

Mackenzie District Plan

Proposed Plan Change 13 RURAL ZONE - MACKENZIE BASIN

AMENDMENTS RECOMMENDED BY OFFICER REPORT

PLAN AMENDMENTS

For the purpose of this document the Proposed Plan Change text to be added is shown as normal text. All deletions of the Operative Plan proposed by the Plan Change are shown as a ~~single strike through~~. All deletions **recommended by the Officer Report** are shown as a ~~single strike through in bold~~. Any additions to the text of the Change **recommended by the Officer Report** are shown as a double underline.

The Plan Amendments are listed in the following order:

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

SECTION 7 – RURAL ISSUES

Add the following to Rural Issue 7 –Landscape Values

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

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

SECTION 7 – RURAL OBJECTIVES AND POLICIES

Delete Objective 3 – Landscape Values and add the following Objective 3A Outstanding Landscapes and Rural Policies 3A to 3O

(note that existing Rural Objective 3 has been replaced by two new Rural Objectives 3A Outstanding Landscapes and 3B Landscape Values and that existing Rural Policies 3B to 3F have been moved and now follow new Objective 3B. These policies have been renumbered Policies 3P to 3T)

Objective 3A – Outstanding Landscapes

To protect and sustain the outstanding natural landscapes and features of the District from inappropriate subdivision, use and development for the benefit of present and future generations.

Explanations and Reasons

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

Policy 3A – Recognition of Mackenzie Basin

To recognise the Mackenzie Basin as an outstanding natural landscape(s) and through the Mackenzie Basin Subzone within the Rural Zone, to protect the Basin from inappropriate subdivision, use and development.

Explanations and Reasons

- As for Objective 3A
- A distinctive ‘Mackenzie Country’ character has developed, based on the visual and physical qualities of the Basin, combined with the land use practice and the social pattern of run holders, workers and extensive stations. Substantial areas of the Mackenzie Basin are public estate, and particularly those that provide the most dramatic landscape features (i.e. lake surfaces and edges, Mount Cook/Aoraki National Park, the Southern Alps backdrop, and extensive areas of Crown land and conservation estate). Despite its modified and managed land surface as a working landscape, virtually the entire Basin remains, in 2007, “outstanding” in terms of landscape values. This is because of the uniqueness, natural and visual qualities of the high-mountain basin environment, lakes, landforms, land use, community and Mackenzie identity. The landscape values of the Mackenzie Basin thus result from cultural factors such as land use, built structures, social pattern and identity as well as from natural factors such as the ecology, climate and topography.

- ~~The assessment report acknowledges that~~ Not all areas within the Mackenzie Basin are outstanding. However for the purposes of the District Plan objectives and policies relating to outstanding natural landscapes, reference to the Mackenzie Basin is used to refer to those parts of the Basin that are outstanding.
- Sustainable management of natural and physical resources will not be sustained unless the protection of the District's natural resources, including the visual and landscape qualities of these resources can be assured.
- The uniqueness of the Mackenzie Basin, with its naturalistic appearance, legible geomorphology, natural and cultural heritage extensive and dramatic vistas from mountain tops to valley floors, and lack of apparent "clutter" is to be protected from inappropriate subdivision, use and development.
- Sustainable management of natural and physical resources will not be sustained unless the integrity of the values associated with the Mackenzie Basin resources, including visual and landscape qualities, can be assured.

Policy 3B – Economy, Environment and Community

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

Explanations and Reasons

- To sustain the valued landscapes of the Mackenzie Basin it is considered necessary to also foster its economic, social and environmental viability. In this way the communities, infrastructure and economic health can be sustained over time providing a situation where continued pastoral use and extensive runs can be maintained and developed. Along with this, it is intended that environmental values of the Basin will also be protected and enhanced.
- It is not considered reasonable or appropriate in achieving the Resource Management Act's purpose to prevent all further development in the Basin or regard the current environment as a museum piece. Sustainable management requires a balance to be found that provides for the social, economic and cultural well-being of the community, while sustaining natural and physical resources and safeguarding the environment from adverse effects.

Policy 3C - Adverse Effects of Sporadic Development

To avoid the adverse effects on the environment of sporadic development and subdivision, residential subdivision and housing development is only provided for within identified urban areas of the Basin (Twizel and Lake Tekapo) and within identified or approved building nodes within landscape sub areas shown in Appendix R.

Explanations and Reasons

- Subdivision creates separate legal entities each having a bundle of rights and set of landowner expectations about what can be done within each legal entity, e.g. building a house. Subdivision is therefore the first step in a process that can ultimately result in changes to, and adverse effects on landscape, rural character and sustainable resource use. Although individual subdivisions and resulting activities may only have a limited adverse effect on their own if sensitively sited, the incremental and cumulative effect of further subdivisions may be significant. Adverse effects which are of concern within the Mackenzie Basin include:
 - a Cumulative impacts on rural character and in particular the unique character of the Mackenzie Country
 - b Impacts on rural amenity values including a sense of isolation and naturalness
 - c Impacts on rural productivity resulting from incompatibility of rural and non-rural activities
 - d Impacts on native plant and animal biodiversity and ecological patterns

- e Impacts on landscape values from earthworks, including additional access roads and tracks, structures and built development
 - f Loss of versatility of rural land from fragmentation of existing land holdings
 - g Impacts on water quality from overland runoff with increased hard surface, land modification and earthworks, and sewage treatment and disposal
 - h Impacts on waahi tapu, archaeological sites and historic heritage.
 - i. Impacts on the provision of and/or the safe and efficient operation of existing infrastructure including reverse sensitivity effects on utilities and facilities of national significance
 - j. Impacts on the availability of water to existing users.
- It is desirable that the majority of housing and accommodation growth within the Mackenzie Basin occurs within the towns of Twizel and Lake Tekapo to:
 - a Reinforce and enhance these towns as commercial and service centres both for residents and rural residents and as sources of employment
 - b Reinforce and build on the social and community cohesion of these towns
 - c Maintain the character of these towns
 - d Provide support for and utilise existing and planned community, recreational, social and educational facilities.
 - e Achieve efficient utilisation of existing and planned infrastructure services of these towns.
 - Traditional occupation of the Mackenzie Basin comprises periodic nodes of shelter and development (shelter trees, home paddocks and yards, farm sheds, houses, seasonal accommodation) within an otherwise vast, open and highly undeveloped landscape. In this pattern, the developed 'nodes' are small points of civilization, far outweighed in area by the natural 'landscape'. Thus the sense of extensive areas of highly natural landscape is maintained in the traditional Mackenzie land use pattern. Retaining much of this traditional pattern is possible by requiring buildings to either be located within existing building nodes or new nodes which to a large extent replicate the existing nodes in terms of placement and character.

Policy 3D – Adverse impacts of Buildings and Earthworks

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

Explanations and Reasons

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

Policy 3E – Limitations on Residential Subdivision and Housing

To only provide for residential subdivision and housing development within identified urban areas of the Basin (Twizel and Lake Tekapo) and within identified or approved building nodes.

Explanations and Reasons

As for Objective 3A

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

Policy 3F – Landscape Carrying Capacity

To recognise the diversity of physical settings and landscapes within the Mackenzie Basin and the varying capacity of these to absorb further subdivision and residential buildings and domestication. built development.

Explanations and Reasons

- The Basin has a diversity of conditions with a north to south altitude gradient and a west to east rainfall gradient. To this can be added the topographic and soil variability of outwash, moraine, valley, lake, hillside and high mountain environments and the variability of closeness to or remoteness from the state highways and other roads. Although the term Mackenzie Basin is frequently used (and is used throughout this District Plan) the area being referred to incorporates a number of land forms including the basin proper and areas of moraine valley, upland and range lands and mountains.
- The 2007 report "*The Mackenzie Basin Landscape: character and capacity*" by Graham Densem which assessed the Mackenzie Basin landscape identifies various landscape character areas and sub-areas and describes their characteristics and values. The report also contains descriptions of the types of landform and areas where nodes are likely to be the most suitable and those where they are unsuitable. This is achieved through classification of areas as having high, medium or low vulnerability to absorb development. A threshold number of new nodes is specified for landscape character sub-areas within each of the landscape character areas. Beyond these thresholds, it is considered that the cumulative impact of nodes will adversely impact on the landscape character, and landscape values and physical attributes of these sub-areas and the wider landscape. Council have adopted these thresholds as a tool to ensure that the cumulative impact of building nodes does not reduce the landscape values or change the characters of these subareas.

Policy 3G - Approved Building Nodes

To robustly control the establishment of Approved Building Nodes and extensions of Identified Building Nodes (by up to 10% in total) to ensure that the outstanding natural features and landscapes of the Mackenzie Basin are protected and to ensure that such development is sustainable. In considering any application for an Approved Building Node or extension to an Identified Building Node, Council shall take into account the extent to which the following matters are satisfied. ~~New building nodes will only be granted as "approved building nodes" where the Council is satisfied that:~~

1. The buildings and structures and associated activities, earthworks, roading and boundary developments ~~will be~~ are visually inconspicuous, fit into the landscape and do not detract from the landscape characteristics and values of the Mackenzie Basin (refer report "The Mackenzie Basin Landscape: character and capacity"), including naturalness, legibility and heritage considerations.
2. The built development is to be located within an area of trees, planted or natural, that visually absorbs the buildings from outside view or the location is sufficiently hidden so as to achieve significant screening from outside the node. Any planted trees shall be of a species that are not prone to wilding spread. Development ~~shall be~~ is inconspicuous by day and night from public places on land and from waters within a distance of 2 kilometres.
3. Nodes ~~are to~~ have a low-key rural character in terms of location, layout, and development, with particular regard to fencing, roading, construction style, materials and detailing. ~~No urban forms or detailing should occur.~~
4. The node is located away from main surfaces, ridgelines, and skylines of landforms. (Refer report "The Mackenzie Basin Landscape: character and capacity" for descriptions of areas to be avoided in terms of their vulnerability to change).
5. The node is adjacent to a change point of the topography, such as a slope, stream course or forest edge.
6. The node is located such that it is not significantly visible from roads and areas where there is public access
7. The node is located away from the shoreline of any lake such that it will not be conspicuous from the lake or from along the lake margins due to topography. *Note all buildings are required to be a minimum of 100m from lakes under Rural zone rule 3.1.1.f*
8. The node is separated from any existing or approved building node by at least two ~~several~~ kilometres, both within properties and between neighbouring properties to retain a sense of isolation. (Not relevant to extension of Identified Building Node).
9. The location and use of the nodes will not adversely impact on the functioning of sites of environmental value including all water bodies and Sites of Natural Significance identified in the District Plan.
10. The node is not within a Scenic Viewing Area or Site of Natural Significance or above 900metres.
11. The location and use of the node, in particular any residential use of the node will not have the potential to create reverse sensitivity impacts on rural activities or activities such as airports, power generation, ~~or~~ transmission infrastructure, the state highway or the Tekapo Military Training Area.
12. The location and use of the node will not adversely impact on wahi tapu, archaeological values and historic heritage.
13. The earthworks, hard surfaces and roads, other than the access road, are located within the node and are minimised, designed, constructed and rehabilitated to avoid or mitigate more than minor adverse visual or environmental impacts. (Not relevant to extension of Identified Building Node).
14. All access roads are sited to follow landscape "changes" such as gullies and changes of slope, to avoid crossing landscape "surfaces", to be unobtrusive and designed to retain a "farm" character.

15. The node identifies and provides for a minimum of ~~5-3~~ and a maximum of 10 building platforms in locations that ensure the buildings (if suitably designed and clad) will be inconspicuous.
16. The node will not be able to be seen from key views up Lake Tekapo and Lake Pukaki during the daytime and will not be obtrusive when viewed at night.
17. The night sky is protected through the management of light spill.
18. All planting is of local native plant species and/or non-wilding prone exotic plant species.
19. The node will be of a size that is as small as will allow for clustering of buildings while avoiding dispersed development to ensure containment of the node. ~~does not exceed the threshold for nodes specified for that property or property group in the report "Mackenzie Basin: Character and Capacity" 2007.~~
20. The node and its associated level of domestication will not result in an adverse incremental or cumulative impact on the features, landscape ~~values~~ and amenity values and character of the landscape ~~character~~-sub-area in which it is proposed to be located and does not exceed the maximum number of ~~new~~-nodes for the sub-area identified in ~~Map 8 of the report "The Mackenzie Basin Landscape: character and capacity" contained in~~ Appendix R of this Plan.
21. The establishment of the node and its use avoids, remedies or mitigates any adverse effects of natural hazards and of pest plants.
22. The water, sewage treatment and disposal and stormwater services are designed, operated and maintained:
 - o Independently of Council services
 - o in a way which avoids, remedies or mitigates adverse effects on the environment
 - o sustainably over time, given the extreme climatic conditions that may be experienced over the life of the development
 - o through effective legal arrangements between the respective owners of houses or other facilities within the node.
23. The need for buffering between farm buildings and farm dwellings and non-farm buildings.

Explanations and Reasons

- As for Objective 3A
- As for Policies 3C, 3D, 3E and 3F
- In the context of outstanding landscape values of the Mackenzie Basin there maybe some room for further limited residential development within areas identified, and at the scale indicated in Appendix R. In particular building nodes maybe appropriate on sites that are consistent with Policy G and other relevant Objectives, Policies and Rules in the Plan,

Policy 3H – Extensions to Existing Identified Nodes

~~Extensions to existing identified building nodes will only be granted where the Council is satisfied that all the matters listed above in Policy 3G are satisfied other than items 8 and 13, and that there is no longer sufficient land available within the identified node for the operational requirements of the property.~~

Explanations and Reasons

- ~~As for Objective 3A~~
- ~~As for Policies 3C, 3D, 3E and 3F~~

Policy 3I – Farm and Non-residential Buildings

To provide for farm buildings and other non-residential buildings within identified and approved buildings. Where farm buildings and infrastructure require a location remote from nodes because of their purpose, function or effects, ensure that they are located and have an

appearance which minimises their impact on landscape values. ~~other than farm buildings that require a remote location, are required to locate within identified or approved building nodes.~~

Explanations and Reasons

- As for Objective 3A
- As for Policies 3C, 3D, 3E and 3F
- A limited number of farm buildings are required to be located away from the main homestead areas because they are providing, for example, storage or shelter. It is considered that the anticipated small number of buildings can be appropriately located within the landscape, with Council having power to control the location, and external design and appearance of these buildings.

Policy 3J— Remote Farm Buildings

~~To recognise that some farm buildings are required because of their function to locate away from building nodes and to provide for these buildings subject to location, design and external appearance controls.~~

Explanations and Reasons

- ~~A limited number of farm buildings are required to be located away from the main homestead areas because they are providing, for example, storage or shelter. It is considered that the anticipated small number of buildings can be appropriately located within the landscape, with Council having power to control the location, and external design and appearance of these buildings.~~

Policy 3K - Lakeside areas

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

Explanations and Reasons

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

Policy 3x – Hydro electricity generation

To recognise the importance of the Mackenzie Basin, and in particular Lakes Tekapo, Ruataniwha, Pukaki, Ohau and Benmore and their associated renewable energy generation and transmission infrastructure and operations to the district, region and nation's social, economic and cultural well-being.

Explanations and Reasons

- This policy recognizes the national importance of this infrastructure and aims to ensure that the values associated with the renewable energy resource of the Mackenzie Basin and its lakes are sustainably managed and not compromised by other development. As noted in Section 15 of this Plan, utilities of national significance are found in Mackenzie District including the Pukaki High Dam, Tekapo A and B and Ohau A power stations. Lakes Tekapo, Pukaki, Ruataniwha, and Ohau were dammed and raised between 1935 and 1985 to generate hydro-electricity while Lake Benmore was created as part of the process of damming the Upper Waitaki.

Policy 3L - Subdivision

- (a) *To provide for subdivision of land for non-residential purposes only where this subdivision does not have the potential to impact on the landscape values and character of the immediate and wider area, and will not diminish the sustainability of existing and likely future productive use of farm holdings.*
- (b) *To only provide for subdivision for residential purposes within identified or approved building nodes.*

Explanations and Reasons

- As for Policy 3C

Policy 3M – Manuka Terrace Rural-Residential Zone

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

Explanations and reasons

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

Policy 3N – Design and Appearance of Buildings

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

Explanations and Reasons

- As for Objective 3A.
- Refer also Policy 3D.
- Even buildings within identified and approved building nodes have the potential to impact on landscape values and character when viewed from afar and in particular from areas able to be accessed by the public and from roads.
- The Council will have regard to the extent to which applications for buildings and associated earthworks, tracks etc met the guidelines in Appendix K of the Plan.
- The Council recognises that due to technical, operation and security requirements associated with electricity generation and transmission, the extent to which the adverse landscape effects of these activities can be avoided, remedied or mitigated is more limited than for residential activities. For this reason, the Council will take into consideration the operation, design and purpose of the building, and the particular locational requirements of utilities infrastructure.
- The effects of built development are not confined simply to the built structure, but also frequently include the domestication or modification of the surrounding environment. The Council seeks to manage these potential effects when considering the merits of proposals to erect buildings within the Mackenzie Basin Subzone.

Policy 3O – Views from Roads

To manage landscape change so that the character, and outstanding natural landscapes values and features of the Mackenzie Basin are protected from inappropriate use and development and the screening of distinct views is avoided when viewed from public spaces and public roads.

Explanations and Reasons

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

Implementation Methods for all policies

To control residential subdivision and housing development in rural areas of the Mackenzie Basin through providing for a nodal form of development (based on the current homestead nodes) involving:

- *Residential units only provided for within building nodes*
- *Buildings other than remote farm buildings being non-complying activities outside building nodes*
- *Minimum lot size of 200ha for subdivision outside of nodes*
- *Identify existing building nodes in the Plan, recognising that existing homestead areas and associated farm buildings generally fit within the landscape without adversely affecting values and character*

- *Approval of new building nodes and extensions to existing identified nodes through discretionary resource consent*
- *New non-farm buildings within existing building nodes and approved building nodes be provided as restricted discretionary activities with Council assessing their visual impact outside the node*
- *All new buildings requiring consent in relation to their design and appearance.*

To encourage placement of various temporary farm structures such as irrigators and wrapped feed back from roads and state highways, through preparation and distribution of guidelines to landowners and managers.

Creation of a Rural-Residential - Manuka Terrace Zone with a minimum lot size and residential density of 4ha.

Add new Rural Objective 3B as follows:

Objective 3B – Landscape Values

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

Reasons

- Refer also to Objective 4, Policy 4B and Implementation, Objective 2, Policy 2A and 2C, and Objective 6
- It is appropriate that development, particularly in the high country and Mackenzie Basin has an overriding regard to the wider visual and landscape considerations which are important to the well-being of the District and its inhabitants.
- To sustainably manage the physical resource of the District, some priority is required to ensure the protection of the landscape and visual amenity and in particular the landscapes which have been identified as outstanding. The high country of the District and the Mackenzie Basin have an impressive array of landscapes
- Assessment of landscapes shall be based on the following characteristics: natural ~~scenic~~ science values, aesthetic values (including memorability and naturalness), shared and recognised values and takata whenua values, legibility values, transient values, natural character, and historic associations.. Refer Rural Issue 7 for more detail.

Delete existing Rural Policy 3A Lakeside Landscapes

Renumber Rural Policies 3B to 3F as Rural Policies 3P to 3T to follow and support new Objective 3B. (Refer 2.2 above)

SECTION 3 DEFINITIONS

Add the following definitions:

Farm building or farm accessory building means a building the use of which is incidental to the use of the site for a farming activity (refer definition).

Remote farm accessory building means a farm accessory building, which because of its function or access requirements requires a location remote from the principal homestead and farm buildings.

Homestead means a residential unit providing the principal permanent residential accommodation for an owner and/or manager of a property.

Identified Building Node means an Identified Building Node contained in Appendix S of this District Plan and any extension to the node approved by resource consent under Rural Zone rule 15.1.2.

Approved Building Node means a building node approved by resource consent under Rural Zone rule 15.1.1

SECTION 7 RURAL ZONE RULES

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

2 District Wide Rules

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

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

STATUS OF ACTIVITIES

All rules in the Rural Zone shall apply to the Mackenzie Basin Subzone unless otherwise stated. The Mackenzie Basin Subzone is that land identified on the Planning Maps.

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

The following Clauses 3 to 16 specify the status of activities under the District Plan i.e. Permitted, Controlled, Restricted Discretionary, Discretionary and Non-Complying Activities, for the following activities:

- | | |
|---|-------------------------|
| 3 | Buildings |
| 4 | Earthworks and Tracking |
| 5 | Factory Farming |

- 6 Forestry
- 7 Recreational Activities
- 8 Visitor Accommodation
- 9 Retail Sales
- 10 Mining Activities
- 12 Vegetation Clearance
- 13 Scheduled Activities
- 14 Aviation Activities
- 15 Building Nodes - Mackenzie Basin Subzone
- 16 Other Activities (Including farming, but not factory farming).

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

Amend Rural Zone Rule 3 Buildings by adding the following:

These rules do not apply to **Scheduled Activities** provided for in Rural Zone rule 13

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

3.1 Permitted Activities - Buildings

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

Delete Rural Zone Rule Permitted Activities – Buildings Standard 3.1.1.i Lakeside Protection Areas as follows:

~~3.1.1.i Lakeside Protection Area~~

~~No building or extensions to buildings, other than stock fencing, shall be erected in Lakeside Protection Areas identified on the Planning Maps (refer Discretionary Activities Rule 3.3.1).~~

Renumber all the Permitted Activity – Buildings Standards from 3.1.1j-n to 3.1.1i-m

Add the following Activity to 3.1 Permitted Activity - Buildings

- 3.1.2 Any farm accessory building within the Mackenzie Basin Subzone which is located within an Identified Building Node or Approved Building Node which complies with all the following standards:

3.1.2.a Height of Buildings

Maximum height shall be 15m

3.1.2.b Setback

- i Minimum setback of buildings from the inner boundary of the perimeter planting of building nodes shall be 20m

- ii Minimum setback of buildings from state highways shall be 50m
- iii Minimum setback of buildings from other roads shall be 20m

3.1.2.c **Reflectivity**

The maximum reflectivity index of the exterior of any buildings shall be ~~40%~~
30%

3.1.2.d **Building Separation**

Farm buildings shall be a minimum of 100m from any non-farm buildings established after September 2008 other than homesteads or buildings used for farm worker accommodation.

3.1.2.e **Riparian Areas**

Refer Rule 3.1.1f

3.1.2.f **Flight Protection Areas**

Refer Rule 3.1.1n

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

Refer Rule 3.1.1.e

Amend 3.2.1 Controlled Activities – Buildings as follows:

3.2 **Controlled Activities - Buildings**

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

Standards and Terms for Relocated Buildings

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

Matters Subject to Council's Control

- External appearance of the relocated building.

Non-Notified Application

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

Add the following Activity to 3.2 Controlled Activities – Buildings

3.2.2 Remote Farm Accessory Buildings in the Mackenzie Basin Subzone

Standards and Terms

- i Height – Maximum height of 15m
- ii Minimum setback of buildings from state highways shall be 50m
- iii Minimum setback of buildings from other roads shall be 20m
- iv Minimum setback from internal boundaries shall be 20m
- v Sites of Natural Significance – Refer Rule 3.1.1.e
- vi Riparian Areas – Refer Rule 3.1.1f
- vii Flood Mitigation – Refer Rule 3.1.1i

Matters Subject to Council's Control

- External appearance and location within the landscape

Add the following new rule after 3.2 Controlled Activities:

3.3. Restricted Discretionary Activities – Buildings

3.3.1 Non-farm buildings within Identified Building Nodes or Approved Building Nodes within the Mackenzie Basin Subzone which comply with the following standards:

3.3.1.a **Height of Buildings**

Maximum height shall be 8m

3.3.1.b **Setback**

- i Minimum setback of buildings from the inner boundary of perimeter planting of building nodes shall be 20m
- ii Minimum setback of buildings from state highways shall be 50m
- iii Minimum setback of buildings from other roads shall be 20m

3.3.1.c **Reflectivity**

The maximum reflectivity index of the exterior of any buildings shall be ~~40%~~
30%

3.3.1.d **Building Separation**

- i Non-farm buildings, other than homesteads and workers accommodation, shall be a minimum of 100m from any farm buildings ~~other than homesteads~~.

- ii Non-farm buildings shall be a minimum of 20m from any other non-farm building

3.3.1.e Number of non-farm buildings

The maximum number of non-farm buildings (excluding accessory buildings) within any building node shall be 10

3.3.1.f Building Size

The maximum footprint (ground floor area) of any single non-farm building and associated accessory buildings shall be 400m². This limitation does not apply to homesteads.

3.3.1.g Riparian Areas

Refer Rule 3.1.1f

3.3.1.h Flight Protection Areas

Refer Rule 3.1.1n

3.3.1.i Sites of Natural Significance, Scenic Viewing and High Altitude Areas

Refer Rule 3.1.1.e

Matters Subject to Council's Discretion

- External design and appearance of buildings
- Visual impact of area attached to building (curtilage)
- Visual impact of associated earthworks, hard surfacing and access
- Landscaping and planting
- Servicing of the site (stormwater, water supply, power and telecommunications)
- Impact on indigenous biodiversity.
- Effects on water quality arising from run-off during construction.
- Effectiveness of ongoing stormwater management of the site.

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

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

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

Delete 3.3.1 Discretionary Activities – Buildings, buildings in Lakeside Protection Areas as follows:

3.4 Discretionary Activities - Buildings

~~3.3.1 Buildings or extensions and additions to buildings within the Lakeside Protection Area identified on the Planning Maps.~~

Renumber rule 3.3 Discretionary Activities - Buildings as 3.4 and add the following Activities to Rule 3.4

3.4.1 Within the Mackenzie Basin Subzone the following buildings shall be Discretionary Activities:

- a Farm accessory buildings within Identified Building Nodes or Approved Building Nodes which do not meet any of the standards in 3.1.2
- b Non-farm buildings within Identified Building Nodes or Approved Building Nodes which do not meet any of the standards in 3.3.1
- c Remote farm accessory buildings which do not meet the standards in 3.2.2

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

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

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

Renumber rule 3.4 Non-Complying Activities - Buildings as 3.5 and add the following Activities to Rule 3.5

3.5.5 Non-farm buildings in the Mackenzie Basin Subzone not within an Identified Building Node or Approved Building Node

3.5.6 Any farm accessory building in the Mackenzie Basin Subzone which is not a remote farm accessory building and which is not within an Identified Building Node or Approved Building Node

Add the a new rule 3.6 Prohibited Activities – Buildings

3. 6 Prohibited Activities – Buildings

3.6.1 Amenity tree planting -- It is a prohibited activity for which no consent will be granted to plant the following species within an approved building nodes or an extension to an identified building node:

- -Pinus contorta (Lodgepole)
- Pinus nigra (Corsican Pine)
- Pinus Muricata (Bishop Pine)
- Pinus sylestris (Scots Pine)
- Pinus menziesii (Douglas Fir)

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

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

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

This rule shall not apply to earthworks:

- Approved as part as part of a subdivision or building node where that subdivision has a resource consent
- For routine repair of operational tracks and roads
- Levelling of fence lines to a maximum depth of 200mm
- For utility services
- Approved as part of a resource consent for a building
- Approved as part of resource consent for a farming building except where the earthworks are for access

Matters Subject to Council's Control

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

Add new rural activity 15 BUILDING NODES as follows:

15 BUILDING NODES

These rules do not apply to **Scheduled Activities** provided for in Rural zone rule 13.

15.1 Discretionary Activities

15.1.1 An Approved Building Node shall be established by way of a Discretionary Activity application subject to compliance with the following standards:

- Except for nodes that are to be occupied by a homestead, all Approved Building Nodes shall identify at least ~~five~~ three but no more than 10 building platforms within the proposed Node. Each platform shall have a minimum area of 70m² and a maximum area of 100m².
- All nodes shall have substantial perimeter planting unless they are sufficiently hidden so as to achieve significant screening from outside the node

All applications for an Approved Building Node shall be accompanied by detailed information and assessment of all the requirements for these nodes contained in Rural Policy 3G.

15.1.2 An extension to an Identified Building Node shall be established by way of a Discretionary Activity application subject to compliance with the following standard:

- All extensions shall have substantial perimeter planting unless they are sufficiently hidden so as to achieve significant screening from ~~outside the node~~ public areas or public roads
- The totals area of the Identified Building Node shall not be extended by more than 10%.

All applications for an extension of an Identified Building Node shall be accompanied by detailed information and assessment of all the requirements for these nodes contained in Rural Policy ~~3H~~3G.

15.2 Non-Complying Activities

15.2.1 Any Approved Building Node or extension to an Identified Building Node which does not meet the standards in 15.1.1 and 15.1.2 respectively, shall be a Non-Complying Activity.

Renumber rules/clauses, references to rules/clauses and any other consequential changes required as a result of amendments to the Rural Zone Rules

SECTION 7A – RURAL-RESIDENTIAL ZONE

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

RURAL RESIDENTIAL - MANUKA TERRACE ZONE

1 ZONE STATEMENT

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

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

2. DISTRICT WIDE RULES

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

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

STATUS OF ACTIVITIES

3. PERMITTED ACTIVITIES

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

3.1 Residential Activities

3.2. Buildings –for or directly associated with farming activity.

3.3. Amenity Tree Planting –. Planting of those species listed in Rule 8.1 shall be a Prohibited Activity

- 3.3. **Visitor Accommodation** – providing accommodation for a maximum of six guests on site at any one time.
- 3.4. **Home Occupations** – home occupations, other than those that involve noxious activities that comply with the site and zone standards.
- 3.5. **Farming activities**
- 3.6. **Vegetation Clearance**

4. **CONTROLLED ACTIVITIES**

- 4.1. **Buildings** – Buildings for any purpose other than farming purposes. Control is reserved in respect of bulk and location including location to avoid natural hazard risk, access, earthworks, external appearance and condition and ability to withstand strong winds. All site standards must be complied with.
- 4.2. **Earthworks** – Any earthworks (excavation and filling) greater than 300m³ and less than 1000m³ per site or bare soil exposed greater than 1000m² and less than 2500m² per site is a Controlled Activity.

This rule shall not apply to earthworks:

- Approved as part as part of a subdivision ~~or building node~~ where that subdivision has a resource consent
- For routine repair of operational tracks
- Levelling of fence lines to a maximum depth of 200mm
- For utility services
- Approved as part of a resource consent for a building
- Approved as part of resource consent of a farming building except where the earthworks are for access

Matters Subject to Council's Control

- Siting, slope and camber of the track;
- Manner of forming the track;
- Terrain disturbance including vegetation clearance, volumes and materials to be removed;
- Rehabilitation of disturbed ground-
- Effects on water quality from run-off during construction
- Effects on existing hydro-electricity and transmission infrastructure

5. **RESTRICTED DISCRETIONARY ACTIVITIES**

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

6. DISCRETIONARY ACTIVITIES

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

7. NON-COMPLYING ACTIVITIES

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

8. PROHIBITED ACTIVITIES

- 8.1. **Amenity Tree Planting** – It is a Prohibited Activity for which no resource consent will be granted to plant the following species:
 - Pinus contorta (Lodgepole)
 - Pinus Nigra (Corsican Pine)
 - Pinus muriata
 - Pinus Sylvestris
 - Pinus menziesii (Douglas fir)
 - Pinus mugo/uncinata (Mountain pine)
 - Pinus pinaster (Maritime pine)

9. SITE STANDARDS

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

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

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

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

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

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

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

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

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

9.6 **Nature and Scale of Home Occupations**

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

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

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

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

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

10. **Assessment Matters**

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

SECTION 12 – SUBDIVISION, DEVELOPMENT AND FINANCIAL CONTRIBUTIONS

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

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

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

3 Controlled Activities - Subdivision

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

Natural and Other Hazards

- Provision of works, the location and type of services, building location, and location and quantity of filling and earthworks that could be affected by the following natural hazards or which could affect the impact of those natural hazards on the site or other land in the vicinity.
- Erosion
- Flooding and Inundation
- Landslip
- Rockfall
- Alluvion (affect of river wash)
- Avulsion (removal of land by flooding)
- Unconsolidated Fill
- Wind
- Soil Contamination
- Subsidence

Earthworks

- The volume and area of earthworks
- The methods of excavation and filling
- The size and location of stockpiles
- Avoidance or mitigation of impacts on waterways, ecological and landscape values, heritage, cultural and archaeological values and neighbouring properties

- Methods of controlling stormwater runoff and erosion
- Rehabilitation of disturbed areas

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

4A Restricted Discretionary Activities - Subdivision in Mackenzie Basin Subzone

4A.a Any subdivision, of or within

- an Identified Building Node,
- an approved extension to an Identified Building Node; or
- an Approved Building Node

shall be a **Restricted Discretionary Activity** with the Council's discretion limited to the following matters:

- All the matters listed in rule 3 above
- The matters referred to in Rural Objective 3A and Policies 3A to 3T relating to the Mackenzie Basin Subzone

Amend Discretionary Activities– Subdivisions Rule 4a and add new rule 4e as follows:

4a Any subdivision outside the Mackenzie Basin which complies with all the Primary Subdivision Standards but does not comply with any one or more Secondary Subdivision Standards shall be a **Discretionary Activity**, in respect of the applicable matter.

4.e Any subdivision in the Mackenzie Basin Subzone outside an Identified Building Node or Approved Building Node which creates new allotments with a minimum areas of 200ha.

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

5. Non-Complying Activities – Subdivision

5.a Any subdivision outside the Mackenzie Basin Subzone which does not comply with one or more Primary Subdivision Standards shall be a **Non-complying Activity**.

5.b Any subdivision within the Mackenzie Basin Subzone which is not listed as a Permitted, Controlled, Restricted Discretionary or Discretionary Activity.

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

6 Primary Subdivision Standards

6.a Allotment Size—~~Residential Zones~~

6.a.ii Unsewered Areas

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

6.b Water Supply

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

6.b.i there is no Council reticulation network and/or

6.b.ii there is no water available from a water scheme to supply the new allotments.

6.d Energy Supply and Telephone Systems

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

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

PLANNING MAP /APPENDIX AMENDMENTS

Insert Attachment 1 MACKENZIE BASIN SUBZONE into the Planning Maps.

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

Insert Attachment 3 as Appendix R *Capacity for New Nodes*

Insert Attachment 4 as Appendix S *Identified Building Nodes*

Amend Planning Maps 32, 33 and 37 by rezoning the area identified in Attachment 5 from Rural to “Rural-Residential – Manuka Terrace Zone”

Insert Sign Restriction Area into Planning Maps for Pukaki Village zone

MISCELLANEOUS AMENDMENTS

Amend Section 9 HAZARDOUS SUBSTANCES Table 1 as follows:

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

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

Amend Section 11 SIGNS Rule7 as follows:

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

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

Amend Section 11 SIGNS Rule10.c as follows:

10.c No signs shall be permitted within the ~~Lakeside Protection Areas as~~ Sign Restriction Area identified on the Planning Maps.

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

6.a.iii Boundary Adjustments

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

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

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

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

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

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

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

7.d Provision of Land for Open Space and Recreation

Rate of Contribution - Residential Purposes

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

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

Where:

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

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

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

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

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

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

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

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

Method of Calculation:

- ~~d. All existing allotments, including those already created for cross lease or unit titles, which when created (either pursuant to a resource consent or consent pursuant to previous legislation) complied with the minimum standards for their respective zone or the standards contained in this Plan, at the date of public notification of this Plan, shall be deemed to have a credit of 5% of the cash value of their allotment area.~~
- ~~b. The credit for existing allotments, including those already created for cross lease or unit title, shall be deducted from the assessment made in accordance with the rates specified above.~~
- ~~c. The value of land for the purposes of determining the average cash value of allotments shall reflect the value of the lots in the completed development.~~

Where, within the preceding 10 years:

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

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

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

9.a Application of Rule to Zones

This rule applies to the following zones:

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

9.c Discretionary Activity

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

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

2.q Private Vehicle Access

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

Table 6 - Private Vehicular Access

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

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

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

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

Amend Section 15 UTILITIES Rule 1.5 Discretionary Activities as follows:

1.5 Discretionary Activities

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

- a Any activity listed as a Permitted Activity which does not comply with any one or more Standards applying to that Activity shall be a Discretionary Activity, with the exercise of the Council's discretion being restricted to the matter(s) specified in that standard.
- b ~~Any activity listed as a Permitted Activity which is located within the Lakeside Protection Area.~~
- c Weather Radar.
- d Lines and support structures for conveying electricity at a voltage exceeding 110KV and a capacity exceeding 100MVA.
- e Any other utility not specifically listed as a Permitted or Discretionary Activity.