

Appendix A – Recommended Amendments to Natural Hazards Chapter

KEY

Red Underlined – Additions recommended as part of s42A Report

~~Red Strikethrough~~ – Deletions recommended as part of s42A Report

NATURAL HAZARDS - NH

Overview

The Gore District is exposed to a variety of *natural hazards* which can impact on people, property, *infrastructure* and the wider *environment*. These include flooding, liquefaction and earthquakes. Changes in *land* use or intensification of development can exacerbate the risks of hazards by increasing the likelihood or severity of their *effects*. *Climate change* is also likely to influence the frequency and range of some hazards on an on-going basis.

Planning for hazards can reduce the potential for loss of life and injury, damage and destruction of property, and negative impacts to our natural, social, cultural, economic and built *environments* and well-being. A key concept to manage the risk of *natural hazards* are the four “Rs”; Reduction, Readiness, Response, Recovery. Reduction aims to mitigate or avoid the risks of hazards and is the primary outcome sought by the District Plan in respect of *natural hazard* management. A risk-based approach to planning for *natural hazards* includes three key principles:

- Gathering accurate *natural hazard* information.
- Avoiding significant *natural hazard* risks when undertaking greenfield development and *subdivision*.
- Managing and mitigating the risk in areas already developed or subdivided.

Flood protection measures such as stop banks built and maintained by the Regional Council help protect the community within the Mataura River floodplain. However, stop banks have design limitations and cannot provide absolute protection. Future storm events are expected to increase in intensity and scale which will test the extent of flood protection. Retreating from the hazard is not an immediate solution for existing communities so planning for subdivision, use and development that recognises the residual risk within these areas is necessary to reduce the adverse effects on people and property.

Natural Hazards refer to all overlays identified within the District Planning Maps as Natural Hazards

Actual or Potential Inundation refers to all overlays identified under this subheading within the District Planning Maps.

Liquefaction is primarily managed via the Building Act, with the exception of subdivisions, high density developments and critical infrastructure which are addressed through this chapter.

PROPOSED DISTRICT PLAN PROVISIONS

Objectives

- NH-O1 Identify and manage the risks associated with *natural hazards* to human health, property, *infrastructure* and the wider *environment*.
- NH-O2 The risks associated with *natural hazards* and their impact on people, property and the *environment* are recognised and avoided or mitigated, including the likely long-term *effects* of *climate change*.
- NH-O3 ~~Ensure a~~New subdivision and development for sensitive activities are ~~not only~~ located in areas subject to significant ~~where the~~ *natural hazard* risk ~~is and where it is not possible to avoid, the adverse effects are:~~
1. ~~adequately appropriately~~ managed to mitigate the hazard effect on people and property; and
 2. not exacerbated beyond the ~~on other~~ sites.
- NH-O4 ~~Regionally significant~~ Critical *infrastructure* is located outside hazard risk areas except where there is an operational need or functional need for its location ~~where practicable~~.
- NH-O5 Protect, and where practical enhance, natural features that have the *effect* of reducing *natural hazard* risk.

Policies

- NH-P1 Identify and map areas subject to *natural hazards*, taking into consideration the *effects* of *climate change* and updated information, and apply through zoning and rules, a risk-based approach to the management of *subdivision*, use and development based on the following:
1. the type of *natural hazard* that applies; and
 2. the level and severity of risk from *natural hazards*, preventing risk to people and managing risk to property; and
 3. the sensitivity of activities to loss of life or damage to property from a *natural hazard*; and
 4. the ability for communities to recover after a *natural hazard* event.
- NH-P2 Manage the subdivision, use, ~~and~~ development ~~and subdivision~~ of *land* in all mapped ~~Actual or Potential Inundation Areas, with the exception of the~~ Stopbank Protection Areas by:
1. ensuring in the event of a natural hazard, there is likely to be no loss of life or serious injury and any built development is not likely to suffer significant damage or loss ~~that the activity is not likely to result in significant damage in a flood event~~; and
 2. maintaining the functioning of the flood plain, and not displacing water ~~onto other properties~~ beyond the site boundary; and
 3. requiring a minimum floor level for *buildings* above the 0.5% AEP design flood level; and
 4. requiring *hazardous substance* storage to be resilient to inundation; and
 5. ensuring adverse *effects* on people, cultural values, and property are avoided or mitigated; and
 6. ensuring increased risk on other *sites* is avoided; and
 7. requiring the identification of suitable buildable areas, for example via *building* platforms, at the time of *subdivision*.

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- NH-P3 Avoid *subdivision*, use and development ~~and critical infrastructure~~ within the “~~Actual and Potential Inundation Area Mataura River Floodway~~”, unless it can be demonstrated that the risks of the *natural hazard* can be mitigated so that:
1. in the event of a *natural hazard*, there is likely to be no loss of life or serious injury and any built development is not likely to suffer significant damage or loss; and
 2. it will not require new or upgraded public hazard mitigation works to mitigate the *natural hazard*; and
 3. it is not likely to exacerbate the potential *effects* of the *natural hazard* on *adjoining land* or *surrounding land*; and
 4. any hazard risk to sensitive activities is avoided, and
 5. will not result in adverse *effects* to *water* quality due to storage of *hazardous substances* in the *floodway*; and
 6. it would not exacerbate adverse *effects* on *mahinga kai* on the event of a flood hazard, and
 7. requiring the identification of suitable buildable areas, for example via building platforms, at the time of a subdivision.
- NH-P4 Avoid locating any *residential unit* or other asset of high value between any *waterbody* and any *defence against water* designed or used to contain floodwater from that *waterbody*, unless that asset has a *functional need* or *operational need* to be in that location.
- NH-P5 Manage *subdivision*, use and development in areas subject to risks of slope instability, subsidence and high liquefaction risk to demonstrate the appropriateness of the *site* for *subdivision*, use or development in a way that can avoid or mitigate hazard risks to people and property.
- NH-P6 Avoid the placement of *critical infrastructure* ~~in areas at risk from natural hazards~~ identified and mapped areas subject to natural hazards, unless:
1. there is ~~no reasonable alternative due to the~~ an operational need or *functional need* for the location; and
 2. it will be designed to ~~maintain its integrity and function~~ to the fullest possible extent, even though this may be at a reduced level, during and after a *natural hazard* event, ~~or and~~ can be readily re-instated after a *natural hazard* event; and
 3. any significant adverse *effects* on people, ~~cultural values, and~~ property, mauri, any wahi tapu, or the ability to practice mahinga kai activities can be ~~will be~~ avoided, remedied or mitigated.
- NH-P7 Encourage the use, maintenance and enhancement of natural features and buffers such as riparian planting to manage the risks of *natural hazards* on people, property, and the *environment*.
- NH-P8 Identify and map areas subject to stopbank protection and encourage non-regulatory methods to inform the community of the flood risk as a result of stopbank failure.
- NH-P9 Avoid subdivision, use and development within the “Mataura River Floodway”.

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Notes

Note 1	Provisions in Other Chapters
	The provisions in this chapter apply in addition to the provisions of the other chapters in the District Plan and the plan should be read as a whole. This chapter also implements other chapters in the District Plan that do not have specific rules such as Sites and Areas of Significance to Māori and Mana Whenua.
Note 2	Environment Southland Consents may be required
	The construction and maintenance of <i>defences against water</i> may require resource consent approval from Environment Southland.
Note 3	<u>Telecommunication Infrastructure</u>
	<u>Telecommunication infrastructure is a regulated activity under the NESTF and is exempt from complying with the provisions in this chapter.</u>

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Rules

NH-R1	The maintenance of existing <i>defences against water</i>	
All Zones	Activity status: Permitted Where: 1. Pre-existing legal <i>access</i> to waterways for mahinga kai activities is retained. 2. No increase in scale (height, length or width) is proposed.	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Ecological impacts on in-stream or stream-adjacent indigenous wildlife. 2. Impacts on Ngāi Tahu cultural values, including those listed in the MW-2.3.
NH-R2	~~Buildings used for sensitive activities~~ Construction of an accessory building used for Primary Production within areas subject to actual or potential inundation	
~~All Zones~~ <u>General Rural Zone</u>	Activity status: Permitted Where: 1. <u>The building is for a non-habitable use; and</u> 2. <u>Is no greater than 500m² in floor area; and</u> 3. <u>Maintains a minimum 20m setback from any residential building; and</u> 4. <u>Maintains a minimum setback of 10m from any flood protection asset or hydraulic control structure.</u> ~~1. Any new building or building addition must have a minimum floor level above the 0.5% AEP design flood level, unless otherwise directed by the Southland Regional Council planning department.~~ Except that:	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. <u>The risk to people and property is not increased from flooding, including from the displacement of flood waters; and</u> 2. <u>The design incorporates suitable methods to mitigate the hazard risk to an acceptable level; and</u> 3. <u>Ability to avoid adversely affecting existing flood protection assets and structures.</u> ~~1. Suitable methods to mitigate the hazard risk.~~ ~~2. The functional need and/or operational need to be located the building or structure in this location.~~

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	~~(a) This rule does not apply to areas in the mapped Stopbank Protection Area.~~ ~~Note: Regional Council recommendations take precedence over NH-R2.~~	~~3. Nature and extent of hazard risk to people, Ngāi Tahu cultural values and property.~~
NH-R23	<u>The addition to existing buildings used for sensitive activities within areas subject to Actual and Potential Inundation and the Stop Bank Protection area</u>	
All Zones	Activity status: Permitted Where: - Any new ~~building or~~ building addition must have a minimum floor level above the 0.5% AEP design flood level, ~~unless otherwise directed by the Southland Regional Council planning department; and~~ <u>No additional residential units are created on the site.</u> Except that: ~~(b) This rule does not apply to areas in the mapped Stopbank Protection Area.~~ ~~Note: Regional Council recommendations take precedence over NH-R2.~~ Note: Technical advice on the finished floor level required to comply with this rule can be sought and obtained from Environment Southland.	Activity status where compliance is not achieved: <u>NH-R2.1(1):</u> Restricted Discretionary Matters of discretion: <u>The flood effect from a 0.5% AEP event is low due to the mitigation or</u> <u>The design does not increase the flood effects on people and property or displacement of flood waters onto adjacent sites;</u> <u>That people can safely evacuate properties during a 0.5% Annual Exceedance Probability flood event.</u> ~~1. Suitable methods to mitigate the hazard risk.~~ ~~2. The functional need and/or operational need to be located the building or structure in this location.~~ ~~3. Nature and extent of hazard risk to people, Ngāi Tahu cultural values and property.~~ <u>NH-R2.1(2):</u> Non-Complying <u>[nonsensitive subject to zone provisions]</u>
NH- R4	<u>Earthworks and land disturbance within areas subject to Natural Hazards (Flooding)</u>	
<u>Areas subject to Natural</u>	<u>Activity status:</u> Permitted <u>Where:</u>	<u>Activity status where compliance is not achieved with:</u>

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Hazards (Flooding)

1. The work is not undertaken within the Mataura River Floodway; and
2. The work is not undertaken on the river side of a stopbank.
3. The work is within the Actual or Potential Inundation area and:
 - (a) The activity is undertaken within the mapped Stopbank Protection Area; or
 - (b) The bulk and scale does not exceed:
 - i. Cut depth or fill height (measured vertically) does not exceed of 0.56 meters;
 - ii. Fill height (measured vertically) of 0.3 metres;
 - iii. Fill volume above ground level of 10 m³ per site; and
 - iv. Cumulative volume of filling and excavation of 25 m³ per site/ 10 years.

EW-R13(1) or EW-R13(2): Non-complying

EW-R13(3): Restricted Discretionary

Matters of discretion:

1. The potential to create new or exacerbate existing *natural hazards*, impact natural drainage patterns, redirect overland flow paths or flood flows.
2. Effects on water quality.
3. Sediment and erosion *effects* and management.
4. Impacts on Ngāi Tahu cultural values, including those listed in MW-2.3.
5. The matters of discretion of any infringed Standard(s).

NH-R5

The construction of new buildings, including conversion of existing buildings, for Sensitive Activities within the Stop Bank Protection area.

All Zones

Activity status: Restricted Discretionary

Where:

1. The finished floor level for the new building must be above the 0.5% AEP flood design level or in the case of converting an existing building, must ensure the finished floor level of all areas accommodating sensitive activities are above the 0.5% AEP design flood level; and

Matters of Discretion:

Activity status where compliance is not achieved:

Non-Complying

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1. The flood effect from a 0.5% AEP event is low due to the mitigation or
2. The design does not increase the flood effects on people and property or displacement of flood waters onto adjacent sites;
3. That people can safely evacuate properties during a 0.5% Annual Exceedance Probability flood event.

NH-R6 The construction of new buildings, including conversion of existing buildings within areas subject to Actual and Potential Inundation.

All Zones

Activity status: Restricted Discretionary

Where:

1. The proposal is:
 - a. A sensitive activity and located within the SETZ, RLZ or MPZ; or
 - b. A sensitive activity and located within the GRZ of Mataura; or
 - c. Not a sensitive activity within all zones; and
2. The building platform is located outside of the stream channel; and
3. The finished floor level for the new building must be above the 0.5% AEP flood design level.

Matters of Discretion:

1. The flood effect from a 0.5% AEP event is low due to the mitigation or
2. The design does not increase the flood effects on people and property or displacement of flood waters onto adjacent sites;
3. That people can safely evacuate properties during a 0.5% Annual Exceedance Probability flood event.

Activity status where compliance is not achieved:

Non-Complying

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Note: Technical advice on the finished floor level required to comply with this rule can be sought and obtained from Environment Southland.

NH-R37 **The construction of new or extended *defences against water***

All Zones **Activity Status:** Discretionary

NH-R48 **Activities within the Mataura River Floodway**

Mataura River Floodway **Activity status:** Non-Complying

Where:

1. The following activity is undertaken:

(a) new *structures* or *building*

~~(b) *critical Infrastructure*~~

(b) *Sensitive Activities*

Except: This rule does not apply to *Critical Infrastructure*

NH-R59 ***Buildings or structures* located on the *river* side of a stopbank**

All Zones **Activity Status:** Non-complying

Where:

1. The activity involves constructing new *buildings* or *structures*, or additions to an existing *building* or *structure* on the *river* side of a Southland Regional Council stopbank.

Except: This rule does not apply to *Critical Infrastructure*

NH-R6 ~~**The establishment of *critical infrastructure* on land subject to a high or very high risk of liquefaction**~~

All Zones **Activity status:** Non-Complying

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KEY

Red Underlined – Recommended Additions

~~Red Strikethrough~~ – Recommended Deletions

[HS7] – Hearing stream recommendation

Green Underlined – Recommended Additions from Supplementary Evidence

~~Green Strikethrough~~ – Recommended Deletions from Supplementary Evidence

Blue underlined - Recommended Additions from 42A- Natural Hazards

~~Blue Strikethrough~~ – Recommended Deletions from 42A – Natural Hazards

INFRASTRUCTURE - INFR

Overview

Infrastructure provides services for the community to function. At a National level, the government has prepared the “Thirty Year New Zealand Infrastructure Plan 2015” (NZIP 2015). Some key challenges outlined in the NZIP 2015 include: aging *infrastructure* networks, affordability constraints and *climate change*. These challenges also apply to the Gore District.

For the purpose of this District Plan, *Infrastructure* involves those services that provide networks and facilities for transport, electricity transmission, electricity distribution, telecommunication and radio communication, *water*, *wastewater*, drainage, solid waste, and *natural hazard* management.

It is recognised that *infrastructure*, and particularly *critical infrastructure*, is essential to providing for the health, safety and well-being of the people and communities of Gore.

The purpose of this chapter is to ensure existing *infrastructure* and land reserved for future *infrastructure* can be developed and maintained for their intended purpose, whilst managing the adverse effects of *infrastructure*. However, some sites technically ideal for the location of *infrastructure* may be unsuitable

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having regard to their environmental effects, including impacts on landscape and *biodiversity* values, or the underlying relationships Ngāi Tahu hold with the natural environment. Designations may also provide for *infrastructure*.

The use of more sustainable infrastructure such as *green infrastructure* provide opportunities to improve degraded natural environments, improve local amenity and enhance long-term environmental resilience. These approaches help to minimise the impacts of climate change by improving resilience and allowing infrastructure to adapt to change.

The Council also manages *infrastructure* through the Gore District Council Subdivision and Land Development Bylaw 2019 (Subdivision Bylaw 2019) and the Gore District Council 30 Year *Infrastructure* Strategy 2018-2048 (Infrastructure Strategy 2018). The Council may consider a subsequent replacement or update to the bylaw to remain in line with best practice.

While the use and operation of *infrastructure* can have adverse effects on adjoining activities and *sites*, activities adjoining *infrastructure* can also have adverse effects, including *reverse sensitivity*, on *infrastructure*.

Objectives

INFR-O1 The benefits of infrastructure are realised by providing~~Provide for The operation, maintenance, upgrading and development of infrastructure that is:~~

1. Efficient, effective and resilient;
2. ~~Provides and distributes~~ Delivers essential and secure services as part of local, regional or national networks, including in emergencies;
3. Co-ordinates with urban development and land uses throughout the district; and
4. Enables people and communities to provide for their health, safety and wellbeing.
5. Integrates with existing and potential future infrastructure in a safe and efficient way.

~~-provided for to meet the needs of the community and businesses.~~

~~INFR-O2 Infrastructure within new subdivisions and developments integrates with existing infrastructure in a safe and efficient way and provides for opportunities to link with future infrastructure in accordance with the Gore District Subdivision and Land Development Bylaw 2019 or any subsequent replacement document.~~

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- INFR-O3 *Infrastructure* or land reserved for future *infrastructure*, is protected from adverse effects of *subdivision*, use and development that is incompatible or may compromise the construction, maintenance, upgrade and use of *infrastructure*.
- INFR-O4 Adverse *effects* from the construction, maintenance, upgrade and use of *critical infrastructure* are managed.
- INFR-O5 Low emission and climate resilient urban environments are encouraged through the prioritisation of green infrastructure.

Policies

- INFR-P1 Enable the construction, maintenance, upgrade and use of *infrastructure*.
- INFR-P2 Require the underground placement of *network utilities* where practical and appropriate for the *functional needs* and *operational needs* of the *network utility*.
- INFR-P3 Encourage *green infrastructure* and renewable energy generation.
- INFR-P4 Encourage co-location and sharing of *infrastructure*.

~~INFR-P5 Encourage co-location and sharing of infrastructure.~~

~~INFRA-P6-5~~ (a) Adverse *effects* (including *reverse sensitivity effects*) are avoided, remedied or mitigated where activities are adjacent to *critical infrastructure*, including the management of *sensitive activities* and the *effects of subdivision*, use and development that may compromise the operation, maintenance, upgrade and development of the ~~National Grid~~ and the State Highway Network.

(b) The operation, maintenance, upgrading and development of the National Grid is protected by:

i. identifying a National Grid Yard within which sensitive activities are avoided; and

ii. managing subdivision, use and development in the vicinity of the National Grid to avoid adverse effects (including reverse sensitivity effects on the National Grid and to ensure that the operation, maintenance, upgrade and development of the National Grid is not compromised.

~~INFRA-P7-6~~ Manage the development of *infrastructure*, so that adverse effects on adjoining activities, sites, ecosystem health, and Ngāi Tahu cultural values are avoided, remedied or mitigated to avoid, remedy, or mitigate any adverse effects on:

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1. Sensitive environments, adjoining activities, sites and ecosystem health and
2. any actual or potential effects on mana whenua and the values they associate with the area including whakapapa, the mauri of natural resources, wāhi tapu, mahinga kai, the ability to exercise manaakitanga, mātauranga associated with the current landscape, and the exercise of kaitiakitanga; while
3. While considering the restraints imposed on measures to avoid remedy or mitigate adverse effects by recognising the functional need and operational needs of infrastructure.

Notes

Note 1	Provisions in Other Chapters
	The provisions in this chapter apply in addition to the provisions of the other district wide chapters in the District Plan and the plan should be read as a whole. This chapter also implements other chapters in the District Plan that do not have specific rules such as Sites and Areas of Significance to Māori and Mana Whenua. <u>This Rules and standards in Part 3 - Area Specific Matters (zones) do not apply to activities managed under this chapter, unless expressly identified within the chapter.</u> <i>Roads</i> are defined as a utility, however the rules in this Chapter do not apply to the construction, management, upgrading or use of <i>Roads</i> of the <i>Transport Network</i>. These activities are managed by Subdivision and Transport Chapters. <i>Airports</i> and approach control services are defined as <i>network utilities</i>. Some <i>Airport</i> Related Activities are also defined as <i>network utilities</i>. However, the rules in this Chapter do not apply to <i>Airport</i> Activities or <i>Airport</i> Related Activities within the Airport Zone (Chapter 3.15) and Transport Chapter.
Note 2	Gore District Council Subdivision and Land Development Engineering Standards
	The Gore District Council Subdivision and Land Development Bylaw 2019 provides layout and design standards that apply to construction and <i>land</i> development activities. In addition to the requirements of the District Plan, compliance is required with the provisions and processes of the Bylaw, or any subsequent Council Engineering Code of Practice replacing it.
Note 3	National Policy Statements and National Environmental Standards for <i>Infrastructure</i>.
	<u>Section 55 and section 75(3)</u> of the RMA directs that the district plan must give <i>effect</i> to any National Policy Statement (NPS) and National Environmental Standard (NES). NES's must be observed and enforced by local authorities. Section 43B of the RMA directs that a NES prevails

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over District Plan rules unless a NES expressly stated that it does not.

Note 3

National Environmental Standards For Telecommunications Facilities

The use of Ancillary Equipment, Antenna, Cabinet, Pole and Small Cell Unit were written with the NESTF definitions in mind.

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Rules

INFR-R1	Establishment, operation, maintenance, replacement, upgrade, repair or removal of <i>infrastructure</i> (including <i>Green Infrastructure</i>) below <i>ground level</i> <u>not otherwise addressed by another rule in this chapter</u>.	
All Zones	Activity status: Permitted	Activity status where compliance not achieved: N/A
INFR-R2	Establishment, operation, maintenance, replacement, upgrade, repair or removal of infrastructure within a <i>building</i> <u>not otherwise addressed by another rule in this chapter</u>.	
All Zones	Activity status: Permitted	Activity status where compliance not achieved: N/A
INFR-R3	Operation, maintenance, replacement, upgrade, repair or removal of existing above <i>ground level infrastructure</i> and <i>access tracks</i>.	
All Zones	Activity status: Permitted Where: 1. Either Compliance with all INFR standards are achieved, or the structure or line (as it existed at <i>date this plan is operative</i>) does not exceed: (a) maximum increase in external dimensions, except diameter of support poles - 25%, (b) maximum increase in diameter of support poles - 50%. (c) maximum increase in cross-sectional area of any structure, when viewed in any direction - 50%. (d) maximum change in location of <i>structure</i> - 5m; and 2. All <i>structures</i> and lines no longer required for <i>infrastructure</i> purposes are removed within six months; and	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The functional and operational needs of, and benefits derived from, the <i>infrastructure</i>, including the potential impact on the levels of service or health and safety if the work is not undertaken. 2. The bulk, <i>height</i>, location and design of the <i>infrastructure</i>, including any associated <i>buildings</i> or <i>structures</i>. 3. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated.

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3. Pole mounter electricity transformers that are located over 2 metres above *ground level* must remain at least 2 metres above *ground level*.

4. Impacts on the safety and function of the *road*, including any *footpath* or cycleway.

5. Impacts on the function of the rail network, including vehicle access tracks.

6. *Site* reinstatement and replanting.

7. The duration, timing, and frequency of the activity.

8. Impacts on Ngāi Tahu cultural values, including those listed in the MW2.3

9. The matters of discretion for the infringed standard.

INFR-R4 Establishment of above ground *infrastructure* (including *Green Infrastructure*) not otherwise addressed by another rule in this chapter.

All Zones
exempting the
General Rural,
Rural Lifestyle,
Field Days and
Camp
Columba,

Activity status: Permitted

Where:

1. ~~Other than where existing support poles structures are used, lines~~ are ~~to be~~ located underground and replacement support poles meet the permitted provisions in INFR-R3(1),; and
2. Compliance with all INFR Standards is achieved and the building footprint does not exceed an area of 40m²:
1. ~~vehicle charging stations that complies with all INFR Standards~~

Activity status where compliance is not achieved with:

INFR-R4(1 and 2): Restricted Discretionary

Matters of discretion:

1. The reason for the lines being above ground.
2. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.
3. The functional and operational needs of, and benefits derived from, the infrastructure, including the potential impact on the levels of service or health and safety if the work is not undertaken.

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General Rural, Rural Lifestyle, Field Days and Camp Columba.	2. Compliance with all INFR Standards is achieved.	INFR-R4(23): Restricted Discretionary Matters of discretion: 1. The matters of discretion of any infringed standard
INFR-R5	Network utilities generating radiofrequency fields.	
All Zones	Activity status: Permitted Where: 1. Compliance with INFR-S8 is achieved.	Activity status where compliance is not achieved: Non-complying
INFR-R6	Network utilities emitting electric and magnetic fields.	
All Zones	Activity status: Permitted Where: 1. Compliance with INFR-S9 is achieved.	Activity status where compliance is not achieved: Non-complying
INFR-R7	Activities and development (other than <i>earthworks</i>) within the <i>National Grid Yard</i>.	
All Zones	Activity status: Permitted Where: 1. The activity is not a <i>sensitive activity</i> ; and 2. <i>Buildings or structures</i> comply with NZECP34: 2001 and are: (a) for a <i>network utility</i> ; or (b) a <i>fence</i> not exceeding 2.5m in <i>height</i> above <i>ground level</i> ; or (c) a non-habitable <i>building or structure</i> used for <i>agricultural and horticultural activities</i> including irrigation that is not a milking shed/dairy shed	Activity status where compliance is not achieved: ~~Discretionary~~ <u>Non-Complying</u>

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- (excluding the stockyards and ancillary platforms), a wintering barn, a *building* for intensive farming activities, or a commercial greenhouse or produce packing facilities;
- (d) building alterations or additions to an existing *building* or *structure* that do not increase the *height* above *ground level* or footprint of the *building* or *structure*; and
3. A *building* or *structure* provided for by (2)(a) to (d) must:
- (a) not be used for the handling or storage of *hazardous substances* with explosive or flammable intrinsic properties in greater than domestic scale quantities;
 - (b) not permanently obstruct existing *vehicle access* to a *National Grid* support *structure*;
 - (c) be located at least 12m from the outer visible edge of a foundation of a *National Grid* support *structure*, except where it is a *fence* not exceeding 2.5m *height* above *ground level* that is located at least 6 metres from the outer visible edge of a foundation of a *National Grid* support *structure*.

INFR-R8

Telecommunications lines, cabinets, poles and new antennas regulated by the NESTF that do not meet the permitted activity standards in Regulations 20, 21, 22, 27, 29, 31, 33, 35 or 37 of the NESTF and are not expressly provided for as a controlled activity in Part 3 of the NESTF.

All Zones

Activity status: Restricted Discretionary

Matters of discretion:

1. The *functional needs* and *operational needs* of, and benefits derived from, the *network utility*, including the potential impact on the levels of service or health and safety if the work is not undertaken.

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2. The bulk, *height*, location and design of the *network utility*, including any associated *buildings* or *structures*.
3. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.
4. *Site* reinstatement and replanting.
5. The duration, timing, and frequency of the activity.
6. Impacts on Ngāi Tahu cultural values, including those listed in the MW.2.3
7. The extent and *effect* of non-compliance with any relevant Infrastructure Standards and the matters of discretion for the infringed standard(s).

INFR-R9

Establishment of new *infrastructure* within specified areas

All Zones

Activity status: Discretionary

Activity status where compliance is not achieved: N/A

Where:

1. The establishment of new *infrastructure* within:
 - (a) an Outstanding Natural Landscape or Feature
 - (b) a *Significant Natural Area*
 - (c) 20m of the Maitara River
 - (d) Is critical infrastructure (excepting regulated telecommunications activities) in the Maitara River Floodway, Actual and Potential Inundation Area or Stopbank Area.

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- (e) a *site* containing an item on the Heritage Schedule, a *Notable Tree*, ~~a *Site of Significance to Māori*~~ or an *Archaeological Site*
- (f) ~~land inside of the river side of a Southland Regional Council Stopbank~~ (excepting regulated telecommunications activities)
- (g) ~~is critical infrastructure on Land subject to a high or very high risk of liquefaction~~ (excepting regulated telecommunications activities)

INFR-R10

All other infrastructure

All Zones

Activity status: Discretionary

Activity status where compliance is not achieved: N/A

Where:

1. *Infrastructure*, including all *buildings* and *structures*, not otherwise provided for in the above rules.

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Standards

INFR-S1	Lines over <i>waterbodies</i>	
All Zones	1. Above-ground lines are to be at least 10m above the <i>water</i> level of a navigable <i>waterbody</i> when at its maximum navigable flow or attached to, and no lower than, existing structures over a navigable <i>waterbody</i> <u>or otherwise comply with NZECP34:2001.</u>	Activity Status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. The <i>effects</i> on navigation. 2. Alternative locations for the <i>structure</i>. 3. The <i>functional needs</i> and <i>operational needs</i> of, and benefits derived from, the <i>structure</i>, including the potential impact on the levels of service if a <i>structure</i> of the proposed size is not approved. 4. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated. 5. Potential impacts on mahinga kai activities
INFR-S2	Height of <i>Infrastructure</i>	
All Zones	1. All <i>buildings</i> or <i>structures</i> must comply with the relevant maximum <i>height</i> provisions for <i>buildings</i> of the zone they are located in. Except this rule does not apply to: (a) masts or poles for navigation, meteorology, electricity distribution or telecommunications;	Activity Status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Alternative locations for the <i>structure</i>.

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	(b) antennas for telecommunication and radio communication; (c) lines and support structures.	2. The <i>functional needs</i> and <i>operational needs</i> of, and benefits derived from, the <i>structure</i>, including the potential impact on the levels of service if a <i>structure</i> of the proposed size is not approved. 3. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated. 4. Impacts on ~~Ngāi Tahu~~ cultural values, including those listed in the MW-2.3
INFR-S3 <i>Height of Poles and Masts</i>		
Rural Zone, Rural Lifestyle Zone, General ~~Industrial Zone~~ ~~and Light~~ ~~Industrial Zone~~	The maximum <i>height</i> of any utility pole or mast <u>excluding any lighting rod or GPS antenna, and associated electricity lines</u> shall be: 1. <u>2535m</u>	Activity Status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Alternative locations for the <i>structure</i>. 2. The <i>functional needs</i> and <i>operational needs</i> of, and benefits derived from, the <i>structure</i>, including the potential impact on the levels of service if a <i>structure</i> of the proposed size is not approved. 3. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated. 4. Impacts on ~~Ngāi Tahu~~ cultural values, including those listed in the MW-2.3
<u>Industrial Zone</u> <u>and Light</u> <u>Industrial Zone</u>	2. <u>25m</u>	
All Other Zones	~~3. 13m~~ <u>The underlying permitted building height for the zone + 5m</u>	

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INFR-S4	Setbacks from boundaries	
All Zones	1. Where the utility is a <i>building</i>, it must be set back in accordance with the side, rear, ~~and~~ <u>road boundary, and rail corridor</u> setbacks for <i>buildings</i> in the zone in which it is located. Except this <u>standard rule</u> does not apply to: (a) poles, antennas, ~~and~~ associated cabinets <u>and ancillary equipment</u> (cabinets <u>and ancillary equipment</u> up to 10m² in area and 3m in <i>height</i>, exclusive of any plinth or other foundation), for telecommunication, ~~and~~ <u>radio communication and electricity transmission and distribution activities;</u> (b) lines and support structures for telecommunications <u>and electricity transmission and distribution;</u> (c) <i>network utilities</i> within legal <i>road</i>.	Activity Status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Alternative locations for the <u>building structure</u>. 2. The <i>functional needs</i> and <i>operational needs</i> of, and benefits derived from, the <u>building structure</u>, including the potential impact on the levels of service if a <u>building structure</u> of the proposed size is not approved. 3. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated. 4. Impacts on the <u>safety and</u> functionality of the <i>road and rail network</i>, including <u>any footpath or cycleway</u>.
INFR-S5	Minimum Setbacks from Rivers and Stream	
All Zones	1. <u>The foundation of a</u>Any <i>infrastructure building or structure</i> must be set back from the closest bank of any stream or <i>river</i> as follows: (a) 20m for high order rivers or streams (order 5 and above); (b) 10m for middle order rivers or streams (order 3 and 4); and (c) 5m for low order rivers or streams (order 1 and 2).	Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Whether there is a <i>functional need</i> for the <i>building or structure</i> to locate in a riparian margin, and the extent to which alternative practicable options have been considered and their feasibility.

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Except that fences of post and wire construction are permitted within the setback where these are:

- (i) not constructed with wire mesh if located within an area of Actual or Potential Inundation as identified within the Natural Hazards layer of the Planning Maps;
- (ii) not located within the stream or riverbed;
- (iii) not constructed across the stream or river channel; or
- (iv) not constructed across or along a stopbank.

Refer to Appendix 3 for river and stream orders and guidance on riverbed extents and the location of banks for measuring setbacks.

2. The effects on water quality and the stability and health of the stream bed and banks, including erosion and *sedimentation control measures*.
3. The nature of existing riparian vegetation and the effects of proposed planting or modification on indigenous *biodiversity* and ~~/or habitats~~ proposed mitigation measures, including:
 - (a) opportunities for enhancement and restoration;
 - (b) methods proposed to monitor or inspect the works undertaken;
 - (c) the timing of works to minimise adverse effects on threatened or at risk indigenous species; and
 - (d) management of potential adverse effects through a Biodiversity Management Plan.
4. The natural character of the riparian margin and the effects of the activity on landscape values and the ability to restore, rehabilitate or enhance riparian areas. Refer to Natural Features and Landscapes – Appendix 5 in regard to the Maitai River.
5. Impacts on ~~Ngāi Tahu~~ cultural values, including those listed in MW.2.3.
6. The effects on public and customary access to the stream or river.
7. The potential for flooding and to create new or exacerbate existing *natural hazards*, impact natural drainage patterns, redirect overland flow paths or flood flows, including on to other sites.]
8. The functional and operational needs of, and benefits derived from, the infrastructure, including the potential impact on the levels of service or health and safety if the work is not undertaken.

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		9.
INFR-S6	Footprint of <i>buildings</i> and <i>structures</i>	
All Zones	The maximum footprint of any utility <i>building</i> or <i>structure</i> shall <u>comply with the relevant building coverage provisions for the zone and overlay they are located in.</u> 1. ~~In the General Residential, Large Lot Residential, Medium Density Residential, Settlement, Town Centre, Local Centre, Neighbourhood Centre and Māori Purpose zones: 6m²~~ 2. ~~In all other zones: 10m²~~	Activity Status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Alternative locations for the <i>structure</i>. 2. The <i>functional needs</i> and <i>operational needs</i> of, and benefits derived from, the <i>structure</i>, including the potential impact on the levels of service if a <i>structure</i> of the proposed size is not approved. 3. The <i>amenity values</i> of the respective zone and the extent to which any adverse visual amenity <i>effects</i> can be avoided, remedied or mitigated. 4. Impacts on ~~Ngāi Tahu~~ cultural values, including those listed in the MW-2.3 5. <u>Impact on safe, efficient and effective function or operation of roads including State highways including any obstruction of views of intersections, accessways or ongoing traffic and any shading over roads.</u>
INFR-S7	Antennas, Small Cells and ancillary equipment	
All zones	~~1.~~ That for panel antennas the maximum width is 0.7m, ~~and~~ for all <u>other dish</u> antenna ~~types~~ the maximum ~~surface area~~	Activity Status where compliance is not achieved:

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diameter is no greater than 0.6m² in the residential zones and 1.2m² in all other zones ~~1.5m²~~ and for whip and dipole antennas, the maximum length is ~~are~~ less than 4m ~~in length~~.

2. For small cells and ancillary equipment, the volume of the unit must not exceed 2.5m³.

Restricted Discretionary

Matters of discretion:

1. Alternative locations for the *structure*.
2. The *functional needs* and *operational needs* of, and benefits derived from, the *structure*, including the potential impact on the levels of service if a *structure* of the proposed size is not approved.
3. The *amenity values* of the respective zone and the extent to which any adverse visual amenity *effects* can be avoided, remedied or mitigated.
4. Impacts on Ngāi Tahu cultural values, including those listed in the MW-2.3

INFR-S8 Radiofrequency fields

All Zones

1. *Network utilities* must not exceed the maximum exposure level of the general public in the New Zealand Standard for Radiofrequency Fields Part 1: Maximum Exposure Levels 3 kHz to 300GHz (NZS 2772.1: 1999) measured at all places reasonably accessible to the general public.

Activity Status where compliance is not achieved:

Non-complying

INFR-S9 Electric and magnetic fields

All Zones

1. *Network utilities* must not exceed the International Commission on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz - 100kHz) (Health physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, June 2007).

Activity Status where compliance is not achieved:

Non-complying

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