō / Tekapo, Pūkaki, Ruataniwha and Ōhau and subject only (in respect of landscape values) to the objectives, policies and methods of implementation within this chapter, except for management of exotic tree species in respect of which NFL-O3(1) and all implementing policies and methods in the NFL Chapter apply; elsewhere within Te Manahuna / the Mackenzie Basin ONL so as to achieve NFL-O3(1). 	

Policies	
REG-P1	Benefits
Recognise and provide for the national, regional, and local benefits of renewable electricity generation activities and assets, including avoiding, reducing, or displacing greenhouse gas emissions.	
REG-P2	Te Manahuna / Mackenzie Basin ONL – Renewable Energy
To recognise and provide for the use and development of renewable energy generation and transmission infrastructure and operations within the footprint of current operations or on land owned by infrastructure operators as at 1 October 2011 while, as far as practicable, avoiding, remedying or mitigating significant adverse effects on the outstanding natural landscape and features of Te Manahuna / the Mackenzie Basin.	
REG-P3	Lakeside Protection Areas

	<ol style="list-style-type: none"> 1. Provide for the upgrading, maintenance and enhancement of the existing elements of the Waitaki Power Scheme; and 2. Avoid, remedy or mitigate the adverse impacts of further buildings and structures required for the Waitaki Power Scheme on the landscape values and character of the Basin's lakes and their margins.
REG-P3A	Opuha Scheme and the Waitaki Power Scheme
	<p>Despite REG-P2 and REG-P3, enable the operation, maintenance and upgrade of the:</p> <ol style="list-style-type: none"> 1. Opuha Scheme; and 2. Waitaki Power Scheme within its existing footprint and core sites; <p>while managing adverse effects in accordance with REG-P2 and REG-P3, where relevant.</p>
REG-P4	Investigation Activities and Small-Scale Renewable Electricity Generation Activities
	<p>Enable:</p> <ol style="list-style-type: none"> 1. investigation and identification of renewable electricity generation sources; and 2. small-scale renewable electricity generation activities <p>while managing adverse effects on the environment relative to the values of the area in which they are located.</p>
REG-P5	Other Renewable Electricity Generation Activities
	<p>Provide for renewable electricity generation (not otherwise specified in REG-P2, REG-P3, REG-P3A, REG-P4 or REG-P6), while managing adverse effects by:</p> <ol style="list-style-type: none"> 1. avoiding, remedying or mitigating adverse effects as far as practicable; 2. where residual adverse effects remain, having regard to any proposed offsetting measures and/or environmental compensation (including considering Policy 4 in Section 19 and Appendix Z); and 3. having particular regard to the practical constraints associated with renewable electricity generation activities, including the: <ol style="list-style-type: none"> a. functional needs and operational needs of renewable electricity generation activities; b. location and efficient use of existing electricity generation, transmission and distribution infrastructure; and c. the need to locate the renewable electricity generation activity where the renewable energy resource is located.
REG-P6	Other Renewable Electricity Generation Activities – Within areas of significant indigenous vegetation and significant habitats of indigenous fauna, ONLs, ONFs, riparian areas and SASM or on highly productive land
	<p>Provide for renewable electricity generation activities (not otherwise specified in REG-P3 and REG-P4) within areas of significant indigenous vegetation and significant habitats of indigenous fauna, Outstanding Natural Landscapes, Outstanding Natural Features, Sites and Areas of Significance to Māori, riparian areas, or within area of Highly Productive Land, where:</p> <ol style="list-style-type: none"> 1. there is a functional need or operational need for the activity to be in that location; 2. adverse effects on the values of the area are avoided as far as practicable, including through site, route or method selection, design measures and other management methods; 3. adverse effects on the values of the area that cannot be avoided are remedied or mitigated, where practicable; 4. other adverse effects (that do not affect the values of the area) are avoided, remedied or mitigated as far as practicable;

5.	regard is had to any proposed offsetting measures or environmental compensation (including considering Policy 4 in Section 19 and Appendix Z), where there are significant residual adverse effects that cannot be avoided, remedied or mitigated; and
6.	particular regard is had to the practical constraints associated with renewable electricity generation activities, including the: <ol style="list-style-type: none"> location and efficient use of existing electricity generation, transmission and distribution infrastructure; and the need to locate the renewable electricity generation activity where the renewable energy resource is located
7.	following application of 1-6 above, consideration is given to whether the benefits of the activity outweigh any significant residual adverse effects on the values of the area.
The direction in REG-P6 does not apply in relation to managing adverse effects on the outstanding natural landscape and features of Te Manahuna / the Mackenzie Basin where REG-P2 applies.	

Rules

REG-R1	Operation and maintenance of an existing hydroelectric power station and associated structures	
All Zones	Activity Status: PER	
REG-R2	Upgrade of an existing hydroelectric power station and structures associated with the Opuha Scheme, or within the existing footprint or core sites of the Waitaki Power Scheme	
All Zones	Activity Status: PER	
REG-R3	Upgrade of an existing structure within an operating easement of the Waitaki Power Scheme	
All Zones	Activity Status: PER Where: <ol style="list-style-type: none"> Any modification or addition does not result in any buildings, structures or ancillary activity utilising more than 20m² of additional land from that utilised as at [date rule is made operative], or the height of any existing building being increased by more than 2.5 metres from its height as at [date rule is made operative]. 	Activity status when compliance is not achieved with R3.1: CON Matters over which control are reserved: REG-MD1 Existing Hydroelectric Power
REG-R4	Development of new renewable hydroelectricity generation activities associated with an existing hydroelectric power station, within the existing footprint of, or core sites associated with, the Waitaki Power Scheme, including associated structures	

All Zones	<p>Activity Status: CON</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The development will not result in an increase in the maximum operating level of a lake or water storage area authorised at the date this rule was notified, or create a new lake or water storage area. <p>Matters over which control are reserved: REG-MD1 Existing Hydroelectric Power</p>	<p>Activity status when compliance is not achieved with R4.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>REG-MD2 Maximum Operating Level Changes</p>
REG-R5	Investigation activities including associated clearance of indigenous vegetation and earthworks for roads and access tracks	
All Zones (except as specified below)	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The investigation, identification or assessment activity is located on site for no more than 60 months. 2. Any structure shall be set back from the road boundary, or internal boundary of any site in separate ownership, the equivalent distance to the height of the structure. 3. The activity is outside areas of significant indigenous vegetation and significant habitats of indigenous fauna. 4. The earthworks associated with any new road or access track comply with the permitted activity conditions and standards in EW-R3, but within an ONL do not exceed 500m³ by volume and 500m² by area per site in any 12 month period. 	<p>Activity status when compliance is not achieved with R5.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Any functional or operational reason for an extended timeframe. b. The appropriateness of measures to avoid, remedy or mitigate adverse effects. <p>Activity status when compliance is not achieved with R5.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design, scale and appearance of the building or structure. b. For road boundaries, adverse effects on the streetscape. c. For internal boundaries, the extent of adverse effects on privacy, outlook, shading, and other amenity values for the adjoining property. d. Any functional or operational reason that structures cannot be setback in accordance with R5.2. e. The adequacy of any mitigation measures.

		<p>Activity status when compliance is not achieved with R5.3: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>REG-MD5 Significant Vegetation and Habitats</p> <p>Activity status when compliance is not achieved with R5.4, but EW-S6 is complied with: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The visual effects on landscape values. 2. Where any earthworks are within a SASM, those matters in SASM-MD1 Activities in a SASM. 3. Where compliance with EW-S1, EW-S2, EW-S3 or EW-S4 is not achieved, the matters of discretion set out in the relevant standard. <p>Activity status when compliance is not achieved with R5.4 and EW-S6: NC</p>
<p>Scenic Viewing Areas, Scenic Grasslands, Lakeside Protection Areas and Silent File Areas</p>	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 5. The investigation, identification or assessment activity is located on site for no more than 60 months. 6. Any structure does not exceed 1.8m in height and 6m² in footprint, but excluding any anemometer mast, weather stations, lightning rods, antennas, earth peak or GPS 	<p>Activity status when compliance is not achieved with R5.5: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. Any functional or operational reason for an extended timeframe. b. The appropriateness of measures to avoid, remedy or mitigate adverse effects. <p>Activity status when compliance is not achieved with R5.6: RDIS</p>

	<p>unit and their associated mounting structures.</p> <p>7. The activity is outside areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>8. The earthworks associated with any new road or access track comply with the permitted activity conditions and standards in EW-R3 but do not exceed 500m³ by volume and 500m² by area per site in any 12 month period.</p>	<p>Matters of discretion are restricted to:</p> <p>REG-MD3 Specified Areas</p> <p>Activity status when compliance is not achieved with R5.7: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>REG-MD5 Significant Vegetation and Habitats</p> <p>Activity status when compliance is not achieved with R5.8, but EW-S6 is complied with: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>6. The visual effects on landscape values.</p> <p>7. Where any earthworks are within a SASM, those matters in SASM-MD1 Activities in a SASM.</p> <p>8. Where compliance with EW-S1, EW-S2, EW-S3 or EW-S4 is not achieved, the matters of discretion set out in the relevant standard.</p> <p>Activity status when compliance is not achieved with R5.8 and EW-S6: NC</p>
REG-R6	Small-scale renewable electricity generation activities including associated clearance of indigenous vegetation and earthworks for roads and access tracks	
Outside Areas Specified Below	<p>Activity Status: PER</p> <p>Where:</p> <p>1. Any building or structure, or additions to an existing building or structure shall comply with</p>	<p>Activity status when compliance is not achieved with R6.1: RDIS</p> <p>Matters of discretion are restricted to:</p>

	<p>height limit for the zone in which the activity is located.</p> <ol style="list-style-type: none"> The activity is outside areas of significant indigenous vegetation and significant habitats of indigenous fauna. The earthworks associated with any new road or access track comply with the permitted activity conditions and standards in EW-R4. 	<ol style="list-style-type: none"> The matters of discretion relating to height specified in the relevant zone chapter. The appropriateness of measures to avoid, remedy or mitigate adverse effects. Operational needs of the activity. <p>Activity status when compliance is not achieved with R6.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>REG-MD5 Significant Vegetation and Habitats</p> <p>Activity status when compliance is not achieved with R6.3, but EW-S6 is complied with: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The visual effects on landscape values. Where any earthworks are within a SASM, those matters in SASM-MD1 Activities in a SASM. Where compliance with EW-S1, EW-S2, EW-S3 or EW-S4 is not achieved, the matters of discretion set out in the relevant standard. <p>Activity status when compliance is not achieved with R6.3 and EW-S6: NC</p>
Outstanding Natural Landscapes	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> Any building or structure, or additions to an existing building or structure, shall comply with NFL-S1 and NFL-S4. The activity is outside areas of significant indigenous 	<p>Activity status when compliance is not achieved with R6.4 or R6.7: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The visual effects of the proposal on the values of ONF/ONL. The functional needs and operational needs of the activity.

	<p>vegetation and significant habitats of indigenous fauna.</p> <p>6. The earthworks associated with any new road or access track comply with the permitted activity conditions and standards in EW-R4.</p> <p>7. The activity is limited to additions to an existing building or structure, or does not exceed 1000m² in area.</p>	<p>Activity status when compliance is not achieved with R6.5: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>REG-MD5 Significant Vegetation and Habitats</p> <p>Activity status when compliance is not achieved with R6.6, but EW-S6 is complied with: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The visual effects on landscape values. 2. Where any earthworks are within a SASM, those matters in SASM-MD1 Activities in a SASM. 3. Where compliance with EW-S1, EW-S2, EW-S3 or EW-S4 is not achieved, the matters of discretion set out in the relevant standard. <p>Activity status when compliance is not achieved with R6.6 and EW-S6: NC</p>
<p>Scenic Viewing Areas, Scenic Grasslands, Lakeside Protection Areas</p>	<p>Activity Status: PER</p> <p>Where:</p> <p>78. The activity is limited to additions to an existing building or structure.</p> <p>89. The activity is outside areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>910. The earthworks associated with any new road or access track comply with the permitted</p>	<p>Activity status when compliance is not achieved with R6.78: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>REG-MD3 Specified Areas</p> <p>Activity status when compliance is not achieved with R6.89: RDIS</p> <p>Matters of discretion are restricted to:</p>

	activity conditions and standards in EW-R4.	<p>REG-MD5 Significant Vegetation and Habitats</p> <p>Activity status when compliance is not achieved with R6.910, but EW-S6 is complied with: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The visual effects on landscape values. 2. Where any earthworks are within a SASM, those matters in SASM-MD1 Activities in a SASM. 3. Where compliance with EW-S1, EW-S2, EW-S3 or EW-S4 is not achieved, the matters of discretion set out in the relevant standard. <p>Activity status when compliance is not achieved with R6.910 and EW-S6: NC</p>
REG-R6A	Any new buildings or structures or accessory building to an existing hydroelectric power station associated with the Opuha Scheme, or within the existing footprint or core sites of the Waitaki Power Scheme	
All zones	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any building or structure does not exceed: <ol style="list-style-type: none"> a. 50m² in gross floor area; and b. 4m in height in any residential or rural lifestyle zone; or c. In other zones the height limit otherwise applying in the zone, precinct or overlay in which the building is located. 2. Buildings more than 10m² in gross floor area or over 3.5m in height are set back: <ol style="list-style-type: none"> a. from the road boundary by a distance of not less than half the height of the structure; and b. from any internal boundary with a residential zone by a 	<p>Activity status when compliance is not achieved with R6A.1, R6A.2 or R6A.3: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>REG-MD1 Existing Hydroelectric Power</p>

	<p>distance of not less than half the height of the structure.</p> <p>3. Any building or structure located in an ONF or ONL must be finished in materials with a maximum reflectance value of 30%.</p>	
REG-R7	Any renewable electricity generation activities not otherwise listed including associated clearance of indigenous vegetation and earthworks for roads and access tracks	
Outside Areas Specified Below	<p>Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>REG-MD4 New Renewable Electricity Generation</p>	
Within an area of significant indigenous vegetation or significant habitat of indigenous fauna, Outstanding Natural Landscape, Outstanding Natural Feature, Sites and Areas of Significance to Māori, a setback distance specified in Table NATC-1, or on Highly Productive Land	Activity Status: DIS	

Matters of Control or Discretion

REG-MD1 Existing Hydroelectric Power

- a. The nature of any visual effects of the building or structure on the skyline and open landscape.

- b. Where located within a SASM listed in SASM-SCHED1, SASM-SCHED2, SASM-SCHED3 or SASM-SCHED4, those matters in SASM-MD1 Activities in a SASM.
- c. The nature of any adverse effects on the environment from construction of the building or structure including earthworks, dust, run-off, sedimentation, noise and traffic.
- d. The location, bulk, height, cladding or colour of the proposed work.
- e. Landscaping, revegetation, and fencing.
- f. Earthworks.
- g. Location and construction of vehicle entry and exit points.
- h. Vehicle manoeuvring and parking areas.

REG-MD2 Maximum Operating Level Changes

- a. The extent to which surrounding land would be inundated.
- b. The productive quality of soils of an area to be inundated.
- c. The degree to which the visual quality of the landscape will be affected.
- d. The social and economic impact on local communities.
- e. The extent to which an increased water body will affect the provision of roading and services within the locality.
- f. The potential for increased recreational opportunities.
- g. The degree to which Outstanding Natural Landscapes, Scheduled Heritage Items, Lakeside Protection Areas and Significant indigenous vegetation and significant habitats of indigenous fauna will be affected.
- h. The extent of effects on Sites and Areas of Significance to Māori.
- i. The extent to which the activity exacerbates lakeshore erosion and/or weakening of hillslopes.

REG-MD3 Specified Areas

- a. Whether there is a demonstrated functional need or operational need for the location of the activity.
- b. The extent to which adverse effects on the values of the location have been avoided as far as practicable through the proposal.
- c. The appropriateness of measures to remedy or mitigate adverse effects that cannot be avoided.
- d. The effectiveness of any proposed offsetting or compensation measures to manage residual adverse effects that cannot be avoided, remedied or mitigated.
- e. The location of existing electricity generation, transmission and distribution infrastructure and the extent to which the proposal contributes to its efficient use.
- f. The significance and benefits of the activity.

REG-MD4 New Renewable Electricity Generation

- a. The appropriateness of measures to avoid, remedy or mitigate adverse effects.
- b. The effectiveness of any proposed offsetting or compensation measures (including considering Policy 4 in Section 19 and Appendix Z) to manage any significant residual adverse effects that cannot be avoided, remedied or mitigated.
- c. The functional needs and operational needs of the activity and the need to locate renewable electricity generation activities where the renewable energy resource is available.
- d. The location of existing electricity generation, transmission and distribution infrastructure and the extent to which the proposal contributes to its efficient use.
- e. The significance and benefits of the proposal.
- f. The nature of any adverse effects on the environment from construction of any building or structure including earthworks, dust, run-off, sedimentation, noise and traffic.
- g. The location, bulk, height, cladding or colour of the proposed work.
- h. Landscaping, revegetation, and fencing.
- i. Earthworks.
- j. Location and construction of vehicle entry and exit points.
- k. Vehicle manoeuvring and parking areas.

REG-MD5 Significant Vegetation and Habitats

- a. Whether there is a locational, functional need, or operational need for the location of the activity.
- b. The extent to which adverse effects on significant indigenous vegetation have been avoided, remedied, or mitigated; and where residual adverse effects on significant indigenous vegetation remain, any proposed offsetting or environmental compensation (including considering Policy 4 in Section 19 and Appendix Z).

